

## Statewide Term Contract Town Hall

**On March 13, 2023, from 10:00 AM to 11:00 AM**, our own Michael Speakmon will host a Statewide Term Contract (STC) Town Hall virtual event. **ANYONE CAN** attend and ask questions related to our STCs. Michael will do his best to answer your questions.

This is not intended just for procurement folks. In fact, we aim to speak to as many of our STC end-users we can reach. So spread the word! We want to get to the nitty gritty so we can address any questions or issues they have regarding the use of our STCs.

This is also a great way to share any ideas you have for a new STC and allow us to ask questions related to your ideas.

**Click on this link** to register for the MS Teams meeting. Once you have registered you will be sent a link to the meeting and the invite can be placed on your calendar.

If the event is successful, it is our intent to make ourselves available once a month to have the opportunity to answer any questions you may have. We look forward to seeing you on March 13<sup>th</sup>!





## **NASPO Lab Equipment and Supplies Contracts Extended Past March 31, 2023**

NASPO extended the contracts for laboratory supplies and equipment, a very popular contract with South Carolina entities at all levels of government. We'll create new agreements with new contract numbers for this extension. We're working on that now. Once the new contracts are created, we'll post that information in DisPatches and on the contract sheets at our website. We will use the new contracts until NASPO awards the new Master Agreements later this year.

## **NASPO AED Contracts Extended**

NASPO extended the contracts for AED and related supplies and equipment through October 4, 2023 to give them additional time to evaluate offers. We've extended our contracts to match and will monitor the new Master Agreements when they're awarded.

## **Proper Use of the STCs for Furniture**

The Statewide Term Contract for Furniture has been in place since December 2019. We've recently noticed on some quotes shared with us that some dealers are including charges prohibited by the contract. By way of a reminder, here are some handy tips:

1. The discount off manufacturer list price is for furniture that is delivered inside and ready for use.
2. Installation charges can only be charged for products requiring custom or complex fitting due to the nature of the product (such as panel/cubicle configurations or high-density filing systems). Attaching a return to a desk or assembling a table or chair does not meet the "custom or complex" requirement for installation charges.
3. If installation charges are appropriate and permissible, the installation services should be products requiring custom or complex fitting due to the nature of the product (such as panel or filing systems) shall be quoted, ordered, and billed separately. Installation Services, if needed, will be limited to a maximum of 20% of the total purchase order.
4. No surcharges of any type are to be assessed by furniture dealers or manufacturers. Examples include delivery charges, fuel surcharges, etc.
5. Design Services can be charged but must be explicitly quoted to the UGU prior to beginning work. Acceptance and approval of Design Services is at the sole discretion of the Using Governmental Unit.

As always, please contact DeAna Reed-Sharpe at [drsharpe@mmo.sc.gov](mailto:drsharpe@mmo.sc.gov) or 803-896-6389 with any questions or concerns regarding this contract.

## **Market Research and Agency Input Requests for NEW State Term Contracts (STC)**

*The Office of State Procurement (OSP) seeks input on the following recommendations for new State Term Contracts (STCs). If you have any information to share, please contact the appropriate procurement manager. Our goal is to put contracts in place that will meet your needs, but we need your input to ensure success.*

**ServiceNow** -- We anticipate publishing this solicitation in March 2023 with an anticipated award date of June 2023. If you have any questions or concerns, please contact Randy Barr, Sr. at [rbarr@mmo.sc.gov](mailto:rbarr@mmo.sc.gov). If you're a current user of Service Now, we'd love to hear from you ASAP. We want to ensure the new state term contract will effectively meet your needs.

**Sophos** -- We plan on publishing this solicitation in March 2023 with an anticipated award date of May 2023. If you have any questions or concerns, please contact Alicia Pearson at [apearson@mmo.sc.gov](mailto:apearson@mmo.sc.gov). If you're a current user of Sophos, we'd love to hear from you to ensure the new state term contract also will meet your needs.

**Proofpoint** -- We anticipate publishing this solicitation in April 2023 with an expected award date of June/July 2023. If you have any questions or concerns, please contact Randy Barr, Sr. at [rbarr@mmo.sc.gov](mailto:rbarr@mmo.sc.gov). As with ServiceNow and Sophos, if you're a current user, drop us a line so we can tailor this to meet your needs!

## Market Research and Agency Input Requests for existing State Term Contracts

**Cyber Liability Insurance (Expires 12/16/2023)** – Michael Speakmon ([mspeakmon@mmo.sc.gov](mailto:mspeakmon@mmo.sc.gov)) is conducting research into the next iteration of this contract and is looking for any input that you may have.

**Shredders (Expires 2/4/2024)** – Portia Davis ([pdavis@mmo.sc.gov](mailto:pdavis@mmo.sc.gov)) is beginning her research into this contract and is looking for any input you may have based on your experience with the contract.

## State Term Contracts that will NOT be renewed or resolicited

The following current STCs will not be resolicited:

**Polyester Blue Tarps (Expires 3/4/2023)** – These items may be purchased under the existing MRO contracts after contract expiration.

## Currently Published Solicitations

**Job Order Contracting (JOC) Administrator (5400024253)** – Portia Davis ([pdavis@mmo.sc.gov](mailto:pdavis@mmo.sc.gov)) has extended the award date Until February 27, 2023 to allow additional time to complete offer evaluations.

**Science Education Supplies (5400024380)** – Portia Davis ([pdavis@mmo.sc.gov](mailto:pdavis@mmo.sc.gov)) published Amendment #1 on February 8, 2023 with no change to the bid opening date (February 24, 2023).

**Grounds Maintenance Equipment - Phase II (5400024472)** – Portia Davis ([pdavis@mmo.sc.gov](mailto:pdavis@mmo.sc.gov)) published Amendment #1 on February 15, 2023 with no change to the bid opening date (March 3, 2023).

**RFI for Protective Equipment & Supplies (5400024557)** – Portia Davis ([pdavis@mmo.sc.gov](mailto:pdavis@mmo.sc.gov)) received three responses to the RFI and we're reviewing those now. Based on our initial peek, we're developing more questions designed to glean a bit more info from those three responding suppliers.

**Law Enforcement Psychological Evaluations (5400024551)** – Michael Speakmon ([mspeakmon@mmo.sc.gov](mailto:mspeakmon@mmo.sc.gov)) issued this solicitation on February 17, 2023. The pre-bid is scheduled for March 1, 2023 and the bid opening is March 31, 2023. This was previously a four multi-agency contract that we converted into a glamorous STC. The current contracts expire April 23, 2023 and we don't anticipate a break between the old and new contracts.

**Grounds Maintenance Equipment – Phase I (5400024616)** – Ellicia Howard ([ehoward@mmo.sc.gov](mailto:ehoward@mmo.sc.gov)) published Amendment #1 February 15, 2023 with no change to the bid opening date (March 3, 2023).

**Executive Search Services – Higher Education (5400024859)** – Michael Speakmon ([mspeakmon@mmo.sc.gov](mailto:mspeakmon@mmo.sc.gov)) issued this solicitation February 17, 2023. The pre-bid is scheduled for March 2 and the bid opening is April 3. This is a partner contract to the existing Executive Search Services contract. However, this one has a different percentage of the first year's salary for those "higher education positions that are critical to the mission of the higher education institution." Higher education positions which are not academically related must use the existing Executive Search Services contracts.

**Idera (5400024681)** -- This solicitation was issued February 08, 2023 with bid opening set for March 27, 2023. The anticipated award date is April 6, 2023. If you have any questions, or concerns please contact our new recruit Alicia Pearson at [apearson@mmo.sc.gov](mailto:apearson@mmo.sc.gov)! Welcome, Alicia!

**Managed Service Provider (MSP) (5400024620)** -- This solicitation was born on January 20, 2023 with its bid opening forecast for March 21, 2023. The anticipated award date is June 15, 2023. If you have any questions, or concerns, please contact Stephen Taylor at [staylor@mmo.sc.gov](mailto:staylor@mmo.sc.gov).

**Electronic Document Management System (EDMS) (5400024538)** – We brought this solicitation to life on February 22, 2023. The bid opening is currently set for April 12, 2023. We anticipate an award date of early July. If you have any questions or concerns, please contact Stephen Taylor at [staylor@mmo.sc.gov](mailto:staylor@mmo.sc.gov).

**E-Recruitment & Onboarding System (5400023901)** – SFAA DPS issued this January 31, 2023. The related pre-bid is scheduled for January 24<sup>th</sup> and the bid opening for April 5, 2023. The award date is set for July 5, 2023. If you have any questions or concerns, please contact Kristen Hutto at [khutto@mmo.sc.gov](mailto:khutto@mmo.sc.gov). When you email her, be sure to congratulate her on her recent engagement!

**Cradlepoint Products, Services & Accessories (5400024556)** – We issued this solicitation January 9, 2023 and set the bid opening for March 13, 2023. If you have any questions or concerns, please contact Randy Barr, Sr. at [rbarr@mmo.sc.gov](mailto:rbarr@mmo.sc.gov).

### Newly Awarded State Term Contracts (STC)

**Cold Laid Asphalt (5400023591)** – Portia Davis ([pdavis@mmo.sc.gov](mailto:pdavis@mmo.sc.gov)) posted the award for this solicitation February 3, 2023. Only one offer came in so the contract became effective February 4, 2023. The start date is April 1<sup>st</sup>, no fooling. We'll update the contract sheet accordingly on that date.

**New Toner Cartridges (5400023835)** – New [contracts](#) are now in place for Dell, Lexmark, Xerox, and Brother toner cartridges. Unfortunately, the HP lot that was previously awarded and protested is no longer in place. The offer was withdrawn by the awardee. The State is in the process of resoliciting for the HP lot in the coming weeks. The current contract for HP is extended to bridge the gap until a new contract is in place. Please contact Randy Barr, Sr. at [rbarr@mmo.sc.gov](mailto:rbarr@mmo.sc.gov) if you have any questions.

### Cooperative Contracts Updates

**Vehicle Lifts & Garage Associated Equipment** -- This NASPO RFP was released December 16, 2022 by the State of Louisiana. Proposals were received on January 31, 2023. The solicitation is currently in evaluation phase. The evaluation team will meet on March 7 – 8. The current portfolio expired February 10. No additional extensions are available.

**Park & Recreation/Playground Equipment** -- The current portfolio is due to expire June 30, 2023. The lead state is negotiating and awarding MAs (Master Agreements) to suppliers.



## NASPO Continues Mission to Promote Government Excellence – Announces Major Program Supporting CPPO and CPPB Professional Certifications!

Lexington, KY – In celebration of Procurement Month, occurring annually in March, the National Association of State Procurement Officials (NASPO) announces a brand-new reimbursement program to support professional certifications in public procurement.

Effective immediately, NASPO will offer an opportunity for full reimbursement of both the application and examination fees for qualified candidates who pass the certification exams offered by the Universal Public Procurement Certification Council (UPPCC). This program is open to both US and Canadian applicants for the upcoming testing cycle.

If interested, applicants should visit the [UPPCC website](https://www.uppcc.org) and apply by March 14, 2023. More information on the program and the application process will be available soon on the NASPO and UPPCC websites: [naspo.org](https://www.naspo.org) and [uppcc.org](https://www.uppcc.org).



## ~~CALIBRATIONS~~

*News from the  
Office of the State Engineer*

### Frequently Asked Questions: Number 2

The thick air has cleared from the bid room after the bustling of the 2pm bid opening. Billy opened and read aloud five overall bids today. The low bid was \$378,444.00. Two of the bids seemed to have a problem and Billy needed to figure out what to do. The first problem occurred when, ACE, the apparent low bidder did not include his bid security with the bid package. The second problem occurred when, Trident, the apparent number two bidder did not have the correct license to perform the work. Billy was going to reject the two bids and needed to determine if they were non-responsive or non-responsible bidders.

How does the South Carolina Procurement Code (Code) define non-responsive and non-responsible?

"Responsible bidder or offeror" means a person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance which may be substantiated by past performance. [§ 11-35-1410 \(8\)](#)

"Responsive bidder or offeror" means a person who has submitted a bid or proposal which conforms in all material aspects to the invitation for bids or request for proposals. [§ 11-35-1410 \(9\)](#)

Let's analyze the first bidder, ACE. The Code requires all design-bid-build procurements in excess of \$100,000.00 to have bid security. **§ 11-35-1410 (1) (a)** The bid received was for \$378,444.00 and bid security was required. The specifications in the bid documents also stated the requirement for bid security. ACE failed to conform to the requirements of the solicitation. Code regulation states, "any bid which fails to conform to the delivery schedule, to permissible alternates thereto stated in the invitation for bids, or to other material requirements of the solicitation may be rejected as non-responsive". Also "when a bid security is required and a bidder fails to furnish it in accordance with the requirements of the invitation for bids, the bid shall be rejected. **R-19-445.2070 (C) (F)** This bid should be rejected as non-responsive.

Let's analyze the second bidder, Trident. Trident's bid was turned in on time and all of the material aspects required of the bid were completed. Trident's bid is responsive. However, the license that Trident provided was not correct to perform the work. This means that Trident did not have the capability in all respects to perform fully the contract documents. This bid should be rejected as non-responsible.



The **Office of State Engineer (OSE)** is proud to announce that the **OSE Database** is up and running!

The **OSE Database** was created to give State agencies a method to submit forms and other information electronically to OSE. It allows OSE to manage data from all State construction projects in such a way that it can be accessed easily. It's our first big step toward making our office truly **paperless**.

We have already started training agency personnel, so if you'd like to schedule your training or would like more information, please contact **Margaret Jordan at (803) 737-0773 or [mjordan@mmo.sc.gov](mailto:mjordan@mmo.sc.gov)**.



**Have a heart! We did. Pictured to the left are our teammates who wore red Feb. 3 for American Heart Month. We wear red to show our support for those who struggle with heart disease.**

**#OurHearts**

**February  
is American  
Heart Month**

Making time for self-care  
can keep your heart healthy.



**National Wear Red Day®**  
February 2023

