



Department of Administration

STATE DIVISION OF PURCHASING

VENDOR OUTREACH DAY 2020





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STATE DIVISION OF PURCHASING

WELCOME & INTRODUCTION TO DOP



WELCOME TO VENDOR OUTREACH 2020!

Intended Outcomes for Today

- ✓ An introduction to the Division of Purchasing
- ✓ A shared high-level understanding of doing business with the state of Idaho; reasons for and methods of contract management and administration; DOP's statewide contract program; and the NASPO ValuePoint organization
- ✓ An introduction to the transition to Idaho's Luma system
- ✓ A shared understanding of the various formal procurement methods
- ✓ A stronger relationship between DOP and the supplier community

AGENDA

- 9:00 – 9:10am: Welcome and Introduction to the Division of Purchasing
- 9:10 – 9:40am: Overview: Doing Business with the State
- 9:40 – 9:50am: Break
- 9:50 – 10:10am: Contract Management & Administration
- 10:10 – 10:45am: Statewide Contracts & NASPO Program
- 10:45 – 11:15am: Luma
- 11:15 – 12:15pm: Concurrent Breakout Sessions:
Invitation to Negotiate (ITN)
Request for Proposal (RFP)
Invitation to Bid (ITB)
- 12:15 – 12:30pm: Closing Session: Q&A

INTRODUCTION TO DOP

The Division of Purchasing (DOP) is the central procurement office for the state of Idaho



Mission

- Our mission is to procure quality goods and services for the benefit of the people in the state of Idaho through collaborative, effective, and innovative procurement solutions. We promote an understanding of public procurement through quality guidance, training, and professional development.



Vision

- We are recognized leaders in public procurement by serving as trusted advisors and partners, contributing to Idaho's strategic initiatives, and delivering outstanding customer service.

DOP RESPONSIBILITIES



Policies & Training

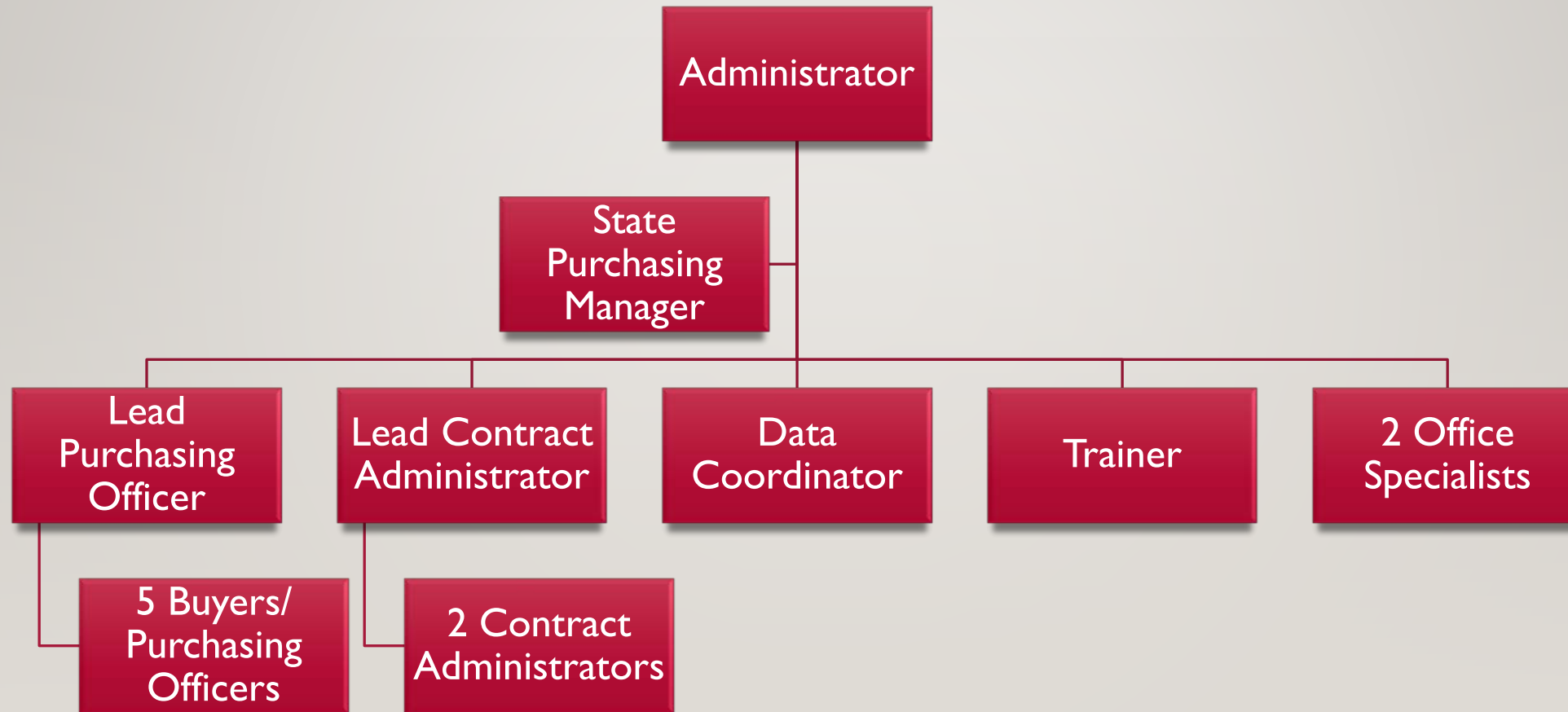


Statewide Contracts



Agency Contracts

DOP ORG CHART



THE DOP TEAM

- **Administrator**
 - Valerie Bollinger
- **State Purchasing Manager**
 - Chelsea Robillard
- **Data Coordinator**
 - Karen Butler
- **Trainer**
 - Forrest Benedict
- **Lead Purchasing Officer**
 - Vacant
- **Purchasing Officers**
 - Jason Urquhart
 - Arianne Quignon
 - Joey Nelson
 - Kaylee Starman
 - Jason Skelton (Luma)
- **Buyers**
 - Kim Guevara
 - Quinn Shea
 - Rob Cleve
- **Lead Contract Administrator**
 - Vacant
- **Contract Administrators**
 - Maria Minicucci
 - Vacant
- **Office Specialists**
 - Linda Edkins
 - Laura Gallivan



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DOING BUSINESS WITH THE STATE



OVERVIEW OF LEGAL AUTHORITY

- State Procurement Act
Idaho Code Title 67, Chapter 92
<https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH92/>
- Administrative Rules
IDAPA 38.05.01
<https://adminrules.idaho.gov/rules/current/38/380501.pdf>
- The State Procurement Act and IDAPA Rules generally apply to state agencies, not to political subdivisions, elected officials, or certain exempt entities.

COMPETITIVE SOLICITATION

Small Dollar Purchases



- Total value less than \$10,000
- Exempt from competition
- Agencies must purchase from statewide contracts when available

Informal Solicitation



- Total value of \$10,000 - \$100,000
- Informal Request for Quotes (RFQ) solicitation process

Formal Sealed Procedure



- Total value over \$100,000
- One of three formal solicitation processes:
Invitation to Bid (ITB), Request for Proposals (RFP), Invitation to Negotiate (ITN)

Exemptions



- Some purchases are exempt from competition
- Exemption could be automatic or require DOP approval

COMPETITIVE SOLICITATION

- ✓ Almost all solicitations are issued in DOP's eProcurement system (IPRO)
- ✓ You can register for IPRO from the DOP website:
<https://purchasing.idaho.gov/information-for-vendors/>

IPRO Registration & Training

^ IPRO Vendor Registration

^ IPRO HELP

^ IPRO Training

The Idaho Division of Purchasing posts business opportunities on the IPRO e-purchasing system. Many state agencies are also using this system. Use of this Internet-based system allows vendors to respond to solicitations online or download non-interactive bids or proposals, update their company information and contacts, see bid results, and receive purchase orders and contracts online. You need access to the Internet and a current web browser that supports 128-bit encryption. If you have any questions contact us at ipro@adm.idaho.gov

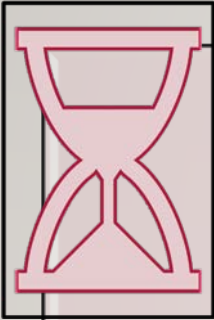
Responsiveness

- Test of compliance with the solicitation requirements
- E.g. Did the Bidder submit all required documents? Does the Bidder meet all mandatory requirements?

Responsibility

- Test of ability to comply with the contract
- IDAPA provides examples (e.g. past performance, financial stability) but solicitation may identify additional methods of determining responsibility
- This is a discretionary determination by the Administrator

TERMS & CONDITIONS



Ability of the State to negotiate terms and conditions is largely a matter of timing. Material changes cannot be negotiated after a solicitation closes.



There are some terms that the State cannot agree to because it is unconstitutional or illegal. E.g. the State can never agree to indemnify a third party.



The State is open to negotiating terms and conditions, provided that the State will be adequately protected. Suppliers requesting alternative terms should explain why the proposed term is fair and adequately protects the State.

FREQUENTLY ASKED QUESTIONS

- **“How can I get added to the approved vendor list?”**
 - DOP does not maintain an “approved vendor list”
 - Suppliers should register in IPRO to participate in competitive solicitations
 - Suppliers may need to register with the Idaho Secretary of State as well

- **“How can I get added to a statewide contract?”**
 - Suppliers must participate in a competitive process to be awarded a contract
 - Statewide contracts are typically re-solicited every 5 years (but this can vary)
 - Approved resellers/dealers may be added to some contracts without a competitive process depending on the needs of the state and wishes of the Contractor

ETHICS IN PROCUREMENT

The State Procurement Act identifies several actions that are prohibited and/or unethical. Highlights for vendors include:



Suppliers cannot assist with the development of specifications- doing so will result in the supplier being ineligible for contract award



No vendor or representative may attempt to influence the award of a contract contrary to the requirements of the State Procurement Act

TRANSPARENCY IN PROCUREMENT

- ✓ DOP is committed to fair, open, and transparent procurement.
- ✓ There are times (during active solicitations) when communications with suppliers are restricted, but we are generally happy to help suppliers understand the procurement process.
- ✓ Almost all records associated with the procurement process are public records. Exceptions include trade secrets identified by suppliers and records protected by attorney-client privilege. To request records, email purchasing@adm.idaho.gov.

QUESTIONS?

10-MINUTE BREAK





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CONTRACT ADMINISTRATION



WHAT IS CONTRACT ADMINISTRATION?

Administrative actions after the contract is awarded

- Renewals: Know your contract expiration date
- Amendments: Required for any deliverable outside the SOW; must be approved by DOP and signed by all 3 parties (Vendor, Agency, and DOP)
- Assignments: Change in the company ownership or structure that results in a change to the EIN.

WHEN TO CONTACT A DOP CONTRACT ADMINISTRATOR

- Questions about contract terms and conditions
- Challenges with the State agency
- Potential price adjustments, changes to deliverables, schedules
- Assignments: New company name, ownership, new tax identification number



ASSIGNMENTS

Change in ownership or company structure that results in a new FEIN for the organization named in the contract:

“Idaho Code 67-9230: Transfer of a contract without approval shall cause the annulment of the contract so transferred, at the option of the state”

Must be approved by the State Board of Examiners and the DOP Administrator

ASSIGNMENT PROCESS

- Notify DOP and the agency of the changes in your company
- DOP will send a packet of information with requirements and forms to sign
- DOP analyzes the information submitted: e.g, financial and personnel assets to meet the contract requirement
- DOP analyses may take several months, depending on the complexity of the contract and the business transfer
- The Board of Examiners meets once a month with a subcommittee meeting prior

Successful Contract Administration

- **Know your contract**

- Deliverables and acceptance terms
- Scope of Work
- Price adjustments



- Immediately address requests that may be out of the SOW

- **Communicate with the agency early and often**

- **Do not hesitate to contact DOP**

DOP IS A RESOURCE FOR VENDORS

*Our goal is to
create and
enhance mutually
beneficial
relationships*



QUESTIONS?



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STATEWIDE CONTRACTS



DEFINITION

- Open contracts, often called statewide contracts, are contracts issued by DOP that include a public agency clause (requiring contractors to extend the same pricing, terms, and conditions to all public agencies).
- MANDATORY USE (Idaho Code 67-9216). There are statutory penalties (enforced against the individual employee) for failure to utilize an open contract, regardless of the dollar amount.
- DOP can approve an exemption from utilizing an open contract when it is determined to be in the best interest of the State.



PURPOSE OF STATEWIDE CONTRACT PROGRAM

- Consolidate spend
- Drive strategic efforts (e.g. standardization)
- Obtain better pricing, terms, and conditions for the State
- Gain efficiencies

ADMINISTRATIVE FEE

- Contractors on statewide contracts (SBPOs and PADDs) are required to submit quarterly usage reports of all sales under the contract and to remit an Administrative Fee equal to 1.25% of the net quarterly sales
- Submission of usage reports and Admin Fees is a term of the contract
- Suppliers must take the Admin Fee into consideration when bidding on a statewide solicitation
- DOP may occasionally elect to omit the Admin Fee requirement, but this is done rarely

TYPES OF STATEWIDE CONTRACTS

SBPO

- Statewide Blanket Purchase Order
- Idaho-specific contracts (solicitation and contract administered by DOP, only for Idaho entities)

PADD

- Participating Addendum
- Participation under a Master Agreement issued by a Lead State in conjunction with an approved cooperative purchasing organization

COOPERATIVE PURCHASING

- ✓ Idaho Code section 67-9224 allows the State to participate in cooperative purchasing opportunities.
- ✓ DOP only participates in cooperative contracts that have been competitively solicited in a manner consistent with the State Procurement Act. DOP currently participates with MMCAP and NASPO ValuePoint.
- ✓ DOP typically issues a “courtesy posting” in IPRO to alert our Idaho suppliers of the opportunity to participate in the Lead State’s solicitation.

QUESTIONS?

PLEASE WELCOME

FAY TAN

NASPO IT COOPERATIVE CONTRACT COORDINATOR

PLEASE WELCOME

JASON SKELTON
LUMA PROCUREMENT FUNCTIONAL TEAM LEAD

BREAKOUT SESSIONS

- *Breakout Room 1: Invitation to Bid (ITB)*
- *Breakout Room 2: Request for Proposal (RFP)*
- *Breakout Room 3: Invitation to Negotiate (ITN)*

CLOSING SESSION:
Q & A





THANK YOU FOR ATTENDING THE IDAHO DIVISION OF PURCHASING VENDOR OUTREACH 2020.

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- You will receive a questionnaire to your email shortly after this conference, we encourage you to share your feedback.
 - If you have additional questions that did not get answered today, please email us your question(s). All DOP contact information can be found on our website:
<https://purchasing.idaho.gov/contact-us/>