



2016 Survey of State Procurement Practices

NASPO State Directors,

We need your state's input for NASPO's biennial Survey of State Procurement Practices! **Please send your survey responses by August 31, 2016.**

This important survey has been reduced by two-thirds, a significant improvement over previous years' editions in length and efficiency. We estimate that it may take you between 20-30 minutes to complete the survey. You do not have to complete it all at once.

Please take a moment to review the survey instructions below prior to beginning the survey. If you delegate the survey completion to a staff member, we recommend the CPO take responsibility for the final confirmation and submitting your state's final answers by clicking the "SUBMIT" button at the end of the survey.

Thank you for your participation!

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Submitting Your Answers

You may print a PDF of the survey questions and review them prior to filling in your answers. You may download the PDF file by clicking [HERE](#).

The survey link you have been provided is uniquely tied to your email address. You will be able to start and resume the survey at any time **AS LONG AS YOU USE THE SAME SURVEY LINK/URL TO ACCESS THE SURVEY.**

DO NOT HIT THE "SUBMIT" BUTTON until you have completed the survey and are ready to submit your answers to NASPO staff.

You can review your responses before submitting the survey by clicking [HERE](#)

Please direct any questions related to the survey to Jordan Henson, Research Coordinator, at jhenson@naspo.org


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The **“SAVE”** button saves your responses through the last page you’ve completed. If you have responded to the questions on a particular page and wish to leave the survey and return later, **YOU MUST HIT THE “SAVE” BUTTON TO SAVE YOUR ANSWERS ON THAT PARTICULAR PAGE.** The **“NEXT”** button also saves responses on a particular page, and advances to the next page. Hit the **“NEXT”** button only after you filled in all responses on a particular page.

Please **BOOKMARK THE SURVEY PAGE**, for your convenience and save the email that includes your unique survey link to make sure you use the same URL to return to your saved answers in case you don’t complete the survey at one sitting.

You can review your responses before submitting the survey by clicking the review link located at the bottom of the survey page. Words with this **tooltip symbol**  will display an explanation or a definition when you hover your mouse over that particular word or term.

Should you need to enlist a staff member to assist you with completing certain sections of the survey, you can do so by sharing your unique survey link tied with your email address. Please note the following:

1. Do not click the **“SUBMIT”** button until you and your designee answered all questions.
2. Only one person can use your state’s link and provide answers at one time, in order to prevent you from overwriting each other’s answers.
3. Best practice may be to ensure the CPO takes responsibility for the final confirmation and submits final answers by clicking the **“SUBMIT”** button at the end of the survey.

Please direct any questions related to the survey to Jordan Henson, Research Coordinator, at jhenson@naspo.org

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SECTION 1: STATE PROCUREMENT LAWS, REGULATIONS, AND POLICIES

Please indicate the website(s) or other area(s) where copies of your state procurement laws, regulations, and policies may be found. (To be included as Appendix I within the Survey Report).

Has your state adopted the 2000 American Bar Association Model Procurement Code for State and Local Governments?

- No
- Partially
- Complete adoption

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SECTION 2: PROCUREMENT AUTHORITY

For the purposes of this section, the responsibilities of a state central procurement office include the following per the 2015 NASPO *State and Local Government Procurement: A Practical Guide*:

- Comprehensive procurement law covering all state agencies and types of procurement, with centralized management and oversight placed in the hands of the Chief Procurement Officer (CPO)
- CPO leadership and management in decision-making, policy generation and implementation and procurement authority statewide.

Additionally, according to the NIGP Dictionary of Procurement Terms, *Centralized Purchasing* means an organizational structure where all of the rights, powers, duties, and authority relating to purchasing are vested in the Chief Procurement Officer (CPO). While the CPO may often delegate some of these powers to others, the final authority nevertheless resides with the CPO.

Does your state have a central procurement office with statutory purchasing authority across all areas of procurement within the state?

- Yes
- No

Please provide the website URL to your statewide contracts.

What entity in your state has statutory authority and oversight for the purchasing of **non-technology goods**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

What entity in your state has statutory authority and oversight for the purchasing of **non-technology services**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

What entity in your state has statutory authority and oversight for the purchasing of **technology goods**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

What entity in your state has statutory authority and oversight for the purchasing of **technology services**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

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What entity in your state has statutory authority and oversight for the purchasing of **higher education purchasing**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

What entity in your state has statutory authority and oversight for the purchasing of **building construction**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

What entity in your state has statutory authority and oversight for **highway construction purchasing**?

- State Central Procurement Office
- Another Agency
- Total Delegation to Agencies
- Other, please specify _____

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Are the following state entities exempt from central procurement oversight? (Check all that apply.)

- Judicial Branch/Courts
- Legislative Branch
- Universities
- Transportation
- List any other exempted state entities _____

If your state has direct or implied authority for cooperative purchasing, please indicate the section of your statute which provides that authority and if available, a website URL.

Please indicate if your state has authority to do cooperative purchasing with any of the following? (Check all that apply.)

- Local governments within the state
- Other local governments outside the state
- Public schools
- Other state governments
- The federal government
- Other countries
- Not-for-profit organizations
- None of the above

Does your state purchase from any purchasing organizations listed below? (Select all that apply.)

- NASPO ValuePoint (formerly WSCA-NASPO Cooperative Organization)
- GSA
- MMCAP
- NJPA
- U.S. Communities
- Other, please specify _____

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SECTION 3: PROCUREMENT DELEGATION

Does your central procurement organization have authority under statute or regulation to delegate  portions of its authority to other state agencies?

- Yes
- No

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Up to what maximum dollar level is delegation allowed?

Commodities	_____
Personal Services	_____
Human Services	_____
IT Equipment	_____
Technology Services	_____

Consulting Services	_____
Travel Services	_____
Building Construction	_____
Building Leases	_____
Highway Construction	_____

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If the following individuals in the State Central Procurement Office are authorized to execute contracts, please indicate the dollar threshold, or indicate if it is unlimited. If "Other", please specify the job title and dollar threshold.

Buyers/Purchasing Officers	_____
Central Procurement Purchasing Manager	_____
Chief Procurement Officer	_____
Other	_____

Does your State Central Procurement Office provide the following services to state agencies?

- Purchase from state contracts
- Electronic access to state contracts
- Staff expertise upon request
- Conducting procurement on their behalf
- Training
- Certification
- Other, please specify _____

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SECTION 4: CHIEF PROCUREMENT OFFICER

For the purposes of this section, major responsibilities of the central procurement office and final authority residing with the Chief Procurement Officer include:

- Developing rules, policies, and procedures prescribing the manner in which goods and services may be procured
- Establishing state-wide contracts to leverage enterprise spend
- Establishing agency-specific contracts
- Performing contract oversight, contract administration, contract management, and contract compliance
- Resolving contract disputes
- Centralized procurement training for procurement staff and agencies
- Supplier relationships and training
- Vendor registration

Does your state have a single Chief Procurement Officer (CPO) ?

- Yes
- No

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How many CPOs does your state have? Please indicate if their titles, roles and authority are established in statute.

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What is the title of the single CPO?

Is the title, role, and authority residing with the CPO established in statute?

- Yes
- No
- Other, please specify _____

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Does the CPO develop rules, policies, and procedures prescribing the manner in which goods and services may be procured?

- Yes
- No

You can review your responses before submitting the survey by clicking [HERE](#)

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If the CPO does NOT develop rules, policies, and procedures prescribing the manner in which goods and services may be procured, who does?

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Does the CPO report directly to the Governor?

- Yes
- No

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Please indicate who the CPO reports to, and who the CPO's boss reports to: (i.e. the Governor, another official in the Governor's cabinet, the Secretary of Administration, another executive, etc.)

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What year did you (or the current individual holding the CPO position) become the official heading the state central procurement office?

Please select the current CPO's position classification as the official heading the state central procurement office.

- Civil Service/Covered
- Non-covered/Will and pleasure (Not by Appointment)
- Appointed by Governor
- Appointed by other entity
- Other, please specify

Who oversees your state's procurement function (i.e., the Governor and/or an oversight board)?

If your procurement function is overseen by a board, what oversight functions do they provide (i.e., a contracts review board or a procurement policy council)?

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How many procurement staff members make up your state central procurement office? (Please enter a numeric value.)

In the past two (2) years, has your central procurement office staff size:

- Increased
- Decreased
- Stayed the same

In the past two (2) years, have your central procurement office's procurement responsibilities:

- Increased
- Decreased
- Stayed the same

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SECTION 5: STATE PURCHASING OFFICE FEES

Please specify the percentage of your State Central Procurement Office funding for each applicable category:

State Appropriations	_____
Self-funding or Administrative Fees	_____
Other Funding Sources	_____

If the state central procurement office charges fees for procurement-related services provided to any of the entities listed below, please describe the fees and how they are charged.

State Agencies	_____
Political Subdivisions	_____
Vendors	_____

Does your State Central Procurement Office have authority to charge administrative fees for statewide contracts?

- Yes
- No

You can review your responses before submitting the survey by clicking [HERE](#)

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SECTION 6: VENDORS' LIST PRACTICES

Please indicate if your state charges a vendor registration fee and the frequency of the fee.

One-time	Annual	Biennial	Other	We do not charge a vendor registration fee	We charge an administration fee based on contract award	Please indicate the amount your state charges for vendor registration:
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	_____

If applicable, what is the website URL for vendor registration for your state?

URL _____

Is the list of suspended or debarred vendors posted on a website?

- Yes
- No

You can review your responses before submitting the survey by clicking [HERE](#)

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Please provide the URL for the website where the list of suspended or debarred vendors is posted.

URL _____

Does your state's vendor list identify the following socio-economic business categories according to any of your state's applicable definitions? Please check all that apply.

- Women-owned business enterprise
- Minority-owned business enterprise
- Small business enterprise
- Disabled-owned business enterprise
- Sheltered workshop
- Veteran-owned business enterprise
- Service-disabled veteran owned business
- Correctional industries
- Historically Under-utilized Business (HUB) Zone
- Other, please specify _____

You can review your responses before submitting the survey by clicking [HERE](#)

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SECTION 7: PREFERENCE POLICIES

Please indicate if your state has the following preferences and set-asides affecting procurement. (Check all that apply)

- Tie-bid preference for in-state bidders
- Reciprocal preference
- Specific commodity-based preference (includes procurement of environmentally-preferred products)
- Specific service-based preference
- Women-owned business enterprise
- Minority-owned business enterprise
- Small business enterprise
- Disabled-owned business enterprise
- Sheltered workshop
- Veteran-owned business enterprise
- Service-disabled veteran owned business
- Correctional industries
- Historically Under-utilized Business (HUB) Zone
- "Buy American"
- Preference for products grown or produced in the state
- Other, please specify _____

Please provide a citation for each type of preference and the percentage applied (or make note if no specific percentage is required).

If your state uses any of the procurement preferences listed above, are they mandatory, discretionary, or a combination?

- Mandatory
- Discretionary
- Combination

Is the small business certification performed?

- By the state
- Self-certification
- By another entity (i.e., Federal Government)

How does your state define small businesses? (For example, does your state's definition include restrictions on number of employees, or revenue, or considerations regarding the location of the company's headquarters/operations?) Please include a citation and a URL where available.

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SECTION 8: SOLICITATION PRACTICES

Does your state conduct best value procurement?

- Yes
- No

You can review your responses before submitting the survey by clicking [HERE](#)

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Please cite and list website URL for your statutory authority to conduct best value procurement.

Is there a statute, rule or regulation, or operating procedure for determining **bidder responsibility**?

Yes

No

If "yes", please cite and list website URL where publicly available

Is there a statute, rule or regulation, or operating procedure for determining **bid responsiveness**?

Yes

No

If "yes", please cite and list website URL where publicly available

Does the State Central Procurement Office have authority to conduct noncompetitive procurements?

Yes

No

You can review your responses before submitting the survey by clicking [HERE](#)

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What are the criteria to allow noncompetitive procurements?

What is your state's dollar threshold(s) for informal procurement?

What is your state's dollar threshold for formal competitive procurement?

Does the State Central Procurement Office have authority to conduct multi-step competitive sealed bidding [?](#)?

- Yes
- No

If the State Central Procurement Office has authority to conduct reverse auctions, what is your state's experience using reverse auctions? (Choose the option that best applies)

- None conducted and no future auctions planned
- None conducted, but have future auctions planned
- Have conducted a few, but have no future auctions planned
- Have conducted a few and have future auctions planned

If applicable, indicate the duration for which bids or proposals are confidential:

	Until Intent to Award Letter	Until Contract Award/Extension	Forever	Until Opened	Other (specify time limits)
Bids	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	_____
Proposals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	_____

You can review your responses before submitting the survey by clicking [HERE](#)

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SECTION 9: CONTRACTING PROCEDURES

Definition: For purposes of these questions, contract “execution” refers to whatever process your state/State Central Procurement Office uses to enter into a binding contractual relationship, e.g. use of an award that operates as an acceptance of a bid or offer, issuance of a purchase order to accept a bid or offer, or bilateral execution of a contract document after an award decision is made.

For those contracts developed by the State Central Procurement Office, is there a review, approval or pre-audit step (by someone outside the State Central Procurement Office) that precedes public announcement of the contract award?

- Yes
- No
- Sometimes

You can review your responses before submitting the survey by clicking [HERE](#)

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Please identify the agency that reviews, approves, or pre-audits prior to public announcement of the contract award.

On average, what is your state's standard contract length for all contracts?

- 1 year
- 2 years
- 3 years
- 4 years
- 5 years
- Other, please specify. Please also indicate if statewide contracts have a different contract length. _____

What is your state's maximum duration for all contracts?

- 1 year
- 2 years
- 3 years
- 4 years
- 5 years
- 6 years
- Other, please specify if the maximum duration is established in statute or not and if it is different for statewide contracts.

Does the State Central Procurement Office provide contract management training to state agencies?

- Yes
- No

Does your state have a materials inspection manual, contract management manual, or similar set of guidelines?

- | | | |
|-----------------------|-----------------------|---|
| Yes | No | If "yes", please provide a website URL for these manuals or guidelines: |
| <input type="radio"/> | <input type="radio"/> | _____ |

Does the State Central Procurement Office maintain a record of and track vendor performance?

- Yes
- No

You can review your responses before submitting the survey by clicking [HERE](#)

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SECTION 10: ELECTRONIC PROCUREMENT SYSTEMS

Does your state use an eProcurement or ERP system?

- Yes
- No

You can review your responses before submitting the survey by clicking [HERE](#)

Please direct any questions related to the survey to Jordan Henson, Research Coordinator, at jhenson@naspo.org

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Please list the name and provider of the eProcurement/ERP System, or specify if your state uses an in-house solution.

How is the eProcurement system funded?

- State appropriations
- User/agency
- Vendor fees
- Contract rebates
- Public-private partnerships
- Other, please specify _____

If applicable, what commodity code system does your state use?

- NIGP
- NAICS
- UNSPSC
- Other, please specify _____

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SECTION 11: PROTESTS AND CLAIMS

Does your statute, rule, or regulation authorize vendors to protest procurement decisions?

Yes

No

If "yes", please provide a citation for the statute, rule, or regulation and a website URL where available.

Does your statute, rule, or regulation authorize vendors to appeal a decision resulting from a protest?

Yes

No

If "yes", please provide a citation for the statute, rule, or regulation and a website URL where available.

Does your statute, rule, or regulation authorize a vendor to file a lawsuit concerning a procurement decision?

Yes

No

If "yes", please provide a citation for the statute, rule, or regulation and a website URL where available.

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Does your state require a protest bond for formal competition?

Yes

No

If "yes", please provide a citation for the statute, rule, or regulation and a website URL where available. Please note if there is a threshold over which a protest bond is required.

Does your statute, rule, or regulation provide an administrative procedure for a contractor to file a contract claim?

Yes

No

If "yes", please provide a citation for the statute, rule, or regulation and a website URL where available.

Does your statute, rule, or regulation authorize vendors to appeal a decision on a contract claim?

Yes

No

If "yes", please provide a citation for the statute, rule, or regulation and a website URL where available.

You can review your responses before submitting the survey by clicking [HERE](#)

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If there are documents you would like to share in support of your responses, such as copies of statutes or laws, please upload them here before reviewing your answers and pressing submit.

Choose File

You can review your responses before submitting the survey by clicking [HERE](#)

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