

# State Agency Director Survey Responses

*Compiled by the Legislative Services Office on behalf of the  
Purchasing Laws Interim Committee - September 29, 2015*

## Summary

The Co-Chairmen of the Purchasing Laws Interim Committee requested that the Legislative Services Office e-mail the state agency directors and ask them four questions related to state purchasing:

1. On a scale of one to ten, with ten being high, how do you think the current purchasing process works in meeting the interests of the user, the vendors, the state and the taxpayers?
2. What parts of the purchasing process work well?
3. What parts of the purchasing process could use improvement?
4. Other comments or further elaboration?

Every director received the request via e-mail on September 1, 2015. Directors were asked to provide their input about the current state of Idaho's purchasing processes in hopes of gathering information that would help the Purchasing Laws Interim Committee in its charge to "undertake and complete a study of the purchasing laws...and to make recommendations." Responses ranged from very short to more elaborate memos that were two to three pages long. Ninety agency heads received the request and 52 responded.

41 of 52 respondents assigned a number value in their response to question number one. The average score was 6.86. The median score was 7 and the range was from 2 – 10.

Respondents recognized that it is inherently difficult to meet the needs of the user, the vendors, the state and the taxpayers simultaneously, but many said they believe Idaho's current system does fairly well working within existing statute and rule. Other respondents felt that the system could be improved.

Many directors, when asked what part of the process works well, mentioned that they appreciate the hard work of the Division of Purchasing (DOP) staff and believe the staff to be knowledgeable and helpful. Some directors liked the opportunity to make purchases off of statewide contracts and cooperative purchasing agreements, particularly for vehicles and office supplies, while they also enjoyed being able to order items online as needed. Other respondents noted that they appreciate the training opportunities afforded to their staff by the DOP. Some directors liked being able to refer potential vendors directly to the DOP, rather than having to respond to vendors themselves.

Related to improving the purchasing process, several directors said their agencies would like more help from the DOP writing "requests for information" or "requests for proposals," especially those

agencies without any full-time purchasing staff. Some directors also felt the DOP was understaffed and didn't have enough employees to meet the needs of the agencies that use the services. Additionally, some directors would like more access to written policies and procedures from the DOP that clearly outline the purchasing process. Other respondents liked the concept of the statewide, or open, contracts, but felt that these types of contracts are not always the most cost-effective, nor are they the most efficient. They cited examples of instances where a local vendor would have cost less than using the prescribed state contract or they could have gotten a better product outside the mandatory state contract.

Professional services agreements are currently limited to one year. A few agencies suggested this limitation be discussed by the Committee.

Delegation of authority was also an item that some noted could use improvement. Some said it is not clear how an agency demonstrates need and competence for delegation of authority, while others said the educational and training opportunities for earning delegated authority need to be improved. Furthermore, because delegated authority is currently tied to an individual employee and not to an agency, there is an impact on an agency when that employee leaves.

Related to fees and purchasing costs, one director noted that each state agency bears the costs of the 1.25% administrative fee charged by the Division of Purchasing for its services and requested that the Committee review the application of this fee and consider whether an alternative funding source would be more appropriate. Another director stated that it may be prudent to set aside a small portion of a contract's cost (.5%) for contract monitoring expenses. A few directors had concerns about the costs that their agency would bear if enhanced contract monitoring were to be adopted in IDAPA Rule for high-dollar, high-risk contracts, as proposed during the 2015 legislative session. Some directors wanted more autonomy in the contract procurement process because their agencies are the ones that are ultimately responsible for contract monitoring once the contract is awarded. The directors felt that there is a disconnect in the process now.

Directors liked the idea of widely sharing best practices in all aspects of procurement and are agreeable to improving the tracking and reporting of contracts across all state agencies. Transparency seems to be important to state agencies. Some directors also liked the idea of a statewide purchasing tracking system or reporting clearinghouse. Finally, some respondents believe that, in the spirit of cooperation, the DOP needs to involve agencies in its processes more often. They cited examples of not being "invited to the table" when it came to the Purchasing-Card (P-Card) contract or other large contracts that affect many state agencies in unique ways. Directors recognized that they need to adhere to the Idaho Code, but noted there isn't always a "one size fits all" solution to their unique purchasing needs.

Many directors thanked the committee for seeking their responses and appreciated the opportunity to provide input on what the respondents seemed to believe is a very important issue for our state. A comprehensive list of all responses is attached. There are many detailed responses and examples the

Committee may find helpful in its study of the state's current purchasing laws. Please see the attachments.

The e-mail request, dated September 1, 2015, read:

*Dear Director,*

*Thank you for your service to our state and to our citizens. The Sixty-Third Idaho Legislature authorized the establishment of a legislative interim committee whose task, per House Concurrent Resolution 23, is to, on a state level, "undertake and complete a study of the purchasing laws...and make recommendations for changes therein." While this project has been initiated by the Legislature, it could be of potential impact to your agency. Our hope is that the committee's work will ultimately be to your benefit and to the benefit of all.*

*We therefore solicit your help and involvement in reviewing the purchasing processes we have in place and in recommending changes you perceive to be needed. As a leader in state government, your input regarding the experiences you and your agency have had in procuring the goods and services you need would be invaluable. If you could provide us with a memo addressing the questions below, along with any other input you think relevant to our charge, we would very much appreciate it. We may contact you for elaboration on your insights.*

*We anticipate holding a committee meeting in Boise in mid-October, at which time we will take public testimony as we are doing in Pocatello on September 30. If you feel your testimony would be helpful, please let one of us know, and we will schedule a time for you to appear. This is a subject that involves over \$1.5 billion of our state's annual expenditures. It does not often get this type of attention, so please help us take advantage of this opportunity to improve our processes.*

*Thank you for your time and assistance. Please email your responses to Robyn Lockett, [rlockett@iso.idaho.gov](mailto:rlockett@iso.idaho.gov), by September 18, 2015. Questions are as follows:*

- 1. On a scale of one to ten, with ten being high, how do you think the current purchasing process works in meeting the interests of the user, the vendors, the state and the taxpayers?*
- 2. What parts of the purchasing process work well?*
- 3. What parts of the purchasing process could use improvement?*
- 4. Other comments or further elaboration?*

*Sincerely,*

*Representative Neil Anderson, [nanderson@house.idaho.gov](mailto:nanderson@house.idaho.gov)  
Senator Fred Martin, [fmartin@senate.idaho.gov](mailto:fmartin@senate.idaho.gov)  
Co-Chairs, Purchasing Laws Interim Committee*

**On a scale of one to ten, with ten being high, how do you think the current purchasing process works in meeting the interests of the user, the vendors, the state and the taxpayers?**

Here are the written comments associated with this question:

“...small commission doesn't typically purchase over \$10,000 and thus, doesn't use the services of purchasing. We do obtain the names of approved vendors....”

“...seldom requires that we make major purchases. That said, we have been satisfied with the process and have experienced no difficulty...”

“.....Our agency perspective is that some rules, as implemented, have precluded agencies from exercising their full potential for procuring products and services in an effective and efficient manner. As an example, our department routinely requires specialized equipment and technology.... We find that current purchasing rules and procedures often do not provide sufficient flexibility or exceptions to stay abreast of continuing changes in technology and applications.”

“...these parties have vastly different interests. As a State Agency, the purchasing process meets the needs of our users...”

“The current process is not built to support the user well. It is difficult to use with little support for Division of Purchasing to accomplish procurement actions in a timely manner. IPRO is not well advertised and local vendors are unaware of potential opportunities resulting in few bids. Due to the structure of the process and the time required by the Division of Purchasing, the state can miss out on end of year federal funds that could be executed in the state.”

“...we understand and appreciate that meeting the interests of so many groups is difficult...”

“The majority of purchases that we make, fall within the rules and processes of state purchasing guidelines. This makes purchasing timely, efficient and cost effective. A very minor few of our purchases are not clearly defined by state purchasing rules and processes. These mostly fall within IT Services needs.”

“Based on the traditional level and types of purchases made by our agency the current purchasing process works well in meeting our needs....”

“The interests of users, vendors, government, and taxpayers are well protected by the process when followed.”

“We have been very pleased with the service provided by purchasing. We would rate them at a 9 only because in an RFP process we could have used more assistance in the initial phase....”

“Our agency is guided by the authority provided in 58-104(5). While much of the process and procedure followed by our agency mimics the DOP process, our procurement/contracting is done internally by our own staff and apart from DOP. Our agency typically utilizes the statewide contracts for purchases of commodity items such as vehicles, office supplies/equipment and some IT professional services. As described above, we would rate our process of procurement very high (9/10) in its efficiency. Our

process is timely, results in competitive sourcing and is generally accepted by those we solicit for goods and services.”

“The current purchasing process has online material, purchasing manuals, and yearly training available—though the amount of material seems overwhelming and governing agency definitions and rules can make the process somewhat confusing. 7 out of 10”

“Overall, I think the system works fairly well for us – an 8. However, I would rate it less so for the vendor who is a small business not doing a lot of business with the State, a 5. Overall for the State and taxpayer (who are the same entity), I think it would be about a 7.”

“Our agency is exempt from the state procurement statutes, but does use the state negotiated contracts whenever possible.”

“It is hard to assign a number from the scale provided on such a complex issue. We feel that some purchasing processes work and others need to be reviewed.”

“Overall, we rate the process as a 5. It’s very hard to combine all of the stakeholders together for rating as processes that are critical for the state to have in place to ensure the best use of taxpayer dollars sometimes creates challenges for users and vendors.”

“User: 6 – The purchasing process is time consuming and difficult for small offices without a dedicated person overseeing purchasing duties. We rely heavily on Department of Admin staff to assist with the process, and they are very helpful. However, a small office is unduly burdened with the current purchasing system. Specifically, because the purchasing limit of a small office like ours is only \$10,000, it necessitates a larger number of RFP’s in order to purchase services when in fact a small office has fewer resources in time and personnel to dedicate to RFP processes.

Vendor: 7 - Vendors have complained that the RFP process is onerous and not worth their time unless the project is large. However, in my experience it has been a very fair process, and vendors are treated equally and have equal opportunity to be successful.

State and Taxpayer: 7 - Although the state and taxpayers may appear to save money because of very low purchasing limits, requiring every purchase over \$10,000 to go through an RFP process is a huge burden to small offices and I believe any cost savings the State may see as a result of this process for small projects are negated by the amount of staff time required.”

“Currently, our agency operates under the exemption provided for Higher Education in 67-5728. The Idaho State Board of Education pursued legislation to allow for the institutions of higher education to establish purchasing policies to meet the needs of universities and the result was a policy that is designed to be substantially consistent with chapter 67, but that does not require many of our purchases go through the State Department of Administration. We are not exempt from purchases on statewide contracts such as office supplies and rental cars.

In the past, our agency experienced many delays and inefficiencies utilizing the State's centralized purchasing processes. This was due to our high volumes, required turn-around times and the unique nature of many of our procurements, such as research equipment. The agency operates under the purview of the State Board of Education and duplicate oversight from the Department of Administration did not add value and in fact created a lack of transparency with respect to delays. The campus community has been pleased with the results. Today (four years later), we manage more volume with

the same number of staff. Streamlined processes have decreased the timeline and complexity of purchases without impacting the competitive results. Shortened timeframes and effort increased our efficiency. And the flexibility that we have now allows us to take advantage of liquidation opportunities that result in significant cost savings, which benefits stakeholders including taxpayers and our students. So, in terms of the process that we are allowed under our current exemption, we would rate the state's purchasing system very high."

"We give them a four due to the purchasing process being cumbersome, not enough staff and lack of communication. The users, vendors, the State and taxpayers interests are not being met."

"5: The current purchasing process can work well if the procurement personnel:

- Have a good understanding of the end users work activities to develop the bid and contract requirements;
- Recognize vendor community capabilities;
- Award contracts in a fair and substantiated method that result in positive program outcomes within budget and time constraints.

Procurement personnel do not need to be program experts but they do need to understand service delivery, desired program outcomes, and tools to monitor and manage the contract. For my agency, our internal purchasing activities work well because we collaborate to solicit, manage and monitor the activities over the life of the contract, ensuring that the outcomes are being met. We hold both the contractor and the department staff responsible to meet each of their obligations. When the Division of Purchasing issues solicitations and contracts on behalf of our agency, we lose the direct working relationship and collaboration between the end users and procurement, which can cause confusion and frustration in the administration of the contract. Our agency is ultimately responsible for the fiscal integrity and service delivery of the contract, but we don't have control of the communication or compliance relating to these contracts, which are critical to the success of our agency."

"Idaho's laws provide a fair and equal opportunity for all vendors to participate in the bidding process. The vendor can sign up to participate in the procurement process at no charge. Statewide contracts have multiple options for agencies to choose from: computers, medical supplies, copiers and office furniture. In the past the options were limited.

User: DOP provides guidelines and tools to help in our purchasing needs. The Buyers are quick to answer questions and provide help. The DOP website has helpful tools to help agency personnel. It creates a consistency between agencies.

Vendors: Most vendors understand the extra steps that government agencies have to go through to spend taxpayer money.

Taxpayer: The complaint that I hear most is the State paying 'contract pricing' when Wal-Mart or Best Buy has cheaper pricing."

"There is a healthy conflict between the quality of the service and the price. I always wanted more weight to be placed on the best price and would be disappointed when it didn't go that way."

## **What parts of the purchasing process work well?**

“I have not experienced any difficulty with Purchasing.”

“The Division of Purchasing has done a good job identifying qualified vendors.”

“The fact that we can order majority of our items online is a plus.”

“The available existing open contracts and small purchase exemptions work well in meeting the purchasing needs of our agency.”

“All of them. Openness, variability, opportunity, latitude, and discretion are all strong points when the laws are followed.”

“For my agency, annual vehicle replacement contracts/purchases work well. We seldom need to use DoA for large purchases.”

“As long as we know who our liaison is it works well. We also appreciate being able to send vendors who ‘cold call’ us to purchasing for assistance on how the state contract works.”

“In our experience, the staff at the Idaho Division of Purchasing is hard working, knowledgeable, and dedicated. They work hard to maintain the systems they have in place.”

“The training series they had in connection with National Institute of Government Purchasing (NIGP) was incredibly top-rate training.”

“Current statutes and rules, along with advice from the DOP, provides relatively good sideboards for the process, without being too constraining to prevent the prudent exercise of good judgment.”

”Statewide contracts for office supplies, cell phones, car rentals, etc. seem very competitive.”

“Purchases that are covered by cooperative purchasing agreements (Participating Addendums (PADD)) and state contracts (SBPO) are typically clear, concise and cost effective.”

“DOP’s availability in an advisory role as part of the purchasing process is what we consider to be working well. Regardless of the amount, type, or complexity of the purchase, DOP has historically offered our agency support in the purchasing process.”

“The Division is under resourced in terms of adequate staffing needed to provide quality services for its customers. Given the small staff, however, they are responsive to agency questions and make themselves available when requested.”

“The Division has been a great resource to our staff regarding the clarification of purchasing policies and statutes. They have been responsive to our requests for policy directives or exemptions to the various rules including sole source, brand name, and emergency purchases. On several open contracts DOP has executed agreements with multiple vendors, which does give our agency some flexibility in selecting the best vendor for a required service. DOP has established a sound, collaborative process with our agency for the development of RFQ and ITB solicitations.”

“Contracts over \$5,000,000 and WISCA/NASPO.”

“We believe we are most effective and efficient within the scope of our delegated purchasing authority and clearly understand our responsibility and accountability for purchases.”

“The new templates and forms that have been created by DOP have been very helpful and have improved the purchasing process. The new forms ensure accuracy and thoroughness.”

“The part that works well for us is when what we need is on a statewide contract, it is priced competitively, and it is awarded to multiple vendors so that we have a choice.”

“Statewide Contracts; they are fairly clear and include a good basic list of items.”

“IPRO allows for a vendor pool, outside of the state, to bid on projects that can help with competition, lower costs and expertise outside of the state.”

“In general the state’s purchasing process works fine. Our agency has a great staff and we are able to purchase most of the items we need as an agency to conduct business. Having the ability to receive delegated purchasing authority from the Division of Purchasing is definitely a benefit to us and for the most part works very well. It is much more efficient for us not to have to go through the DOP to issue all RFQs. We feel as an agency we are very competent at complying with purchasing statutes. The more delegated authority we can receive the better and more efficient we can be.”

“Contracts for high-volume products are good. DOP research on products, their quality, and their sources are good. Associates commented that the quarterly meetings are informative and allow for adequate feedback. Training for individuals is good and appreciated. WSCA is perceived as valuable in most instances. Responsible and responsive oversight in most instances.

“IDAPA generally provides clear instruction on how the contracting system should be implemented and seems to be in-line with public purchasing procedure and best management practices in other states. The rules appear to be clear and comprehensive as they currently stand.”

“Flexibility for state agencies allows for procurement process to move quickly. Positive experiences of asking and receiving support from purchasing agency.”

“We find DOP very helpful and responsive. It is very helpful for a one-stop shop to get all our questions answered. Their knowledge of purchasing rules and laws is invaluable. The ongoing training classes they offer are relevant and helped improve our overall process.”

“When we send in a request for a specific item to be purchased, we provide a list of potential vendors who then bid on the item. This process works very well and we are happy with the results. State wide contracts are very nice to be able to purchase products under contract at the pre-agreed upon price.”

“Our agency often works with another agency’s Purchasing Coordinator. She is a tremendous help with organizing a purchasing need. I think that the process is not too terribly cumbersome but seems limited to the number of vendors it reaches.”

“State negotiated contracts make it easier to find acceptable vendors at the best prices. For example, the list of copy machine vendors makes getting quotes and comparing those quotes an easier process.”

“The procurement website is helpful by providing direct vendor contacts as well as direct links to the vendors website.”



“The WSCA/NASPO contracts have worked well for us. We have been able to use these contracts to our advantage for items such as office supplies, computers, radios, radar and lidar, ballistic vests, copiers. The current bidding for law enforcement lights and sirens will be helpful as well. DOP has bid for statewide contracts for ammunition, vehicles and forensic lab supplies which we appreciate and that save ISP time and money, The delegated authority for purchases under \$100,000 has been a benefit for our agency and also DOP which hasn't had to do our purchasing when we have had a lower purchasing limit. Our agency pays for our purchasing employees to attend DOP and NIGP training and encourages our employees to gain purchasing certifications in order to maintain the higher purchasing authority. We feel this is a win/win for the State of Idaho.”

“The new templates, forms and guidelines provided by Purchasing within the last two years have been very beneficial. The statewide contracts save administrative time for the agency. The statewide contracts that provide savings to the agency. Transition to the new version IPRO.”

“Having statewide contracts. Having more than one vendor on some statewide contracts (copy machines, cars, postage machines, etc.) to give agencies a choice. By having some competition, it generally helps improve the level of service the vendors provide. When an agency had an assigned purchasing representative/point of contact. Not sure if this is still in place.”

“I think it all works well for us. We have a great relationship with Purchasing.”

“The statewide contracts seem to work fairly well. We are especially pleased with the contract for office supplies and have had very good customer service from the current vendor. We used a statewide IT contract this past year and once we got the hang of it, the PSO process was relatively straightforward. We have also used the rental car contract several times and purchased a vehicle once through a statewide contract.”

“The Purchasing staff that I have worked with have always been helpful, professional, and knowledgeable. Once an RFP is issued, the process seems to be orderly and work well.”

“Outside of the exempted process, which works very well for us, our agency also participates in statewide contracts. We utilize statewide contracts for many items that are not core to our mission. Over the last five years, over \$28 million worth of products were purchased using state contracts, including hardware and technology consulting, natural gas, p-card program and copier leases. My agency's staff has served on several evaluation committees and appreciates the inclusive approach. There have been a few occasions (less than 5) when state contracts were not practical. In those scenarios, we have documented justifiable cause, as is required. These exceptions tend to be when local pricing is significantly lower. The flexibility to allow for this is important.”

“We like the direction offered by state agreements, saves us time in research and acquisitions and often saves on cost, such as with Enterprise rental cars, IT equipment, and office furniture. Often the vendors involved have a specialist assigned to the contract and available to assist with Idaho shopping and purchases. Depending on the individual this can be of significant assistance.”

“DOP staff are friendly and helpful when working with them; for the most part they are knowledgeable on the purchasing procedures. DOP is standardizing their forms and developing templates for agencies to use; having the same appearance (format, font, margins, etc.) provides a professional image. The DOP website has been redesigned and is easier to navigate than it was in the past. DOP is committed to ensuring agencies have access to training. It provides agencies an opportunity to ask and answer

questions, engage in discussion, update and refresh participants on rules and regulations and for them to potentially learn something from their peers they may not have known in an open and comfortable environment. Our agency appreciates the knowledge and dedication one purchasing employee brings to these training sessions. Recently, our agency initiated having a monthly meeting with our DOP liaison to review outstanding DOP issues and our purchasing requests. We have found this to be very beneficial. This meeting helps keep our agency current on timeframes and other important information we might not have otherwise known.”

“We have had good experience with the general statewide contracts, although there are times when we have to pay significantly more for an item on a mandatory state contract than we would if we purchased it from a non-contract vendor.

The IT contracts can be very cumbersome to score as we have to come up with our own scoring system for any of the contracted vendors that reply. Our agency is small and doesn't have an IT expert on staff, leaving us to decide based on cost vs expertise most of the time. We have experienced a difficult time with the RFP process as well. It would be very helpful if purchasing implemented a uniform scoring guide for different types of contracts.”

“Some of the DOP statewide contracts work well for us – for example the IT Services contracts give us a number of resources to find the skillsets needed, and the vehicle purchase contracts typically provide good fleet pricing.”

“The DOP does a great job of negotiating and executing statewide contracts for the agencies. The prices DOP negotiates for goods and/or services are much less than my agency could negotiate as an individual agency. We also value the knowledge base of the staff at DOP. My agency has sought and employed DOP's knowledge and assistance many times in the past when writing contracts, soliciting bids, and gathering specifications for RFP's.”

“Purchasing has good resources available on their website. It's easy to figure out basic procedures once you dig into the documents. The RFP templates are useful, although the Word document formatting could be improved.”

“We are a small agency so most of our purchases are less than \$10,000. Having contracted vendors for office supplies, furniture, computer equipment, etc. makes it quite simple to order the supplies / equipment that we need. Only in rare instances, have we needed to make a purchase from a non-contracted vendor. CIO usually helps us get quotes for computer equipment and software from the contracted IT vendors.”

“DOP is working to provide more training and information on their website for Buyers and the public. They have forms and checklists to provide a consistent method of contracting and product bidding for Buyers. Having an agency spending authority allows the Buyers to bid for small purchases that do not go to the multiple vendors in the IPRO system.”

“DOP works well when it is in an advisory or leadership role to the purchasing departments of the agencies. NASPO (formally WSCA) agreements work especially well when buying common IT items. Since those items have already been bid and are on contract, that allows the agencies purchasing departments to procure those goods/services for a competitive price, without undue delay and the unruly process associated with going out to bid. DOP's advice when a large item or complex service is needed for an agency is invaluable and insightful.”

## **What parts of the purchasing process could use improvement?**

“A bigger variety of vendors that we can select from.”

“Define ‘emergency’ and process for declaration of an emergency that allows local governments to have more determination in the declaration and more latitude to purchase based upon the declaration. Openness, variability, opportunity, latitude, and discretion are all strong points when the laws are NOT followed.”

“When our agency needs a specialized service requiring RFI/RFP/PSO/SSA it can be a cumbersome process. Our agency is small and we do not have a staff person well-versed in the purchasing process, however we do receive excellent service and assistance from DP staff.”

“Too few staff - the staff works hard to respond to agency’s calls for assistance, but they are stretched thin.”

“For small IT purchases (less than \$10,000) or emergency needs, the IT procurement process is cumbersome and time consuming.”

“It has been years since we’ve had to do this, but purchases for electronic medical record or client encounter data base systems seem to be way more complicated than necessary. Such systems can be very unique to our type of services, so the low cost bidder isn’t necessarily the best. Some of the other health districts in Idaho complain about their experience in this area. I was able to procure ours years back as a sole source vendor, but the process was difficult to navigate.”

“More sharing of best practices.”

“More use of independent, outside experts to advise on selection and provide ongoing monitoring of complex, expensive contracts (set aside up to 0.5% of the contract for monitoring costs?)”

“Related to Contract administration of large (high dollar) contracts: The Division of Purchasing has the statutory authority to enter into and administer contracts for the various state agencies. However, the DOP, while trying to maintain their oversight and authority over the contract, has increasingly shifted the responsibility and accountability of the contract administration to the agencies. There are several reasons for the DOP to shift this responsibility including insufficient resources or a lack of personnel qualified in the technical aspects of the contract. If agencies are going to be held responsible and accountable for the contract outcomes, then they should also be given the ultimate authority for contract decisions. There needs to be clearly defined lines of authority and responsibility regarding the contract solicitation and administration processes.”

Related to Administration of Open (statewide) contracts: The Division of Purchasing has executed approximately 131 open (statewide) contracts for our agency. While we understand the premise of cooperative purchasing agreements to leverage the benefits of volume purchases and reduce administrative time, there are some concerns with the procurement process and administration of the contracts.

- The DOP has entered into these open contracts with little to no involvement of our agency. Agency representatives with technical knowledge of the agency’s needs should be involved in the development of specifications and contract terms and conditions. We recommend the

establishment of a committee of purchasing professionals from all affected agencies to evaluate the merits of a state contract and to agree on contract terms.

- Approximately 45% of the open contracts are WSCA (aka NASPO ValuePoint) contracts. These agreements, which were primarily developed by other states, allow multiple states to participate in the contract. Again, our agency was not included in any evaluation to determine the advantage or detriment for any of these WSCA contracts regarding the services provided or contract terms and conditions. It is also unclear who is responsible to administer the contract and protect our agency's interests when the initial contract was executed by another state. Additionally, we have concerns that these WSCA contracts do not meet the true intent of Idaho Code §67-2349, which requires vendors to have a "significant Idaho presence". While the vendor probably meets the technical requirements of the code, these large multi-state contracts may limit the ability of local and regional vendors to compete.
- Idaho Code §67-5726(4) states in part "No officer or employee shall fail to utilize an open contract without justifiable cause for such action." The DOP has not established any policies on what constitutes a justifiable cause. The IDOC has requested a number of exceptions to utilizing an open contract because other local vendors provided more favorable pricing quotes or offered better delivery schedules. The DOP approved a few of our exceptions, but at times required the agency to contact the Open contract vendor in an attempt to lower their price. This is not a good practice and adds administrative time and cost to the agency."

"As long as we know who our liaison is it works well. We also appreciate being able to send vendors who "cold call" us to purchasing for assistance on how the state contract works."

"We recommend broader state agency collaboration with the Department of Administration for the development of statewide contracts, which are often instrumental to our programs. Without improved collaboration, we may have to improvise with products that do not meet our program needs or are not cost-effective for license funds. Continued communication is very important."

"Small agencies that do not have their own purchasing agents need significantly more hands-on guidance and assistance in navigating purchasing laws and procedures including, but not limited to, determining which type of purchase is required (e.g. three bids, professional services agreement, state contracts, RFP, exemptions). As we have recently seen, mishandled purchasing creates significant exposure to the state, yet small agencies are heavily reliant upon their own finance staff to oversee purchasing on the side. These staff are usually "self-taught" in an area of considerable complexity and risk. In addition, the DOP web site is not user friendly for staff who do not work on purchasing matters on a regular basis."

"Clearer definition of delegated authority requirements and limits."

"Improvements related to an agency's ability to occasionally deviate from statewide contracts may be seen as beneficial if incorporated into the purchasing process. Such deviations should be supported by documentation of any compelling circumstances, in addition to evidence of overall cost savings."

"Efficient procurement processes to include: Consistency in standardized procedures; Defined processing timelines for invitation to bid (ITB), request for proposal (RFP), and request for quotation (RFQ); and Performance metrics and standard performance evaluation of entire contracting process"

“With the advancement of IT, networking, etc. and the risks that come with this new technology, i.e.; spam, hacking, etc., I would like to see more emphasis toward providing smaller agencies with more flexibility in contracting with IT companies that could provide complete IT solutions. Currently there are several IT solutions available via the IT Services Contracts, but these are siloed to a specific product or task. Smaller agencies need more complete solution that could provide, for example, Security Penetration testing and Remediation for Backup and Recovery testing of IT systems. For smaller agencies this becomes an issue to source, as the dollar amount is typically less than \$100,000 (Small Purchase (IDAPA 38.05.01.44) and creating a technical specification can be very complex. Having resources to fill these types of needs on a state contract could expedite the process and save the smaller agencies time and money.”

“The purchasing processes have improved over the past year or so. The current purchasing process has slowed response times, but we attribute this to all parties adjusting to the changes in procedures and to high turn-over on DOP staff.”

“Processing time is the main issue when dealing with the DOP and procurement actions. It is normal to have a request sit there for 30 days before it is actioned. This is unacceptable and it makes it difficult for the users to execute their budgets. The purchasing officers need to improve their customer service skills. When dealing with the DOP it appears that they are too busy for the users’ needs and they are put out when help is requested from them.”

“Better communication of policy/procedure changes.; Advance notice of multiyear statewide contract expirations and status reports during rebid process.; Exemption procedure/requirements and technical exceptions (Public Service Announcements); More flexibility in contracting for agency-specific services (variety of vendors throughout the state).; Improved responsiveness to urgent needs-based contracts (temp services, professional services).; Allow “piggy backing” on other state agency contracts. ; Solicit agency input prior to bidding statewide contracts (gas card verses charge card; “equivalent” that doesn’t meet need).; Establish an expenditure threshold for allowing recurring small purchases over multiple fiscal years.”

“The POS process, instructions, forms and etc., seem to be inconsistent as is related “customer” service from the Division of Purchasing. They are not overly available.”

“Help for small agencies.”

“It would be beneficial if the process for gaining delegated authority was more clear. To the knowledge of my staff, there are no clear guidelines for how the DOP determines who gets delegated authority or how the dollar limits are set. More information would be helpful in understanding how an agency demonstrates need and competence.”

“It would also be worthwhile to evaluate whether or not it is necessary to limit all Professional Service Agreements to a single year. There are times when it would be beneficial for us to be able to go longer than one year.”

“The process takes too long and is perceived as somewhat burdensome.; The myriad rules can at times be confusing and should be simplified, despite the good training DOP provides, Potential respondents are often reluctant to submit bids due to the complexity and costs of responding to the RFP requests. This results in less competition for state contracts and potentially higher prices.; Current Pricing on state contracts is not consistently maintained on the Purchasing website. DOP’s website is in

need of modernization and streamlined functionality.; Fees for DOP that are added to contracts increase the costs of user agencies and should be considered for elimination.; It should be recognized that agency users are generally the experts in their needs and they should be allowed the authority to craft RFPs to their specific needs.”

“The process that our exempt agency has implemented is efficient and works well to meet the department’s mission. Executing under our own authority allows the department to issue timely contracts.”

“Providing specific agency scenario questions and answers to all agencies would aid in understanding unique situations. Definitions of different types of agencies and their governing body as it pertains to purchasing (state agencies, universities, etc.). Concise online manual / reference to state procurement rules, which is linked to the specific statutes and updated accordingly. Contract / legal support to review contracts when requested.”

“The listing of State contracts is a bit cumbersome for non-purchasing employees. There are other contracts that may be available but are not listed on the web page. Our Buyer must call and ask if a particular type of contract is available. All current available contracts should be clearly listed. The RFP system has improved with the recent updates, our Buyer is the only person who has access and input to the system. Being able to see what a potential bidder sees would ensure we get the end product we need. Being able to see this as a draft would also work. Continued upgrades and improvements are expected. The Purchasing Desk Manual needs more detailed information and should be available online.”

“When we send in a request for a specific item to be purchased, unless a business does a lot of selling to the State, they may be unaware of the item that is being bid out. I don’t have suggestions on how to improve reaching these smaller businesses, but many may be missing the opportunity to compete for selling to us. Consequently, we may be spending more for an item than necessary. We deal in a lot of unusual and specialty equipment and products that the main stream purchaser may not normally see. The feedback I have received from those who do not deal with state purchasing routinely report that it is cumbersome and obstructionist to get into and unless they use it very, very frequently.”

“There seem to be a lack of vendors so we don't get a really competitive process all of the time. To be honest, there are many items that we can go buy off the shelf at a store and pay less than the State's negotiated prices, which is perplexing. There is also a limited selection under the purchasing agreements, say for office supplies when the store down the road has exactly what you need. I feel that the purchasing group should consider involving the end users more often in the process. It kind of feels like many of the contracts for travel for instance were don't by the purchasing group and not for the people who frequently travel. Our rates are often higher than retail rates and we don't get the equipment we need all of the time.”

“More user friendly state purchasing website with clear policy and procedures. The negotiated contract price is not always the lowest price available.”

“On several occasions I have found items significantly cheaper off state contract than purchasing on contract. For example, our IT provider was able to provide our agency with computers that were very similar to a computer that I had chosen through the state contract. The computers that the IT provider was able to offer us was approximately \$75-100 less per computer for very similar computers. While that doesn’t seem like a lot, when purchasing multiple computers, that is a significant savings to a small

agency like this agency that has a very limited budget. However, because we are obligated to purchase through the state contract we purchased the computers at a higher price. Another example was when our office was in need of thumb drives, the cost of one thumb drive using the OfficeMax contract was the same cost for three thumb drives on Amazon (same brand). I have been told that some of the reasons for the higher costs of the state contract items is warranty. While I understand that warranties are necessary, especially for high priced items, I do not believe they are necessary for small purchases. In addition, it seems when the OfficeMax contract was negotiated in the last year lots of items were removed, particularly the store brand items. I consistently look for the best value when purchasing office supplies, there used to be a wide array of items what where "OfficeMax" brand and were cheaper. However, after the last negotiation it appears that there are now less store brand options and more name brand which in turn is more expensive."

"The State P-Card contract has been renewed without input from agencies, or at least not from our agency or our Board. Since the vendor changed, our transaction fees have significantly increased as well as the fees for cash advances. During the original three year contract, the vendor closed the few bank branches they had around the state. For our agency, we use cash advances throughout the state and now that all the branches are closed, our fees increased even more. Our agency also questions the Idaho Code section 67-2349 which encourages a "state presence". This contract has been renewed with the original vendor even after they closed their branches in Idaho. (Changing our procedures to not allow cash advances is not an option for certain types of work that our agency is involved in)."

"DOP's governance doesn't always fit all situations (no rule, governance applied by DOP staff on email December 10, 2014). Our agency agrees a review of each contract every five years is good, but not necessarily a full assessment for each of the long term contracts. A complete financial assessment, including a 5-year financial outlook every five years may not be necessary. A "review" of some contracts may be all that is necessary. A full-blown evaluation causes a lot of extra work for both the agency and other vendors, especially when the contract will not be rebid. I am providing examples of this type of scenario: WIN (Western Identification Network) is a non-profit corporation created by the western states to enable WIN members to obtain Automated Fingerprint Identification System ("AFIS") services. The WIN contract (CPO 44 by Lyle Gessford at DOP) was signed in 1998 without an end date. WIN charges a certain agreed upon amount to the states and then WIN competes and purchases the technology needed to maintain the AFIS network for all states included in the consortium. During an agency review DOP no longer had a copy of the CPO and required our agency to either start a solicitation or produce a copy. Our agency has worked over many years to gain federal grants to digitize all the fingerprint cards and have them uploaded into a national database. The fingerprint digitization project was so large, it took several grant applications and budget cycles to complete. After the first two phases were completed and our agency was boxing the final fingerprint cards to be sent to the vendor, we had to wait upon Sole Source approval to finish the project.

Another similar contract was the ILETs (Idaho Public Safety and Security Information System) that links all Idaho criminal justice agencies, agencies concerned with highway safety, and federal or state governmental agencies with authorized access through Computer Projects of Illinois with Open Fox Product Suite. It contains the Idaho Criminal History Repository, Sex Offender Registry, Wanted Person, Concealed Weapon License, and No Contact Orders. Our agency requested a Sole Source renewal on October 22, 2013. The reply on November 12, 2013 was "I have received your request to renew SSA1401. When DOP staff approved the renewal last year, they included a note that our agency must review the entire system including the related switching costs before any additional renewals will be approved. With that in mind, DOP staff will want some documentation of the research our agency

has done into other systems that are out there as well as a financial assessment. Generally, DOP staff likes to see an analysis of a 5-year financial outlook: how much you would expect to spend on the current system over the next 5 years, and how much you would potentially spend on a new system plus 5 years of maintenance." We made a conference call and provided a three page report on the system (with authorities, switches, and connections) stating that the system was purchased and maintained to be a 30+ year life expectancy. The sole source was approved December 31, 2013."

"DOP should consistently follow Idaho Code when it comes to awarding contracts. A very recent bid award took a year to get through the RFP and negotiating process. The RFP had no proposers on the first attempt. Then there was one proposer on the second RFP attempt. Part of the delay could have been avoided if DOP would've followed IDAPA 38.05.01.081.07 when only one vendor submitted a proposal. Instead, their actions required the cancellation of the RFP and negotiation without the RFP starting point and delayed the award."

"We have found that there are some parts of the purchasing process that are cumbersome, limiting and restrictive. Here is a list of areas for potential improvement: The use of mandatory statewide contracts versus using best business practices. Requirements that agencies must comply with to get delegated authority."

"Several of our districts have purchased Electronic Medical Record (EMR) systems over \$100,000 in the past few years. Some have reported that the purchasing process was not user friendly. At times, the process seemed to be adversarial between the health district and the state's purchasing staff, rather than collaborative to best meet the needs of the agency making the purchase. Having a process in place to ensure follow through on such contract renewals is also imperative."

"For lower cost items such as office furniture, our experience has been that items on the statewide contracts often times are more expensive than items that can be purchased from local vendors."

"It would be nice to find a way to get more vendors involved in the bids. I hear from them they think it is too cumbersome."

"In the past, we have had someone from purchasing come to the office periodically to do training, and that was helpful, because when we have had a purchasing need it has not always been abundantly clear what we needed to do or how. We have also experienced some inconsistent answers from purchasing staff depending on who we talked to – what was acceptable with one employee one year was not acceptable the next year when we talked to a different person. Further, we had an instance where a vendor was allowed to supplement his incomplete bid rather than having it rejected as non-responsive, but we subsequently heard from another vendor for a different ITB that his paperwork was rejected for a missing signature. It seems like the processes might be made more consistent."

"While I understand the necessity of RFP's for large projects, being required to use this procedure for small projects is not the best use of staff time. My office has an extremely low purchasing limit of \$10,000. This is a significant hardship for a very small office of 6 employees, as almost no service we need can be purchased for less than \$10,000."

"Ideally, state contracts would be optional with justification. Given the current tendency to use multi-state consortiums, our volume is not be significant to pricing. My agency would certainly opt in anytime the contract represented added value. However, allowing local competitive bidding as a substitute when appropriate would provide more value over the one size fits all approach."



“We’ve been disappointed with some of our Xerox support.”

“DOP does not have enough staff to handle all of the current purchase requests and other administrative tasks. The current staff seems to be out of the office a lot; therefore, non-delegated purchase requests are not always addressed in a timely fashion. My agency has moved its timeframes back in order to provide DOP a longer timeframe to meet needs. DOP staff does not have the specific agencies' expertise. This causes a lot of back and forth communication regarding specific details which further delays the process. Moreover, DOP also has different interpretations of rules and regulations among their own staff which causes confusion and frustration on our end.

In general, we think communication doesn't happen. DOP doesn't update agencies on purchase requests status. It is left to the agencies to contact DOP for status updates. At times we have contacted DOP's lead staff to receive a response. DOP does not provide timely notification when contracts are expiring such as MMCAP and HPSI contracts (critical medical supply contracts). Additionally, the DOP website is not always updated timely and at times is inconsistent with information provided by DOP staff. For example, computer contracts removed standalone printers. This wasn't communicated to agencies and the description on the DOP website indicates peripherals are still included in the computer contracts. Also, when DOP revises any forms or templates, they do not send out notifications regarding changes. The forms and templates do not contain revision dates so the agencies are left questioning if they are utilizing the most up to date version.

Statewide contracts are also cumbersome to navigate; for example, under IT Services there are three different document links and you have to look at all of them in order to obtain all relevant information.

We would like the 'lowest bidder' rule to be reexamined. On a few occasions, we have experienced where the 'low bid' was not the best bid in the long run. We have spent additional money, time and resources as a result of selecting the lowest bidder who ended up not being able to fulfill their contractual obligations.”

“One of the issues we have had is with the contract language for our Licensing system. Purchasing helped us through the RFP process as well as the scoring and then they completed the contract. We have found the contract to pose challenges to the agency as it is basically the RFP responses and clarifications. Some items that we are used to being in an IT contract were not in the contract or not spelled out in a way that we could use the contract as leverage. I understand the reasoning behind using the RFP as the basis for the contract but the RFP documents should be used as reference material for the contract and the contract itself should be written in a logical and uniform format that protects the state and allows us to recoup monies and or be reimbursed for lost time when requirements are not met. The contract was written with all 5 agencies requirements in one document. I don't feel like we received enough support from purchasing until all the agencies were experiencing the same issues. Two agencies never went live and there was nothing written into the contract that allowed them to no longer be a part of the contract if their requirements could not be met. My understanding is the contract would have to be re-bid in order for us to continue with the vendor because of the inclusion of other agencies. We have continually had challenges with the vendor and although purchasing has assisted us on several matters it has taken several months to get a response from the vendor after purchasing sent them a letter. The contract does not contain the leverage we need to ensure the vendor will complete our requests in a timely manner or complete them at all.”

“Idaho Code and the Division of Purchasing rules are incomplete regarding the full procurement process. Some of the gaps are filled by Division of Purchasing created policies, procedures and practices. Other gaps are left unfilled and are up to each agency to figure out.

The Division of Purchasing is not a high volume user of the majority of contracts that they issue for state agency use, so they do not tend to understand the frustration and complications that can occur with using these contracts. While these contracts are meant for ease of purchasing common items where the pricing should be favorable due to volume buying, this is not always the case.

The current State of Idaho terms and conditions document attached to all purchases makes purchasing specialized computer software or commercial-off-the-shelf (COTS) software rather difficult to procure. Nearly all computer software vendors want to apply their Service Level Agreement (SLA) or Master Agreement (MA) to the purchase. The current systems in place make these kinds of purchases difficult.”

“The most common complaint from my employees who rely on the purchasing process is the length of time it takes to process an Invitation to Bid or a Request for Proposal. It is difficult to forecast contract needs four to six months in advance. On occasion, we deal with vendors that do not have the access or the knowledge to utilize the online web procurement system. We recognize DOP offers vendor training. Unfortunately some vendors do not feel that it is worth the time for relatively small dollar contracts.”

“Simple requests could be met with simple answers. We requested a list of state-approved vendors for website design; the response consisted of a half-page e-mail with directions on how to navigate through 29 pages of attached tables and documents in order to find the relevant information. Ultimately, this yielded six companies. Why didn’t purchasing just send the list of 6 names?”

“Renewal of contracts or leases sometimes gets delayed without notification to us so we are not aware until close to renewal time that the process is not complete.”

“While DOP are quick to answer questions and provide help on most purchasing activities, the process could be improved by bolstering resources available to help agencies with more complex situations such as Single Source contract analysis, Bids and Requests for Proposal of capital items. We would like to see a forum where agencies take preliminary purchasing requests to Division of Purchasing for advice and vetting and to find any common ground with other agencies. Additionally, a single purchasing software, used by all agencies, that is supported by the State would significantly streamline the process. There are currently multiple purchasing software systems in use by agencies. Those agencies often pay an external vendor for support and maintenance of their system.”

“1. The system is complicated, not easy to navigate and 2. allows too much influence by entities or their lobbyists. They (the entity or their lobbyist) can influence the questions asked, the scoring, and the weight of the scoring. I would suggest a cooling off period from when an RFP is announced. Furthermore, I think there should be complete disclosure of any time an entity or their representative makes contact with a state agency for the purpose of obtaining a contract even before an RFP is requested. I also believe too often elected officials are put in the middle of competing contractors. I wish I could think of a way to prevent that, perhaps if there was an established appeal process that is outside the system.”

“The Department’s assigned purchasing agent retired February 2015. Since that retirement DOP reduced the department’s purchasing authority from \$100,000 to \$10,000 requiring the department to

submit larger requests through them. The department replaces our purchasing agent who as attended training sessions of the DOP. However a test is required to be certified by DOP. Although numerous requests for a test have been made to DOP none have been scheduled. Certification test need to be provided timely.

Because of the demands on DOP 's time, they do not respond quickly to simple questions. For example, when purchasing a security device on the security contract, our purchasing agent waited over 3 weeks to receive the contract number that he needed to put on the PO before he issued it. The question was finally answered by the vender, and not DOP. To date we still have not received a response from DOP.

When the department submits a purchasing request DOP will recommend a preferred purchasing method. Then once their recommendations are followed they will then recommend even another preferred method before we are allowed to make the purchase. This can cause delays in projects and possible loss of time-sensitive Federal grant monies. For example, when trying to purchase a UPS for our main data center, we were instructed to use the security contract. DOP then told us that the UPS vendor was already on the software contract and they did not want to spilt the hardware and software because of the effort required. When we then tried to use the software contract, as instructed, we were told by DOP that only software could be purchased off of that contract. This forced us to go out to RFP, an arduous and lengthy process, putting the operation of the agency in jeopardy because our UPS is at its end of life and unsupportable.”

## Other comments or further elaboration?

"In 2012, our agency joined with other independent boards to purchase licensing software from a company in Oregon. To make a long story short, the company was unable to find a way to interface with ISDA's system and, after repeated attempts to solve the problems, our agency requested a refund. We met with the State Purchasing staff, to address the situation after we discovered that some of the other Boards that were part of the contract were also dissatisfied. The staff was professional and helpful at all times."

"A more unified, online web-based system where rules are accessible by everyone."

"Overall, we are very pleased with the staff and assistance provided by purchasing. We do have difficulties sometimes with the vendors. For example, we have had one vendor who has restructured three times and it is difficult for us to know who to contact each time the structure changes. Fortunately, we do have purchasing to assist us when our usual contacts change. We have found purchasing staff to be very responsive and helpful."

"Our agency does not routinely engage in transactions that would present a need to utilize the formal purchasing process offered by the Division. However, the Division's formal purchasing process works well on those occasions when needed."

"Currently my Office is in need of engaging professional services for managing the rollout out of several signature Board initiatives. The program manager for these initiatives was told by DOP that a RFP would be necessary and that he was responsible for drafting the RFP. Neither he nor anyone else on my staff has the time or expertise to draft an RFP. I contacted BSU's Department of Purchasing and asked them to provide technical assistance. BSU has committed to helping out, but having to put the project on hold and seek outside help has significantly delayed the RFP process. This is extremely frustrating for the program manager who feels his hands are tied on this project. ."

"Our agency administers several multi-million dollar contracts and numerous smaller contracts and any process changes could potentially impact the monetary or resource needs of our agency."

"Improvement could be made in the reporting of large goods and services purchases."

"Delegated authority assigned to a person rather than an agency impacts the agency's ability to complete the contracting process when the person with delegated authority leaves the purchasing position or agency."

"IDAPA Rule 38.05.01: During the last legislative session, DOP proposed changes to IDAPA Rule 38.05.01 that would have had significant impacts on our agency. These changes, primarily related to large service contracts exceeding five million dollars, were associated with oversight functions of the solicitation and contract administration activities. New rules had been added to require agencies to hire third party experts to review RFP development and validate contract monitoring activities, third party oversight boards to validate the RFP planning process and contract administration functions, and project managers to develop the RFP and administer the contract. Cost estimates to comply with these additional requirements ranged between \$200 and \$400 thousand dollars for each contract. Our agency manages several large service contracts and have developed contract oversight processes for each of the contracts. We do not believe that third party individuals hired by an agency to provide several layers of redundant oversight would be an effective quality assurance plan. We would request

the committee review other cost effective alternatives to provide quality assurance of the contract administration process.”

“Administrative Fees: The DOP has established a 1.25% administrative fee for all Purchase Orders, Contract Purchase Orders, and Open contracts. Vendors include this fee in their quote for a particular service or product, which is then paid by the respective agency. This is a pass-through fee that is then remitted back to the DOP. Additionally, the WSCA open contracts require payment of an administrative fee, which is paid by the vendor to the NASPO organization. These fees are also included in the vendors’ pricing and borne by the state agency requiring the service or product. We would request the committee to review the application of these fees to determine whether or not an alternative funding source would be more appropriate.”

“For the most value, Division of Purchasing should focus expertise on ITB and RFP process (Formal sealed bids). RFQ (informal quotation) should be agencies responsibility with option to request assistance from Division of Purchasing.”

“Customer focus is different between agencies and Division of Purchasing.”

“Overall pleased with the purchasing process. The DOP staff members have been very supportive ...and helpful.”

“The overall main point is that any active notification of training opportunities for small agency staff that do purchasing as an additional duty, not a dedicated function, would be welcome. Small agencies, like our own, are not listed on the DOP Liaison List. Therefore, we have the following suggestions:

- 1) Develop a Purchasing Listserv or address book for all Directors; send periodic email about ANY available purchasing training; Directors would then push info to appropriate staff
- 2) Then, actively develop a listserv of those responsible for purchasing from each agency, large and small; distribute the “Quarterly Connection” newsletter directly to those people.
- 3) Develop quick guides or summaries that would be geared toward small agency purchasing:
  - Provide one easy place to find a summary of general rules; especially for first timers
  - Group germane specific rules into indexed Help Guide
  - Most smaller agencies use the state contracts, but have occasional issues outside what is available on contract. Provide a centralized Division of Purchasing “Help Desk” contact for guidance about occasional items that are not available on a statewide contract.”

“My agency is exempt from provisions of sections 57-1101 through 57-1107 and section 67-5711, Idaho Code for public works contracts. My agency should as well be listed as an exempt party under IDAPA 38.05.01.011.03, because it executes 100% federally reimbursed funds.”

“In our view, it is possible updates in purchasing rules and procedures could be best done through the lens of reducing complexity for users and respondents. With that in mind, responsible government should be able to help agency users with rigorous focus on:

- Training in negotiation tactics for users.
- Templates to follow in issuing and evaluating RFPs.
- Guidance on ensuring users are complying with statutes and rules relating to purchasing.
- Oversight of the process.

- Trust in users to accomplish the goal of acquiring the best value for citizens of the Gem State. “Our exempt agency is committed to following best management practices, being transparent, and adhering to a high ethical standard when engaging in the public procurement process. We welcome the Interim Committee’s inquiry and review of current purchasing processes and appreciate the time and effort being spent on this important topic.”

“More training opportunities and more straightforward reference materials; it would be helpful to work directly with state agencies to develop agency specific reference materials and answer unique agency scenarios.”

“We value the purchasing process for giving us a clean way to make purchases without additional negotiations or questions.”

“I would note that although I understand there could be benefits to having contracts with particular vendors, I have not seen that come to fruition. It seems that we could often obtain the same basic product with similar or better benefits on the open market. As a result, we end up paying a premium just to stay within the state’s purchasing guidelines.”

“I understand the need to have state contracts in place, however if an agency can demonstrate that they can purchase the same product (with warranty for products over a specified amount) for less outside of the contract then agencies should be able to do so provided they keep records indicating the state contract price and the price of the items from an outside vendor. In addition, I believe training could be improved. The Intro to Procurement Training spent significant time reviewing purchasing ethics, while that is important I believe it would be beneficial to go over the different contracts available, what the vendors provide, the difference between vendors who are under the same contract descriptions, and a walk through of some of the vendor websites.”

“DOP used to be a more value-added step, however in the last few years it appears they have not been as much of a resource when it comes to customer service. In the spirit of cooperation, I feel it would be helpful for employees of DOP to visit the agencies they are representing to better understand the nuances that each agency has. For instance, a visit when discussing the digitization of the fingerprint cards may have helped. Other examples unique to our agency include a cafeteria, a dispatch center, a forensic laboratory, a drive track, and even our 48 acre campus that DOP issues the contract to maintain.”

“DOP has done an agency review the last two years. After reviewing the reports, it seems they are reviewing information and providing feedback on confidential data they shouldn't be reviewing. In our line of work, some information is confidential; an example is a refund from suspense. Another concern with the report is the delegated authority comments. I have delegated authority for my agency and I have delegated that authority to our Financial Executive Officer. DOP gave purchasing delegated authority by Statute 67-5717 and IDAPA 38.05.01.21 on March 11, 2011, my employee for \$100,000.00, based on training and certifications. However, agency and signatory authority is dictated by the Director of my agency.”

“I sincerely appreciate analysis of all state purchasing programs to insure tax payer and in our case, Industry, money is spent wisely.”

"I would appreciate it if there could be some conversation about the minimum 10K "small purchase" amount. We are right on the tipping point of having to go out to bid for some of our printing needs, and our experience has been that we don't always get the best customer service from the lowest bidder, especially when that company is out of state. Additionally, for the statewide IT contracts when an agency contracts to have an application built and hires a programmer, it would be nice to have the option to contract with the same programmer for ongoing routine maintenance, without having to go out for a new PSO, if the annual maintenance contract amount is below a certain threshold."

"Our office is exempt from purchasing and should remain exempt. Based on the needs of the office, the exemption insures that the state receives the highest value for its legal dollars. Within certain areas, the office uses vendors on the state contract list. The office benefits from being able to utilize their negotiated pricing when it makes sense. The office has no suggestions for amendment or improvement of the purchasing process. Please keep the constitutional officers exempt, and continue to allow for the use of state vendors to achieve economies of scale and negotiation."

"Overall, we are very pleased with the opportunity afforded us some years ago through exemption legislation that provides us flexibility to manage the agency's own procurement operation. Implementation has been highly successful."

"The Division of Purchasing charges administrative fees to vendors for the award of contracts, with the cost passed on to state agencies who purchase the product or service. This unfunded administrative fee is not directly tied to the work effort by the Division of Purchasing. This new fee has resulted in a reduction of our programs to provide direct delivery support to the citizens of the state of Idaho. We believe the Division of Purchasing should be fully funded and not charge agencies an administrative fee on contracts issued."

"Several of the self-regulating agencies worked with DOP staff on an RFP for a new licensing and regulatory database system. Their staff was a wonderful and knowledgeable resource for us throughout the RFP process. They worked closely with us including advising us of our options when it turned out that the vendor could not provide the services as promised when awarded the bid. I know our agency appreciated the time and expertise provided by them and we would have had great difficulty negotiating the process without her guidance. However, we would not have had to go through the painful process if our agency had been allowed to continue using our database/web vendors who had custom-designed an excellent system for us and have supported us for years. Our agency was denied the option for a "sole source" contract with these database/web vendors. Further, these excellent vendors were denied "approval" status despite our frequent requests to Purchasing. (This occurred under the previous purchasing staff's tenure.) Our vendor has since been awarded an open contract so we are continuing to use the excellent system designed for us. Further, DOP staff is helping us work through the sole source process to avoid these issues in the future."

"We have made several large purchases in the last couple of years. DOP has helped us process the amendment for our GenTax V9 upgrade, the ACH Debit Service, the Advanced Fraud Services and a sole source request for our IBML Scanners. DOP has sent staff to our agency to see what our agency does and how these purchases benefit the agency. My staff has also going to the DOP office to keep them up to date on the progress of our needs. The State Buyers are very quick to answer any questions that we have in regards to the state contracts or any purchasing question that we have."

"I am shocked and disappointed that there are those who believe the system works well. The evidence is certainly contrary."

“Because my agency is exempt from the contracting rules of the DOP, we enter into negotiations and contracts for consultant work without the purview of the division. However, we typically go through the division’s state contracts for car rentals, IT and communication equipment, and office supplies, furniture, and photocopiers.”

“An idea that could be easily implemented is to have the agency’s purchasing delegation commensurate with agency size. This would give the larger agencies the freedom to make more purchasing decisions locally—resulting in quicker turn-around times. Also, this frees up DOP’s resources to better serve smaller agencies that are in need of purchasing advice and oversight.”