

We're Here to Help You

By Peggy Hayes, CPPB

Since I've become a Municipal Buyer, I've come to realize a few things. First: some people in the departments think we are the enemy. Second: they seem to believe we are deliberately holding up their bid, RFP, RFQ, etc. Third: they are afraid of losing control over their budget if they involve Purchasing, or that they will be forced to accept a product they don't want.

I'd like to give you a Buyers point of view if I may. If your City [or entity] has a centralized buying office, then your City has likely realized the benefits of having experts in the field control the process. A centralized control point is to everyone's advantage. If vendors all have to go through purchasing with their inquiries, then they aren't pestering the departments with a million phone calls and questions. If all the questions come in to one person, they can be answered at one time to all concerned parties, and avoid repetitive or varying responses.

By utilizing a centralized purchasing department, a city has a focal point with people who have been trained in the proper execution of the bidding process. There is a much lower chance that there will be protests on a bid that is handles correctly. Certified Professional Public Buyers (CPPB) and Certified Professional Public Officers (CPPO) have had extensive training on the subjects of public buying such as Federal Acquisition Regulations, State Statutes, and Local Ordinances and so on. They often have the benefit of belonging to a national purchasing organization such as the National Institution of Government Purchasing (NIGP) to draw knowledge and advice from.

Public buying is not an area where you want to have people trying to conduct bids who are guessing at what *might* be the right way to handle it. Or who by reason of inappropriate training, are doing it against a written policy or law. This leaves the city employing them wide open to law suits and disputes. That said; let's discuss the three fallacies I mentioned in the beginning:

1. **“Purchasing is the enemy”**: Every buyer I've ever known wanted nothing more than to do their job the best way they knew how and to serve the departments in their charge to the best of their ability. It is in no ones interest to do anything to the contrary. It would simply complicate not only the jobs of those in the departments they serve, but also their own. Buyers are trained

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to create and process solicitations according to the laws and rules set down by the local, state and federal governments. To do anything else is against the ethics we should all be living by. It is much easier to defend a bid against a protest when you followed all of the rules from the onset. Personally I think a great deal of this mistrust comes from miscommunication. The earlier you bring your buyer in to the process, the more informed they are as to what it is you are trying to obtain. If you keep it a secret until you absolutely *have* to involve the buyer they may not have a true and clear picture of what it is you are really after, be it a service or a product. The earlier they know about it, the more time they will have to help you research your options. Sometimes there may be a cooperative available that could entirely negate the need to bid, and that is a nice option to have.

2. **“Purchasing is deliberately holding up the process”**: Trust me, no one in purchasing wants to deal with anything one moment longer than is absolutely necessary! Not when more tasks are piling up every hour of every day. Like most government purchasing departments, ours has not grown in staff for over a decade. Though the City has nearly doubled in size, we still have the same number of people in purchasing taking care of the work. Fortunately, advances in technology have alleviated much of the tedium and redundancy of the bidding processes, allowing fewer staff to handle more work. Gone are the stubby pencil and PO log book of the past. (Thank Goodness!) Many cities are making their solicitations and results available online, or at least available electronically via e-mail. Purchasing professionals strive to add value to the purchasing process while ensuring that the departments are getting the best value for the taxpayer dollars; all while still following the rules.
3. **“I’ll lose control over my budget if I involve purchasing, or they’ll make me accept a product I don’t want”**: Purchasing does not determine how a department spends its budget, they do. (At least where I work) The departments identify a need and budget for it. Once the budget is in place, it is up to the department to initiate the process by submitting a Purchase

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Requisition (PR). Once that PR has been assigned, the buyer will get with the department to discuss the need. This is where it is crucial that the buyer has been brought in at the earliest possible time. If the department has already gone out and talked to vendors and conducted negotiations, the buyer is at a disadvantage because they were not involved, and cannot offer advice as well as if they had been present during any discussions. Also, if the department has conducted discussions or negotiation outside of the bidding process, they've compromised any award that might be made, leaving themselves wide open for a protest or even a lawsuit. If you even give the *appearance* of impropriety or collusion it is as damaging as if you'd actually conspired to fix the bid. Being in the public eye, government personnel cannot afford to do anything that is even the least bit questionable. The purchasing process must be transparent to the public eye. This is one of the reasons that bid openings are open to the public to attend. It removes any doubt about the award having been done properly and honestly. Then it is up to the department to make their recommendation for award. As long as the selection is supported by the facts of the bid, purchasing will not be to trying to argue against the award. They will however point out if you are making a recommendation based on personal choice and not best value. You may not like them for it, but believe me when I say there is a reason. You do not ever want to have to defend your selection in a court of law or to a State of Federal Investigator when you awarded the bid to a company other than the one supported by the data. The best advice I can give is that you work with your buyer on the specifications for what you are taking out to bid. The more concise you are about what it is you want the better chance you have of getting it. Be it a service or an item, the better you write the specifications, the clearer it is to those participating. You may have a particular brand in mind, but remember, that doesn't mean there isn't an alternative out there with all the same options but at a better price. That is the primary function of purchasing; to identify *all* the options and then work with the department to determine the acceptability of what is offered. Our purchasing department finds it acceptable to name a specific product for reference purposes, but is careful to state that "equal" products may be offered for consideration. It is really up to the end user to decide if the

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“equal” product is in fact equal in all of the necessary ways and acceptable for use by the department; especially when it comes to public safety issues. Buyers need to be sure they are writing their specifications in a way that is definitive but not restrictive. They should avoid using the exact specifications of a particular brand as this can have the effect of eliminating potential alternatives by being too narrow in the parameters of acceptability.

An open dialog is *very* important to establish a good working relationship between a department and a buyer. If everyone understands the need, it is much easier to work toward a common goal. Don't be afraid to involve your purchasing department as soon as you know you have a need. Contact them as soon as your budget is set to give a heads up on what will be coming in the next year. Personally I like to set up meetings with each of the departments to discuss what they have budgeted which falls within the commodities I am responsible for. I make notes of what and when, and set up some plans to do research on the various subjects. Forewarned is forearmed as I've heard it said. It is often a happy surprise for the department who may have forgotten about something when their buyer gives them a call to inquire about it, instead of it slipping through the cracks until it is too late to order and losing the money because it was not rebudgeted for the next fiscal year. The buyer may even have had time to do some preliminary research on the subject and be able to offer some alternatives in obtaining the item or service. Often there may be a contract already put in place by another department that deals with the very thing they want, but they are unaware of its existence. We keep an “Active Contracts” list available on our Intranet so the departments can access it as needed. It links to the Purchase Orders and Contract files so they can view them. It has saved a lot of phone calls, and is available even when purchasing may not be.

If any of this has helped anyone who reads it, then I am very happy to have been of service. Remember, we're here to help you!