

# PURCHASING UPDATE



division of  
**Purchasing and  
General Services**

## Best Practices on Engaging with Vendors

*Kaitee Hall, Purchasing Agent*

### INSIDE THIS ISSUE

- 2 Just the FAQs:  
NASPO—Office  
Supplies Portfolio
- 3 FY22 Solicitation  
Deadlines
- 4 PC: Debarment or  
Suspension: The Last  
Straw
- 5 SCC: Welcome to the  
Future: Electric  
Vehicles and Electric  
Vehicle Charging  
Stations
- 6 UCI Closures
- 7 Spotlight—Krysta

In procurement, when we discuss taking a project on “from cradle to grave,” we mean we are along for the ride from the development and posting of the solicitation, through contract negotiations, and into contract management. Establishing a good relationship with your vendor through every phase of this process is essential. Here are some best practices to support a positive vendor relationship.

**Set clear expectations** – Laying out the process in a clear, simple way will result in better vendor participation and continued engagement. Solicitations should be clear and concise, aligning with industry standards when possible. Avoid including unnecessary information or five-dollar words. As you’re entering into an agreement, make sure the vendor is clear on all contractual expectations. Don’t assume you’re on the same page as a vendor. It is never a bad idea to double-check that all parties are in alignment on expectations, including delivery and payment terms, required reporting, and metrics.

**Document** –When important conversations with vendors are had, whether in person or over the phone, email the minutes to the vendor to ensure you are aligned on the takeaway's from the discussion.

## JUST THE FAQs

### NASPO - Office Supplies Portfolio

By: Cat Turner, Contract Analyst

**Q:** Is there a minimum order requirement?

**A:** Not on the current contracts, but please consider grouping orders to minimize the environmental footprint. Grouping orders generally results in fewer deliveries and less packing materials being used.

**Q:** What is the difference between the NASPO Office Supplies portfolio and other office supplies contracts such as MA3275 – Office Depot or MA3276 – Staples Contract and Commercial LLC?

**A:** The NASPO office supplies contracts are based on a percentage discount and the other contracts are based on a market fluctuating price structure.

**Q:** Can I make purchases in store or pick up in store?

**A:** It depends. MA142 – Office Depot allows you to buy directly in store (at this time but the company is going some internal changes so that may change) where MA1596 - Staples you can order online and pickup in store. Please contact each contract's vendor point of contact for more information and to set up your account to be able to do this.

*Continued from page 1*

**Check in often** – Don't assume that no news is good news. It's a good idea to schedule regular check-ins once a contract is in place. Maintaining contact with the vendors provides an open line to resolve new questions, address concerns before they become issues, and ensure that any changes to roles and responsibilities are known. They also can serve as a great regularly scheduled reminder for you to benchmark the contract pricing next to other industry prices and make sure you're still getting the best possible deal under the contract.



## FY22 Solicitation Deadlines

*Tara Eutsler, Contract Analyst*

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.
- 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](mailto:teutsler@utah.gov), 801-538-3386.



**FISCAL**  
*year end*  
**DEADLINES**



## Debarment or Suspension: The Last Straw

*Rick Straw, Contract Analyst*

There may come a time when a vendor acts so egregiously that you have to take the very rare step to debar or suspend them. This is not something that should be undertaken lightly. In fact, you should probably do everything that you can do to prevent this from happening. However, if you do find yourself in this situation this article will help you down that path.

Before you move to debar or suspend a vendor, you are required to consult with your attorney, or, if your procurement unit is in the executive branch, your attorney general. If you are advised to proceed you must hold an informal hearing with the vendor, and give them at least 10 days prior written notice of the hearing and the reasons for suspension or debarment.

What are you going to do in that hearing? Maybe more importantly what can you do in that hearing? First of all, you **MUST** record the hearing and preserve all the records and evidence. Outside of that “must” they are few things that you may do if you so choose. You can subpoena witnesses and compel their attendance at the hearing, you can subpoena documents, you can also obtain testimony from experts who may help in making the decision. Note: The Rules of Evidence do not apply to the informal hearing.

If the matter isn’t settled by mutual agreement following the hearing, the procurement official must promptly issue a written decision and immediately furnish a copy to the vendor. That decision must

contain the reasons for debarment or suspension and inform the vendor that they have the right to judicial review. Debarment is limited to a period up to three years and a suspension is allowed if there is cause to believe that the person has engaged in any activity that might lead to debarment.

What are the reasons that a vendor may be debarred or suspended for? There are a variety, and you should refer to the code for a comprehensive list. However, below is a general list to keep in mind:

- Conviction under a variety of federal or state statutes.
- Failure without good cause to perform in accordance with the terms of the contract.
- A violation of the Procurement Code.
- Any other compelling reason that affects responsibility as to be determined by the procurement official, including debarment in another state.

Finally, debarment and suspension are two of most serious penalties allowed by the Procurement Code. You should only ever take these steps after serious discussions with your attorney or attorney general. Both penalties have serious ramifications for the vendor and could result in lengthy legal proceedings.



# Welcome to the Future: Electric Vehicles and Electric Vehicle Charging Stations

*Nicholas Hughes, Assistant Director*

New discoveries have always shaped the direction of society. From fire to the wheel, society has advanced exponentially with the utilization of such inventions. As electric vehicles begin to overtake the standard combustible engine, the need for Electric Vehicle Charging Stations will soon drive gas stations into extinction. Additionally, as gas prices are skyrocketing into post-apocalyptic numbers, more entities will be researching how they may not only incorporate electric vehicles into their fleet, but charging stations as well. Driving innovation, the Division of Purchasing took the initiative to conduct a solicitation for electric vehicle charging stations. The contracts are active and listed below:

1. AR2839 Electric Highway Company (Innogy EVSE Solutions);
2. AR2840 LilyPad EV LLC (ChargePoint EVSE Solutions);
3. AR2841 National Car Charging (ChargePoint EVSE Solutions);
4. AR2842 Verdek LLC (ChargePoint EVSE Solutions); and
5. AR2843 Video Voice Data Communications (ChargePoint EVSE Solutions)

The current infrastructure to support electric vehicles across the State and Wasatch front is growing tremendously, entities are working together now more than ever to find solutions that are sustainable over time and that leave a better place for our children. All it takes is a stroll in the Salt Lake Valley in January to realize the roll we play in our air and environment. The inversion destroys the air we breathe and the beautiful views of our mountains. Winter isn't the only season that puts our region and air on full display. Summer always gets its turn. In fact, on August 6, 2021, the World Air Quality Ranking System placed Salt Lake City (see KUER link below) as the worst air in the world (note: a lot of this was due to some summer fires that were settling in our valley).

Several Western States have adopted a zero-emission vehicle policy for their State Fleets, this is done through legislation and usually has a target date sometime around 2035 (allowing time for infrastructure and vehicle development). Utah is not one of these states, however, it does not correlate that we Utahns simply don't care about the environment. I might posit that we care a little more and are trying to learn as much as we can about the environment, our people, our region, and State, before a full zero emission bill gets approved. The Division of Fleet is going above and beyond in their research and work to make Utah air more breathable. Fleet Director, Cory Weeks, has recently partnered with several other Western States to obtain as much information as possible from Electric Vehicle manufacturers on what Utah can do to encourage these manufacturers to come to Utah. This information will be used to assist other several states in their quest for better air.

If you, your entity, or other organizations you know are interested in electric vehicles or electric vehicle charging stations and would like to gather more information, please don't hesitate to reach out.

Lastly, if you are in the market and are interested right now in an electric vehicle, several of the current statewide vehicle contract holders do offer a wide arrange of electric vehicles. Feel free to search our site at <https://statecontracts.utah.gov/Home/Search>, reach out to the dealers on contract directly, or shoot me an email at [nhughes@utah.gov](mailto:nhughes@utah.gov) and I will be happy to assist.

References:

<https://www.kuer.org/health-science-environment/2021-08-06/utah-had-the-worst-air-in-the-world-today-heres-what-you-need-to-know-to-be-safe>

## Utah Correctional Industries Closures

Michael Glenn, Assistant Director

The Utah State Prison is moving to the new facility in Salt Lake City. While most UCI shops will remain open during the move, other UCI shops temporarily be closed to accommodate the move. The closing dates are subject to change, so procurement units should not assume a shop is closed based on the chart below. State Agencies must request written exemption to purchase from another

source, even if the shop appears to be closed. (see 63G-6a -804(4)).

UCI will update closing and opening dates as the dates are finalized. As most UCI shops will remain open during the move, reach out to customer service with any questions about order status.

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	



Would you like to be notified of job openings for public procurement positions in the State of Utah? Join the Procurement Education Partnership group and you will. Send an email to [achristensen2@utah.gov](mailto:achristensen2@utah.gov) and request to be added to the PEP group.

Are you a Utah public entity that wants to reach over 250 procurement professionals with a job posting? Send an email to [achristensen2@utah.gov](mailto:achristensen2@utah.gov) with the posting link URL. You can include a logo or additional information for the body of the email.

## Spotlight Article



**Krysta Countryman**

Hello, my name is Krysta Countryman. I have been with the Division of Purchasing for just over two years as a State Contract Analyst. I came to the Division of Purchasing with experience of working at a water conservancy district in Northern Utah. I have received my undergrad degree from Weber State University and my Masters of Business Administration from Western Governors University. My core

responsibilities at the division are managing the Limited Purchasing Delegation Program and performing the compliance reviews on State-wide Cooperative Contracts. Like most Utahns I enjoy spending my free time outdoors. I am always looking for more activities to add to the list, however, my absolute favorite activities are camping, boating, surfing, RZR riding, and snowmobiling with my husband, two children, and puppy.

### Q and A

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

**A:** Hands down, Lake Powell. I have been around 100+ times and look forward to going many more.

**Q:** What is your biggest fear?

**A:** There are two things that I am equally scared of; all reptiles and sharks. On my honeymoon in Cancun, my husband made me face my fears and swim with sharks. I am here to tell you that facing this fear did not change my opinion on sharks!

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

**A:** With all of her life experiences to learn from and her joyful view on life, I would love to have dinner with Betty White.

## TRAINING

### REVERSE TRADE SHOW

**DATE:** 19 May 2022

**TIME:** 8:00 AM —3:00 PM

**TOPIC:** Reverse Trade Show

### PEP SEMINAR

**DATE:** 23 June 2022

**TIME:** 8:00 AM —4:00 PM

**TOPIC:** Supply Chain Management

**PLACE:** TSOB Meeting Room

### 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](mailto:jessikahuhnke@utah.gov)

Utah Division of Purchasing & General Services

4315 S. 2700 W. FL. 3

Taylorsville, Utah 84129

801-957-7160

[Purchasing.utah.gov](http://Purchasing.utah.gov)

Hours: 8:00 am—5:00 pm M-F

