

PURCHASING UPDATE



division of
**Purchasing and
General Services**

FY22 Solicitation Deadlines

Tara Eutsler, Contract Analyst

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With the approaching fiscal year-end, many state agencies are ready to make purchases that were delayed until funding availability was certain. With no additional Division of Purchasing staff to off-set the increased number of requisitions requiring processing, individual requests take more time. With current supply chain issues, we have seen delivery dates for some procurement items to be eight weeks after order placement. The need to solicit early is vital. The Division prefers canceling early bids as opposed to agencies not being able to receive procurement items that were bid too late.

The guidelines for year end dates are as follows:

- Purchases that will be paid with FY22 funds must be received by June 30, 2022.
- Current fiscal year requisitions must be submitted by April 4, 2022 to receive first priority. There are no guarantees that vendors will be able to meet the delivery deadlines.
- Current fiscal year requisitions received after April 16, 2022 are considered a secondary priority. The Division cannot guarantee that the procurement process will be completed or that the vendor can deliver by fiscal year-end.

JUST THE FAQs

Pre-bid Conferences and Site Visits

By: Jeff Hammer, Purchasing Agent

Does the Utah Procurement Code or Administrative Rule allow for Pre-Solicitation Conferences and/or Site Visits?

The Administrative Rule for Pre-Solicitation Conferences and Site visits is located in R33-1-13.

Most site visits that I attend are conducted with the Division of Oil, Gas and Mining. Site visits are an option when you feel it is in the best interest of each bidder to have the opportunity to see the same information and ask questions at the same time.

May site visits be held virtually?

Pre-solicitation conferences or site visits may be attended in person or via any of the following electronic means:

- (i) teleconference;
- (ii) webinar; or
- (iii) other electronic media approved by the procurement official.

Q: May a bidder who is one (1) minute late for the posted time of the site visit be allowed to sign the site visit attendance log/sign in roster and continue with the site visit?

A: No, as long as you specifically state in the mandatory site visit description the time that is considered late they are not allowed to respond to the solicitation.

Q: When having a mandatory site visit where a particular address is not known what may you do so a bidder does not have possible recourse for a protest for showing up at the wrong site?

A: When this situation comes up I like to ask the project manager to send me GPS coordinates so that everyone is given the exact same place to meet.

Q: After a site visit is over what must a procurement unit do?

A: After the pre-solicitation conference or site visit, the procurement unit shall publish an addendum to the solicitation that includes:

- (i) the attendance log;
- (ii) minutes of the pre-bid conference or site visit;
- (iii) a copy of any document distributed to attendees; and
- (iv) any verbal modification made to any solicitation document during the pre-solicitation conference or site visit.

If you have questions about Pre-Bid Conferences and Site Visits contact Jeff Hammer at jhammer@utah.gov

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- Wait to submit new fiscal year requisitions until July 1, if at all possible, but definitely not before the new year RQS tables are available. FINET requires that the RQS, PO, and PRC fiscal years match.
- DTS has their own time table for technology-based procurements.

We thank you for your efforts during this year-end procurement process.

For questions, reach out to Tara Eutsler, teutsler@utah.gov, 801-538-3386.



Price Guarantees and the Wonderful Supply Chain

Solomon Kingston, State Procurement Manager

Your contract has a price guarantee, but how does that align with the supply chain constraints occurring worldwide? A guarantee that is too strict will either drive vendors away from your procurement or they may propose higher costs to account for the inability to adjust pricing. A guarantee that is too soft doesn't ensure best pricing. When setting a price guarantee it is therefore critical that you understand 1.) Utah Code's implications on contract pricing and 2.) the volatility of pricing in the industry you are soliciting.

Utah Code 63G-6a-1206.5 allows a vendor to increase contract pricing **only** in accordance with the terms of the contract, but may lower the contract price at any time. Per Utah Administrative Rule R33-12-601, contracts that expressly allow for price increases require cost or pricing data to support the increase. Exceptions are found where the contract terms provide established market indices, catalog prices, other benchmarks as the basis for the contract price adjustments, or when rule or law sets the price. Your contract is that instructional document for a price increase.

When setting your guarantee requirements, hold the vendor accountable for demonstrating its requested increase is justified. That its increase reflects what is

occurring within the industry. Increases that exceed established market indices and benchmarks inherently require additional scrutiny. Agencies should refrain from using verbal or written language (i.e., email) that may lead the Contractor to believe their new pricing is approved, when such approval was not given. The determination for whether a price adjustment is approved is reserved to the CPO or procurement official.

As vendors reference supply chain constraints as their justification for increased pricing, conduct independent research (i.e., reviewing sources like Procurement IQ, GovSpend, and those previously named). Continuously monitor the named constraints. As the constraints are resolved, talk with your vendor on reducing prices back to the norm. An increase may very well be justified, but assess whether the vendor is requesting an increase that exceeds what is occurring in the industry.

As a Contractor may only increase pricing in accordance with the terms of your agency contract, set a price guarantee requirement that aligns with the industry you are procuring from. Don't just rely on a standard 1-year guarantee period to ensure best pricing.

For questions, contact Solomon Kingston, skingston@utah.gov.



Medical Supplies, Goods, and Services: Contracts You Need to Know About

Nick Hughes, Assistant Director

The Division of Purchasing is on a mission on behalf of each entity within the State of Utah to provide every possible good and service on contract in hopes that no entity ever needs to conduct another solicitation. Throughout this process, as entities have started to utilize statewide contracts more and more, they may have noticed an interesting acronym, MMCAP. The Minnesota Multistate Contracting Alliance for Pharmacy, or MMCAP Infuse, is a National Group Purchasing Organization (GPO) that specializes in medical products and services solicitations. MMCAP is so unique and specialized that almost all fifty (50) states use their contracts. In recognizing this tremendous benefit, Utah has entered into an agreement with MMCAP to allow users within the State of Utah to use these contracts. This benefits a vast number of entities within Utah related to health and human services, veteran's facilities, community health, and patient care. These benefits have been on full display during the pandemic with many of these medical products contracts allocating specific amounts of emergency items for users within the State of Utah.

The Division of Purchasing has five (5) contracts for Medical Products and Services that comprise a wide spectrum of products from body wash, boost nutritional drinks, flushable wipes, hand sanitizer, urine test strips, gauze, and exam gloves. The five contracts and vendors are:

1. MA2204 Henry Schein Medical;
2. MA310 McKesson;
3. MA2914 Concordance;
4. MA2916 Premier Medical; and
5. MA3166 Medical Solutions

MMCAP Medical Products Contracts are available to all Eligible Users within the State of Utah that have an

MMCAP Membership ID. More information on the products and services available through MMCAP Infuse is available at <https://infuse-mn.gov/>. If you would like to use any of the current MMCAP Medical Supplies contracts and have questions on receiving an MMCAP Membership ID or whether a product is available through one of the five contracts please contact Nick Hughes at the Division of Purchasing at 801-957-7141 or nhughes@utah.gov.



Utah Correctional Industries Closures

Michael Glenn, Assistant Director

The Utah State Prison is moving to a new facility in Salt Lake City. As a result, some UCI shops will be temporarily closed to accommodate the move. Most UCI shops will remain open during the move, so reach out to customer service if you have any questions about order status. For

now, agencies are still required to request written exemption from using, even if the status below states closed to new orders (63G-6a-804(4)). UCI will update this information when reopening dates are finalized.

PRODUCTS	CURRENT STATUS	NOTES
Furniture	Closed to new orders if delivery is required by close of FY	Accepting orders for production beginning July 2022
Office Chairs/Seating	Closed to new orders if delivery is required by close of FY	Accepting orders for production beginning July 2022
Printing Services	Accepting orders until 3/31	Final Delivery 4/15
Signs	Open	
Clothing/Embroidery	Open	
Screen Printing	Open	
Sewn Items	Open	

Paper Shortage

Cat Turner, Contract Analyst

In addition to shortages and price increases in many industries and products such as chips, food products, plastics, and building materials, another shortage to be mindful of is paper!

The limited supply of paper seems to have stemmed from a multitude of factors such as labor and product shortages, the cost to transport product, and changes to production practices to support COVID-19 guidelines. Some paper manufacturers have shifted production to producing boxes or other packaging materials instead of

paper because of a dramatic increase of e-commerce over the past few years.

At this time, it seems that this may be the new normal for the paper industry as we continue to experience labor and supply shortages across multiple industries. This may impact Statewide Cooperative Contracts so please make sure to plan ahead as much as you can when ordering!

For questions, contact Cat Turner, caturner@utah.gov.

UTAH CORRECTIONAL INDUSTRIES

DID YOU KNOW WE OFFER...



SEWING

We manufacture a wide variety of textile products for state agencies and private sector companies, including heavy-duty outdoor clothing, tents, backpacks, duffle bags, camera cases, lens pouches, harnesses, helmet covers, uniforms, safety vests, pillows, and mattresses.



SIGNAGE

UCI produced signs are available in aluminum, wood, or recycled plastic with sign surfaces also available in a variety of materials. From standard road signs to custom vehicle decals, the UCI Sign Shop is the answer to all of your signage needs. Options include:

- Interior Signage
- Road Signage
- Large Format Signage
- Forest Service Signage
- Exterior Signage

Large Conference Room
In Use



Aluminum American Flag



****With our move to the new location coming soon, we will not be taking any new orders on furniture and upholstery jobs until after our move is complete. We apologize for the inconvenience.****

MISSION

Utah Correctional Industries is dedicated to public safety through innovative career building, community partnerships, and quality production to develop successful people.

VISION

Building a better community through career development.

DID YOU KNOW UCI ALSO OFFERS...

**PRINTING | EMBROIDERY/SCREEN PRINTING
FURNITURE | SEATING/UPHOLSTERY
CONSTRUCTION | DOCUMENT SCANNING
SIGNAGE | SEWING**

View the "**UCI First**" State Use Law (63G-6a-804)

**QUESTIONS? CONTACT US AT 801-576-7700
UCI.UTAH.GOV**

Spotlight Article



Heather Stevens

Hi, my name is Heather Stevens and I was born and raised in Utah. I have a daughter and a son, who are my whole world. I enjoy outdoor adventures, camping, four-wheeling, relaxing on the beach, swimming in the oceans and lakes, traveling to new places, and spending time with my family and friends. This June

I will “celebrate” year 14 with the State of Utah, Division of Purchasing and General Services.

Q and A

Q: What is the best vacation you have been on?

A: This is a tough question, but I would have to say my cruise in Australia. The longest plane ride I have ever been on was the 21 hour flight to Sydney just to board the Majestic Princess - Cruise Ship. I touched ground in Tasmania/Hobart, Melbourne, Adelaide, Margaret River, and Perth. I swam in the Indian Ocean, meet some amazing new friends, enjoyed some native food, saw a Tasmanian devil, and pet and interacted with the kangaroos in the wild. Australia has breath taking scenery; it's an amazing place to visit.

Q: What is your biggest fear?

A: Not being able to complete my bucket list.

Q: If you could have dinner with one famous person, who would it be?

A: I don't pay much attention to famous people, I would rather have one more dinner with my Grandma Stevens. She is the most giving, loving, funny, and knowledgeable person I have ever met. I continue to strive to be more like her every day.

TRAINING



PEP SEMINAR: SUSTAINABLE PURCHASING SUMMIT

DATE: 22 Mar 2022

TIME: 8 AM—4 PM

PLACE: Taylorsville State Office Building
4315 S 2700 W, 1st Floor

Northern Utah Watch Party:

Davis School District

Southern Utah Watch Party:

Washington County School District



BROWN BAG LEARNING SERIES

DATE: 21 April 2022

TIME: 9:00 AM —11:30 AM

TOPIC: Amazon Business

PLACE: Webinar

Registration begins in April

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 Jessika Huhnke, jessikahuhnke@utah.gov

Utah Division of Purchasing & General Services

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801-957-7160

Purchasing.utah.gov

Hours: 8:00 am—5:00 pm M-F

