

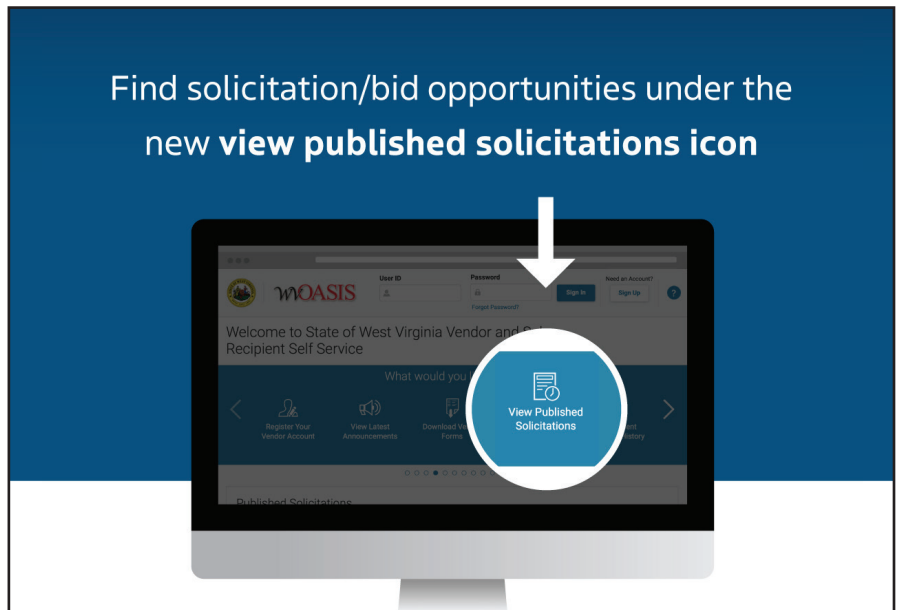
Vendor Self-Service Portal within wvOASIS Upgraded in November to Improve User Experience

The Vendor Self-Service (VSS) portal on wvOASIS.gov took on a new look last month following an upgrade to the system. As part of the upgrade, vendors interested in doing business with the state of West Virginia can now more easily navigate the site to view solicitations, access vendor forms, create watch lists, view grant opportunities, and more.

The VSS now contains user-friendly, enhanced features. For example, there is no longer a public access button. Instead, vendors will immediately see a carousel at the top of the main page with various options. After a vendor either creates an account or claims an existing account, they can pay the vendor registration fee online. Vendors can then view

Please see **VSS UPGRADE**, page 4

Find solicitation/bid opportunities under the new **view published solicitations icon**



INSIDE...

- **Director's Comments:**
Other Purchasing Methods Available for State Agency Use When Mandatory Sources, Competitive Purchasing Not Appropriate Solution
- Purchasing Division Announces the First Half of its Training Schedule
- Ethics are Vital to Ensuring Proper Expenditure of Taxpayers' Dollars

Annual Agency Satisfaction Survey Provides Insights Strengths, Future Improvements

In response to the pandemic, the Purchasing Division has made several changes to its processes and procedures, all while keeping agencies and their needs as a top priority. To gauge these changes and all programs and services offered throughout the year, the Division recently conducted its annual Agency Satisfaction Survey to gain feedback from its agency customers and learn what areas need improvement. As the Purchasing Division plans for 2021, these responses will be reviewed and used to better its programs and services.

Here is a look at some of the information that was learned from this survey. The following objectives measured changes made due to the pandemic:

- 88% said issuing a temporary pre-bid meeting policy was *Good or Excellent*;
- 83% said issuing guidance for Purchasing Affidavits in which a notary could not be obtained was *Good or Excellent*;

Please see **SURVEY**, page 4

Other Purchasing Methods Available for State Agency Use When Mandatory Sources, Competitive Purchasing Not Appropriate Solution

We have finally made it to the end of 2020. I know for many this has felt like the year that would never end, yet here we are. We have persevered and should be proud of the work we have accomplished this year, despite the many challenges we faced. So before I move on, I would like to thank each of you for the dedication and resilience you have shown, and continue to show. You are appreciated.

Over the last two months, my comments have touched on internal sources and mandatory contracts, as well as competitive purchasing. Sometimes unique situations present themselves that cannot be addressed through any of those means, so this month, I want to touch on some additional purchasing methods available to us when appropriate. Specifically, I will address direct award purchases, emergency purchasing, and as a last resort when in the best interest of the state, cooperative purchasing.

To issue a direct award, formerly known as a sole source, agencies must justify the direct award using the *Direct Award Determination* (WV-65/WV-65A) form by showing that no other vendor can provide the good or service without a detrimental effect to the agency. The intent to process a direct award must be advertised for at least 10 business days.

When emergencies arise that could damage workplace property or threaten lives or the health and welfare of employees or those served by the state, West Virginia Code provides for emergency procedures. Emergency transactions should be accomplished as quickly as possible to remediate the emergency. Agencies are delegated the authority to process their own emergency purchases under \$25,000.

At the formal level (those purchases exceeding \$25,000), emergencies require approval from the purchasing director prior to moving forward with the transaction. If the emergency occurs outside of normal business hours, then the agency may proceed with the repair or purchase and follow up with their justification and all documentation on the first business day following the emergency purchase.

One of the more specialized tools that seems to increasingly come out of the toolbox is cooperative contracting. Purchasing Division staff are increasingly aware of vendors pushing cooperative contracts where they are part of the awarded pool of vendors. The sales pitch usually starts with the virtues of the vendor's commodities or services over its competitors. Almost invariably the discussion ends with a conversation about how cooperative

contracting would allow the agency to avoid competitive bidding and contract directly with the vendor. From a vendor's standpoint, this is very much a preferred way to contract with State government. If the vendor can convince the state to use the cooperative, they receive a contract without the need to compete with other vendors at the State level, and in most cases, with little or no pressure to reduce pricing.

More and more often, cooperatives are abandoning the rigors of a competitive process for an "award-to-all" model. And while that model is certainly convenient for the agency and maximizes the revenue for the cooperative entity, it does little to ensure that the State is obtaining the best value or best price. In fact, the Purchasing Division has compared commodities from several NASPO contracts and found that the State's competitively bid contract generated better pricing. The cooperative model can also fall short when it comes to allowing a wide range of local and regional vendors to have notice of, and an opportunity to compete for State business.

The West Virginia Code and Code of State Rules put a few guardrails on the cooperative contracting process. First, cooperative contracting is limited to public entity contracts. Second, the agency requesting it must show that the contract is valid, available for use, and properly awarded. Third, the agency must show that the contract is financially advantageous and comparable to what can be obtained from competitive bidding. And all of this must add up to a finding that it is in the best interest of the State.

Given the award to all model and the lack of competition on price being adopted by cooperative entities, it can sometimes be difficult for a cooperative contract to meet the bare minimum requirements. For these reasons, cooperative contract should be considered a specialized tool, or an exception to the rule, rather than a constant go-to.

Should you have any questions about the three types of purchases mentioned in these comments, contact your assigned Purchasing Division buyer and they will be happy to assist you.



WHAT ARE YOUR PROFESSIONAL PROCUREMENT GOALS FOR THE NEW YEAR?

During preparations for the start of a new year, individuals often make positive resolutions or set goals. While we often think of these in our personal lives, it can also be a useful exercise for our professional lives.

The Purchasing Division wants to know how you will make 2021 your best year in procurement. Are you going to try to process more solicitations? Improve your inspection grade? Attend more trainings? To submit your answer, visit www.surveymonkey.com/r/2021ProcurementGoals by December 10, 2020. We will share the results in the new year. See you in 2021!

Purchasing Division Announces the First Half of its Virtual Training Program Schedule for 2021

Due to the ongoing COVID-19 pandemic and for planning purposes, all Purchasing Division training sessions during the first six months of 2021 will be presented via webinar.

Registration for each webinar will be limited to the first 100 individuals and given on a first-come, first-served basis. To view a copy of the first half of the 2021 Training Program schedule or to register for these training sessions, visit www.onlinelearning.wv.gov and log in with your User ID (i.e. your A, B, or E number) and password. Once logged in, click on the Course Catalog tab and search for the courses that begin with the ID “PUR” or simply type the Catalog ID for the course you’re interested in into the Catalog ID field. If you have not logged into CourseMill previously, your password should be “password.” You will be prompted to change it once logging in. If you can’t remember your password, simply click on the “Forgot your User ID or Password?” button and you will receive an email to reset your password.

Questions may be directed to Courtney.S.Johnson@wv.gov.

Date	Webinar Title	Catalog ID	Time
Jan. 13	Procurement Basics, Tools & Resources	PUR112W	9 – 11 a.m.
Jan. 27	Electronic Business with West Virginia	PUR105W	10 – 11:30 a.m.
Feb. 3	Statewide Contracts/Inspection Services	PUR114W	9 – 11 a.m.
Feb. 10	Developing Specifications/Contracting	PUR113W	9 – 11 a.m.
Feb. 24	Preparing and Evaluating RFPs	PUR303W	9 – 11:30 a.m.
Mar. 3	wvOASIS Procurement	PUR208W	9 – 11 a.m.
Mar. 17	Managing Your Vendor	PUR214W	10 - 11 a.m.
Mar. 31	From Pre-Planning to Post Award	PUR202W	9 – 11:30 a.m.
April 14	Vendor Registration	PUR111W	9 - 11:30 a.m.
April 28	Purchasing as a Privacy Powerhouse	PUR201W	10 – 11:30 a.m.
May 12	Insurance Requirements	PUR310W	10 -11:00 a.m.
May 19	Purchasing Ethics and Risks	PUR210W	9 – 11 a.m.
June 2	Purchasing for Boards & Commissions	PUR306W	9 – 11:30 a.m.
June 16	Special Purchases and Processes	PUR213W	10 – 11:30 a.m.
June 30	Fixed Assets and Surplus Property	PUR110W	10 – 11 a.m.

Tracking of Training Hours Available on CourseMill

The Code of State Rules requires agency designated procurement officers to take 10 hours of training offered by the Purchasing Division annually. The state’s learning management system, CourseMill, is now making it easier than ever for participants to track their hours and courses.

While CourseMill is used as a registration tool for the Purchasing Division’s webinars and workshops, it also serves as a transcript for any courses that have been completed. Following each webinar or workshop, Purchasing Division staff update the participant’s status to “Complete.” This allows procurement officers to track their own training participation for the year.

To view the transcript of complete trainings, individuals should log in at www.onlinelearning.wv.gov and click on the “Transcript” tab on the left-hand side of the page. All completed courses will be listed. This report can be downloaded or printed. Certificates of completion for individual classes can also be printed.

“So often, we are asked by agency procurement officers how many hours they have for the current fiscal year as they try to gauge how many hours they still require,” said Assistant Purchasing Director Samantha Knapp.

“With the exception of the annual conference workshops, which also count as training hours, we’re pleased that agency procurement officers now have a method to track their own training hours that is in line with how the Purchasing Division would pull the information. This cuts out the time of procurement officers having to wait on the Purchasing Division to pull their transcript and gives them some autonomy when planning or meeting the requirements of the various rules and programs.”

Those interested in obtaining basic certification are required to complete 15 hours of training, while 30 hours are required for the advanced certification. Any individual that has obtained the WV Procurement: Basic or Advanced Certification must complete 20 hours of training offered by the Purchasing Division in the three years from the date they obtain that certification to comply with recertification guidelines.

For additional questions on how to view your transcript or training hours within CourseMill, email Purchasing.Training@wv.gov.

Ethics are Vital to Ensuring Proper Expenditure of Taxpayers' Dollars

In the world of public purchasing, procurement officers are responsible for ensuring the proper use of state taxpayers' dollars, which is why it is important that procurement officers understand where good ethics come into play. According to Purchasing Division General Counsel Jimmy Meadows, many of the laws and rules currently in place serve as safeguards against the misuse of public funds through procurement.

"Fraud and unethical behavior can and do happen everywhere. Regrettably, West Virginia's procurement history has examples of both," Meadows said. "Some examples include bribes, kickbacks, extortion, collusion in bidding, conflicts of interest, false or inflated invoices, overly restrictive specifications, personal use of state contracts... and the list goes on. It is the responsibility of the procurement officer to be aware of these potential legal and ethical violations and ensure that those in your agency understand the rules and laws guiding our state procurement transactions."

Another example of ethics gone wrong is change order abuse. This occurs when a procurement officer solicits bids for a base product and then submits a change order(s) to vastly expand the original intent of the purchase. When processing a change order, the Purchasing Division may request additional documentation to aid in the review. The explanation of the change must be described with sufficient detail and clarity that any individual could review and understand. This explanation ensures the change being initiated is within the legal and justifiable bounds of state procurement law.

Meadows stated that the laws governing public procurement processes are strict and demand the highest degree of discretion and ethical behavior. In addition to W. Va. Code §5A-3, including §5A-3-17, which addresses the personal liability of the procurement officer and others within an agency when a violation is made, the state's ethics laws contained in W. Va. Code §6B-2-5 also come into play in many procurement transactions. Furthermore, there are federal statutes such as wire fraud, mail fraud, and other anti-corruption laws that may be used to prosecute procurement wrongdoing.

"The actions must be knowing and willful," Meadows clarified.

State procurement officers have the responsibility of purchasing commodities and services in the most effective and efficient method possible. The Purchasing Division has adopted the NIGP Code of Ethics, which may be viewed as Appendix O in the Purchasing Division Procedures Handbook. To review these guidelines, visit www.state.wv.us/admin/purchase/Handbook/2020/handbook.pdf.

VSS UPGRADE

Continued from Page 1

their home page with an account summary, a financial balance overview, a watch list for bid opportunities and commodity codes, financial inquiries (award and payment activity), and the West Virginia Purchasing Bulletin with links to open solicitations. There are also tabs for announcements, vendor forms, agency contacts, and important links.

"The Vendor Self Service (VSS) upgrade to 4.0 provides vendors and grant sub-recipients a more streamlined way to search for bid and grant opportunities available from the state," said WV OASIS Finance TEAM Business Analyst Lisa Comer. "For example, the number of steps required to access the main menu, as well as creating or claiming an account, has been reduced. The new version of VSS also allows more flexibility for users to sort and display results when searching for opportunities."

Informative videos in three parts have been created for the vendor community and agency procurement officers who are interested in learning more. If you wish to become familiar with the features of the upgraded VSS portal, you may view the videos online at the links below:

- Part I: <https://youtu.be/-4O9k4ayWNY>
- Part II: <https://youtu.be/9SEqr0mERfs>
- Part II: https://youtu.be/r_EZslxsl5U

Buyers Network

SURVEY

Continued from Page 1

- 95% said temporarily suspending rules for the purchase of goods or services related to COVID-19 was *Good* or *Excellent*; and
- 82% said streaming bid openings online via WebEx was *Good* or *Excellent*.

Below is feedback regarding more general areas of the Purchasing Division:

- 92% said their overall satisfaction with the Purchasing Division's programs and services increased or stayed the same during the past 12 months;
- 98% of respondents indicated they had attended or participated in the Purchasing Division training program in the last year;
- 100% of respondents said the professionalism of the staff was *Good* or *Excellent*;
- 86% said the availability of information in the *Purchasing Division Procedures Handbook* was *Good* or *Excellent*;
- 80% of respondents rated their overall satisfaction of issued statewide contracts as *Good* or *Excellent*; and
- 83% of respondents said the knowledge of the West Virginia State Agency for Surplus Property's staff was *Good* or *Excellent*.

Thank you to everyone who took this survey and allowed the Purchasing Division to review its services. While this survey is conducted only once per year, your comments, concerns and suggestions are always welcome. To provide your feedback throughout the year, please contact us at Purchasing.Division@wv.gov.

Purchasing Division Recaps its 2020 Series *Tell Me More*

Throughout 2020, the Purchasing Division has published a series called *Tell Me More* in each issue of *The Buyers Network*. Each month a new topic was examined to help provide clarification on different aspects of the procurement process.

“When we began the *Tell Me More* series in January, we knew we wanted to explore the different roles of the agency and the Purchasing Division,” explained Purchasing Director Mike Sheets. “Understanding those roles and taking appropriate responsibility for various tasks ensures a more efficient procurement process.”

Topics explored in the *Tell Me More* series included the importance of specifications, managing contracts, and last month’s article on third-party approvers. Below is a list of all of the *Tell Me More* topics and a link to the corresponding issue.

The Purchasing Division hopes this series has been insightful and provided a new look at the roles we all play within state procurement. If there is a topic in this series you did not see discussed and would like included in a future issue, please contact Samantha.S.Knapp@wv.gov or your agency’s assigned buyer at the Purchasing Division.

Tell Me More Topics

Jan:	Specifications	July:	Fixed Assets
Feb:	Procurement Roles	Aug:	Surplus Property
March:	Vendor Protests	Sept:	Inspections
April:	Terms and Conditions	Oct:	Travel Management
May:	Training and Certification	Nov:	Third-Party Approvers
June:	Contract Management		

High-Level Mandatory Training Webinar Recording Online

High-level officials who were unable to watch last month's webinar of the State Officials’ Purchasing Procedures and Purchasing Card Training may now view this training via CourseMill. Presented by the Purchasing Division and the State Auditor’s Office, this bi-annual webinar provides information on purchasing procedures and purchasing card processes. This training is mandatory for high-level officials and must be completed each fiscal year as indicated in W. Va. Code § 5A-3-60.

The most recent live training was offered as a webinar on November 5, 2020. To view the recording of this webinar, visit www.online-learning.wv.gov, log in using your unique ID number (e.g. A or B number) and password, and search for the course ID "PUR400E".

For questions related to this training, email Purchasing.Training@wv.gov.

Buyers Network



Test Your Knowledge

1. *Technology purchases generally refer to _____.*
 - a). a technology purchase of any value
 - b). hardware, software, and services implemented on or connected to the State’s network
 - c). your personal laptop
 - d). a new computer to replace your old one
2. *True or False:* CTO approval is not needed for contract reassignments necessitated by a name and/or other administrative change, such as funding or address changes.
3. *True or False:* Cell phone purchases require CTO approval.
4. *True or False:* CTO requests are processed by the date received from newest to oldest.

1. b 2. True 3. False 4. False

THE BUYERS NETWORK

Purchasing Division
State Capitol Complex
2019 Washington St., East
Charleston, WV 25305-0130

Telephone: 304.558.2306
8:15 a.m. to 4:30 p.m. (M-F)

Jim Justice
Governor

Mike Sheets
Director
Purchasing Division

Editor
Samantha Knapp

Contributing Reporters

Jessica Chambers
Courtney Johnson

Current Statewide Contract Update

(As of November 17, 2020)

This page includes a listing of current changes made to statewide contracts issued by the Purchasing Division. Information and dates listed in this **Current Statewide Contract Update** are subject to change. All statewide contracts are available online at www.state.wv.us/admin/purchase/swc. For more information, please contact the buyer assigned to statewide contracts.

Contract Renewals

Contract	Vendor	Commodity	Effective Date
MV21A	Stephens Auto	Motor vehicles	11/01/20 -10/31/21
MV21B	Bob Robinson Inc	Motor vehicles	11/01/20 -10/31/21
MV21C	Jim Robinson Inc	Motor vehicles	11/01/20 -10/31/21
MV21D	Matheny Motor Truck Co	Motor vehicles	11/01/20 -10/31/21
MV21E	Thornhill Motor Car Inc	Motor vehicles	11/01/20 -10/31/21
MV21F	Matheny Motor Truck Co	Motor vehicles	11/01/20 -10/31/21
MV21G	Whiteside of St Clairsville Inc	Motor vehicles	11/01/20 -10/31/21

MVTRUCK21A	Stephens Auto Center	Motor vehicles	10/12/20 -10/14/21
MVTRUCK21B	Bob Robinson Inc	Motor vehicles	10/12/20 -10/14/21
MVTRUCK21C	Matheny Ford LLC	Motor vehicles	10/12/20 -10/14/21

Miscellaneous Actions

Contract	Vendor	Commodity	Description of Change
SWC*19	KOMAX LLC	Photocopiers	To update discontinued items

FOR MORE INFORMATION

Below is a list of Purchasing Division buyers assigned to specific state agencies.

Purchasing Division Welcomes New Employee

The Purchasing Division is pleased to welcome Melody Waite as its newest employee. Waite joins the Business and Technical Services section as an Office Assistant II.

A resident of South Charleston, Waite previously worked for the Department of Health and Human Resource's COVID-19 Hotline and as a paralegal before that. Waite was a member of the Phi Beta Lambda honor society in Connecticut, where she earned an associate's degree in paralegal studies. Additionally, Waite also studied social work at the University of Maine at Augusta and holds a certificate in medical terminology/record.

"I am so excited to be added to the Purchasing Division," shared Waite. "I am anticipating many happy years to come."



BUYER	E-MAIL	PHONE
<u>Supervisors</u>		
Tara Lyle	Tara.L.Lyle@wv.gov	558-2544
Linda Harper	Linda.B.Harper@wv.gov	558-0468
<u>Senior Buyers</u>		
Mark Atkins	Mark.A.Atkins@wv.gov	558-2307
Jessica Chambers	Jessica.S.Chambers@wv.gov	558-0246
Josh Hager	Joseph.E.Hageriii@wv.gov	558-8801
Crystal Hustead	Crystal.G.Hustead@wv.gov	558-2402
Melissa Pettrey	Melissa.K.Pettrey@wv.gov	558-0094
David Pauline	David.H.Pauline@wv.gov	558-0067
<u>Buyers</u>		
Dusty Smith	Dusty.J.Smith@wv.gov	558-2063
John Estep	John.W.Estep@wv.gov	558-2566