



Doing business with the State of Wisconsin Department of Children and Families

This guide is intended to assist in achieving expanded and mutually satisfactory vendor/purchasing agent relationships. The following provides information about doing business with the Department of Children and Families (DCF), State of Wisconsin.

Procurement in the State of Wisconsin is governed by State Statutes (State Statute website found in the body of this document).

Information for registering as a vendor and responding to solicitations are in the body of this document (website with detail instruction is listed in this document).

DCF Division of Management Services
201 East Washington Ave., Rm G200
P.O. Box 8916
Madison, WI 53708
DCF website: <http://www.dcf.wisconsin.gov>
DCF email: DCFProcurement@wisconsin.gov

The purpose of this guide and the content of information are to better inform and help non-profits and vendors understand the State of Wisconsin and Department of Children and Families procedures and methods for procuring goods and services.

What will be covered in this document:

- **Examples of what the State of Wisconsin buys**
- **What Department of Children and families buys/common NIGP codes**
- **How to Register as a vendor to the State of Wisconsin**
- **How to view bid opportunities**
- **Navigating through Public Notice Website/State of Wisconsin**
- **Links to Websites, DCF and State of Wisconsin**
- **The bid/proposal process—the difference between the two**
- **Why does the State of Wisconsin use the competitive process**
- **Is the competitive process complicated**
- **Notification of solicitations**
- **Submitting a bid/proposal**
- **Discovering an error in my submitted bid/proposal**
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Who is buying what

A complete list of items purchased by the State of Wisconsin would be too lengthy to list here. The following illustrates the range of services and products used by the State and DCF.

Accounting

Advertising

Auditing

Badges, Medals, Tags and Signs

Builders and General Hardware

Cleaning

Communication, Alarm and Signal

Consulting

Data Processing

Financial

Furniture and Furnishings

Hand and Power Tools

Janitorial

Laundry

Leasing and Renting Land, Buildings, Offices and Rooms

Legal

Management

Medical and Scientific

Office, Educational and Library

Office Machines

Preprinted Publications

Printing and Bookbinding

Printing and Related Services

Security Guard

Social and Welfare

Speaker and Training

Workshops

The Department of Children and Families procures many various types of Social and Welfare services.

The link below will take you to Department of Children and Families Procurement website.

<http://dcf.wisconsin.gov/doingbusinesswith>

**NIGP (National Institute of Governmental Purchases) codes.
(commodity codes)**

<http://dcf.wisconsin.gov/doingbusinesswith>

LINKS:

DCF website: <http://dcf.wi.gov/>

DCF email: DCFProcurement@wisconsin.gov

Contracts-Navigating through VendorNet

<http://vendornet.state.wi.us/vendornet/default.asp>

Once in VendorNet go to: GENERAL PROCUREMENT INFORMATION

Search capabilities and guide to finding DCF/State contracts

See " How to Register, How to Search"

State of Wisconsin Procurement Manual-policies and procedures

<http://vendornet.state.wi.us/vendornet/procman/index.asp>

Wisconsin State Statutes

<http://legis.wisconsin.gov/rsb/Statutes.html>

Register as a State Vendor

<http://vendornet.state.wi.us/vendornet/asp/reginfo.asp>

Registration Information

As a registered vendor, information you provide on your company and its goods/services is stored in the central statewide vendor database for inclusion in bidder list as they arise. The registration gives you automatic notification of all state agency procurements over \$25,000 in your areas of interest. You may elect to be notified of opportunities electronically or by first-class mail while also having the ability to search for and download current bids and state agency contracts at your convenience.

Simply complete the on-line registration process by going to the website as listed at the beginning of the paragraph.

How do I find out about bids or proposals that are being solicited

View bid opportunities on Public Notices website—procedures for using Public Notices

Scope/Background:

The www.publicnotices.wi.gov website was created to implement changes to section 16.75, Wisconsin Statutes, which allows for use of the Internet to post due notice for certain procurements. Specifically, "...due notice inviting bids shall be published as a class 2 notice, under ch. 985 or posted on the Internet at a site determined or approved by the department." The State of Wisconsin Bureau of Procurement policy on Legal/Public Notice, PRO-C-6, can be found at:

<http://vendornet.state.wi.us/vendornet/procman/proc6.pdf>.

The Public Notices Application System automatically replicates certain information regarding requests for bids and requests for proposals (RFB/RFP) over \$25,000 that state agencies and municipalities post on the State's VendorNet System. Specifically, the RFB/RFP number, soliciting agency, due date and time, and contact information will be posted on the public notices website. Because general waivers and sole source procurements over \$25,000 also require that state agencies post due notice, authorized persons may use the public notice website for this purpose.

The Public Notices Application System can also be used to post other notices such as press releases, meeting notices and meeting minutes. Municipalities and state agencies that utilize the Public Notices Application System for purposes other than Chapter 16 postings must adhere to applicable statutes related to these postings.

The bid/proposal process

How State purchasing is governed

State laws place authority and responsibility for all state purchases in the Department of Administration, State Bureau of Procurement, (Wis. Stat. 16.71). The state Bureau of Procurement develops policies and procedures to fulfill the requirements of the laws. The laws also establish competitive bidding and issuing proposals as the preferred method of doing business because it is open, fair and allows anyone qualified to compete.

The difference between a bid (RFB) and a proposal (RFP)

A bid is based and awarded on lowest cost submitted by a vendor meeting all specifications listed in the solicitation.

A proposal is based on a process or "competitive negotiation process" when an award cannot be made strictly on specifications or price, or when need is described in terms of performance or results. The process includes pre-established weighted criteria which will be used to evaluate the results. Resulting proposals are evaluated by professionals using pre-established criteria. Cost is a major, but not the only, factor in determining the award.

Why does the state use a competitive bid/proposal process

State laws require the use of the bid/proposal process whenever possible because it promotes free and open competition while allowing the state to pay the best price for an appropriate product or service. This is accomplished by awarding the bid to the lowest responsible bidder or a proposal by an evaluation process of the best proposal submitted.

Is the competitive process complicated

The State of Wisconsin has established bid levels to streamline the purchasing process for state agencies and vendors.

The main focus of these tools will be on the process used for procurements resulting in contracts greater than \$25,000.

Purchases of **\$5000** or less can be procured using Best Judgment by the Agency.

Purchases may be made from vendors who, according to the best judgment of the purchasing agent, can supply the item or service of appropriate quality at a reasonable price. Special efforts are made to place these purchases with small and minority businesses.

Purchases of **\$5000 through \$25,000** generally use a Simplified Bidding process. Three bids or more may consist of telephone, fax or verbal quotes, or written quotes. The low bid price should be confirmed in writing by the vendor.

Over \$25,000

At this level, a formal bid (RFB)/proposal (RFP) process is used. These solicitations are advertised on the State Public Notice Site. In addition, the bids will be posted on the internet via VendorNet. Bids are due at a specified time and place.

Notification of solicitations

Through VendorNet, the State of Wisconsin's Procurement internet system, vendors and municipalities are able to access electronically, a variety of purchasing related services. This purchasing information and vendor notification system is available to all businesses and organizations that want to do business with the state. Anyone may access VendorNet at <http://vendornet.state.wi.us> to obtain information on Wisconsin purchasing policies and practices, commodities and services that the state buys, and tips on selling to the state.

Vendors may use the same Web site address for inclusion on the state bidders list for commodities and services that they want to sell. A registration with notification guarantees you will receive an e-mail message each time a state agency, including any campus of the University of Wisconsin System, posts a request for bid or a request for proposal in your designated commodity/service area(s) with an estimated value over \$25,000. Organizations without internet access may request to receive paper copies in the mail of the requests for bid/proposal

Any procurement over \$25,000(unless deemed a sole source) will be advertised regardless of the procurement method. The agency will post official sealed bids and requests for proposals over \$25,000 on VendorNet. From this announcement, the system automatically will generate a public notice on the internet via the Public Notice website. There will be a minimum of seven days between the posting on VendorNet and the date submissions are due.

Submitting a bid/proposal

Read the solicitation documents thoroughly and follow all instructions and conditions.

Failure to do so could result in the rejection of your bid/proposal.

Make sure your bid/proposal/grant response is submitted before the specified closing time

Get to know the purchasing needs to various DCF/or State Departments/Divisions. Much of the information can be obtained through the Purchasing Section of any Agency or Department.

Follow the bid advertisements through the internet Public Notice website posting, VendorNet and the DCF website.

Bidders/proposers must ensure that submitted bids/proposals are delivered on or before the stated time and date noted in the official bid/proposal document. Follow all instructions stated in the bid/proposal document for submission.

The bid/proposal should be sent via USPS, common carrier or hand-delivered to the location specified in the bid.

Questions concerning bids/proposals should be directed to the purchasing agent whose name and telephone number appear on the solicitation document. Please be prepared to specify the bid/proposal

number and bid/proposal opening date when contacting this person.

What can I do if I discover an error in my bid/proposal

Prior to submission of bids/proposal, errors may be corrected by lining out and entering the appropriate information. Changes should be initialed by the person signing the bid/proposal.

Once a bid/proposal has been submitted, it is still possible to submit a correction. Corrections must reach the State Agency solicitation before the due date of the bid/proposal. After the bid/proposal is closed, the only option left is not to accept the award as offered.

What if my bid/proposal is late

Bids/proposals received after the stated due date/time will be considered late and will be rejected unopened, regardless of the degree of lateness or the reasons for lateness, including reasons beyond the control of the bidder/proposer.

How are bids/proposals awarded

Criteria for award:

Bids (RFBs): Provided the bid meets all specifications and requirements, awards will be made to the lowest responsible bidder considering price, responsibility, qualification and capability of the bidder, availability of funds and all other relevant factors.

Proposals (RFPS): The evaluation committee reviews the proposals and scores each according to the criteria established in the RFP. The committee then meets to discuss their individual evaluations of each proposal; and to determine any need for interviews, on-site reviews, etc., of the top group of proposers.

The agency will state in writing the reason for the award and place the statement, as well as supporting documentation (RFP, evaluation committee proceedings, results), in the contract file.

The specifications listed in the RFP will correspond to the specifications that appear in the resulting contract. Any major deviation from original specifications in the resulting contract is grounds for withdrawal of procurement authorization.

Additional Considerations

Minority businesses (MBE) and Disabled Veteran Owned Business (DVB)'s may be given a 5% preference

(excludes printing). MBE's and DVB's must be certified with the State of Wisconsin in order to receive the preference of 5% in an award.

- Non-profits cannot be certified as MBE's or DVB's.
<http://vendornet.state.wi.us/vendornet/procman/prod1.pdf>

What is a responsible bidder/proposer

The state ensures its needs are met by awarding bids/proposals/contracts to a responsible vendor who makes the lowest bid or the highest scoring proposal. The concept of the lowest responsible bidder or the best proposal includes the understanding of two terms: responsible and responsive.

The state uses the term "responsible" in reference to the vendor's integrity and reliability.

Vendors who have the structure and ability to perform as promised and to stand behind what they deliver to the state are responsible bidders/proposers.

The state uses the term "responsive" to refer to the bidder's/proposer's ability to meet the specifications of the contract.

The following outlines five criteria for determining the lowest responsible and responsive bidder/proposer.

Financial ability to provide the service or complete the contract.

Skill, judgment, experience, and resources to capably provide the service or complete the contract.

Necessary facilities, staff, personnel, and equipment to provide the service or complete the contract.

Demonstrated ability to satisfactorily perform the work in a prompt and conscientious manner.

Demonstrated ability to comply in situations where the award is contingent on special considerations subject to the nature of the service or contract.

Vendors who have a delinquent tax liability may have their payments withheld and applied toward their tax delinquency by the State of Wisconsin

How will I be notified of an award

The procurement person from the Agency handling the solicitation will notify all respondents to the bid/proposal of the award results.

When the competitive negotiation process or official sealed bid process is used to procure contractual services over \$25,000, a notice of intent to contract is sent by the contracting agency to the selected proposer or bidder.

Minority Business Enterprise Program (MBE)

State requirements

MBE's must be certified with the State of Wisconsin in order to receive the preference of 5% in an award.

The State of Wisconsin operates a Minority Business Enterprise (MBE) Program to maximize the use of minority business enterprises in the purchase of goods and services. The goal of the state is to attempt to ensure that 5% of the total amount expended in the state's purchasing program in each fiscal year is paid to minority business enterprises.

The MBE Program operates through the Department of Administration and has a full-time director who is responsible for implementation of the program. The director seeks out, identifies and assists minority vendors in participating in state contracts. If a minority business enterprise submits a qualified, responsible, competitive bid that is no more than 5% higher than the lowest responsible bid, the award

may be made to the minority business enterprise.

To meet the State's commitment and goals regarding utilization of minority business enterprises, contractors are required to cooperate with the MBE Program. The MBE program ensures that minority business enterprises have the maximum opportunity to compete for subcontract work whenever feasible.

Disabled Veteran-Owned Business (DVB)

DVB's must be certified with the State of Wisconsin in order to receive the preference of 5% in an award.

AUTHORITY: Wis. Stats. 16.75(3m)(b)2,3
16.75(3m)(c)(4)
560.0335(1)(b)(3)

"Disabled veteran-owned business" is a business certified by the Department of Commerce under s. 560.0335(3).

"Disabled veteran" means a person who is verified by the Department of Veterans Affairs as being all of the following at the time the person applies for certification under s. 560.0335(1)(b):

1. A veteran as defined in s. 45.01(12),
2. A resident of this state, and
3. A person who is in receipt of an award from the U.S. Department of Veterans Affairs of a service-connected disability rating under 38 USC 1114 or 1134 of at least 30%.

"Qualified bid" is a bid or a proposal submitted by a disabled veteran-owned business that is a responsible and responsive competitive bid or proposal and that is not more than 5% higher than the apparent low bid or no more than 5% lower than the proposal with the apparent high point score.

Affirmative Action requirements

An affirmative action plan is required from a vendor who receives a state contract over \$25,000 and who has a work force of 25 or more employees as of the award date, unless the vendor is exempt by established criteria. The plan is due to the contracting agency within fifteen (15) working days of the award date of the state contract. The plan must have been prepared or revised not more than one year prior to the award date of the contract.

Wisconsin Office of Contract Compliance

General Contract Compliance Requirement

As required by Wisconsin's Contract Compliance Law (s. 16.765, Wis. Stat.), every vendor contracting with the state of Wisconsin must agree to equal employment and affirmative action policies and practices in its employment programs.

Compliance Law Poster Requirement

Additionally, contracts estimated to be over twenty-five thousand dollars (\$25,000) require the vendor to post in conspicuous places, available for employees and applicants for employment, notices provided by the contracting state agency that set forth the provisions of the state of Wisconsin nondiscrimination clause.

Sole Source, Printing, Services

- What if there is only one source for a product or service?
- Printing Contracts
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What if there is only one source for a product or service?

Sole source negotiation (also called “non-competitive negotiation”) may be used only when an agency can justify that competition does not exist or it would not be in the best interests of the state. An example would be scientific equipment manufactured by only one vendor. Sole source requests over \$25,000 must be approved by the Governor.

Printing Contracts:

The state constitution requires that all printing for the State of Wisconsin be awarded on the basis of low bid, regardless of dollar amount. Therefore, request for proposal and sole source negotiations do not apply to printing. In addition, the 5% minority business enterprise preference does not apply to printing.

Contractual Services:

Contractual services are most commonly purchased by using the request for proposal (RFP) process, although the bid process can be appropriate as well. Agencies must justify that it is more economical and efficient to contract for the service than to use state employees.