



ALLAN MCVEY
CABINET SECRETARY

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION
2019 WASHINGTON STREET, EAST
CHARLESTON, WEST VIRGINIA 25305-0130

W. MICHAEL SHEETS
DIRECTOR

July 1, 2020

The Honorable Mitch Carmichael
President of the State Senate
Room 229M, Building 1
State Capitol Complex
Charleston, WV 25305

The Honorable Roger Hanshaw
Speaker of the House
Room 228M, Building 1
State Capitol Complex
Charleston, WV 25305

SUBJECT: Legislative Reporting Requirement §5A-3-10(b)

Dear Sirs:

In accordance with **West Virginia Code** §5A-3-10(b), as Director of the West Virginia Purchasing Division, I am required to submit in January and July of each year to the Joint Committee on Government and Finance a report summarizing our division's findings of any spending unit which awarded multiple contracts for the same or similar commodity or service to an individual vendor over any 12-month period with a value exceeding \$25,000.

This section of the Code reads:

§5A-3-10. Competitive bids; publication of solicitations for sealed bids; purchase of products of nonprofit workshops; employee to assist in dealings with nonprofit workshops.

(b) The director shall solicit sealed bids for the purchase of commodities and printing which is estimated to exceed twenty-five thousand dollars. No spending unit shall issue a series of requisitions or divide or plan procurements to circumvent this twenty-five thousand dollar threshold or otherwise avoid the use of sealed bids. Any spending unit which awards multiple contracts for the same or similar commodity or service to an individual vendor over any twelve-month period, the total value of which exceeds twenty-five thousand dollars, shall file copies of all contracts awarded to the vendor within the twelve preceding months with the director immediately upon exceeding the twenty-five thousand dollar limit, along with a statement explaining how the multiple contract awards do not circumvent the twenty-five thousand dollar threshold. If the spending unit does not immediately report to the director, the director may suspend the purchasing authority of the spending unit until the spending unit complies with the reporting requirement of this subsection. The director may conduct a review of any spending unit to ensure compliance with this subsection. Following a review, the director shall complete a report summarizing his or her findings and

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forward the report to the spending unit. In addition, the director shall report to the Joint Committee on Government and Finance on the first day of January and July of each year the spending units which have reported under this subsection and the findings of the director.

For the period of January 1, 2020, through June 30, 2020, there were no spending units that reported to our division the award of multiple contracts for the same or similar commodity or service to an individual vendor over any 12-month period where the total value exceeded \$25,000. However, Purchasing Division inspectors discovered findings of stringing related to one spending unit during their inspections, as stipulated in this section of the Code, for a total of two cases of stringing.

The spending unit with findings was the Division of Highways' Central Office. A summary of these findings is attached.

Pursuant to this requirement, my next report will be submitted to you in January of 2021. Should you have any questions regarding this correspondence, please feel free to contact me at your convenience at (304) 558-0492 or via email at **William.M.Sheets@wv.gov**.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Michael Sheets", with a long horizontal flourish extending to the right.

W. Michael Sheets, CPPO, Director
West Virginia Purchasing Division

WMS:ssk

West Virginia Purchasing Division
SUMMARY OF STRINGING ACTIVITIES
(JANUARY 1, 2020- JUNE 30, 2020)

Department of Transportation, Division of Highways, Central Office:

- 1) During the fiscal year under review, Division of Highways, Central Office spent a total of \$34,225.19 in 34 transactions for shop supplies from Share Corporation.

In the agency's response to the inspection report, the Central Office stated that:

The Procurement Section will work to develop specifications to establish an agency contract for specific chemical products. In addition, the Procurement Section will conduct training sessions to educate DOH personnel regarding Purchasing Division's bid limitations and threshold requirements.

- 2) During the fiscal year under review, Division of Highways, Central Office spent a total of \$111,752.61 in 63 transactions for radio room supplies from Tescos Technologies.

In the agency's response to the inspection report, the Central Office stated that:

*DOH developed specifications for an agency hand-held radio contract and the Purchasing Division contract the following Fiscal Year 2018 with Biser Radio Services (CMA DOT 17*40). Moving forward, the Procurement Section will ensure that an agency contract is maintained for radio equipment.*

The Procurement Section will also conduct training sessions to educate DOH personnel regarding Purchasing Division's bid limitations and thresholds.