



# State of Vermont

## BGS Financial Operations Division Office of Purchasing & Contracting

### Buyer's Resource Guide

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## INTRODUCTION

This manual is intended as a guide for Vermont state agency personnel to the policies, procedures, and practices that guide the state's procurement process. The goal of the Office of Purchasing & Contracting is to provide state agencies with good products and services that meet agency requirements effectively, at the lowest cost, through a process that meets all applicable laws and administrative requirements.

Title 29, Chapter 49 V.S.A states "The Commissioner of Buildings and General Services shall contract for and make all purchases, including but not limited to all fuel, supplies, materials, equipment, for all departments, offices, institutions and other agencies of the state and counties."

The Office of Purchasing & Contracting is charged by the Commissioner to provide these services and administer the requirements outlined in the statutes and applicable administrative bulletins.

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## PURCHASING DEFINITIONS

**BID DOCUMENTS:** “Request for Proposal”, “Request for Quotation”, or other documents that formally solicit bids, whether cost-based or otherwise, for services or products for the state.

**BLANKET DELEGATION OF AUTHORITY (BDA):** A formal document through which the Commissioner of Buildings and General Services delegates authority to other agency/department heads to make certain types of purchases directly, without going through the Office of Purchasing & Contracting, Department of Buildings and General Services. Agencies and departments must follow the terms and conditions in their approved BDA.

**CAPITAL LEASE:** Meets one or more of the following four criteria: (1) the lease term is greater than 75% of the property’s estimated economic life; (2) the lease contains an option to purchase the property for less than fair market value; (3) ownership of the property is transferred to the lessee at the end of the lease term; (4) the present value of the lease payments equals or exceeds 90% of the fair market value of the property.

**CONTRACT:** Is any legally enforceable agreement between an agency and another legal entity to provide services and/or products. (The term contract includes all such agreements whether or not characterized as a “contract,” “agreement,” “miscellaneous agreement,” “letter of agreement,” “purchase order,” “license agreement,” “maintenance agreement” “support agreement,” or other similar term.). Common types of contracts are:

**Statewide Contracts:** The Department of Buildings and General Services (BGS) has the responsibility under 29 V.S.A. § 902 to contract for and/or purchase all supplies for state government. To simplify the acquisition process, BGS maintains numerous statewide contracts for supplies, which include materials, equipment, parts, and commodities. Unless otherwise approved in advance, **these BGS contracts must be used by all state government entities.** To find out if a contract exists that meets an agency’s need, contact the Office of Purchasing & Contracting or refer to the BGS web site at <http://bgs.vermont.gov/purchasing>. Please note that not all contracts are listed on the web site.

**Contract for Services:** Any contract that involves the contractor’s personnel coming onto state property to provide service, maintenance, training, or technical support related to **existing** equipment should be developed as a contract for services under Bulletin 3.5. All such contracts must therefore include Attachment C: Standard State Provisions for Contracts and Grants and comply with all other applicable provisions of Bulletin 3.5.

**Commodities Contract:** Any contract for the purchase of a product, commodity, equipment, or software that also involves the contractor’s personnel coming onto state property to install or service the purchased item or to train state personnel in the use of the item purchased should be developed as a commodities contract under

Bulletin 3.5 by submitting a requisition to the Office of Purchasing & Contracting, Department of Buildings and General Services.

**COMMODITIES:** A collective term given to the tangible products we purchase for state government. These include, but are not limited to, materials, equipment, supplies, fuel, and printing. A Purchasing Agent's area of responsibility is often described by one's commodity assignments. Commonly used commodities may be found in the VISION Item Table.

**EMERGENCY PURCHASES:** Purchases that take place under time constraints involving public health, public safety, or where immediate purchase is required for repairs to state property to prevent or minimize serious disruption in state operations.

**NO-SUBSTITUTE PURCHASE:** An award for the acquisition of a specific make, model, or brand item without considering alternatives.

**PURCHASE ORDER (PO):** The document written for an order to a vendor. The Purchase Order details and defines the terms and conditions of the purchase.

Agencies prepare Purchase Orders in the VISION System to order items available on contracts. Purchasing also prepares Purchase Orders to meet agency requirements that are not covered by a contract or BDA. Agencies are responsible for dispatching and mailing all Purchase Orders prepared in the VISION System.

**REQUEST FOR QUOTATION (RFQ):** Is a bid process used for routine "bid and buy" transactions where the primary award factors are limited to price and delivery.

**REQUEST FOR PROPOSAL (RFP):** Is a bid process used when the purchasing process is more complex and the response requires the bidder to provide a solution or long term vendor commitment. Bids are opened publicly at a set date and time, and late bids are not considered.

**REQUISITION:** A request submitted through the state's VISION System to the Office of Purchasing & Contracting is used to initiate the purchasing process. It contains details of the requested product such as description, quantity, delivery times and places, and special terms and conditions. It serves as the authorization for the division to proceed to acquire the item(s). It is important that requisitions include a realistic estimate of the cost of the item being requested.

**SERVICES:** Broadly interpreted, and includes personal and professional services of an individual or of persons working for a business enterprise, construction services, design and engineering services, information technology services, real estate services, and the maintenance of equipment.

**SOLE SOURCE PURCHASE:** An award for the acquisition of a commodity or service from a specific vendor because of the unique nature of the requirements.

**STANDARD BID PROCESS:** An RFQ or RFP process where the dollar value of the purchase exceeds the threshold set in Administrative Bulletin 3.5.

<http://bgs.vermont.gov/purchasing/bids>

**VISION (VERMONT INTEGRATED SOLUTION FOR INFORMATION AND ORGANIZATIONAL NEEDS):** VISION is the state's integrated Financial and Purchasing Management System. State agencies use it to process both purchasing and financial transactions.

## WHAT WE BUY

V. S. A. (Title 29, Chapter 49, subsection 902) states that the Commissioner of Buildings and General Services shall contract for and make all purchases of material, equipment, fuel, supplies and printing for the agencies of State Government. The Office of Purchasing & Contracting is responsible for managing the acquisition of material, equipment, printing, and supplies required by state agencies. We also do construction contracting for the Military Department, the Agency of Natural Resources, the Department of Buildings and General Services and other agencies on request. In addition, under the policy of the Information Resource Management Advisory Council (IRMAC), the Office of Purchasing & Contracting issues all approved Request for Proposals for information technology and manages the bid administration process. Many of our contracts involve a combination of products and services. We are also frequently asked by agencies to provide advice on contracting procedures and to process Request for Proposals for services.

## HOW WE BUY

The Office of Purchasing & Contracting administers a competitive purchasing process that meets statutory requirements and complies with Administrative Bulletin 3.5. The document is available and can be downloaded by accessing the following link: <http://bgs.vermont.gov/purchasing/forms>

Agency requirements are met through one or a combination of the following:

### Statewide Commodity Contracts

The Office of Purchasing & Contracting maintains over 400 contracts for a wide range of items used by state agencies. Users may access and order from contracts through the VISION System. A current list of widely used contracts is also available on the Internet and are available to print from the web site at <http://bgs.vermont.gov/purchasing/contractinfo> just click on 'current contracts' then click on the contract number. This list is updated on an on going basis.

### Competitive Proposals

Depending on the type of item or service required, the division may use Requests for Quotation (RFQ), Standard Bids, or Requests for Proposal (RFP) to solicit bids to meet the state's requirements.

## **Requisitions**

Agencies submit requisitions online through the VISION System to order items that are not currently available on contract or covered by a BDA (see below). Requisition requirements are normally put out to bid and result in a Purchase Order or Contract.

## **Purchase Orders**

Agencies prepare Purchase Orders in the VISION System to order items that are available on statewide commodity contracts. Purchasing also prepares Purchase Orders to meet agency requirements that are not covered by a Contract or BDA.

## **Blanket Delegations of Authority (BDA)**

A formal document through which the Commissioner of Buildings and General Services delegates authority to other agency/department heads to make certain types of purchases directly, without going through the Office of Purchasing & Contracting, Department of Buildings and General Services. Agencies and departments must follow the terms and conditions in their approved BDA.

## **Emergency Purchase Authorization**

Emergency purchases (exceeding \$3,500) occurring during working hours should be approved in advance by the Office of Purchasing & Contracting. When approval is received, the agency will be furnished with a Purchase Authorization number that must be indicated on the payment voucher. Emergencies that occur during non-working hours necessitating immediate purchase may be made with the individual agency or department head taking responsibility for the purchase. In such cases, you need to contact the Office of Purchasing & Contracting to request approval the next working day.

## **Purchase Authorization Number**

When Agencies have an immediate need for an item that is not available through any of the above methods, they can consult with the Purchasing Agent assigned to the commodity prior to purchase. If appropriate, the Agent can approve the purchase and issue a unique approval number. Approval numbers are not issued for purchases exceeding \$15,000.

## Suspension and Debarment Policies & Procedures

On April 1, 2007 the Commissioner of Finance & Management issued **Finance & Management Policy #1: Suspension and Debarment Policies & Procedures**. This policy was created to address federal requirements prohibiting purchases from vendors who have been suspended or debarred by the federal government. Policy #1 extends the federal requirements to all purchases made by the State of Vermont (within certain thresholds), regardless of funding source.

The policy requires departments to verify that a vendor has not been suspended or debarred before making a covered purchase. (A covered purchase is a purchase of goods or services over \$25,000 or a grant of any amount.) This verification can be accomplished by including a clause in the grant or contractual agreement (all boilerplate grants and contracts now contain this clause), requiring the vendor to sign a certification statement, or manually searching for the vendor on a federal website. The policy can be found on the Policies page of the Finance & Management website at <http://finance.vermont.gov>

## **SOLE SOURCE AND NO-SUBSTITUTE PURCHASES**

Every reasonable effort should be taken to promote a competitive bid process when selecting a contractor. However, in certain circumstances, negotiating with only one contractor or selecting a specific product may be appropriate.

### **Sole Source Purchase**

Sole source purchases are defined as an award for the acquisition of a commodity or service from the only known capable supplier because of the unique nature of the requirements, time restraints, and supplier or market conditions. All sole source requests, regardless of the dollar amount, must be submitted in writing to the Office of Purchasing & Contracting with appropriate documentation. Sole source procurements are reviewed in accordance with the approvals required under Administrative Bulletin 3.5. Requests exceeding \$15,000 require approval from the Secretary of Administration and are submitted by the Office of Purchasing & Contracting on the department's behalf. In such instances the Office of Purchasing & Contracting will submit the request to the Secretary of Administration, along with a memorandum from the Commissioner of Buildings and General Services in support of (or against) the request. All Sole Source contracts greater than \$100,000 must be approved by the Secretary of Administration prior to execution.

### **No-Substitute Purchase**

A no-substitute purchase is defined as an award for the acquisition of a specific make, model, or brand item without considering alternatives. No-substitute purchases will be bid out through the normal requisition process. Agencies requesting that items be purchased on a no-substitute basis must provide satisfactory documentation to support the request. If a no-substitute request results in a sole source acquisition the process described above must be followed.

All of the processes described above are listed in detail elsewhere in the Resource Guide, which is designed to help agencies in working with the state's procurement process. If you have any questions concerning the Office of Purchasing & Contracting and the processes we use, please contact Deborah Damore, Purchasing & Contracting Manager, Office of Purchasing & Contracting, Phone: (802)828-5784

E-mail: [deborah.damore@state.vt.us](mailto:deborah.damore@state.vt.us) .

## PURCHASING CARD

The State of Vermont Purchasing Card is a Visa credit card administered by the Department of Buildings and General Services on behalf of the State of Vermont. The Card is used for state business only. No personal purchases are allowed.

**Program Overview:** The Program is designed to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions as well as high volume repetitive purchases. We also wanted the program to:

- eliminate the number of invoices received and processed by the state
- control spending limits at point of sale
- restrict unauthorized purchases at point of sale
- empower employees with purchasing authority
- expedite receipt of goods and services
- improve vendor payments
- add accountability

The Purchasing Cards are issued with the following basic parameters:

- \$3,500.00 per-transaction limit (or less) for non-contract goods and allowable services – defined by issuing departments
- Can be used for State of Vermont business only
- No personal purchases are allowed
- Receipts for every purchase must be retained and presented
- Ability to use the card for travel expenses
- Not intended to avoid or bypass appropriate purchasing or payment procedures
- Many vendors accept the p-card for purchases from statewide commodity contracts.

**Program Design:** Office of Purchasing & Contracting oversees the State of Vermont program in conjunction with an Advisory Group,. This includes setting all program parameters, policies, and procedures. Each individual agency or department is set-up independently and may set tighter parameters within the guidelines of the program.

**Payment to Provider:** Under the Program, BGS Accounting has responsibility for receiving and paying the individual “statements” or invoices that we receive monthly from the bank. We currently receive one statement for each participating department. The participating department is responsible for timely reimbursement to BGS.

For more information about the program, please contact your business manager or visit the Purchasing Card web-site at <http://bgs.vermont.gov/purchasing/pcard>

# **PURCHASING ETHICS**

Ethics are rules or standards that govern the conduct of members of a profession. All state personnel involved in the purchasing process must recognize and understand the importance of proprieties of conduct in purchasing transactions. A public purchasing function can only remain effective as long as it maintains its reputation for courtesy, honesty, integrity, and fair dealing. Maintaining a good reputation with suppliers means practicing good moral standards and conveying them by exhibiting fair and above board practices.

## **Employee Conduct**

State Personnel Policy states: "Employees shall not use their positions to obtain special privileges or exemptions for themselves or others." Specifically, state personnel involved in the purchasing process should not use their position to solicit, receive, or agree to receive any compensation, gift, reward, or gratuity from any supplier.

## **Confidential Information**

State personnel involved in the purchasing process shall not use or disclose confidential information gained by reason of their official position or activities in any way, except as authorized by law, nor shall they use such information for their personal gain or benefit.

## **Conflict of Interest**

State personnel involved in the purchasing process should not participate in any purchasing transaction where they may be perceived to have a personal interest. Prior to taking any official action which purchasing personnel have reason to believe involves a real or perceived conflict of interest, they shall furnish their supervisor a written statement describing the matter and the nature of the potential conflict of interest.

## **Vendor Relationships**

Vendors are an important part of the purchasing process and should be treated fairly and with respect.

## **TIME FRAMES**

The Office of Purchasing & Contracting is committed to supplying the products or services you need, when you need them, at the lowest cost. Working together, we can accomplish this goal. As a customer, you can help us meet our commitment to effectively serve all agencies. With a little advance planning, almost all your requirements can be met in a reasonable timeframe.

For frequently ordered items, contracts should be considered instead of going out to bid each time the need arises. With a contract in place, items can be ordered whenever they are needed and shipped right away. This saves time for both the customer and the vendor.

We encourage you to involve us at the earliest stage of your ordering process. That way we can help you plan your purchasing needs in advance and effectively meet your requirements. In emergencies we will make special efforts to expedite the process.

## **ADDITIONAL PURCHASING RESOURCES**

In addition to this **Buyer's Resource Guide**, the following can be used to provide help and information:

### **Administrative Bulletin 3.5**

This administrative bulletin provides the guidelines that all departments/agencies must follow when contracting for services. The Office of Purchasing & Contracting must also follow these guidelines, so the procedures would be applied to your requests to us. Our staff can provide you assistance in ensuring compliance with the Bulletin's provisions which can be accessed with the following link: <http://bgs.vermont.gov/purchasing/forms>

### **Service Contracts**

The Office of Purchasing & Contracting can provide assistance in drafting specifications and Requests for Proposal for service contracts. Refer to your business office for internal requirements. All contracts must include the Standard State Contract Provisions which can be accessed with the following link: <http://bgs.vermont.gov/purchasing/forms>

### **Office of Purchasing & Contracting Web-Site**

At <http://bgs.vermont.gov/purchasing> you will find information regarding our staff and the commodities for which they are responsible. In addition, there is a listing of current statewide contracts giving important details with links to the actual text. You will also find the latest news, frequently asked questions, the most updated version of this guide, and a sample RFP shell. The information is updated continually to provide you with the most up to date information.

### **Office of Purchasing & Contracting Staff**

The Purchasing Agents are always available to answer questions. They can assist you with the VISION System, direct you towards contracts, suggest sources of supply, act on your behalf if you are unable to solve a problem with a vendor, and provide assistance on the procurement process. A list of Purchasing Agents and commodity assignments can be accessed with the following link: <http://bgs.vermont.gov/purchasing/contactus>

## Vermont Bid System

Information about Bid Opportunities is posted on the internet via State's Electronic Bulletin Board (EBB) ([www.vermontbidsystem.com](http://www.vermontbidsystem.com)) administered by the Department of Economic Development's Vermont Business Assistance Network program. Each posting contains a brief summary of the proposal, deadlines for submission of bids, and a contact point to obtain a complete copy of the bid.

For commodities and personal services:

- a) All Requests for Proposal (RFP) and/or Requests for Quote (RFQ) will be posted on the internet in two locations:
  - EBB (State's Electronic Bulletin Board) at <http://www.vermontbidsystem.com>
  - Purchasing and Contracting Web-site under Posted Purchasing Bid Opportunities at <http://bgs.vermont.gov/purchasing/bids> .
- b) A Notice of Bid Opportunity may be sent to vendors including but not limited to the following; registered in the state's Vision system for a specific commodity area, based on Purchasing Agent Knowledge of vendors, those vendors suggested by Agency, internet searches, and/or other potential supplier listings.
- c) All other BGS bid opportunities with an estimated value exceeding \$15,000 will be posted to the EBB <http://www.vermontbidsystem.com> .

## Vision Help Desk

Individuals with a strong knowledge of the VISION System's functionality staff The VISION Helpdesk. If you have problems entering transactions on the system contact the Helpdesk at 828-0407.

## Office of Purchasing & Contracting Newsletter

The newsletter is used at least monthly to provide you with updated information about the contracts that are in effect for use by State Agencies as well as other information of interest about the Office of Purchasing & Contracting. We welcome your comments and suggestions about the information provided and how to make it more useful.

If you have any questions or comments for the Office of Purchasing & Contracting simply reply to the e-mail. If other State of Vermont staff that would like to be added to the Newsletter please send e-mail to <http://bgs.vermont.gov/purchasing/contactus> and type the word "subscribe" in the body of the message, remove any other writing from the screen and send it.

## Outreach Training

Members of the Office of Purchasing & Contracting will come to your work place and meet with administrative staff from your agency to discuss how we can serve you better. For more information on training, contact 802/828-2211.

# VISION

(VERMONT INTEGRATED SOLUTION FOR INFORMATION AND ORGANIZATIONAL NEEDS)

Vermont's VISION System is used to acquire the materials, equipment, services, and supplies required by agencies of Vermont state government. Each state agency can access VISION through the GOVNET Network. Contact your business manager to set up your access.

Features of this system include:

- ◆ Access to a universal commodity database (Item Table) that provides current specifications, process for ordering items needed, vendors, last prices paid, contract status, etc.
- ◆ Agency ability to create, authorize, and review requisition status as well as review finalized purchase orders and contracts. This gives users information such as delivery dates, price, and awarded vendor.
- ◆ Agency inquiry and printing of contracts, terms, conditions and contract line item inquiry. For example, have they been extended? What is the expiration date? Has the contract been replaced by another contract? Etc.
- ◆ Report section is used to generate a list of contracts available to various state agencies.

## GENERAL STEPS IN THE PURCHASING PROCESS

**STEP #1: Determine What You Need:** Be specific in defining what it is you need, when you need it, and what special requirements you might have, e.g. training, inside delivery, or installation.

**STEP #2: Is it available through one of the Office of Purchasing & Contracting Contracts?** To find out you can go to the VISION System, check with your business office, call Office of Purchasing & Contracting or check the web site at [www.bgs.state.vt.us/PCA/](http://www.bgs.state.vt.us/PCA/).

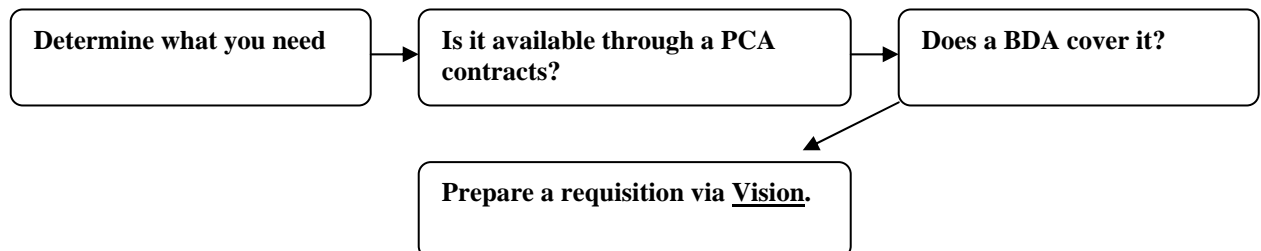
- ◆ YES! Follow the Contract's "method of ordering" instructions.
- ◆ NO! Go to Step 3.

**STEP #3: Does Blanket Delegation of Authority #1 (BDA-1) or another BDA cover it?** You can find out by checking with your business office or the Office of Purchasing & Contracting web-site [www.bgs.state.vt.us/PCA/](http://www.bgs.state.vt.us/PCA/).

- ◆ YES! Follow your agency/department procedures for purchasing under the BDA.
- ◆ NO! Go to Step 4.

**STEP #4: Prepare a Requisition via VISION.** Provide detailed specifications:

- ◆ Delivery times.
- ◆ Special needs, etc
- ◆ Will this be a one-time order or will the item(s) be purchased frequently?
- ◆ Should a contract be considered?



## SPECIFICATION DEVELOPMENT

Well-written specifications are an essential component of the purchasing process. The purpose of a specification is to provide a basis for obtaining a commodity or service that will satisfy a particular need, at the proper level of utility and quantity, at a reasonable cost, including the full cost of ownership. Good specifications must be broad enough to allow for fair competition, yet be precise enough for an agency to obtain the quality commodities and services it needs.

A specification may originate with an agency, an architect or independent engineer, a government entity, or a professional society or association. However the Office of Purchasing & Contracting has the responsibility for the correctness, competitiveness, and suitability of specifications.

The Office of Purchasing & Contracting makes the final approval of specifications before their use in the bidding process. The using agency will be notified of any changes prior to the bidding process.

Good communication between agency users, purchasing staff, and potential suppliers is an important factor in developing specifications. Please be sure you include all the pertinent information needed to complete specifications. The following types of information should be considered in developing specifications:

- Quantities desired
- Delivery:
  - Timeframe
  - Point of Contact (POC)
  - Is inside delivery is required; will a lift gate or forklift be required
  - Indicate physical delivery address
- Performance standards (Can you measure that performance?)
- Physical or functional characteristics
- When describing a service identify frequency, method, etc.
- Inspecting and testing requirements
- Packaging requirements
- Identify the product by brand name or “or acceptable equivalent” whenever possible
- Establish minimum product standards
- Are there acceptable brand lists and qualified products lists?

- Training requirements:
  - Is training required for the contract term or just initial training?
  - Indicate whether training is required on-site, internet based or call based
  - What is the desired timeframe
- Maintenance of equipment:
  - Consider requesting cost to maintain equipment
- Method or formula to be used for award
- Evaluation factors and their relative importance
- Reference to a brand and/or model may be made with the opportunity to submit equal alternative product given to the vendor.
- If equal products are not acceptable to an agency, a complete justification should be included for review and “No Substitute” or “Sole Source” should be indicated.
- When project-related, include a statement specifically describing the phases of work or services, major tasks, or areas of responsibility the contractor is to perform at a particular site or within a particular locale during a stated period of time. The statement must identify specific objectives the contractor is to attain or describe, in detail, the deliverables the contractor is to provide. Include a schedule of delivery.
- Conduct market research. What is currently available?
- Proactively engage customers in developing specifications and drawings, seeking their perspectives and inputs.
- Ensure best designs/technical solutions.
- Identify and incorporate best practices in specification development.

## FREQUENTLY ASKED QUESTIONS

- 1. What services does the Office of Purchasing & Contracting provide to my Agency?** The Office of Purchasing & Contracting has the responsibility under 29 V.S.A. § 902 to contract for and/or purchase all supplies for state government. To simplify the acquisition process, BGS maintains numerous statewide contracts for supplies, which include materials, equipment, parts, and commodities. Unless otherwise approved in advance, **these BGS contracts must be used by all state government entities.** To find out if a contract exists that meets an agency's need, contact the BGS Office of Purchasing & Contracting or refer to the BGS web site at: [www.bgs.state.vt.us/pca/](http://www.bgs.state.vt.us/pca/) .
- 2. What is VISION? Who can instruct me on it?** VISION is the statewide financial management system and it is the method used to place requisitions, issue contracts, prepare orders for items on contract, and search for commodity information and access contract details. For assistance call the VISION Help Desk at 828-0407. The Office of Purchasing & Contracting staff can also assist in answering contracting-related VISION questions.
- 3. How can I find out if what I want to buy is on Contract? What do I do if it is on Contract?** You can look it up in VISION or check the Purchasing & Contracting web-site at [www.bgs.state.vt.us/pca/](http://www.bgs.state.vt.us/pca/) for listings of current statewide contracts. Contracts are easily printed from the VISION system or from the web-site. If the item is on contract, review it carefully for the method of ordering and other terms and conditions. A purchase order must be prepared for all items ordered.
- 4. What is the dollar limit for a "local purchase order"?** The Commissioner of Buildings and General Services can delegate authority to other agency/department heads to make certain types of purchases without going through the Office of Purchasing & Contracting. A "Blanket Delegation of Authority" (BDA) enables agencies to maintain the continuity of everyday operations. The purchases made under a BDA, however, are still subject to the underlying requirements of competitive bidding as stated in Bulletin 3.5.

BDA#1 grants authority to make any single purchase up to \$3,500 provided that the item being purchased is not available through an existing state contract, is not otherwise restricted by statute or administrative bulletin (for example, filing cabinets are restricted by 3 V.S.A. § 219), and is not an ongoing need of the department. The full text of BDA#1 can be found online at: <http://bgs.vermont.gov/purchasing/bda>. (For items that are needed on an ongoing basis, departments are expected to work with the Office of Purchasing and Contracting to establish a contract.) Dollar thresholds also apply. Specific authority covering certain classes of items (for example, fresh produce purchased from local farmers at market prices) can be requested through the Office of Purchasing & Contracting. All BDAs, including BDA#1, are subject to the ongoing approval of the Commissioner of Buildings and General Services and can be revoked or modified at any time. All purchases made

under a Blanket Delegation of Authority are subject to annual audit to determine compliance with this Bulletin and with the applicable BDA.

If the needed item(s) is (are) not available under an existing contract and is (are) not covered by an existing BDA, the agency must prepare a requisition through the VISION system. The Office of Purchasing & Contracting will not have access to the requisition until the Agency/Department budget checks the requisition for sufficient funding by the VISION system.

For example, you could buy a video camera if it was under \$3,500 but not a FAX machine, as these are covered by a contract. Always check your own internal agency rules and procedures.

- 5. Why should we bid out a job when my local vendor has what I need for a fair price?** The Office of Purchasing & Contracting is governed by Title 29, Chapter 49, of the Vermont Statutes Annotated. We are responsible for purchasing all commodities that are needed by the state and are required to engage in an open, competitive bid process prior to making such purchases.

The purpose of the competitive bid process is twofold: to ensure that any person or company has the opportunity to get the state's business, and also to ensure that the taxpayers get the best possible value when their money is being spent by state agencies.

Unlike many jurisdictions, which are required to award contracts to the lowest bidder, in Vermont we evaluate bids based on a variety of factors such as quality, ease of supply, and environmental impact, in order to determine which proposal will provide the best value to the state.

The competitive bid process will establish the best price in the market at a given point in time. The bid process also provides a public record to support purchasing decisions.

- 6. What if my requirement also includes installation and maintenance?** Any contract for the purchase of a product, commodity, equipment, or software that also involves the contractor's personnel coming onto state property to install or service the purchased item or to train state personnel in the use of the item purchased should be developed as a **commodities contract** under Bulletin 3.5 by submitting a requisition to the Office of Purchasing & Contracting, Department of Buildings and General Services.

7. **I found an item on contract for a lower price from a different vendor. Can I order it from this new vendor?** No. To simplify the acquisition process, BGS maintains numerous statewide contracts for supplies, which include materials, equipment, parts, and commodities. Unless otherwise approved in advance, **these BGS contracts must be used by all state government entities.** Contracts are intended as the prime source of supply for state agencies with commodity requirements. If an agency has a requirement for an item on contract that the contractor cannot meet effectively or the agency has justification to have the Office of Purchasing & Contracting solicit bids from another source, they should contact the Purchasing Agent who is responsible for that commodity item and/or contract. The Purchasing Agent will review the justification to purchase the item off-contract and approve or disapprove the request as appropriate.
8. **I called three vendors and got quotes for my requested product. Do I still have to do a requisition?** Discuss further with the appropriate Purchasing Agent.
9. **How do I get approval for a "Sole Source" purchase (i.e. no competitive bidding)?** A Sole Source purchase situation arises when only one vendor can supply an item. Examples of when a sole source purchase might be appropriate include when time is critical for performance of the required services (such as emergency repairs) and/or when only one contractor is capable of providing the needed service or product. To get approval to make such a purchase, you must send a memo to the Office of Purchasing & Contracting fully justifying why this is the only possible item to meet your requirements. If the price is under \$15,000 the Office of Purchasing & Contracting can review the request and make the determination. If there is justification to support a sole source purchase and it exceeds \$15,000, the request will be sent along with our recommendation supporting the request to the Secretary of Administration for consideration.
10. **I bought something without going through Purchasing. The cost is greater than \$3,500. I have the invoice here. Now what?** Talk with the purchasing agent in charge of the commodity, explaining why the purchase was made outside established guidelines and explain what steps will be taken to prevent this happening again. The Purchasing Agent will ask you to follow up with an e-mail message. The agent may reply with an authorization number. The original message and the response should be printed and kept with the payment file.
11. **What are "political subdivisions"?** Political Subdivisions are city, town, and village governments, public schools and school districts, and other municipal entities established by the legislature. Whenever possible, the Office of Purchasing & Contracting tries to have vendors make the state contracts available to these groups.

12. **Do we have to go with the lowest bidder?** There are a number of factors that are used in making an award. Product quality, delivery time, environmental impact, and vendor ability are a few of these criteria. The lowest bidder that meets all the requirements usually gets the award. Awards to other than the lowest bidder meeting all requirements must be well justified.
13. **I haven't received my goods although a Purchase Order was issued several weeks ago. What do I do?** First make sure your business office has approved the order in the **VISION** System and sent to the vendor. Check the delivery stated on the purchase order. If appropriate, call the vendor. If that doesn't bring results contact the Purchasing Agent listed on the purchase order.
14. **I didn't check my goods when they were delivered two months ago. Unpacking them I find they are damaged. Now what?** Contact the vendor and request they be replaced. If the issue cannot be resolved, contact the Purchasing Agent.
15. **Why should I ask for recycled content in my product specifications?** The State of Vermont is dedicated to recycling and source reduction. Buying recycled reduces waste and preserves valuable resources. There are several statutes and Executive Orders covering the purchase of these products.

## RECYCLED AND ENVIRONMENTALLY PREFERABLE PRODUCTS

The State of Vermont is a national leader in the development and application of environmentally preferable purchasing and control of hazardous material use. Environmentally preferable purchasing (EPP) means the purchase of “products and services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw material acquisition, production, manufacturing, packaging, distribution, re-use, operation, maintenance, or disposal of the product or service” (Presidential Executive Order 13101; US EPA; generally accepted by industry).

We have established specific goals and objectives aimed at providing sound environmental stewardship, protecting human health, reducing state operating expenses associated with the use and control of regulated hazardous materials, and reducing potential liability attributable to environmental impact. Therefore, where applicable the following environmental criteria shall be considered for all state purchasing and contracts.

1. **Mercury Content**: To minimize the amount of mercury-containing products utilized in its operations the State of Vermont will eliminate the purchase of products whenever feasible alternatives exist at a reasonable cost and comparable performance. Where mercury-free alternative products do not exist, preference will be given to the purchase of products with the lowest (documented) total mercury content feasible and products that bear a mercury content warning label as required of product manufacturers under Vermont law, Executive Order #03-02. The State of Vermont urges suppliers to continue to develop, produce, and bring to market appropriate, cost competitive, and effective mercury-free replacements.
2. **Paper**: The state desires to reduce the use of chlorine in the products it purchases to protect the environment from pollution (Executive Order 06-94). Processed Chlorine Free (PCF) paper means paper in which the recycled content is processed unbleached or is bleached without the use of chlorine or chlorine derivatives AND any virgin material contained therein is totally chlorine free (TCF).
  - **Copier Paper**: The State of Vermont requires PCF copier paper which contains a minimum of 30% post-consumer recycled material (any virgin material must be TCF).
  - **Printing and Writing Paper**: The State of Vermont requires at least 30% post-consumer recycled content for non-coated paper and at least 10% post-consumer recycled content for coated paper. Preference will be given to chlorine free options when suitable choices are available.
3. **Recycled Content**: The Commissioner may, at his/her discretion, spend up to 10% more for comparable products that are made of recycled materials. If products made of recycled materials are to cost more than 10% more than

comparable products, the Commissioner shall receive consent of state entities that are to use the product before completing the order in question.

4. **Sustainable Products:** Vendors are encouraged to provide alternate quotations on wood or paper products that are derived from sustainably managed forestlands. Such products must be independently third-party certified to acceptable standards. Sustainable-managed forest lands shall be defined as those lands enrolled and licensed under one of the following: Sustainable Forestry Initiative Program, the American Tree Farm System, the Canadian Standards Association's Sustainable Forest Management System Standards, the Finnish Standard, Forest Stewardship Council, Pan-European Forest Certification, Swedish Standard, the United Kingdom Woodland Assurance Scheme or other such credible programs as they are developed and implemented. Vendors must provide satisfactory documentation of certification with their bid.
5. **Life-Cycle Cost Evaluation:** Life cycle cost analysis shall extend beyond the cost of purchasing, to include installation, operation, maintenance, durability, and disposal of a particular piece of equipment or product.
6. **Energy Efficiency (Energy Star):** To reduce our energy usage, energy-consuming devices must, without compromising quality or performance, meet or exceed Energy Star qualifications or comparable standards established by the U.S. Federal Government. Special exceptions to this requirement can be made only when it is not possible to meet the Energy Star requirements without compromising quality or performance of the contracted goods or service.
7. **Alternative Fuels:** Evaluations for vehicles and other fuel-consuming equipment shall consider not only fuel efficiency, but also the type of fuel, to reduce emissions of greenhouse gases and pollutants.

Among the goals we attempt to accomplish by buying "green":

- **Solid Waste Reduction:** Reduce materials introduced into the state facilities through packaging and re-use materials when possible. This will reduce custodial hours and waste removal costs as well. Purchase products packaged in recycled materials. Properly recycle products and packaging materials at the end of useful life.
- **Energy Efficiency:** Select efficient equipment to accomplish tasks with the minimal amount of energy and reduce the demand for cooling in the state facilities. Efficient purchases will save energy, money, and reduce the environmental impact caused by the generation of the energy.
- **Pollution Prevention:** Green and sustainable products keep the air, waste stream, and water free from harmful pollutants. This helps protect the health and safety of people in state facilities, and protects the waste treatment process and the environment.

# **SPECIAL COMMODITY ORDERING INSTRUCTIONS**

## **Chairs**

The Office of Purchasing & Contracting maintains contracts for ergonomic seating that provides a variety of swivel desk chairs. These chairs have been selected after a review process conducted by the Office of Risk Management to ensure that the chairs purchased by the state have the proper ergonomic features. Contact the Office of Purchasing & Contracting and Risk Management for approval if the chairs on contract do not meet your needs.

## **Fuel Card**

The State currently has a contract with Wright Express to cover the purchase of fuel and vehicle maintenance services at commercial sites for state owned vehicles. Contact your business manager or the Purchasing Agent responsible for this commodity at 828-4681 if you would like more information about this program.

## **Fuel and Fuel Oil**

All fuel purchased (kerosene, fuel oil, diesel, LP gas and gasoline) by the state is done under contracts (with the exception of items covered by the fuel card). A list of these contract vendors and locations covered can be found at <http://bgs.vermont.gov/purchasing/fuel> .

## **Printing**

By statute, all state printing jobs whose value exceeds \$3,500 must be handled by the Office of Purchasing & Contracting. These jobs are most commonly requested through the VISION system as purchase requisitions. Authorized requisitions are routed to a purchasing agent, who conducts the appropriate competitive process to develop a purchase order or contract.

## **BDA-74**

In order to expedite the process for printing projects for state agencies that can be done by the Vermont Correctional Industries Print Shop or the Central Services Copy Center, this BDA (Blanket Delegation of Authority) is being granted to all state agencies.

- Printing projects with a cost up to \$5,000 may be obtained directly from the Central Services Print Shop (828-2830) or Vermont Correctional Industries (241-1472). Prior approval of the Office of Purchasing & Contracting is not required.
- Please show the number (BDA-74) on the payment voucher when processing invoices for the material.
- This delegation applies only to printing projects that can be done by these state-operated shops.
- NOTE: Agencies are reminded that all actions taken under this BDA must comply with the provisions of Administrative Bulletin No. 3.5, "Contracting Procedures".

### **Requisitions for Printing**

When submitting a requisition for a printing job it is very important to include as much information as possible about your printing requirements. This will give the potential bidders the exact specifications they need to provide a good quote. The clearer and more detailed our specifications are, the more competitive the bids. Please try to include information about all of the following topics. If you have any questions call the Purchasing Agent responsible for this commodity at 828-4658.

- **TITLE OF PRINT JOB:** Every job should have a title, i.e.: "TA-160 Operator Inspection Report".
- **TRIM SIZE/FINISHED SIZE:** What is the size (dimensions) of the document in inches? If it is folded; what is the final, folded size?
- **NUMBER OF PAGES:** If the cover is on a different paper stock than text, do not include in page count; i.e. "48 pages plus cover").
- **INKS/COVERS:** Number of colors per side (black is a color). Full bleeds (Does the ink go all the way to the edge of the sheet)? Covers usually have four parts: Cover I (front cover), Cover II (inside front), Cover III (inside back), and Cover IV (back cover).
- **INKS/TEXT:** Number of colors per side. Bleeds? A typical specification would read: 2 colors/ 2 sides (or 2/2).

- **STOCK/COVER AND TEXT:** What type of paper should the job be printed on? Please include basis weight, type, color, and brand name (if available) of paper. Per the Governor's Executive Order 06-94, all stock should be recycled with a specific minimum of post consumer content. Example: "50 lb. Offset white Halopaque recycled 20% post consumer content."
- **MECHANICAL:** How will information be supplied? Camera ready, film- supplied, or disk-supplied are some common methods. If photos are included are they halftones (black and white) or color? If color, who is to produce the separations (film)? List the type and number of each in your publication, as well as their sizes.
- **FINISHING:** Folding for mailing or scoring for easy folding are some types of finishing. Perforation is another type of finishing.
- **BINDING:** How will the job be put together? Saddle stitched (stapled) or perfect bound (glued along the spine) are two examples.
- **PROOFS:** This is essential. Who should get the proofs? Someone needs to check the job before it goes on press. What kind of proof do you need? Blueline or dylux is the most common type.
- **PACKAGING:** How should the material be packaged? One way is in cartons clearly marked as to contents.
- **DELIVERY:** If there is no loading dock available at your site you should indicate inside delivery. Advance notice? Special times? Other delivery locations?
- **PRODUCTION CONTACT:** Who will be the contact for printer? This is usually the same person who gets proofs. What is the telephone number of this person?
- **SAMPLES/SKETCHES/DUMMIES (MOCK-UPS):** Please provide ten copies of your job and send to the division to be included in the bid package.
- **DELIVERY DATE:** When do you need this document or form delivered? Indicate any special dates you absolutely must have this job completed and delivered. Be aware that any delays in delivering mechanical or art work to vendor, delays in returning proofs, or any significant changes to the document after the original art is submitted will result in extra charges and extra time to complete your job.

## INFORMATION TECHNOLOGY

Prior to purchasing any Information Technology (I.T.) hardware, software, or services not covered by an existing contract and costing more than \$10,000 approval must be obtained from the Department of Information & Innovation (DII).

- Purchases of hardware and software must be made by the Office of Purchasing & Contracting.
- For IT hardware, software, or services costing more than \$10,000 the Office of Purchasing & Contracting will take no action until it has received notification of approval from the CIO.
- The Office of Purchasing & Contracting is responsible for the posting of all IT Requests for Proposal (RFP), Requests for Information (RFI) and Requests for Quote (RFQ) regardless of type and cost.

### HARDWARE & PACKGED SOFTWARE:

A request for approval must be made to DII's Senior Project Management Officer.

- If it is a routine "bid and buy" requiring a simple RFQ, approval must be obtained from the Chief Information Officer (CIO) and the Office of Purchasing & Contracting will conduct the bidding process.
- If a more detailed RFQ is required, then the CIO or designee will work with the department in developing the document. Once the request is approved by the CIO it should be sent to the Office of Purchasing and Contracting for posting.

**CUSTOM SOFTWARE & SERVICES:** Whenever a department is considering the purchase of custom software or IT services, DII's Senior Project Management Officer should be contacted so that he/she can work from the beginning in developing the RFP documents with the requesting department. Once the documents are finalized and approved by the CIO, they should be sent to the Office of Purchasing & Contracting for bid administration.

Lastly, any contract arising from the RFP must have the CIO's approval prior to execution.

By statute, any I.T. project of \$150,000 or greater must have a cost benefit analysis. Any I.T. project of \$500,000 or greater is subject to an independent review.

## CLASSIFIED ADVERTISEMENTS

A contract has been established with the Burlington Free Press for Employment Classified Display Advertisements to allow a savings of approximately 50%.

Employment advertisements can be placed either through the Department of Personnel (contact your Personnel Officer or Human Resources, 241-4381) to be included in a group display advertisement, or they can be placed directly with the Burlington Free Press. The group display advertisement is the most economical solution.

## **PAYMENT PROCESSING/PURCHASING APPROVAL**

Whenever a department processes a payment voucher for an invoice greater than \$3,500 that does not show a purchase order, contract, or BDA number, they are responsible for obtaining prior approval from the appropriate purchasing agent prior to submission of the payment voucher to Finance.

Departments are responsible for maintaining documentation of approvals received by the Office of Purchasing & Contracting in their files. Departments may request approval by E-mail to the appropriate purchasing agent explaining why the purchase was made outside established guidelines. A copy of the purchasing agent's E-mail approval should be part of the department's files. Once the Agent has approved the purchase, the voucher may be processed for payment.

## **MULTI-STATE CONTRACTS**

The State of Vermont has participated in various cooperative-purchasing ventures with other states for over 20 years. This approach to contracting is viable when two or more states have common requirements for commodities. A lead state is chosen and is responsible for assembling the requirements and making the award(s) in consultation with the others. Each state issues its own contract based upon the accepted results.

Vermont benefits substantially in being a participant in multi-state contract bidding. Lower pricing derived from much greater combined quantities is the prime motivation. Another advantage would be the greater influence over vendors to produce products that will meet special requirements such as recycled content.

Our state currently takes part in several multi-state contracts. The largest is a drug contract that involves 40+ states from across the country. We also have a computer software contract that includes states throughout New England and one for computers that involves 20 states around the country. Other ongoing multi-state contracts that have been going for several years include glass beads, traffic paint, and traffic cones.

The Office of Purchasing & Contracting encourages agencies to make suggestions for other cooperative contracts. Any products your agency uses in common with other states should be considered, especially when it appears that there are no differences in specifications. Ideas for these contracts should be discussed with associates from other states and the appropriate purchasing agent.

## **POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES**

Title 29, Chapter 49 authorizes the Office of Purchasing & Contracting to work with political subdivisions (cities, towns, schools, and municipalities) and independent colleges in the state. We regularly provide the following services:

### **Contracts**

The Office of Purchasing & Contracting maintains a list of state contracts that are also available for use by political subdivisions and independent colleges. Contractors on this list have agreed to provide items to political subdivisions and independent colleges under the same terms as their state contract. A current list of these contracts is available on the Internet at <http://bgs.vermont.gov/purchasing/contractinfo>

### **Resources**

The Office of Purchasing & Contracting provides assistance to political subdivisions and independent colleges in developing specifications and bid proposals. Often the best assistance we can provide is information that they can use to perform their own bid process.

### **Bidding**

The Office of Purchasing & Contracting can bid specific requirements for a political subdivision or an independent college. Usually this is done in conjunction with a bid for similar items for state agencies.

## **CUSTOMER SATISFACTION SURVEY**

Good communication between the Office of Purchasing & Contracting and state agencies is essential for the process to succeed. Please tell us what is working, what isn't working, and give us your suggestions how to do it better.

Customer Satisfaction Survey: To help us understand how we can better serve you, we are interested in receiving your comments regarding the quality of service you received in your most recent interaction with the Department of Buildings & General Services (BGS). Please complete the on-line Customer Comment Form at: <http://bgs.vermont.gov/purchasing/contractform>

## COMMODITIES AND ASSIGNED PURCHASING AGENTS

<u>COMMODITY</u>	<u>PURCHASING AGENT</u>
Advertising	Betsy Laraway
Air conditioners	Dona Bosley
Air compressors accessories & parts	Dona Bosley
Aircraft—equipment, parts & supplies	Betsy Laraway
Appliances & equipment—household	Debbie LaRose
Art Equipment & Supplies	Debbie LaRose
Audio/visual equipment	Bonnie Sanders/Linda Wortmam
Automotive	Steve Smith
Badges, patches & insignias	Debbie LaRose
Barrels, drums, etc.	Bonnie Sanders/Linda Wortman
Barber & beauty equipment & supplies	Debbie LaRose
Batteries	Betsy Laraway
Beds & bedding	Debbie LaRose
Boats, motors & marine supplies	Betsy Laraway
Books & publications	Betsy Laraway
Building materials, Locks & Lock Hardware	Robert Pierce
Buildings—fabricated	Robert Pierce
Bulk chemicals	John McIntyre
Calcium Chloride	Dona Bosley
Clothing & footwear	Debbie LaRose
Computer hardware & software	John McIntyre
Construction services, labor & materials	Robert Pierce
Communications equipment & accessories	John McIntyre
Culverts & concrete products	Robert Pierce
Custodial supplies	Dona Bosley
Cutlery, Dishes, Flatware & Glassware	Debbie LaRose
Dental equipment & supplies	Debbie LaRose
Disposable paper & plastic products	Betsy Laraway
Drugs & pharmaceuticals	Debbie LaRose
Dietary supplements	Debbie LaRose

Electrical equipment & supplies	Dona Bosley
Embossing & engraving	Betsy Laraway
Engineering & surveying equipment	Bonnie Sanders/Linda Wortman
Fasteners	Steve Smith
Fax Machines	Betsy Laraway
Fencing	Robert Pierce
Fire and Safety Equipment & Supplies	Steve Smith
First aid equipment & supplies	Debbie LaRose
Fish food	John McIntyre
Flags, flagpoles, banners & accessories	Bonnie Sanders/Linda Wortman
Food	Debbie LaRose
Food processing & canning equipment	Debbie LaRose
Forests & Parks recreation equipment	Betsy Laraway
Foundry castings, equipment & supplies	Robert Pierce
Furniture	John McIntyre
Fuel	Betsy Laraway
Gases—hospital, laboratory & welding	John McIntyre
Glass beads	Dona Bosley
Glass & glazing supplies	Debbie LaRose
Hand & Power Tools	Steve Smith
Highway buildings materials	Robert Pierce
Highway equipment	Steve Smith
Hospital & surgical equipment & supplies	Debbie LaRose
Imprinted specialty items & decals	Debbie LaRose
Interior coverings—floors, window treatments	John McIntyre
Kitchen & cafeteria equipment	Debbie LaRose
Laboratory & field equipment & supplies	John McIntyre
Laundry & dry cleaning equipment & supplies	Debbie LaRose
Lawn & grounds equipment & materials	Steve Smith
License plates & other vehicle ID	Betsy Laraway
Lumber & related products	Robert Pierce
Mailing Machines	John McIntyre
Markers & signs & traffic control devices	Dona Bosley
Markers & signs, non-traffic	Betsy Laraway
Material handling equipment	Dona Bosley
Metals—bars, sheets, rods, etc.	Dona Bosley
Office machines/accessories	Betsy Laraway
Office supplies	Betsy Laraway
Optical equipment & supplies	Debbie LaRose
Pads & Booms	Debbie LaRose

Paint	Dona Bosley
Paper— envelopes & forms	Betsy Laraway
Paper towels & Tissues	Betsy Laraway
Photographic equipment & supplies	Bonnie Sanders/Linda Wortman
Plastics & related equipment	Dona Bosley
Plows, bodies and spreaders	Steve Smith
Plow blades & shoes	Steve Smith
Plow Trucks ad other large vehicles	Steve Smith
Plumbing—equipment, fixtures & supplies	Dona Bosley
Police equipment and supplies	Steve Smith
Printing & silk screening	Betsy Laraway
Printing plant equipment & supplies	Betsy Laraway
Prostheses equipment	Debbie LaRose
Pumps & pump accessories	Dona Bosley
Purchasing Card	Debbie Damore
Rags, shop towels, wiping cloths and mats	Betsy Laraway
Reflective Sheeting	Betsy Laraway
Road salt	Dona Bosley
Scales & weighing apparatus (except highway)	Debbie LaRose
Scientific instruments	John McIntyre
Sporting & athletic goods	Betsy Laraway
Steam & hot water specialties & supplies	Dona Bosley
Steam Boilers—heating & ventilation	Dona Bosley
Tanks—metal, wood & synthetic	Robert Pierce
Telecommunications	John McIntyre
Television/video equipment & accessories	Bonnie Sanders/Linda Wortman
Textiles—linens & piece goods	Debbie LaRose
Visual/auditory aids	Debbie LaRose
Water supply & sewage treatment equipment	Dona Bosley
Welding equipment & supplies	Steve Smith

# PURCHASING AGENTS AND COMMODITY ASSIGNMENTS

**DEBBIE DAMORE**, Purchasing & Contracting Manager (802) 828-5784

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**DONA BOSLEY**, Senior Purchasing Agent (802) 828-2217

AIR CONDITIONERS	AIR COMPRESSORS, ACCESSORIES & PARTS	<u>CALCIUM CHLORIDE</u>
<u>CUSTODIAL SUPPLIES</u>	<u>ELECTRICAL EQUIPMENT &amp; SUPPLIES</u>	<u>GLASS BEADS</u>
<u>MARKERS, SIGNS &amp; TRAFFIC CONTROL DEVICES</u>	MATERIAL HANDLING EQUIPMENT	METALS: BARS, SHEETS, RODS, ETC.
<u>PAINT</u>	PLASTICS & RELATED EQUIPMENT	PLUMBING EQUIPMENT, FIXTURES & SUPPLIES
PUMPS & PUMP ACCESSORIES	<u>ROAD SALT</u>	STEAM & HOT WATER SPECIALTIES & SUPPLIES
STEAM BOILERS, HEATING & VENTILATING	<u>WATER SUPPLY &amp; SEWAGE TREATMENT EQUIPMENT</u>	

**BETSY LARAWAY**, Purchasing Agent (802) 828-4658

ADVERTISING	AIRCRAFT, EQUIPMENT, PARTS & SUPPLIES	<a href="#"><u>BATTERIES</u></a>
BOATS, MOTORS & MARINE SUPPLIES	<a href="#"><u>BOOKS &amp; PUBLICATIONS</u></a>	EMBOSSING & ENGRAVING
<a href="#"><u>FAX MACHINES</u></a>	FOREST, PARK & RECREATION EQUIPMENT	<a href="#"><u>FUEL</u></a>
LICENSE PLATES & OTHER VEHICLE ID	MARKERS & SIGNS - NON TRAFFIC	<a href="#"><u>OFFICE MACHINES &amp; ACCESSORIES</u></a>
OFFICE SUPPLIES	<a href="#"><u>PAPER, ENVELOPES &amp; FORMS</u></a>	<a href="#"><u>PAPER TOWELS AND TISSUES</u></a>
<a href="#"><u>PAPER &amp; PLASTIC PRODUCTS - DISPOSABLE</u></a>	PRINTING PLANT EQUIPMENT & SUPPLIES	PRINTING & SILK SCREENING
RAGS, SHOP TOWELS, WIPING CLOTHS & MATS	REFLECTIVE SHEETING	SPORTING & ATHLETIC GOODS

**DEBBIE LAROSE, Purchasing Agent (802) 828-4635**

HOUSEHOLD APPLIANCES & EQUIPMENT	ART EQUIPMENT & SUPPLIES	BADGES, PATCHES & INSIGNIAS
BARBER & BEAUTY EQUIPMENT & SUPPLIES	<a href="#"><u>BEDS &amp; BEDDING</u></a>	<a href="#"><u>CLOTHING &amp; FOOTWEAR</u></a>
CUTLERY, DISHES, FLATWARE, GLASSWARE	DENTAL EQUIPMENT & SUPPLIES	DRUGS & PHARMACEUTICALS
DIETARY SUPPLEMENTS	FIRST AID EQUIPMENT AND SUPPLIES	<a href="#"><u>FOOD</u></a>
FOOD PROCESSING & CANNING EQUIPMENT	GLASS & GLAZING SUPPLIES	<a href="#"><u>HOSPITAL &amp; SURGICAL EQUIPMENT</u></a>
IMPRINTED SPECIALTY ITEMS & DECALS	KITCHEN & CAFETERIA EQUIPMENT	LAUNDRY & DRY CLEANING EQUIPMENT AND SUPPLIES
OPTICAL EQUIPMENT & SUPPLIES	<a href="#"><u>OIL ABSORBING PADS &amp; BOOMS</u></a>	PROSTHESES EQUIPMENT
SCALES & WEIGHING APPARATUS (EXCEPT HWY)	<a href="#"><u>TEXTILES, LINENS &amp; PIECE GOODS</u></a>	<a href="#"><u>VISUAL/AUDITORY AIDS</u></a>

**JOHN MCINTYRE, Purchasing Agent (802) 828-2210**

BULK CHEMICALS	<u>CARPET</u>	<u>COMMUNICATIONS EQUIPMENT &amp; ACCESSORIES</u>
<u>COMPUTER HARDWARE AND SOFTWARE</u>	FISH FOOD	<u>FURNITURE</u>
<u>GASES: HOSPITAL, LABORATORY &amp; WELDING</u>	<u>INTERIOR COVERINGS: FLOORING, WINDOW TREATMENTS</u>	<u>LABORATORY &amp; FIELD EQUIPMENT.</u>
<u>MAILING MACHINES</u>	SCIENTIFIC INSTRUMENTS	TELECOMMUNICATIONS

**ROBERT PIERCE, Senior Purchasing Agent (802) 828-2215**

BUILDING MATERIALS, LOCKS & LOCK HARDWARE	BUILDINGS, FABRICATED	CONSTRUCTION SERVICES, LABOR & MATERIALS
<u>CULVERTS &amp; CONCRETE PRODUCTS</u>	FENCING	FOUNDRY CASTINGS, EQUIPMENT & SUPPLIES
<u>HIGHWAY BUILDINGS MATERIALS</u>	LUMBER & RELATED PRODUCTS	TANKS (METAL, WOOD & SYNTHETIC MATERIALS)

**BONNIE SANDERS, Assistant Purchasing Agent (802) 828-5685**

<u>AUDIO/VISUAL EQUIPMENT</u>	BARRELS, DRUMS, ETC	ENGINEERING & SURVEY EQUIPMENT
<u>FLAGS, FLAG POLES, BANNERS &amp; ACCESSORIES</u>	TELEVISION/VIDEO EQUIPMENT & ACCESSORIES	<u>PHOTOGRAPHIC EQUIPMENT &amp; SUPPLIES</u>

**STEVE SMITH, Purchasing Agent (802) 828-4681**

<a href="#"><u>AUTOMOTIVE</u></a>	<a href="#"><u>FASTENERS</u></a>	<a href="#"><u>FIRE AND SAFETY EQUIPMENT AND SUPPLIES</u></a>
HAND & POWER TOOLS	HEAVY HARDWARE	<a href="#"><u>HIGHWAY EQUIPMENT</u></a>
<a href="#"><u>PLOWS, BODIES &amp; SPREADERS</u></a>	<a href="#"><u>PLOW BLADES &amp; SHOES</u></a>	<a href="#"><u>PLOW TRUCKS AND OTHER LARGE VEHICLES</u></a>
<a href="#"><u>POLICE EQUIPMENT &amp; SUPPLIES</u></a>	<a href="#"><u>WELDING EQUIPMENT &amp; SUPPLIES</u></a>	<a href="#"><u>LAWN &amp; GROUNDS EQUIPMENT AND MATERIALS</u></a>

**[LINDA WORTMAN](#), Assistant Purchasing Agent (802) 828-5684**

<a href="#"><u>AUDIO/VISUAL EQUIPMENT</u></a>	BARRELS, DRUMS, ETC	ENGINEERING & SURVEY EQUIPMENT
<a href="#"><u>FLAGS, FLAG POLES, BANNERS &amp; ACCESSORIES</u></a>	TELEVISION/VIDEO EQUIPMENT & ACCESSORIES	<a href="#"><u>PHOTOGRAPHIC EQUIPMENT &amp; SUPPLIES</u></a>

**ADMINISTRATIVE UNIT - MONTPELIER**

DEBBIE BRINK - (802) 828-2211  
 BONNIE SANDERS - (802) 828-5685  
 LINDA WORTMAN - (802) 828-5684

## **BLANKET DELEGATIONS OF AUTHORITY**

Blanket Delegations of Authority (BDA) are used to delegate authority to state agencies to directly purchase specific types and classes of items when the best interests of the state are served.

Agencies may request a BDA for a specific commodity area or project from the purchasing agent managing that area. Purchasing Agents may also initiate a BDA for items in their assigned commodity area. Requests for BDAs will be reviewed and issued, or alternative solutions provided, within 30 days.

1. Purchasing Agents are responsible for drafting BDAs for signature.
2. The Commissioner of Buildings and General Services or designee will sign all BDAs.
3. BDAs are sequentially numbered from the master list.
4. The Office of Purchasing & Contracting will review all delegations at the end of each fiscal year.
5. A complete list of all BDA's can be found on the web site at <http://bgs.vermont.gov/purchasing/bda>

## **APPENDICES**

- I. Recycled and Environmentally Preferable Products Definitions
- II. Title 29 V.S.A. Section 903
- III. Blanket Delegation of Authority # 1 (BDA#1)

## Recycled and Environmentally Preferable Products Definitions

**Recycled Content:** This is measured in terms of a percent of “post-consumer content” (ingredients made from items diverted from the waste stream). Some of the items currently available with recycled content include copy paper, plastic trash bags, toilet tissue, paper towels, re-refined oil, and re-tread tires. State of Vermont statute requires the Office of Purchasing & Contracting to prepare a biennial report to the Legislature on the dollar amount of recycled content products purchased each year.

**Toxic Use Reduction:** Eliminates certain chemical ingredients of various products that are hazardous to humans and/or pollute the environment such as phosphates or benzene.

**Chlorine-Free Products:** Eliminate a family of organo-chlorines, which are suspected of causing cancer. Most widely used in describing paper products since chlorine (and its derivatives) are commonly used as a bleaching or whitening agent. On August 15, 1996 the Governor issued a directive that the State will use only Processed Chlorine Free (PCF) paper for the transaction of State business. A memo dated January 5, 2004 from the Secretary of Administration further emphasized this directive.

**Life-Cycle Cost Factors:** Look at the entire cost of purchasing, installing, operating, maintaining and disposing of a particular piece of equipment or product when making purchasing decisions.

**Alternatives to Existing Polluting Products:** Use a more environmentally friendly product to accomplish the task such as substituting calcium chloride for rock salt in de-icing applications.

**Energy-Efficient Equipment:** Means buying equipment that carries the Energy Star rating where applicable, or appropriate energy efficiency rating.

**Reduced Packaging:** We should purchase products in returnable, refillable or reusable containers and buy in bulk quantities, such as gallon jugs instead of quarts.

**Construction Practices:** Require high “R values” in the material used in construction projects. Contractors must submit a scrap materials recycling plan detailing how waste construction or demolition materials will be recycled, methods for sorting the recyclables and market locations for the recyclables or, in lieu of market locations, certification that materials will be recycled appropriately.

## **29 V.S.A. § 903 Requisition for supplies and materials**

### **Title 29: Public Property and Supplies**

#### **Chapter 49: DEPARTMENT OF BUILDINGS AND GENERAL SERVICES**

##### **§ 903. Requisition for supplies and materials**

(a) When any governmental agency is in need of any of the items mentioned in this chapter, the responsible officer thereof shall requisition therefore upon the commissioner of buildings and general services, and the commissioner of buildings and general services shall purchase the items by either advertising for bids or by letters of inquiry and the contract for those items shall be awarded to the person whose bid or quotation is in the best interest of the state. Subject to the provisions of subsections (b) and (c) of this section the commissioner of buildings and general services may reject any or all bids or quotations and with the approval of the secretary of administration procure items in such manner as may be in the best interest of the state.

(b) When purchasing any items mentioned in this chapter, the commissioner of buildings and general services, in any determination of the best interest of the state shall consider (1) specified quality, (2) price, (3) ease of access of supply, (4) incidental administrative costs, (5) proven reliability of bidder, (6) use of recycled materials or products, (7) minimizing the creation, by the state, of solid waste, (8) the extent to which the usage of the item involves the generation of pollutants, (9) life cycle costs, if required under the state agency energy plan, as implemented, (10) the interests of the state relating to the proximity of the supplier and the costs of transportation, and relating to the economy of the state and the need to maintain and create jobs in the state and (11) the use of railroads and the increased revenues returning to the state from its railroad leasing program. The commissioner, in the commissioner's discretion, may spend up to ten percent more for comparable products that are made of recycled materials. If products made of recycled materials are to cost more than ten percent more than comparable products, the commissioner shall receive consent of state entities that are to use the product, before completing the order for the materials in question.

(c) Whenever any business or industry located in Vermont and employing citizens of this state has submitted a bid and the item has not been purchased from them, the commissioner of buildings and general services shall record his reason for assigning the order as he did and his report shall be a public record available to any interested person. All bids or quotations shall be kept on file in his office and open to public inspection.

(d) The commissioner of buildings and general services, with the assistance of all state agencies, shall cooperate with the generators and managers of waste materials which may be recycled and with the producers of products which use recycled materials to maximize the state's use of those materials and products, particularly where the added

cost of using waste materials rather than virgin materials is less than the cost avoided by not having that waste in the waste stream. Proceeds from the sale of waste materials collected by the department of buildings and general services shall be credited to a special fund and shall be available to the department to offset the cost of recycling efforts. The goal for the purchase of recycled materials shall be at least 40 percent by the end of 2008. For purposes of this section, "recycled materials" include, but are not limited to, recycled paper products, retreaded automobile tires, re-refined lubricating oil, used automotive parts, reclaimed solvents, recycled asphalt, recycled concrete and compost materials. By January 15 of each odd-numbered year, the commissioner of buildings and general services shall submit a report to the governor and to the natural resources committees of the general assembly reporting on the implementation of this subsection.

(e) Notwithstanding the provisions of subsection (a) of this section and section 906(d) of this chapter, the commissioner of buildings and general services will administer an equipment revolving fund to be used for internal lease purchase of equipment for state agencies. The secretary of administration will establish criteria for equipment to be purchased through this fund, including limiting amounts for specific equipment and the useful life of the equipment.

Agencies or departments acquiring such equipment shall repay the fund through their regular operating budgets according to an amortization schedule established by the commissioner of finance and management. Repayment shall include charges for administrative costs of the purchase and estimated administrative inflation over the term of the payback.

The secretary of administration will report to the general assembly, on the first of February each year, equipment purchased through this fund, plans for equipment purchased through the fund for the following fiscal year, the status of the fund, and a consolidated amortization schedule.

The commissioner of finance and management may anticipate receipts to this fund and issue warrants based thereon.

(f) [Deleted.]

(g) The commissioner of buildings and general services, when purchasing vehicles for state use shall consider vehicles using alternative fuels when the alternative fuel is suitable for the vehicle's operation, is available in the region where the vehicle will be used, and is competitively priced with traditional fuels. (Added 1959, No. 328 (Adj. Sess.), § 13; amended 1966, No. 9 (Sp. Sess.); 1987, No. 78, §§ 18, 19; 1987, No. 243 (Adj. Sess.), § 36, eff. June 13, 1988; No. 281 (Adj. Sess.), § 311; 1989, No. 286 (Adj. Sess.), § 8; 1991, No. 75, § 5; 1991, No. 259 (Adj. Sess.), §§ 9, 10; 1995, No. 148 (Adj. Sess.), § 4(a), eff. May 6, 1996; No. 183 (Adj. Sess.), § 8, eff. May 22, 1996; 1997, No. 155 (Adj. Sess.), § 4; 2003, No. 121 (Adj. Sess.), § 42, eff. June 8, 2004.)

## **Blanket Delegation of Authority #1 (BDA#1)**

### **MEMORANDUM:**

To: Agency Secretaries and Department Commissioners

From: Gerald J. Myers, Commissioner of Buildings and General Services

Date: July 1, 2009

Re: Blanket Delegation of Authority BDA-1, Direct Purchases less than \$3,500 & Emergency Purchases

Vermont statute (Title 29, Chapter 49, Section 902) states that the Commissioner of Buildings and General Services shall contract for and make all purchases, including but not limited to all fuel, supplies, materials, and equipment for the agencies of state government.

The same statute permits the delegation of authority to make certain types of purchases when the "best interests of the state" are served.

In the interest of enabling agencies to maintain the continuity of everyday operations and to help avoid delays caused by unanticipated needs, the Commissioner of BGS is delegating to each Agency Secretary or Department Commissioner the authority to make direct purchases from suppliers up to \$3,500 under the following conditions:

- The item is not available under an existing state contract.
- The item is not restricted by statute or administrative bulletin (e.g. file cabinets, paper).
- The item is not an ongoing need of the department that is likely to be purchased on a regular basis.

The intent of this BDA is to allow for small or unanticipated purchases. The delegation limit for a single, one time purchase or an aggregate purchase of the same items is \$3,500. Invoices should not be split in an attempt to stay under this threshold.

It is not to be used for the purchase of the same or like items if those purchases exceed \$7,500 within any month or \$15,000 within a fiscal year. If requirements exceed these limits you must contact the Office of Purchasing & Contracting who will initiate either a contract or a BDA, as appropriate to meet your specific requirements.

- When processing invoices for materials purchased under this BDA please reference VISION Procedure #3: PO's, Contracts and BDA's. VISION

Procedure #3 can be found on the VISIONS Home page of the Finance & Management website at <http://finance.state.vt.us/vision/>.

- It is the Department's responsibility to ensure that purchases made under this BDA comply with all applicable federal requirements including Certification Regarding Debarment. On April 1, 2007 the Commissioner of Finance & Management issued Finance & Management Policy #1: Suspension and Debarment Policies & Procedures. This policy was created to address federal requirements prohibiting purchases from vendors who have been suspended or debarred by the federal government. The policy extends the federal requirements to all purchases made by the State of Vermont (within certain thresholds), regardless of funding source. The policy requires departments to verify that a vendor has not been suspended or debarred before making a covered purchase. Policy #1 can be found on the Policies page of the Finance & Management website at <http://finance.state.vt.us/Policies.htm> and it describes the procedures that must be followed to verify and document that a vendor has not been suspended or debarred.
- For any and all purchases made with ARRA funds under this BDA all ARRA federal and state requirements, rules, and regulations apply.
- Agency and Department heads are responsible for all actions taken under this delegation including compliance with all applicable laws and Administrative Bulletin 3.5. Managers are encouraged to require that competitive pricing be obtained whenever possible. The Office of Purchasing and Contracting is available to provide assistance and advice on sources and procedures.

### **Audit & Review**

Purchases made under this delegation will be periodically reviewed to determine if appropriate procedures have been used and whether the "best interests of the state" have been served. The Commissioner of Buildings and General Services may revoke or modify this delegation at any time.

The Office of Purchasing & Contracting will conduct random audits to determine compliance with this BDA.

This delegation is effective until June 30, 2010, at which time it will be reviewed.

Cc: Deborah Damore, Purchasing and Contracting Manager  
Finance & Management  
Financial Operations