

PROCUREMENT News



A QUARTERLY
NEWSLETTER FROM
THE PROCUREMENT OFFICE

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www.apsva.us

LINKS AND FORMS

- Virginia Public Procurement Act (VPPA)–
https://dgs.virginia.gov/globalassets/business-units/dps/documents/vppa/virginia-public-procurement-act_july-2019.pdf
- Arlington Public Schools Procurement Resolution
<https://www.apsva.us/wp-content/uploads/2019/07/2019-7-1-Procurement-Resolution.pdf>
(Click the link above to download form)
- Criminal Conviction Certification and the Code of Virginia
<https://www.apsva.us/wp-content/uploads/2019/07/Criminal-Conviction-Forms-7-31-19.pdf>
(Click the link above to download form)

Please contact the Procurement Office at (703) 228-2411 if you have any questions on the procurement process. Or log on to <https://www.apsva.us/procurement-office/>

SOLE SOURCE PROCUREMENT

Staff should be aware that requesting a sole source procurement does not mean a contract will be awarded faster because the Procurement Office will only be working with one practicable available source. The lack of competition can result in the delay of contract award because the vendor is aware that APS is not able to purchase the goods or services elsewhere and it can therefore negotiate from a position of strength. It is common for the vendor of a sole source purchase to include in its agreement terms and conditions which are intended to protect it and at the same time expose APS to risk. For example, vendors try and include language seeking indemnification, or limiting their liability to damages. In such situations APS will work with its attorney and negotiate with the vendor, and its attorney, to a position which is fair and reasonable to APS.



Once APS and the vendor have agreed upon the finalized contract, the Virginia Public Procurement Act (VPPA) requires APS to advertise its intent to award a contract to the sole source vendor. Once a period of ten calendar days has passed from the date of the advertisement, the contract can be signed and the performance under the contract can commence following issue of a purchase order.

A sole source procurement is where the sum or aggregate of the work to be performed during the term of the award is anticipated to exceed ten thousand dollars (\$10K).

VAGP TRAINING SEMINAR

On October 3, 2019, the Procurement Office hosted a one-day seminar on Competitive Sealed Bidding (“ITB” or “Low Bid”) vs. Competitive Negotiations (“RFP”). The seminar focused on the competitive negotiation processes, RFP development and techniques for a win-win negotiation. Differences between ITB and RFP were explained. It was a good class for those who may not be familiar with either competitive sealed bidding or the competitive negotiation process, or as a refresher.

There were twenty attendees at the seminar representing five local governmental agencies.

INVOLVE THE PROCUREMENT OFFICE EARLY IN YOUR PROCUREMENT PLANNING

If you are tasked with “making it happen” and to do so you need to purchase goods and/or services, please contact the Procurement Office at the earliest available opportunity. The Procurement Office can help identify whether APS has a contract in place for those goods and/or services you need or whether another jurisdiction has a contract which APS can purchase from or whether you just need to obtain a single or multiple quotes. As time is generally of the essence we can help you in planning your project timelines.

STEP-BY-STEP GUIDE FOR THE COMPETITIVE NEGOTIATION (“RFP”) PROCESS

To help staff better understand the process of procuring non-professional services using the competitive negotiation (RFP) process, a step-by-step guide has been developed and can be viewed at the following link: <https://www.apsva.us/wp-content/uploads/2019/10/RFP-Process-Task-Details-for-Non-Professional-Services.pdf>

GIFTS—HOLIDAY SEASON

As we approach the holiday season, some businesses express appreciation to their customers for business received during the preceding year in the form of gifts of various sorts. Because the actions of public employees are subject to intense and constant scrutiny, acceptance of such gifts could be easily misconstrued and result in embarrassment to both the giver and the receiver. It is therefore better for employees to decline any gift or gratuity offered by a vendor or contractor than to subject themselves to possible violation of existing laws and policies.

All employees should be aware that, even where acceptance of such gifts may be technically within the law, the appearance of impropriety can be as damaging to the image of Arlington Public Schools and the employee as actual impropriety.

RECEIVING GOODS OR SERVICES IN STARS TO ENABLE PAYMENT OF VENDOR INVOICE

Receiving goods or services in STARS is an essential step in the procurement process. Please remember to receive the goods or services in STARS once the goods have been received or the services completed. Generally, payments must be issued within thirty days of the receipt of the goods or the completion of the services. Those APS staff responsible for handling vendor invoices should be aware that payment to the vendor cannot be processed until Accounts Payable has received the vendor’s invoice and the goods or services have been received in STARS.

WORK COMMENCING WITHOUT A PURCHASE ORDER BEING APPROVED BY THE PROCUREMENT OFFICE

The Arlington Public Schools Procurement Resolution, as adopted by the School Board, requires that a purchase order be approved by the Procurement Office before work commences. In doing so, the purchase order terms and conditions protect APS should the vendor fail to perform; the budget is also protected because the purchase order confirms funds are available.

There have been instances where work has commenced without an approved purchase order or change order having been issued in advance by the Procurement Office. In such instances the requisition is generated using the invoice from the vendor as the backup documentation. In accordance with sub-Article 4-111, Unauthorized Purchases, of the Procurement Resolution, request for a purchase order after the work has been performed may be considered an Unauthorized Purchase, and may be rejected by the Procurement Office. Staff should be aware that in accordance with the Procurement Resolution, the individual may be held personally liable for the costs of the purchases or contract, if it is determined to be an Unauthorized Purchase.

VENDOR PERFORMANCE

As part of the Procurement Office’s on-going commitment to identify opportunities of improving communication between APS and those vendors providing the goods, services, and construction which support APS’s core business needs, the Procurement Office encourages staff responsible for overseeing the performance of the vendors to contact the Procurement Office for guidance on what to do if a vendor’s performance is not considered to be acceptable.

WHO DO I CONTACT?

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Stakeholders—All Schools and Departments, excluding Facilities and Operations

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Stakeholders—Facilities and Operations: Major Construction Projects and Minor Construction/Major Maintenance Projects

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Stakeholders—Facilities and Operations: School operating fund requirements; disposal of surplus property

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Responsibilities—Administrative support. Focal point for all STARS-related questions.