Advanced Procurement

WISCONSIN
DEPARTMENT OF
ADMINISTRATION
DOA.WI.GOV

Introduction

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"It would be nice to have a session focused on more advanced topics for the more advanced practitioner."

~ *Generalized Feedback from previous Procurement Conferences*

Survey of Registrants

- Waivers
- Spend Thresholds
- Collaborative Spend
- Evaluation Committee
- Waivers
- Waivers
- Waivers
- How to find a contract in VendorNet
- Best Practices
- Waivers
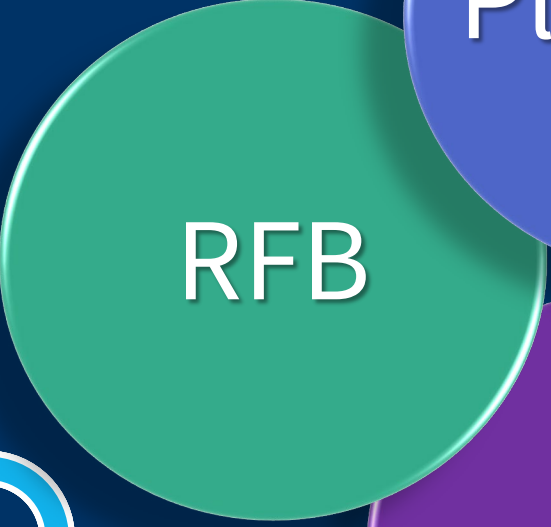- NASPO
- Waiver

Breakout Session 4 11:00am-12:00pm	Waivers of the Bidding Process: The Exception, Not the Rule

Planning

RFB

RFP

Overview

Topics broken down into 3 categories

Planning

- Beginning New Procurement Processes
  - Contract Spend
  - Agency Contracts
  - Cooperative Contracts
  - Other States' Contracts

- CBA and Continued Appropriateness

Get Current Contract Spend

State Data

- Query the transactional contract

- Query all Purchase Orders against a Transactional Contract

- Query by Vendor

- Query Direct Charges

- Review PCard transactions

Vendor Data

- Ask the Vendor for the Contract Spend

- More on this later…..

What is the Actual Spend

- Compare figures across all data sources
- Often, these numbers will not be the same
  - Encumbrance vs Spend
- Vendor Spend Reports will show:
  - Spend in the eyes of the contractor
  - Direct Charges
  - Other use of the Contract by other:
    - Agencies
    - Divisions
    - Campuses

General Waiver

Tracking spend is the responsibility of the manager who manages a general waiver

- Remember – Limited to a dollar figure
- If Overspend while the waiver is still within its waiver time period
  - Have the opportunity to amend existing waiver to add more spend
- If you wait until after waiver, it will be an unauthorized purchase

Poll: Where would SBOP typically find this information out?

Agency Contracts

- VendorNet
  - Not always complete
  - Change in Terms of Delegated Purchasing Authority – One Procurement
- STAR
  - Good for searching by Supplier name, not by service/commodity
- State Procurement Groups
  - SAPC, IPC, PUG
- Reach out to SBOP!
- Procurement Plan initiative*

Research Cooperative Options

- NASPO
  - NASPO vs ValuePoint
  - Why can we use NASPO?
  - How to search the NASPO Site?*
- Campuses may have more cooperative options – educational purchasing

Other States' Contracts

- How to go about researching other States' Contracts

  - Internet – most other states post all of their contracts online

  - Cold Call – feel free to get a phone number and call someone

    - Look how happy they are!

  - Start with State's main procurement offices, then work through programmatic offices

Research is Done

Now you will have better Data regarding

- Costs

- Pricing Models

- Vendors in the Marketplace

Most importantly:

- Do you need to do a solicitation? Or would an alternative procurement method suffice?

CBA and Continued Appropriateness

- Why?

- Who do you think you are?

- Statutory – We don't like it either, but it is the law

- Submit completed *UNSIGNED* forms to DOACBA@wisconsin.gov

- Keep signed copies as a part of the procurement file
  - Which should be in the Strategic Sourcing module

- Poll: When would SBOP require a signed copy of either form?

But Where Do They Go?

Annually, SBOP prepares the "Contractual Services Report" for the preceding Fiscal Year and posts it at: https://doa.wi.gov/Pages/StateEmployees/ContractSvcRpt.aspx

And yes, SBOP does field questions on this report from time to time

RFB Trends

- Requirements aren't binary
- Requirements buried within requirements
- Requirements overly restrictive
- Mixing Experience and References
- Financial Statements
- Years of Experience
- Method of Award
- Cost Sheet

EXAMPLES!!

Best Practices – RFB

- If there is a contractual component that is required, put it in the mandatory requirements

    - Liquidated Damages, Delivery, Liability Minimums

- Use Cost Sheet to gather informational pricing

    - Either have it be mandatory that vendors fill it out (responsiveness)

    - Or be optional to provide that pricing

        - If we don't have it in the optional cost sheet, they may not be able to provide that service throughout the life of the contract

        - This will also anchor the ceiling of the pricing for those services/goods

Best Practices – RFB, Cont.

- Use mandatory requirement to drive contract negotiation
  - Example:
    - Must provide a transition plan within 35 calendar days of the issuance of the Notice of Intent to award
  - Use this within reason, don't box yourself into this corner
  - Use the data gathered from your research to help make these decisions
- Reports
  - Put in the mandatory requirements that the vendor must provide your agency spend reports
    - Frequency
    - What is in the reports
    - Where to send the reports

RFP

- Preliminary Review
- Evaluation
- Guiding the Evaluation Team
- Shortlisting

Preliminary Review

- Make sure that all Mandatory Requirements are met
  - Review proposals for reference to not adhering to the mandatory requirements
    - Example
  - Review proposals and their exceptions to the terms and conditions for reference to not adhering to the mandatory requirements
  - CLARIFY, CLARIFY, CLARIFY!!!

Preliminary Review, Cont.

- Make sure costs are all filled out correctly
  - GASP!!!!
    - It's ok. Take a second. Take a breath.
  - The old "sealed cost until after Evaluation Committee is complete" is antiquated, no longer are costs being submitted under separate cover when using the system
  - If you don't open costs until later, you may have the Evaluation Committee evaluate a proposal that is not responsive.
    - Save everyone the headache
    - Only the Procurement Manager should review costs, and they should do so only with the intention of gauging responsiveness

Preliminary Review, Cont.

- After Preliminary Review is completed, only then should the Procurement Manager go to the Evaluation Kickoff Meeting.

- At the end of the meeting, before the evaluators sign their assurance of compliance forms

  - Then disclose names of Proposers to evaluators

    - SBOP staff are typically putting a slide in their Evaluation Kickoff PowerPoint with this information

Evaluation

- What is the Procurement Manager's role in the evaluation process?
  - Resource
  - Guide
  - Manager

Evaluation Committee Decisions

- All decision rom the evaluation should be the evaluation committee's

    - What score variance would you like to review as a part of our scoring anomaly discussion

    - Would you like to hold demonstrations?

    - Reference checks?

    - BAFO?

        - Trend – Concern over too low of costs not being reflective of actual costs

Evaluation committee directions

- How to give your Evaluation Committee directions
  - Remember, read all proposals all the way through once
  - Evaluators must evaluate proposals against the benchmarks
    - Do not bring outside information into the process
      - We aren't evaluating them as a vendor
      - We are evaluating their proposal
  - If there is concern from an evaluator about someone not following the process
    - Bring the evaluation committee back together and issue the directive

Working with your Evaluation Committee

- STOP EMAILING SO MUCH!

- Meet with your team, remember all emails are subject to open records

  - Example of removing two evaluators

- Remember to bring the whole group the question and answer it for the whole group

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Shortlisting

RFP Evaluation Shortlisting Process Diagram

(handout also available on Procurement Conference website)
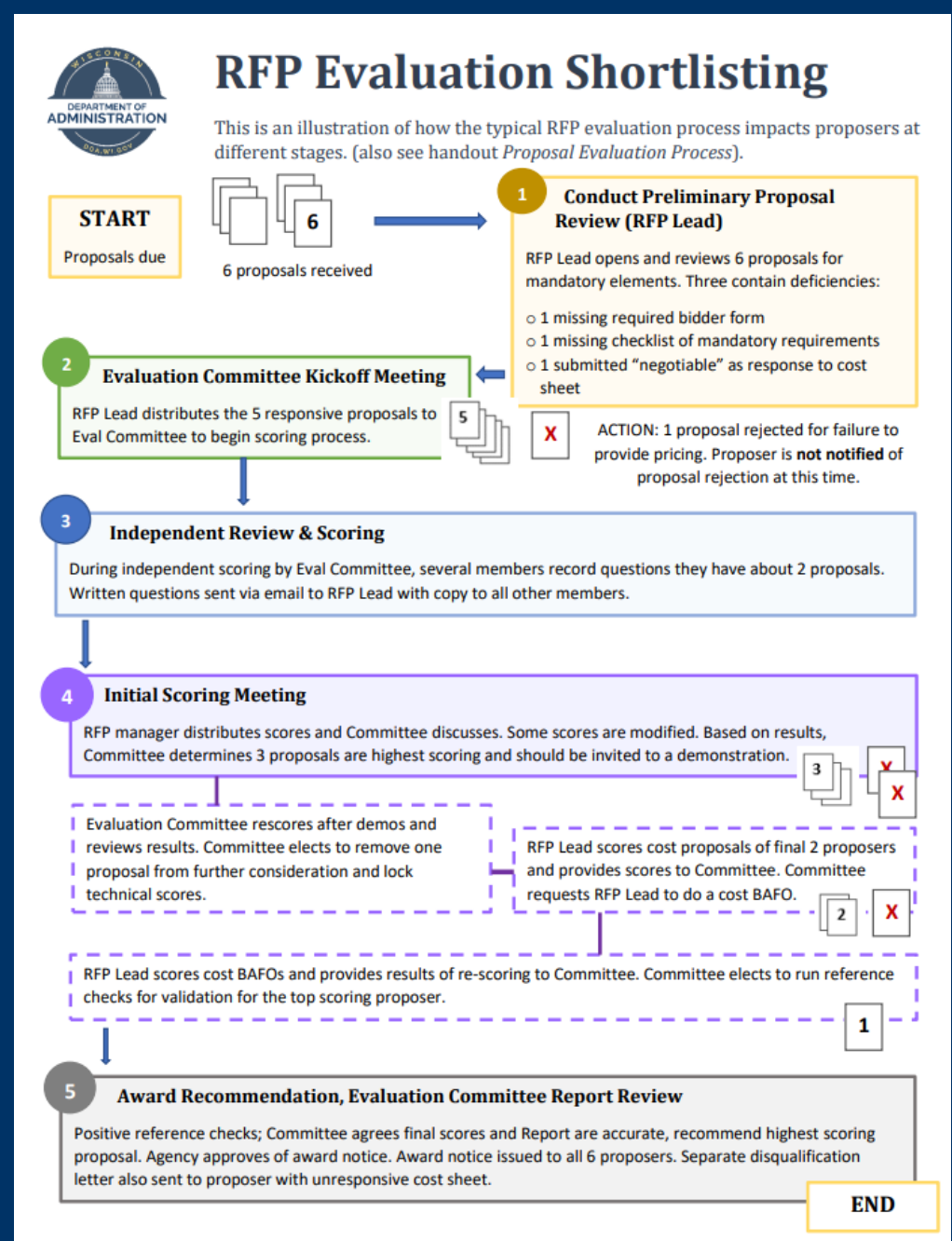
Questions?

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Thank You!