



2022 Survey of State Procurement Practices

Greetings Welcome to the 2022 Survey of State Procurement Practices, NASPO's most comprehensive data collection!

This survey has 60 questions organized into 12 Sections and may take up to 1.5 hours to complete. We encourage you to bring in deputies, counsels, and other procurement officers to assist in the completion of this survey as necessary. Your responses will be saved so that you may exit the survey and return as needed using your state's unique link in your invitation email. By clicking the "Save and Continue" button at the bottom of each page, the survey will save your completed responses and move on to the next page. Once you have reached the end of the survey, you will see a message of appreciation and instructions to click the final blue submission button to submit your survey.

The answers you provide will play a vital role in the research, professional development tools, and informative products that NASPO will provide in the next two years. The results of this survey, including an executive summary and the full results, will be published publicly on the NASPO website. We appreciate your time and input!

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SECTION 1: STATE PROCUREMENT LAWS, REGULATIONS, AND POLICIES

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

- No
 - Partial Adoption
 - Complete Adoption
 - Unsure
-

2 Which version of the ABA Model Procurement Code has your office adopted?

- 1979
 - 2000
 - 2007 Infrastructure
-

3 Please provide a link to the statutes or webpage listing your state's bid preferences. (e.g. preference for in-state/local bidders, sustainable or locally produced/manufactured commodities, small or diverse/disadvantaged businesses.)

4 Has your state implemented any of the following **green purchasing programs or initiatives**?
(Select all that apply.)

- Statewide contracts offering green products and services
 - Green purchasing policy or program
 - Executive Order mandating green purchasing/sustainability initiatives and goals
 - Set-asides or price preferences for green products and services
 - Other (please describe your green purchasing program or initiative)

 - None of the above
-

5 Has your state implemented a supplier diversity initiative?

- Yes (please describe) _____
- No

SECTION 2: PROCUREMENT AUTHORITY

For the purposes of this section, the responsibilities of a state central procurement office include the following per the 2019 *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.
-

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

Yes

No

7 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 _____

8 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 _____

9 Which construction project delivery methods are authorized by your state law when awarding contracts for construction, or renovation of state infrastructure (e.g., buildings, bridges, highways)? (Select all that apply.)

- Design-Bid-Build
 - Design-Build
 - Construction Manager at Risk
 - Job Order Cost
 - Design-Build-Operate-Maintain
 - Design-Build-Finance
 - Public-Private-Partnerships
 - Integrated Project Delivery
 - Other, please specify _____
-

10 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 _____
-

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

- Judicial Branch/Courts
 - Legislative Branch
 - Universities
 - Transportation
 - Other exempted state entities
-

SECTION 3: PROCUREMENT DELEGATION

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

- Yes
 - No
-

13 What is the maximum delegated dollar amount allowed to authorized entities for each of the following categories of purchasing?

Commodities _____

Personal Services _____

Human Services _____

IT Equipment _____

Technology Services

Consulting Services _____

Travel Services _____

Building Construction

Building Leases _____

Highway Construction



14 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/Deputies

Chief Procurement Officer

Other _____

SECTION 4: TRAINING AND CERTIFICATION

15 Does your State Central Procurement Office provide procurement training to state agencies?

Yes

No

16 Please provide a link to information about your training program.

17 Does your State Central Procurement Office operate a procurement certification program for state agency procurement staff?

Yes

No

18 Please provide a link to information about your certification program.

SECTION 5: 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

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

Yes

No

20 If "no," how many CPOs does your state have?

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

- Yes
- No
- Other, please specify _____

22 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 _____

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

24 If available, please provide a link to an organization chart for your office, department, or division. (If you would like to upload an organization chart file, you may do so in the provided space at the end of the survey.)

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

SECTION 6: STATE PURCHASING OFFICE FEES

26 Please specify the percentage of your State Central Procurement Office funding originating from each applicable category:

State Appropriations

Self-funding or Administrative Fees

Other Funding Sources

27 For each of the entities below, as applicable, please describe any fees charged for procurement-related services provided by the Central Procurement Office and how they are charged.

State Agencies _____

Political Subdivisions

Suppliers _____

28 Does your State Central Procurement Office charge administrative fees for use of statewide contracts?

Yes

No

29 For which types of contracts does your office charge administrative fees for use? (Select all that apply)

Statewide

National Cooperative

Other (Please describe)

30 If your State Central Procurement Office charges administrative fees for statewide contracts, please indicate the amount and frequency.

SECTION 7: COOPERATIVE CONTRACTING

31 Please provide the website URL to your statewide contracts.

32 Does your state allow for Not-for-Profit organizations to utilize your statewide contracts?

Yes

No

33 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.

34 Please indicate if your state has authority to conduct cooperative purchasing with any of the following: (Select 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
-

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

- NASPO ValuePoint
 - GSA
 - MMCAP
 - Sourcewell
 - OMNIA
 - Other, please specify
-

36 Please indicate which of the following proposal evaluation methods would prevent you from participating in a NASPO ValuePoint portfolio if used to award a master agreement in a multiple award scenario. (Select all that apply.)

- Natural break
- Pre-determined minimum point threshold
- Pre-determined number of awardees
- Preferences for disadvantaged businesses
- Preferences for local businesses
- Multiple-stage RFP process
- Award by region
- Award by category
- Reverse auction
- Less than 30% of points in any evaluation stage allocated to cost
- Other (Please specify):

SECTION 8: SUPPLIER PRACTICES

37 Does your state charge a supplier registration fee?

- Yes
- No

38 If "yes," please indicate the amount of the fee and the frequency that it is charged.

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

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

Yes

No

41 If "yes," please provide the URL for the website where the list of suspended or debarred suppliers is posted.

SECTION 9: SOLICITATION PRACTICES

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

Yes

No

43 Please cite or link to the rule, statute, or regulation describing the criteria to allow noncompetitive procurements?

Notice:

For the following questions concerning procurement thresholds, "formal competition" requires that all suppliers who are able to supply the commodity, service, or construction that the procurement seeks must be invited to participate in the competitive procurement. Most often, the law applicable to the public entity sets a maximum expected dollar amount below which a contract may be exempt from formal competition. If the expected contract price or cost of the procurement meets or exceeds that dollar amount specified in the law, full—or formal—competition is required. An invitation to participate, or solicitation, must be readily and publicly available.

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

45 What is your state's dollar threshold(s) for informal/non-competitive procurement or small purchase procedures? (Excluding state-defined sole-source and emergency procurements)

SECTION 10: 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.

46 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 (please specify) _____

No

Sometimes (please specify) _____

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

48 Does your state’s central procurement office have authority to conduct audits of purchases made at the state/agency/division level (not including procurement audits conducted outside of the central procurement office, i.e., by the auditor general's office)?

Yes (please specify) _____

No

49 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. _____
-

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

51 If the maximum contract duration is established in statute, rule, or regulation, please provide a link or citation to the statute.

52 If your state has a contract management manual and/or a contract administration manual, please provide a website URL.

53 Does your State Central Procurement Office maintain a record of supplier performance?

- Yes
 - No _____
-

54 What metrics for supplier performance does the State Central Procurement Office record?
(Select all that apply)

- Meeting delivery schedules
 - Quality of goods/services
 - Customer service
 - Other, please specify
-

SECTION 11: ELECTRONIC PROCUREMENT SYSTEMS

55 Does your state use an eProcurement or ERP system?

- Yes
 - No
-

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

57 How is the eProcurement system funded? (Select all that apply.)

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

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

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

SECTION 12: PROTESTS AND CLAIMS

59 Does your statute, rule, or regulation authorize a supplier to file a lawsuit, at the conclusion of a protest and appeal process, concerning a procurement decision? If "yes," please provide a citation for the statute, rule, or regulation and a website URL where available.

- Yes _____
- No

60 Does your state require a protest bond for formal competition? If "yes," please provide a citation for the statute, rule, or regulation and a website URL where available.

Yes _____

No

APPENDIX:

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. You may choose to upload all files using a "zip file." Alternatively, you may upload files one at a time in the questions that follow.

Appendix - Please upload additional documents here, such as organizational charts or copies of statutes or laws.
