

# Forms and Documentation

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*2022 Agency Purchasing Conference*



# Process/Law Changes to Help You

- **Purchasing Affidavit Eliminated (2022)** Affidavit is no longer required
- **Moved All Forms to Internet (2020)** At the request of several agencies, the Purchasing Division aggregated all forms on a single internet page instead of the intranet
- **Modifies the Disclosure of Interested Parties Form (2018)** Increases limit for DIP form from \$100,000 to \$1 million. Form no longer applies to publicly traded companies
- **Opinion Request Form (2017)** Developed Section 9 Opinion Request Form to help agencies determine when an item is impossible to bid
- **Allow for cure of Sublist, Drug Free Affidavit, Contractors License # (2017)** Law change allows Purchasing Division to avoid disqualifying low bid for clerical type errors related to these items

# Objectives

- Discuss commonly used purchasing forms
- Discuss the Code and Rule that they are derived from
- Discuss how, when and why we use them
- Some of the forms to be discussed include the following:
  - Compliance Verification Checklist for Requisition Submission
  - Terms and Conditions
  - Revised Agreement Addendum (WV-96)
  - Drug Free Workplace Affidavit and Cover Sheet
  - Direct Award (WV-65 and WV-65A)
  - Multiple Award Determination (WV-70)

# Forms

All Purchasing forms can be found at the Purchasing Division's website under "Agency Resource Center" or by simply clicking "Forms" on the left-hand navigation bar of the main page at ***WVPurchasing.gov***.



Vendor  
Resource Center

Agency  
Resource Center

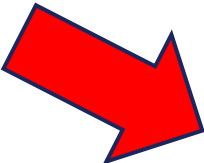
Emergency  
Purchasing Procedures

Debarred and  
Suspended Vendors



Contact Us

- News
- Vendor Registration
- Bid Information
- Transparency
- Procedures
- Contracts
- Training
- Programs
- Forms
- Local Government Outreach



# Forms

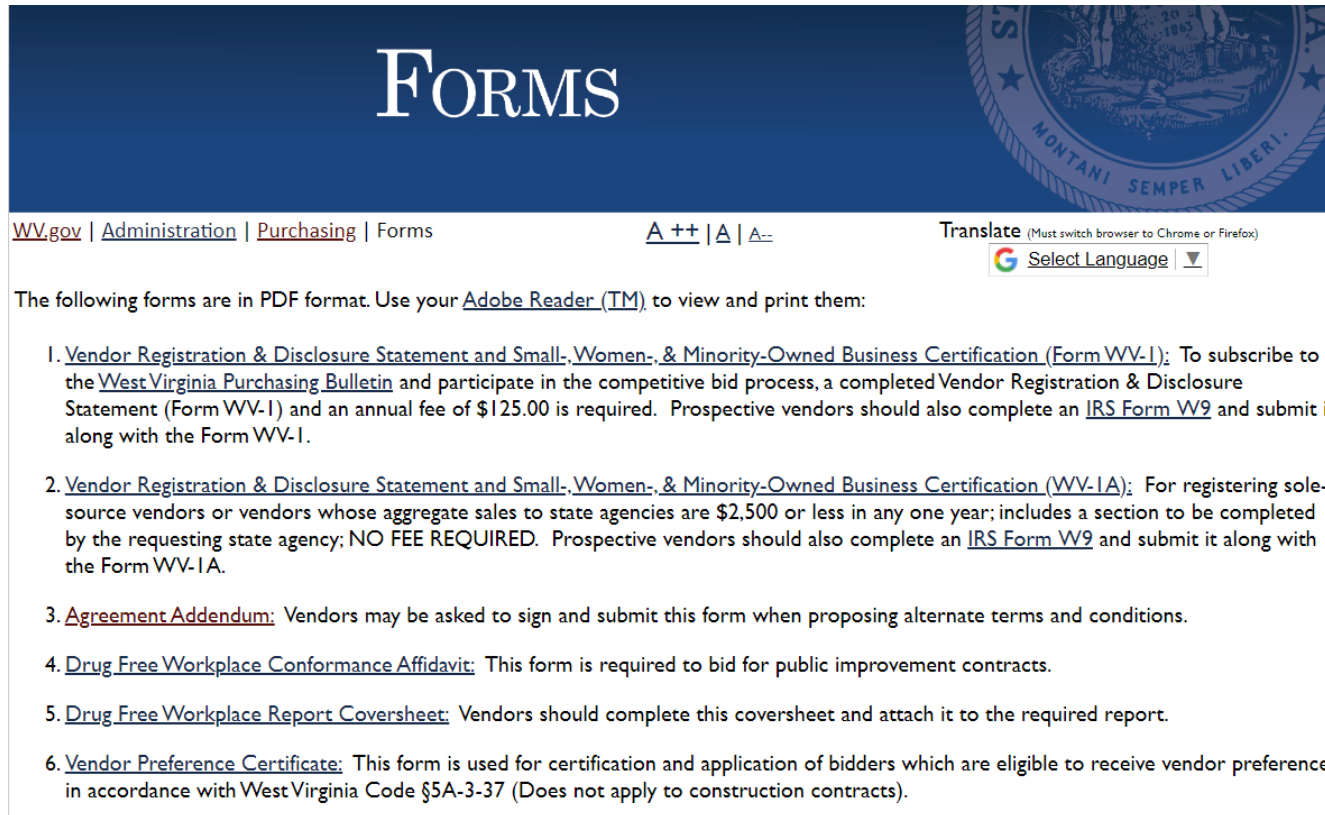
This is the screen you will see if you click the Agency Resource Center tab



1. [Forms](#): Here you will find a collection of our most commonly used forms, including the Vendor Registration and Disclosure Statement (Form WV-1).
2. [Annual Report](#): A detailed summary of the West Virginia Purchasing Division's highlights, program accomplishments, financial statistics, recognition awards and legislative changes for each fiscal year.
3. [Emergency Purchasing Procedures](#): The conditions and situations which allow for emergency purchases and the proper procedures for them.
4. [Purchasing Training Center](#): Resources and education materials relating to the state purchasing process prepared for state procurement officials.
5. [Purchasing Division Procedures Handbook](#)

# Forms

After you click on “Forms”, search all Purchasing forms by hitting Control F and typing in the name of the form



The screenshot shows the 'FORMS' page on the West Virginia Purchasing website. The page has a dark blue header with the word 'FORMS' in white. Below the header is a navigation bar with links for 'WV.gov', 'Administration', 'Purchasing', and 'Forms'. There are also accessibility options (A++, A, A-) and a 'Translate' button with a 'Select Language' dropdown menu. The main content area lists six forms in PDF format, each with a brief description of its purpose and requirements.

[WV.gov](#) | [Administration](#) | [Purchasing](#) | Forms

A ++ | A | A -

Translate (Must switch browser to Chrome or Firefox)  
G Select Language ▼

The following forms are in PDF format. Use your [Adobe Reader \(TM\)](#) to view and print them:

1. [Vendor Registration & Disclosure Statement and Small-, Women-, & Minority-Owned Business Certification \(Form WV-1\)](#): To subscribe to the [West Virginia Purchasing Bulletin](#) and participate in the competitive bid process, a completed Vendor Registration & Disclosure Statement (Form WV-1) and an annual fee of \$125.00 is required. Prospective vendors should also complete an [IRS Form W9](#) and submit it along with the Form WV-1.
2. [Vendor Registration & Disclosure Statement and Small-, Women-, & Minority-Owned Business Certification \(WV-1A\)](#): For registering sole-source vendors or vendors whose aggregate sales to state agencies are \$2,500 or less in any one year; includes a section to be completed by the requesting state agency; NO FEE REQUIRED. Prospective vendors should also complete an [IRS Form W9](#) and submit it along with the Form WV-1A.
3. [Agreement Addendum](#): Vendors may be asked to sign and submit this form when proposing alternate terms and conditions.
4. [Drug Free Workplace Conformance Affidavit](#): This form is required to bid for public improvement contracts.
5. [Drug Free Workplace Report Coversheet](#): Vendors should complete this coversheet and attach it to the required report.
6. [Vendor Preference Certificate](#): This form is used for certification and application of bidders which are eligible to receive vendor preference in accordance with West Virginia Code §5A-3-37 (Does not apply to construction contracts).

# Compliance Verification Checklist For Requisition Submission

47. Pre-Bid Sign In Sheet

48. West Virginia Office of Technology SaaS Addendum (Cloud Addendum)

49. Specification Drafting Tips

50. Federal Funds Contract Clause Addendum Form

51. Compliance Verification for Requisition Submission Checklist form



Procurement Excellence Through Collaboration and Service



# Compliance Verification Checklist For Requisition Submission

## COMPLIANCE VERIFICATION CHECKLIST FOR REQUISITION SUBMISSION

<i>Purchasing Division Use:</i>		Agency:
Buyer: _____	Date: _____	
Solicitation No. _____		Procurement Officer Submitting Requisition:
		Requisition No.
		PF No.:

This checklist **MUST** be completed by a state agency's designated procurement officer and submitted with the Purchase Requisition to the Purchasing Division. The purpose of the checklist is to verify that an agency procurement officer has obtained and included required documentation necessary for the Purchasing Division to process the requisition without future processing disruptions. At the agency's preference, the agency **MUST** either submit the checklist by attaching it to the requisition's Header **OR** by placing it in the requisition's Procurement Folder.

### FOR ALL SOLICITATION TYPES:

	Compliance Check Type	Required	Provided, if Required	Not Required	Purch. Div. Confirmation
1	Specifications and Pricing Page included	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Use of correct specification template	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Use of correct requisition type [CRQS → CCT or CPO] or [CRQM → CMA]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Use of most current terms and conditions ( <a href="http://www.state.wv.us/admin/purchase/TCP.pdf">www.state.wv.us/admin/purchase/TCP.pdf</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Maximum budgeted amount in wvOASIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Suggested vendors in wvOASIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Capitol Building Commission pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Financing (Governor's Office) pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Compliance Check Type	Required	Provided, if Required	Not Required	Purch. Div. Confirmation
9	Fleet Management Division pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Insurance requirements				
	Commercial General Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Automobile Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Workers' Compensation/Employer's Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Cyber Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Builder's Risk/Installation Floater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Professional Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Office of Technology CIO pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Treasurer's Office (banking) pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### FOR CHANGE ORDERS/RENEWALS:

13	Two-party agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Standard change order language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Office of Technology CIO approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	Justification for price increases/backdating/other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Bond Rider (Construction)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*\*The items pre-checked are required before a Purchase Requisition may be submitted to the Purchasing Division. Failure to complete and verify this documentation may result in rejection of the requisition back to the agency. It is up to the agency procurement officer to determine if pre-approvals, insurance, or other documentation is needed for the purchase. The referenced information below may be used to make this determination.*

*For Purchasing Division Use Only:*

I have reviewed the requisition identified above and find that it is sufficient to advertise publicly to the vendor community. My review does not preclude the possibility that the vendor community, or some other entity, will identify an area of concern; however, should such issues or concerns arise, they will be reviewed and addressed as may be appropriate.

Signature: \_\_\_\_\_

# Compliance Verification Checklist For Requisition Submission

## REFERENCE:

- 1. Specifications and Pricing Page.** The specifications and intended pricing evaluation tool (wvOASIS line or pricing page) must be attached to the requisition for the Purchasing Division to review them.
- 2. Usage of correct specification template.** The Purchasing Division maintains standard format templates on its website for various purchase types, including but not limited to one-time, services, and open-end RFQ purchases; RFPs; and EOIs. Using the correct specification template ensures language appropriate for the type of purchase will be contained in the final contract. A copy of these templates can be found on the Purchasing Division's website at [www.state.wv.us/admin/purchase/forms.html](http://www.state.wv.us/admin/purchase/forms.html).
- 3. Use of correct requisition type.** Agencies must discern the type of contract needed prior to entering the requisition in wvOASIS. The requisition type will limit the type of award that can be issued for each solicitation. **Purchasing Division Procedures Handbook, Section 3.3.1.1.**
- 4. Terms and conditions.** The agency must complete the General Terms and Conditions using the master copy maintained by the Purchasing Division, and the revision date on the terms and conditions document must not be removed or altered in any way. The Purchasing Master Terms and Conditions can be found on the Purchasing Division's website at [www.state.wv.us/admin/purchase/TCP.pdf](http://www.state.wv.us/admin/purchase/TCP.pdf). **Purchasing Division Procedures Handbook, Section 3.2.4.6.**
- 5. Maximum budgeted amount.** This is the maximum amount of funding available for the purchase of the good or service as determined by the agency prior to requisition submission. This amount determines the agency's ability to negotiate and cannot be changed after the bid opening. **Purchasing Division Procedures Handbook, Section 6.9.3.1.**
- 6. Suggested vendors.** Suggested vendors are identified at the time an agency conducts its market research and are placed in the Vendor List or Free Form Vendor fields within the requisition. This ensures the vendors are made aware of the bidding opportunity.
- 7. Capitol Building Commission pre-approval.** Pre-approval from the Capitol Building Commission is required before any contract can be bid for work requiring a substantial physical change to the state capitol building or surrounding complex, before work begins to a building on the capitol complex if not done under a contract, and prior to processing change orders for work to buildings on the capitol complex above \$40,000. **Purchasing Division Procedures Handbook, Section 7.2.**
- 8. Financing pre-approval.** Any loan or extension of credit from a bank or other financial institution by any state agency under the Executive Branch requires pre-approval from the Governor's Office and must be in the best financial interest of the state of West Virginia. **Per memorandum from the Governor's Office.**
- 9. Fleet Management Division pre-approval.** Pre-approval by the Fleet Management Division (FMD) is required to purchase vehicles, unless statutorily exempt. Any request made under the authority of the Fleet Management Division to increase an agency's fleet size must be approved by the FMD executive director, and all vehicle purchases, regardless of dollar amount, must be processed through the Purchasing Division. **Purchasing Division Procedures Handbook, Section 7.8.**
- 10. Insurance requirements.** RE **Purchasing Division Procedures Handbook, Section 3.2.5.3. Appendix C.**
- 11. Office of Technology CIO pre-approval.** In accordance with the Office of Technology's CIO-19-001 policy, all technology procurement requests, unless exempted, require Chief Information Officer (CIO) approval. **Purchasing Division Procedures Handbook, Section 7.3.**
- 12. Treasurer's Office (banking) pre-approval.** Pre-approval is required by the State Treasurer's Office for the acquisition of banking goods or services, which includes but may not be limited to accepting payments and receiving funds via electronic commerce. **W. Va. Code §§ 12-1-7 and 12-3A-6.**
- 13. Two-party agreement.** This agreement, confirming the need for the change order, must be signed by both the agency and the vendor. A single letter of agreement with both signatures is standard.
- 14. Standard change order language.** The Purchasing Division maintains standard language to be used in the Extended Description field when issuing a change order in wvOASIS. There are various descriptors available to address the change to the original contract, including but not limited to a standard renewal, a renewal with an increase or decrease, a construction extension for time only or time and increase, a cancellation, and an administrative change. **Purchasing Division Procedures Handbook, Appendix D.**
- 15. Office of Technology CIO pre-approval.** See #11.
- 16. Justification for price increases/backdating/other.** Any change order request that increases the amount of the contract, is backdated more than 20 days past the submission date of the change order, or otherwise affects provisions of the contract not typically seen in a change order requires justification.
- 17. Bond rider.** A bond rider allows bonded principals to request changes to be made to their original surety bond agreements. The bond rider is the only valid way of making changes to a bond agreement which does not invalidate the agreement.

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Questions regarding this *Compliance Verification Checklist for Requisition Submission* may be directed to your assigned Purchasing Division buyer. If you're unsure who your buyer is, see the Agency-Buyer assignments published online at [www.state.wv.us/admin/purchase/byrassign.pdf](http://www.state.wv.us/admin/purchase/byrassign.pdf).

# Terms and Conditions

25. Insurance Guidance Document for Purchasing: West Virginia Board of Risk and Insurance Management provides guidance on insurance requirement to agency purchasers; refer to Appendix G in the Procedures Handbook.
26. Liability Risk Assessment Template (WV-114): The Constitution of the State of West Virginia prohibits state agencies from taking on debt as well as extending the state's credit to third parties. This risk assessment is intended to assist state agencies in determining whether a vendor's proposed liability limit complies with that mandate.
27. Multiple Award Determination (WV-70): Agencies are required to complete this form at the time of requisition in order to determine that an award to multiple vendors is in the best interest of the state.
28. Purchasing Master Terms and Conditions: Purchasing Master Terms and Conditions
29. Release Order (Form WV-39): Form number WV-39 is to be used for orders against most statewide (central master agreements) and open-end contracts processed by the Purchasing Division or at the agency level. Refer to the ordering procedure in the contract for more specific instructions. Note: Agencies should be processing agency or central delivery orders (ADO/CDO) if using wvOASIS rather than this form.
30. Request for Hospitality Service Form TMO 3: A Request for Hospitality Form TMO 3.0 must accompany the invoice regardless of the amount. Purchasing Division does not need to approve TMO.3.
31. RFP Agency Approval Request (WV-110): RFP Agency Approval Request (WV-110)
32. RFP Evaluation Committee Designation Form (WV-111): RFP Evaluation Committee Designation Form (WV-111)
33. RFP Recommendation for Award Memorandum (WV-113): RFP Recommendation for Award Memorandum (WV-113)



# Terms and Conditions

- When submitting a centralized request to the Purchasing Division, the agency must include the Purchasing Master Terms and Conditions with their request. Must Always be the most current T&Cs
- The following are areas of the Terms and Conditions that should be filled out prior to submitting the request to the Purchasing Division.

# Terms and Conditions

## Section 3 of the **INSTRUCTIONS TO VENDORS SUBMITTING BIDS:**

3. **PREBID MEETING:** The item identified below shall apply to this Solicitation.

A pre-bid meeting will not be held prior to bid opening

A **MANDATORY PRE-BID** meeting will be held at the following place and time:

# Terms and Conditions

## Section 10 of the **INSTRUCTIONS TO VENDORS SUBMITTING BIDS.**

[ ] This Solicitation is based upon a standardized commodity established under W.Va. Code § 5A-3-6 I. Vendors are expected to bid the standardized commodity identified. Failure to bid the standardized commodity will result in your firm's bid being rejected.

# Terms and Conditions

## Section 3 of the **GENERAL TERMS AND CONDITIONS**

3. **CONTRACT TERM; RENEWAL; EXTENSION:** The term of this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below:

- Term Contract
- Alternate Renewal Term
- Fixed Period Contract
- Fixed Period Contract with Renewals
- One Time Purchase
- Other: See attached.

# Terms and Conditions

## Section 5 of the **GENERAL TERMS AND CONDITIONS**

5. **QUANTITIES:** The quantities required under this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below.

- Open End Contract
- Service
- Combined Service and Goods
- One Time Purchase



# Terms and Conditions

## Section 7 of the **GENERAL TERMS AND CONDITIONS**

7. **REQUIRED DOCUMENTS:**All of the items checked below must be provided to the Purchasing Division by the Vendor as specified below.

- Bid Bond (Construction Only)
- Performance Bond
- Labor/Material Payment Bond
- Maintenance Bond
- License(s) / Certifications / Permits

# Terms and Conditions

## Section 8 of the **GENERAL TERMS AND CONDITIONS**

### 8. INSURANCE:

- Commercial General Liability Insurance
- Automobile Liability Insurance
- Professional/Malpractice/Errors and Omission Insurance
- Commercial Crime and Third-Party Fidelity Insurance
- Cyber Liability Insurance
- Builders Risk Insurance
- Pollution Insurance
- Aircraft Liability

# Terms and Conditions

## Section II of the **GENERAL TERMS AND CONDITIONS**

**II. LIQUIDATED DAMAGES:** This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue any other available remedy. Vendor shall pay liquidated damages in the amount specified below or as described in the specifications:

\_\_\_\_\_  
for \_\_\_\_\_

- Liquidated Damages Contained in the Specifications
- Liquidated Damages Are Not Included in this Contract.

# **Additional Terms and Conditions** ***(Construction Contracts Only)***

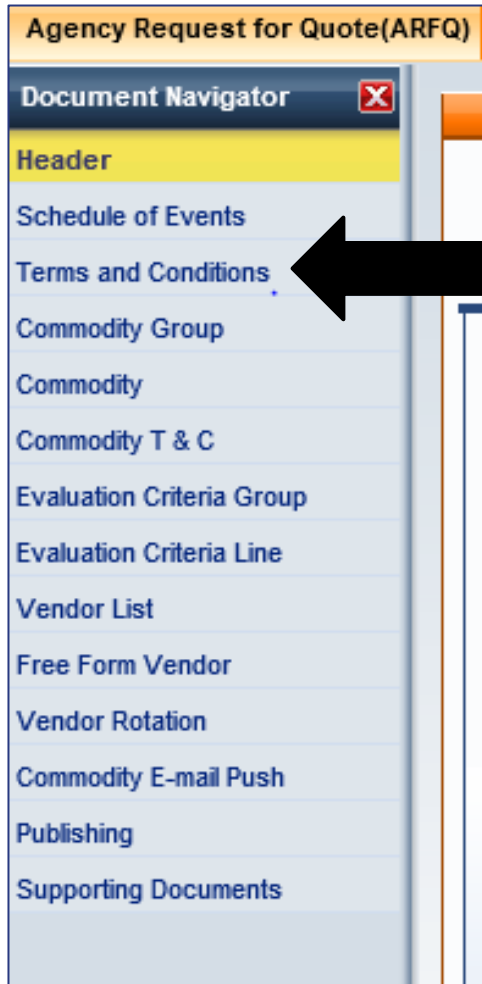
## **Section 7 of the ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)**

### **7. DAVIS-BACON AND RELATED ACT WAGE RATES:**

- The work performed under this contract is federally funded in whole, or in part. Pursuant to , Vendors are required to pay applicable Davis-Bacon wage rates.
  
- The work performed under this contract is not subject to Davis-Bacon wage rates.

After completing the Master Terms and Conditions, the Agency will attach to the Header of the request prior to submitting to the Purchasing Division for review.

# Attaching Terms and Conditions



For Agency Delegated solicitations, the agency will ATTACH the AGENCY DELEGATED TERMS AND CONDITIONS to the ARFQ before publishing by clicking “Terms and Conditions” on the left navigation bar.

# Attaching Terms and Conditions

**Choose**

[Browse](#) [Clear](#)

Terms and Conditions:  Name:

Attachments Group ID:  Attachments:

Attachment File Name:

	Terms and Conditions	Name	Attachments Group ID	Attachments	Attachment File Name
<a href="#">Select</a>	A1	Agency Terms and Conditions	ADV135242726	1	AGENCY_TERMS_AND_CONDITIONS.XML
<a href="#">Select</a>	A2	Agency A&E Additional T & C	ADV100009105	1	AGENCY_A&E_ADDITIONAL_TERMS_AND_CONDITIONS.XML
<a href="#">Select</a>	A3	Agency Const. Additional T&C	ADV100009106	1	AGENCY_CONSTRUCTION_CONTRACTS_ADDITIONAL_T_AND_C.XML
<a href="#">Select</a>	ATTACH	T & C Attached	ADV100352319	1	ATTACHED_ADDITIONAL_T_AND_C.XML
<a href="#">Select</a>	BLANK	Revised Blank	ADV100505475	1	REVISED-BLANK.XML
<a href="#">Select</a>	C1	Central Terms and Conditions	ADV100009107	1	CENTRAL_TERMS_AND_CONDITIONS.XML
<a href="#">Select</a>	C2	Central A&E Additional T & C	ADV100009108	1	CENTRAL_A&E_ADDITIONAL_TERMS_AND_CONDITIONS.XML
<a href="#">Select</a>	C3	Central Constr Additional	ADV100009109	1	CENTRAL_CONSTRUCTION_CONTRACTS_ADDITIONAL_T_AND_C.XML
<a href="#">Select</a>	CONV	Conversion Default		0	

[Cancel](#) [First](#) [Prev](#) [Next](#) [Last](#)

# Attaching Terms and Conditions

Centralized Request for Quote (CRQ) | Dept: 0210 | ID: FL19000001 | Ver.: 2 | Function: MODIFICATION | Phase: Draft | Modified by: harpenr - 01/10/2015

**Document Navigator** [X]

- Header
- Schedule of Events
- Terms and Conditions**
- Commodity Group
- Commodity
- Commodity T & C
- Evaluation Criteria Group
- Evaluation Criteria Line
- Vendor List
- Free Form Vendor
- Vendor Rotation
- Commodity E-mail Push
- Publishing
- Supporting Documents

**Terms and Conditions @1**      **T & C: ATTACH**      **Name: T & C Attached**

	Section	T & C	Name	In
@1	4	ATTACH	T & C Attached	by full text

From 1 to 1 Total: 1      [First] [Previous] [Next] [Last]

**T & C:**

**Name:**

**Section:**

**Sequence:**

**Inc By:**  ▼

**T&C Attachment File Name:** ATTACHED\_ADDITIONAL\_T\_AND\_C.XML

**Details:**

**Inactive Line:**

# Voided Contract Clauses

## *W. Va. Code Section 5A-3-62*

- This new code section automatically voids 18 of the most commonly objectionable terms.
- In large part, this new law eliminates the need for a WV-96.
- Not covered by the law is:
  - Late payment penalties
  - Privacy/Security
  - Compliance with Mandatory Specifications



# Revised Agreement Addendum (WV-96)

Will be obtained when the vendor forms impose a late payment penalty or when required by the Attorney General's Office.

# Drug Free Workplace Affidavit

## W.Va. Code § 21-ID

- Required to bid on construction contracts
- If the affidavit is not submitted with the bid, the agency or the Purchasing Division should request that the low bidder and second low bidder provide the affidavit within one business day of the request
- Failure to submit the affidavit within one business day of receiving the request may result in disqualification of the bid
- Vendors should complete the Drug Free Workplace Report Coversheet and submit no less than once a year or upon completion of the project W.Va. Code § 21-ID-7b

# Direct Award - Request for Consideration (WV-65)

- W.Va. Code: § 5A-3-10c
- Code of State Rules § 148-1-7.5
  - Replaced the Sole Source Consideration form and the Sole Source Determination form
- Relaxes the standard to a more reasonable level
  - From: Only vendor/solution in the world that can perform
  - To: Only reasonable/viable solution to meet the need
  - Must advertise a minimum of 10 business days
  - Not a free pass to buy what you want without following proper bidding processes

# Direct Award

## 4. Other Information Required for Direct Award Posting:

A. A time-period by which delivery must be made or performance must occur:

[Redacted]

B. The price that will be paid for the commodity or service (include vendor quote):

[Redacted]

C. Any limitations that a competing vendor would need to satisfy:

[Redacted]

\_\_\_\_\_  
*Agency Procurement Officer Signature*

\_\_\_\_\_  
*Date:*

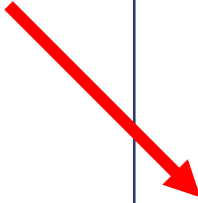
\_\_\_\_\_  
*For Purchasing Division's Use Only*

Request to Advertise Direct Award Denied

Request to Advertise Direct Award Approved

\_\_\_\_\_  
*Purchasing Director / Designee Signature*

\_\_\_\_\_  
*Date:*



# Direct Award

## *Request for Consideration (Agency Delegated) (WV-65A)*

- WV-65A mirrors requirements of WV-65. However, procurement officer signs off instead of Purchasing Director
- Still referred to as Sole Source in wvOASIS, not Direct Award

# Direct Award Request for Consideration (Agency Delegated) (WV-65A)

**4. Other Information Required for Direct Award Posting:**

A. A time-period by which delivery must be made or performance must occur:  
[Redacted]

B. The price that will be paid for the commodity or service (include vendor quote):  
[Redacted]

C. Any limitations that a competing vendor would need to satisfy:  
[Redacted]

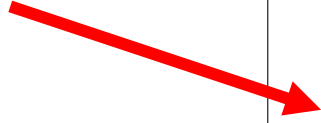
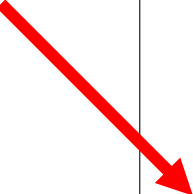
\_\_\_\_\_  
*Agency Procurement Officer Signature*                      *Date:* \_\_\_\_\_

---

*For Procurement Officer Use Only*

Request to Advertise Direct Award Denied  
 Request to Advertise Direct Award Approved

\_\_\_\_\_  
*Agency Procurement Officer*                      *Date:* \_\_\_\_\_



# Multiple Award Determination (WV-70)

- W.Va. Code: § 5A-3-11c
- W.Va. Code of State Rule: §148-1-7.9
- This form is used to request Purchasing Division's prior approval to award the contract to multiple vendors.
- Basis for award must be included in the specifications
  - Example:
    - Region
    - Location
    - Type
- Form should be submitted with specifications prior to submission of the requisition to the Purchasing Division

# Section 9 Applicability Opinion Request Form (WV-68)

- W.Va. Code: § 5A-3-10
- Rule §148-1-4
- This form is to be submitted to the Purchasing Division when the applicability of a Section 9 item is questionable or unclear.



# Non-Conflict of Interest Form

- The Purchasing Division requires all evaluators of solicitations to sign
- Requires evaluators to attest that they have not had or will not have contact relating to the solicitation with any participating vendor between the time of the bid opening and the award without prior approval of the Purchasing Division

# Non-Conflict of Interest Form

STATE OF WEST VIRGINIA  
Purchasing Division

## CERTIFICATION OF NON-CONFLICT OF INTEREST

**West Virginia Code § 5A-3-31:** "It shall be unlawful for any person to corruptly combine, collude or conspire with one or more other persons with respect to the purchasing or supplying of commodities or printing to the state under the provisions of this article if the purpose or effect of such combination, collusion or conspiracy is either to (1) lessen competition among prospective vendors, or (2) cause the state to pay a higher price for such commodities or printing than would be or would have been paid in the absence of such combination, collusion or conspiracy, or (3) cause one prospective vendor or vendors to be preferred over one or more other prospective vendor or vendors. Any person who violates any provision of this section shall be guilty of a felony, and, upon conviction thereof, shall be confined in the penitentiary not less than one nor more than five years, and be fined not exceeding five thousand dollars."

**West Virginia Code § 6B-2-5(b)(1):** "A public official or public employee may not knowingly and intentionally use his or her office or the prestige of his or her office for his or her own private gain or that of another person."

**West Virginia Code § 6B-2-5(d)(1):** "[N]o elected or appointed public official or public employee or member of his or her immediate family or business with which he or she is associated may be a party to or have an interest in the profits or benefits of a contract which the official or employee may have direct authority to enter into, or over which he or she may have control . . . ."

The individual(s) listed below have been charged to evaluate or serve as members or advisors of an evaluation committee for the solicitation as specified [\_\_\_\_\_]

By signing this form, each individual acknowledges that: (1) his or her service on the evaluation committee is not in violation of West Virginia Code § 5A-3-31, § 6B-2-5, or any other relevant code section; (2) his or her service on the evaluation committee does not create a conflict of interest with any of the participating vendors; and (3) he or she has not had or will not have contact relating to the solicitation identified above with any participating vendors between the time of the bid opening and the award recommendation without prior approval of the Purchasing Division.

Name/Title	Agency	Signature	Date

## NON-CONFLICT OF INTEREST FORM Completion Instructions

The Purchasing Division requires all evaluators of solicitations, despite the type of transaction, to sign a **Certification of Non-Conflict of Interest**, in accordance with the **West Virginia Code** §5A-3-31. The Purchasing Division also requires that the agency procurement officer sign this certification. By signing this certification, the evaluator(s), advisor(s) and the agency procurement officer attest that: (1) his or her service on the evaluation committee is not in violation of **West Virginia Code** § 5A-3-31, § 6B-2-5, or any other relevant code section; (2) his or her service on the evaluation committee does not create a conflict of interest with any of the participating vendors; and (3) he or she has not had or will not have contact relating to the solicitation identified herein with any participating vendors between the time of the bid opening and the award recommendation without prior approval of the Purchasing Division. Agency procurement officers should discuss the non-conflict of interest issue with potential committee members to ensure that individuals who may have a conflict are not chosen to participate as evaluation committee members.

Please note that this requirement applies to all transaction types.

This certification must be submitted at the following time frames:

- Requests for Proposals (RFP) / Expressions of Interests (EOI):** Agencies must submit this certification prior to beginning the evaluation of an RFP or EOI.
- Requests for Quotations and All Other Transaction Types:** The evaluator(s) must sign the Certification of Non-Conflict of Interest and submit it, along with the recommendation for award, to the Purchasing Division.

This certification applies to all transactions processed through the Purchasing Division. In addition, it is required for agency delegated purchases exceeding \$2,500. Agencies may adopt this policy at their discretion for purchases of \$2,500 or less.

If you have any questions, please feel free to contact your agency procurement officer or your assigned buyer within the Purchasing Division. Thank you for your cooperation in this matter.

# New Forms for the RFP Process

30. Request for Hospitality Service Form TMO 3: A Request for Hospitality Form TMO 3.0 must accompany the invoice regardless of the amount. Purchasing Division does not need to approve TMO.3.
31. RFP Agency Approval Request (WV-110): RFP Agency Approval Request (WV-110)
32. RFP Evaluation Committee Designation Form (WV-111): RFP Evaluation Committee Designation Form (WV-111)
33. RFP Recommendation for Award Memorandum (WV-113): RFP Recommendation for Award Memorandum (WV-113)
34. RFP Technical Evaluation Committee Scoring Memorandum (WV-112): RFP Technical Evaluation Committee Scoring Memorandum (WV-112)
35. RFP Technical Scoring Spreadsheet: RFP Technical Scoring Spreadsheet
36. Section 9 Exemption Opinion Request Form (WV-68): Section 9 Exemption Opinion Request Form for Purchasing Division (WV-68)

# Standard Format Templates

- 13 templates maintained on Purchasing Division's website

## Standard Format Templates

[Catalog Discount RFQ Standard Format](#)

[Construction Specifications Standard Format](#)

[Construction Specifications without AIA Documents Standard Format](#)

[Elevator Maintenance Standard Format](#)

[Expression of Interest Standard Format](#)

[HVAC Maintenance Standard Format](#)

[One-Time Purchase RFQ Standard Format](#)

[Open-End RFQ Standard Format](#)

[Request for Information Standard Template](#)

[RFP Standard Format](#): Standardized language for the Request for Proposal method of purchasing; refer to Appendix H in the Procedures Handbook.

[Services RFQ Standard Format](#)

[Software Maintenance and Support Specification Standard Format](#)

[Standardization \(RFI\) \(Standard Format\)](#): Standardized language for the standardization method of Purchasing

# Process Checklists

## Process Checklists

The Purchasing Division maintains checklists for various methods of procurement to assist agency procurement officers tasked with purchasing goods and/or services on behalf of their state agencies. The checklists, linked below, are available in both PDF and Microsoft Word formats. While these checklists outline the requirements of purchases made in accordance with **West Virginia Code §5A-3**, the Word format of each may be used as a template to create an agency's own specific checklists with additional documentation or processes required by the agency.

Questions regarding these checklists may be directed to [Purchasing.Division@wv.gov](mailto:Purchasing.Division@wv.gov).

1. Request for Quotation	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
2. Change Order	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
3. Direct Award	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
4. Central Delivery Order	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
5. Emergency Purchase	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
6. Expression of Interest for projects over \$250,000	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
7. Expression of Interest for projects under \$250,000	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>
8. Request for Proposal	<a href="#">Microsoft Word Format</a>	<a href="#">PDF Format</a>



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