

# GOVERNMENT PROCUREMENT

*“Everything you’ve ever wanted to know  
about government procurement,  
but were afraid to ask”*

# Governing Laws

## VPPA and APSPM

- ▶ Virginia Public Procurement Act Title 2.2 Chapter 43 § 2.2-4300 to § 2.2-4383
- ▶ Agency Procurement Surplus Property Manual - Virginia Commonwealth Procurement Manual

eva.virginia.gov - <https://dgs.virginia.gov/procurement/policy-consulting--review/policy/>

# Procurement Methods

Small Purchase Procedures

Competitive Sealed Bidding (Invitation for Bid) (IFB)

Competitive Negotiations (Request for Proposals) (RFP)

Sole Source Procurements

Emergency Procurements

Public Auction Sale (APSPM 3.30)

Reverse Auction (APSPM 3.31)

# Procurement Method Definitions

- ▶ The following small purchase procedures have been established by DGS/DPS for use by state agencies and institutions when acquiring materials, supplies, equipment, printing, nonprofessional services and non transportation-related construction up to and including \$100,000 (excluding information technology and telecommunications goods and services). Procurements made pursuant to these procedures do not require public bid openings or newspaper advertising of competitively negotiated procurements. Small purchases that are expected to exceed \$10,000 shall require the posting of a public notice in eVA. Quick Quote solicitations meet the public posting requirement.
- ▶ Competitive sealed bidding is a method for acquiring goods, printing, non-capital outlay construction and nonprofessional services for public use when the estimated cost is over \$100,000.
- ▶ The *Virginia Public Procurement Act (VPPA)* requires the use of competitive negotiation for the procurement of all professional services. For professional service procurement guidelines, refer to 4.23. Competitive negotiation may be the procurement method used for goods and nonprofessional services when it is not practicable or fiscally advantageous to use competitive sealed bidding

# Procurement Method Definitions

- ▶ A sole source procurement is authorized when there is only one source practicably available for the goods or services required. Competition is not available in a sole source situation; thus distinguishing it from a proprietary purchase where the product required is restricted to the manufacturer(s) stipulated, but is sold through distributors and competition between them can be obtained. Sole source justification based solely on a single vendor's capability to deliver in the least amount of time is not appropriate since availability alone is not a valid basis for determining a sole source procurement. Note: For sole source requirements exceeding \$10,000, a written quotation must be obtained from the vendor.
- ▶ An emergency is an occurrence of a serious and urgent nature that demands immediate action. Emergency procedures may be used to purchase only that which is necessary to cover the requirements of the emergency. Subsequent requirements shall be obtained using normal purchasing procedures. The potential loss of funds at the end of a fiscal year is not considered an emergency

# Procurement Method Definitions

- ▶ **Public Auction Sale:** Upon a determination made in advance by a public body and set forth in writing that the purchase of non-technology goods, products or commodities from a public auction sale is in the best interests of the public; such items may be purchased at the auction. The writing shall document the basis for this determination. (*Code of Virginia, § 2.2-4303.H*).
- ▶ **Reverse Auction:** The purchase of non-technology goods or nonprofessional services may be made by utilizing the Reverse Auctioning tool available in eVA. However, construction, professional services, or the bulk purchases of commodities used in road and highway construction in maintenance, and aggregates shall not be made by reverse auctioning (*Code of Virginia, § 2.2-4303.I*).

# Procurement Policies and Forms

- ▶ <https://vdhweb.vdh.virginia.gov/purchasing-and-general-services/home/procurement-main/>

The screenshot displays the VDH Procurement website interface. At the top, there is a navigation bar with the VDH logo and a search bar. Below the navigation bar, the main content area is titled "Procurement" and features a central section labeled "Procurement Policies, Procedures, and Forms". This section contains six icons representing different procurement services: VDH Contracts, eVA, Mandatory Sources, State Contracts (non-IT), IT / VITA Contracts, and Procurement Tips. To the right of the main content area is a sidebar titled "Pages" which lists various links such as "Procurement and General Services Home", "General Services", "Building Maintenance and Surplus Requests", and "Mandatory Sources".

**Procurement Policies, Procedures, and Forms**

- VDH Contracts
- eVA
- Mandatory Sources
- State Contracts (non-IT)
- IT / VITA Contracts
- Procurement Tips

The duties of the OPGS Procurement Officers include:

- Review of all purchases entered into eVA by VDH personnel.
- Procurement of goods and services estimated to exceed \$50,000 in value.
- Obtaining eVA access for procurement personnel.
- Review/assist districts and divisions with contracts, sole source and/or emergency procurement paperwork.
- Request and monitor the charge card program.
- Ensure compliance with State and VDH procurement policies, rules and regulations.

Department of General Services, Division of Purchases and Supply

The Virginia Public Procurement Act (VPPA) contains the laws that govern procurement by state or local governmental agencies from non-governmental sources. The Department of General Services, Division of Purchases and Supply (DGS/DPS) has been designated to develop procurement procedures, rules and regulations to implement the VPPA for state agencies. These procurement rules provide the framework in which VDH procurements are made. Below is a listing of the procurement resources available from DGS/DPS.

# MOU's, MOA's and Sub-recipient Agreements

- ▶ MOU's - VDH Government to Government
- ▶ MOA's - VDH to a vendor
- ▶ Sub-Recipient's - VDH to a non-profit for pass through funds



# SPCC and eVA

- Small Purchase Charge Card and eVA is managed by OPGS:
  - Elizabeth Reighard - SPCC
  - Delores Kear - eVA
- If you need access to either one of these programs you need to contact them.

# Contract Administration

Policy and Procedures in managing your contracts

The screenshot shows a web browser window displaying the Virginia Department of Health (VDH) website. The page title is "Procurement Policies, Procedures, and Forms". The navigation menu includes Administration, Financial, HR, OPGS, OIM, Forms, Policies, SES, and DB. The main content area displays a table of procurement-related documents. The table has columns for Title, Number, Type, EIT Date, and Category. A search bar is located to the right of the table. On the right side of the page, there is a sidebar menu with links for eVA, Mandatory Sources, State Contracts (non-IT), VITA Contracts, VDH Contracts, and SAS Admin.

Title	Number	Type	EIT Date	Category
Addendum to Contractor's Form	04.01.106 F9	Form	2015-09-01	Contract Administration
Annual Training Certification Form	04.01.103 F4	Form	2016-11-01	Methods of Payment
Business Manager Annual Review Certification Form	04.01.103 F3	Form	2017-10-02	Methods of Payment
Business Manager Checklist	04.01.000 F5	Form	2020-02-01	Miscellaneous Procurement
CGI Technologies and Solutions Inc. Confidentiality Agreement	04.01.000 F6	Form	2017-03-01	Miscellaneous Procurement
Contract Administration Policy	04.01.106	Policy	2021-03-29	Contract Administration
Contract Administration Procedure	04.01.106P	Procedure	2020-03-29	Contract Administration
Contract Administrator Designation Letter	04.01.106 F2	Form	2014-09-01	Contract Administration
Contract Modification Agreement	04.01.106 F10	Form	2018-11-01	Contract Administration
Contractor Non-Compliance Procedures	04.01.106P2	Procedure	2018-12-01	Contract Administration
Contractor Performance Evaluation	04.01.106 F3	Form	2014-09-01	Contract Administration
Delegated Procurement Authority	04.01.100	Policy	2021-07-01	Procurement Authority and Responsibility
Delegated Procurement Authority	04.01.100 P	Procedure	TBD	Methods Of Payment
Delegated Procurement Signature Authority Form	04.01.100 F1	Form	2021-10-08	Procurement Authority and Responsibility
Emergency Procurement Determination	04.01.102 E1	Form	2019-08-01	Methods of Procurement
Emergency Procurement Policy	04.01.102	Policy	2016-01-01	Methods of Procurement
eVA Acceptable Use Acknowledgement	04.01.000 F2	Form	2018-11-01	Miscellaneous Procurement
eVA Procurement Certification Form	04.01.000 F3	Form	2017-03-01	Miscellaneous Procurement
MOA and MOU Procedures	04.01.107 P	Procedure		Contract Administration
MOA Boilerplate 4-1-22	04.01.107 F2	Form	2020-08-01	Contract Administration
Monthly GW&E Subcontractor Payments Reporting Form	04.01.106 F6	Form	2020-11-01	Contract Administration

# COVID related Procurements

- ▶ Staffing Contracts - VDH Emergency Contracts
  - ▶ COVID Testing Kits and events
  - ▶ Vaccinations Events - RFP method
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- ▶ The State of Emergency has ended for procurements!

# Contact Information

<u>Name</u>	<u>Title</u>	<u>Number</u>
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