

Purchasing Update

April 2020

DAS | Utah Division of Purchasing and General Services

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What Is PTAC?

By Cherilyn Hess, Contract Analyst

PTAC is Utah's Procurement Technical Assistance Center, a program to help Utah's small businesses find, bid, and win procurement opportunities with federal, state, and local government entities. Through one-on-one and group counseling, PTAC educates and assists Utah businesses to more effectively compete in the government marketplace. PTAC has events and trainings all over Utah to help these vendors become a competitor and win opportunities right here in Utah. PTAC can also assist Utah contractors / vendors / suppliers with other aspects of the procurement process including government contracting readiness assessment, GSA assistance, and registration for government contracting set-aside programs. To date, PTAC has successfully assisted hundreds of Utah small businesses who have been awarded close to one-half of a trillion dollars.

In procurement, we will often have vendors reach out to learn how to they can become a vendor with the State of Utah. PTAC would be a great resource for these vendors to get training and information they are looking for. Responding to solicitations for the first time can be difficult for a vendor and PTAC gives training and guidance to assist Utah businesses that need it. Procurement professionals can also help by remembering to think about local companies in the state and inviting those businesses to open solicitations. This provides vendors with opportunities to know about government work they could be doing for the state. Having more competitors in the market is beneficial for state procurement by getting the best services at the best price.

In the search for PPE many local vendors have reached out to PTAC to offer a variety of goods to assist the State of Utah. The entire PTAC staff and especially staff along the Wasatch Front have fielded dozens of calls and emails from clients and small businesses wanting to make a contribution. If it wasn't government contracting related, PTAC has been busy referring businesses interested in loans to GOED, SBA and other agencies who can provide that kind of information.

If you would like more information for future events or to register for an event please go to: <https://business.utah.gov/ptac/>



The Division of Purchasing is currently looking for sourcing team and evaluation committee members! The following contract portfolios are currently in the solicitation process and your input would be a welcome help to ensuring effective contracts are put in place to support your agency's needs! Contact the identified contract manager with any questions!

TITLE	NAME	CONTACT
Photovoltaic Panels: Sales, Installation, and Maintenance AVL	Cat Turner	caturner@utah.gov
Detention Center Locks, Parts, and Service	Nick Hughes	nhughes@utah.gov
School Supplies - Curriculum - Games	Garret Johnston	gkjohnston@utah.gov
School Picture Services	Garret Johnston	gkjohnston@utah.gov

Untying Tie Bids

By Tim Hodges, Contract Analyst

“Awesome, it’s a tie!!!,” said no one ever! Ties, in anything, are never looked on favorably. That is why some genius long ago came up with sudden death overtime. Thankfully, like that genius, the Utah Procurement Code and Administrative Rules have laid out a way for public procurement professionals to deal with tie bids. Do not worry there are no extra innings or shoot-outs, I promise.

We have all been there; we’ve designed the perfect Invitation for Bid (IFB), attained numerous responses, and we know that we will have an awarded vendor as soon as the IFB closes. However, once the bids are in we see not only do we have a lowest bidder, we have two or more and their bids are exactly the same to the nearest hundredth of a cent! What do we do now?

Procurement Code 63G-6a-608 tells us that a “procurement officer shall resolve a tie bid in accordance with a method established by rule.” Administrative Rule R33-6-111 tell us that in the event of a tie the award will go to the “Utah resident bidder, provided the bidder indicated on the [IFB] form that it is a Utah resident bidder.” So it is as simple as that right? The winner of a tie goes to the “home team”! Wait, what if the bidder did not state they were Utah residents in the IFB response? Fortunately for us, the Rule foresaw such a

conundrum.

In the event that a Utah resident bidder cannot be established then “the preferred method for resolving tie bids shall be for the chief procurement officer or head of a procurement unit with independent procurement authority [to toss] a coin in the presence of a minimum of three witnesses. . .”(see R33-6-111 (2)). That’s right! The “old school” coin toss will determine the awardee of your IFB. I do not believe there could be a more palpable way to determine a solicitation than this; and even if no coins can be found the rule further gives the chief procurement officer or head of a procurement unit the authority to establish other appropriate methods to resolve ties (see R33-6-11(3)). Either way a tie bid is resolved, we must keep in mind provision 63G-6a-608(3) states that if a tie bid is for over \$100,000.00 we must report it to the Attorney General.

So, next time you put out an IFB and you wind up with more than one lowest bidder, do not fear the Procurement Code and Rule are here. All you need to do is look for the “home team” or if none can be found then break out that silver dollar piece your grandfather gave you so long ago, put it to good use, and solidify your award.

New Statewide - Unmanned Aerial Vehicle (Drone) Services

By Solomon Kingston, Contract Analyst

The Utah Division of Purchasing just recently established 4 new Statewide Cooperative Contracts for Unmanned Aerial Vehicle (Drone) Services under the NASPO ValuePoint portfolio lead by the State of Virginia. The awarded contracts are with – [Avion \(PA3389\)](#), [DroneUp \(PA3390\)](#), [Elevate UAS \(PA3392\)](#), and [Tetra Tech \(PA3393\)](#). These new contracts currently run until October 31, 2021, with available renewal options to October 31, 2024. These contracts, in the table below, service the award categories as marked and as further outlined in the respective contract documents linked above.

When assessing this portfolio, public entities are encouraged to review all 4 contracts to determine the best value fit for your individual entity needs. Agencies should also ensure their use of

this portfolio and the services received comply with applicable federal and state regulations for drones.

Please note, the scope of these Drone Services contracts exclude purchasing actual drone equipment, accessories, and maintenance. This is a drone services only contract for the respective categories illustrated above. There are however separate State Contracts that include drone equipment available via the [Enterprise Drones and Enterprise Drone Services portfolio here](#).

For questions or if you would like additional information on these new statewide contracts for Drone Services, please contact the contract manager Solomon Kingston at skingston@utah.gov.

Contract #	Vendor Name	Agricultural & Gaming Support Services	Aerial Inspection or Mapping Data Services	Emergency Support Services	Law Enforcement Services	Agency Media Relations & Marketing Support Services
PA3389	Avon Solutions, Inc	X	X	X	X	X
PA3390	Drone Up LLC	X	X	X	X	X
PA3392	Elevate UAS	X	X		X	X
PA3393	Tetra Tech		X	X	X	X

The State Job Order Contracts (JOC) in Response to COVID-19

By Chike Ogbuehi, Contract Analyst

The State JOC provides for general contractors to be readily available to State entities that need construction related services. These services ranges from small projects such as fixing doors, patching walls, and installing light fixtures; to larger projects such as concrete work, demolition of structures, landscaping, and others.

All contractors on the JOC portfolio have lots of experience in the industry. However, some contractors have a niche in a certain type of projects than others. Thus, it is important that eligible users ensure they are taking advantage of the vast experience of the contractors but also making sure, they use the right contractor for the right job.

To that effect, contract AR031 with Gordian Group Inc. is intended to assist State entities to define the scope of work for a professional architectural and/or engineering services. In addition, it provides services that ensures State entities have a

successful and cost-effective JOC experience, as well as regulate the function of the contractors. State entities, not familiar with the JOC portfolio but are looking to complete a construction related project that is not subject to DFCM, should reach out to the Gordian Group or to the State Division of Purchasing.

Furthermore, in response to the COVID-19 pandemic, we are working with our contractors to put together a list of contractors who are willing and able to act in emergencies or to take on projects during this time. In response to the earthquake we experienced in March, our contractors were available and helpful in assessing the extent of damages and to proffer solution for repair work.

If any State entity needs assistance with any project at this time, please contact the Gordian Group or call Chike at (801) 957-7126, Email: cogbuehi@utah.gov



Brown Bag Learning Series

RFP Essentials—Brown Bag Learning Series is now available on the Utah Learning Portal.

To access this training, please follow the appropriate process below.

STATE OF UTAH EMPLOYEES

All state employees have access to the Utah Learning Portal at utah.sabacloud.com. The user name and password to access the Utah Learning Portal is your UMD log on.

Access the training by searching for “Brown Bag” or “RFP.”

A certificate can be printed after the training is complete and the window to the training is closed.

NON-STATE PUBLIC PROCUREMENT PROFESSIONALS

Public procurement professionals that do not work for the State can still access the Brown Bag Learning in the Utah Learning Portal. Use the instructions for the returning user or the first time user as appropriate. A certificate can be printed after the training is complete and the window to the training is closed.

Returning Non-State Users:

(Those who took the PPPCI exam or who have taken another course such as the Defensive Driving Training Course.)

- 1> Go to utah-statepurchasing.sabacloud.com
- 2> Your user name is the email address that you used to take the PPPCI-exam or the Defensive Driver Training Course.
- 3> Enter your password. You only have 5 tries before you are locked out of the system, so if you do not remember your password, click “Forgot Password?”
- 4> Click “Sign in”
- 5> Once in the system, search for “Brown Bag” or “RFP” to find the training.
- 6> Click “Enroll.”
- 7> If necessary, click “Launch.”

First Time Non-State Users:

- 1> Go to utah-statepurchasing.sabacloud.com
- 2> Roll to the bottom of the window and click “Sign Up”)
- 3> Add your information and select the correct time zone. [It is out of my hands. The parent company requires the time zone field.]
- 4> Enter the security keyword FROM THE CHART BELOW. Use the keyword that best describes your the public entity for which you work.

Entity Type	Keyword
Higher Education	examhe
School District	examsd
Cities or Town	examct
Counties	examco
Special District	examspcial
Other	examother

- 5> Click “I’m not a robot” followed by “SIGN UP”
- 6> Sign into the system
- 7> When you enter the system, you will see the PPPCI-Exam and the Brown Bag Learning Icons. Click the training that you would like to take.
- 7> Click “Enroll.”
- 8> If necessary, click “Launch.”

If the system will not let you sign up, it is highly likely that the email is already registered in the system. Reach out to Tara Eutsler, teutsler@utah.gov or 801-957-7150 for assistance.

Other Brown Bag Learning Series will be made available through the Utah Learning Portal as time permits, so retain your user name and password!

Spotlight Article



Garret Johnston, Purchasing Agent

When asked how Garret got into purchasing, he said that it found him working in the marketing department of a newly acquired construction company. The new CEO asked him to manage a few JOC/SABER Navy contracts in Chesapeake, VA and another at Point Loma, CA. He has been working purchasing ever since.

He loves living in Lehi, just south of the Jordan Narrows where the Jordan river crosses from Utah county to Salt Lake (wait, a north flowing river?). During the summer months when pelicans traverse the Narrows between the two lakes, they'll glide over his house low enough for eye contact.

No real hobbies except one—for which his wife would buy him a new car to give up—keeping his 81' pickup running. The old truck is his wife's leg-lamp nemeses (name that movie) and is too big to hide in the garage. Neighbors have told her in tones of sympathy that it's an eye-sore. But for now it sits parked in front of the house and rumbles him and his dogs around town.

Q. Is the 81' pickup your dream truck/car? If not, what is your dream vehicle?

A. The K-10 is an old farm truck I bought from my mom and the dogs love it because it transports their muddy wet paws to and from doggy adventures. Though the 81' truck is fun to drive off-road, my dream vehicle would be one that I could tour the national parks; perhaps one of those old VW camper buses with the steering wheel that comes straight out of the floor boards.

Q. Have you always been interested in restoring old vehicles? How did you get into it?

A. When I left home, my dad gave me small tool box of craftsman sockets and wrenches. And whenever I bought a new old used car, I would by a Chilton or Haynes repair manual for it so that I could save a few bucks doing the small repairs. The truck is the first time I tore into the engine block to do repair work. But the truck belonged to my dad and at the time I wasn't ready to say goodbye to him and junk it, so I've been fixing things as they break, probably until the time I can see the asphalt through the floorboards.

Q. What is your favorite season of the year?

A. I love stormy autumn evenings.

Q. Do you have a favorite sport? If so which one and why?

A. Is bird watching a sport? Once in eastern Washington a Pileated woodpecker landed on a tree trunk near a group of us who were putting up fencing. We watched that bird for a good five munities before it flew off. To answer the sports question, though I don't have the patience to play baseball, I do enjoy going to a baseball game.

Q. If you could travel anywhere, where would it be and why?

A. The Petersen Automotive Museum in California has a 1960 Plymouth XNR replica that I would like to visit.

How to Receive the Purchasing Update Newsletter

Did you receive this newsletter from a co-worker? Do you want to receive the Purchasing Update directly? Please send an email to Tara Eutsler, teutsler@utah.gov.

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