

APSPM UPDATE 2013



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Chapter 1- Procurement Authority and Responsibility

- 1.4 c. Updates bulk purchase commodity codes



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Chapter 2 – Sources of Supply

- 2.1 b. Updates VCE requirements.
 - Updates availability of VCE goods and services
 - Printing Services
 - Remanufactured office systems
 - Broader line of boots and shoes
 - Broader line of clothing
 - Variety of document management services
 - Braille service



Chapter 2 continued

- 2.1 c. Updates DBVI information.
 - Provides a website to research goods/services offered (no longer a list)
 - Adds a definition of “fair market price”
 - Provides guidance on business in public buildings



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Chapter 2 continued

- 2.1 e. Changes the VDC waiver approver from the VDC Director to the VDC Quality Assurance Manager.
 - Approval is required to purchase items or similar items available from the VDC from another source.
- 2.1 h. Adds that agencies must obtain approval from OFMS to rent a car for a period greater than 30 days.
 - VPPA and APSPM policies still apply



Chapter 3 – General Procurement Policies

- 3.1 e. Receipt of Bids or Proposals
 - Adds language addressing receipt of bids/proposals during a period of suspended state business
- 3.2 e. Bonds.
 - Authorizes the acceptance of a cashier's check in lieu of a bid, payment, or performance bond



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Chapter 3 continued

- 3.4.a. Corrects the regulatory agency for security alarm system installation services, from DPOR to DCJS.
- 3.6 Provides additional scenarios authorizing cost plus a percentage of cost contract pricing arrangements.



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Chapter 3 continued

- Annex 3-B. Deletes Unsealed Best Value Acquisition Over \$5,000 up to \$50,000 and Over \$50,000 up to \$100,000. Deletes “including Best Value Acquisition” Over \$100,000; may be used for lesser amounts, 3.
- Annex 3-K. Revises example of RFP newspaper advertisement.



Chapter 4 - General Procurement Guidelines and Planning

- 4.3.b. Clarifies that some Special Terms and Conditions are mandatory whereas others are left to the discretion of the buyer.
- 4.3.d.(6) Provides additional scenarios authorizing cost plus a percentage of cost contract pricing arrangements.
- 4.11 Moves **Term Contracts** language from 4.21 to 4.11 and provides consideration of term contracts for goods and services that cumulatively exceed \$50,000.



Chapter 4 continued

- 4.21. Requires certain employers to register and participate in the E-Verify program.
- 4.28. Deletes **Vendor Advertising Prohibition.**
- Annex 4-B. Updates the form to include provisions of new codes required.



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Chapter 5 – Small Purchases

- 5.6.a. Requires bidders to provide their DMBE-certified small business number in the comment section of QQ responses.
- 5.6.b. Requires bidders to provide their DMBE-certified small business number on solicitations.
- 5.7.a.1. Requires offerors to provide their DMBE-certified small business number on solicitations.



Chapter 5 – continued

- 537.b. Deletes **Unsealed Best Value Acquisition**
(Over \$5,000 to \$100,000).



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Chapter 6 - Competitive Sealed Bidding

- 6.3.a. Adds language addressing receipt of bids/proposals during a period of suspended state business.
- Annex 6-B. Adds a place to submit the DMBE-certified Small Business number on the IFB form.



Chapter 7 - Competitive Negotiation

- 7.4.a. Clarifies the requirement to rescore proposals after negotiation unless there have been no changes or only one proposal is being considered.
- 7.4.c. Clarifies that a written narrative summary is required for only those proposals negotiated.



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Chapter 7 continued

- 7.5 Deletes **Best Value Acquisition (over \$100,000)**.
- Annex 7-B Revises language and adds requirement for Non Disclosure Statement to **STEP 4 - SELECT AN EVALUATION PANEL.**
- Annex 7-B Revises language and merges information to clarify **STEP 12 - SCHEDULE AND CONDUCT NEGOTIATIONS.**



Chapter 7 continued

- Annex 7-F Deletes **Best Value Criteria, Evaluation Methods & Scoring.**
- Annex 7-H Provides a sample Summary of Evaluation Ratings Worksheet.
- Annex 7-J Provides a sample Non Disclosure Statement.



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Chapter 8 - Sole Source Procurement

- 8.7 Adds language **Legislatively Directed Contract Awards** which was formally in Alternative Procurement.
- 8.8 Renumbers **Alternative Procurement**.
- Annex 8-F Changes the title of the form to Form of Contract Award and adds a signature area for the contractor.



Chapter 10 - Contract Administration

- 10. Adds that the intent of the chapter is not to extend rights enforceable by the contractor, nor modify or supplement the terms of the contract.
- 10.2 Clarifies that the agency will designate the contract administrator when DPS procures term contracts on behalf of the agency.



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Chapter 13 - DGS/DPS Support and Assistance

- Annex 13-D Adds the note that the Procurement Exemption Request form should be submitted electronically through eVA.



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Chapter 14 Electronic Procurement

- 14.5.e.1. Replaces “an ad hoc” with “an unregistered” vendor.
- 14.9.a. (3) Updates the terminology in the eVA fee language.
- 14.9.a. (4) Changes the title to **Modification of Existing Contracts as A Result of Changes to the eVA Fee Schedule.** Deletes reference to August 16, 2006 contracts and adds that agencies may give contractors the opportunity to adjust contract prices based on new order transaction fee.



Chapter 14 continued

- 14.9.b. Adds procedure for processing exempt transactions through eVA. Deletes language concerning 02 Purchase Order Categories.
- 14.11 Changes the title to **Orders to Unregistered and State Entered Vendors in eVA and Related Fees.** Denotes that a vendor that refuses to register in eVA is a State Entered and Unregistered (ad hoc) vendor. Deletes **a. Vendors Accepting eVA Terms and Conditions** and **b. Vendors Refusing to Accept eVA Terms and Conditions**



Chapter 14 continued

- 14.12 Provides an email address to submit the eVA Dashboard Report. Modifies language concerning 2% assessment.
- 14.12.d. Deletes requirement d. concerning check payment.



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Appendix A – Glossary and Acronyms

- Revises the definition of “**Contract, Cost-Plus-A-Percentage-Of-Cost**”.
- Adds definition of “**E-Verify Program**”.
- Revises the definition of “**Fair Market Value**”.



Appendix B - General T & C

- Section I, O. Updates General T&C **CHANGES TO THE CONTRACT** to clarify the request for agencies seeking to modify a contract.
- Section I, T. Updates General T&C **INSURANCE** to reflect changes in thresholds.
- Section I, X. Updates and renames General T&C **eVA BUSINESS-TO-GOVERNMENT VENDOR REGISTRATION, CONTRACTS, AND ORDERS** to reflect changes in vendor registration and vendor transaction fees.



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Appendix B - Special T & C

- Updates lead paragraph to point out that some Special Terms and Conditions are mandatory as indicated whereas others are not and left to the discretion of the buyer.
- Separates Special Terms and Conditions into two categories: **Mandatory for Most Contracts** and those **As Individual Procurements May Dictate**.
Renumbers Terms and Conditions appropriately.



Appendix B - Spec T & C cont.

- Section II, 1. Deletes Special T&C **ADVERTISING.**
- Section II, 2.A. Makes technical correction to the “When Used” clause.
- Section II, 2.H. Deletes Special T&C **Unsealed Best Value Awards.**



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Appendix B - Spec T & C cont.

- Section II, 2.I. Deletes Special T&C **Best Value Award.**
- Section II, 4. Updates and renames Special T&C **eVA BUSINESS-TO-GOVERNMENT CONTRACTS AND ORDERS** to reflect changes in orders and vendor transaction fees.



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Appendix B - Spec T & C cont.

- Section II, 16. Updates Special T&C **CONTRACTOR/SUBCONTRACTOR LICENSE REQUIREMENT** to provide the subcontractor's license number.
- Section II, 26. Updates Special T&C **IDENTIFICATION OF BID/PROPOSAL ENVELOPE** to require the bidder/offeror's DMBE certified small business number if the solicitation is set-aside for DMBE-certified small businesses.



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Appendix B – Spec T & C cont.

- Section II, 51. Updates Special T&C **SECURITY LICENSE** to require the subcontractor's license number if a subcontractor's license is used in the solicitation.
- Section II, 59. Updates Special T&C **CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION** to note that information and data will remain confidential unless disclosure is required pursuant to court order, subpoena or other regulatory authority.



Appendix B – Spec T & C cont.

- Section II, 63. Creates Special T&C **E-VERIFY PROGRAM** which requires certain employers to register and participate in the E-Verify program.
- Section II, 64. Creates Special T&C **EMERGENCY EVENT PRICING** which addresses actions to take for events in declared emergency or emergency office closings.



Questions?



ANYTHING ELSE YOU WANT TO COVER?



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