

# Transparency Agency Contract Reporting

Presented by Melanie Buechel, Luisa Diaz, Matt Ackerman, and Kris Gorgas September 18, 2013

#### WebEx and class information

- 2 ways to ask questions...
- 1. Verbally during the training
  - HOWEVER, please remember to MUTE YOUR PHONE should you need to chat with co-workers. PLEASE DO NOT PUT ON "HOLD."

#### 2. Through the WebEx Chat

 If we don't get to them during the session we will respond through a FAQ's document sent to all participants



#### **Class Objectives**

- Understand the purpose of the Contract Reporting Pilot
- Understand Policy #DES-210-01, Agency Contract Reporting
- Learn how to use the reporting tool and tips for populating the tool
- Learn how to report the information to DES and what DES does with the contract information reported (including WEBI tool for ECMS)
- Understand the roles and responsibilities of individual agencies and DES



- RCW 36.26.210 (1) List of agency contracts (eff. 1/1/2013)
  - Agencies must annually submit to the department a list of all contracts that the agency has entered into or renewed.
     "Contracts," for the purposes of this section, does not include purchase orders.
  - [DES] must maintain a publicly available list of all contracts entered into by agencies during each fiscal year, except that contracts for the employment of expert witnesses for the purposes of litigation shall not be made publicly available to the extent that information is exempt from disclosure under state law.
  - Except as otherwise exempt, the data must identify the contracting agency, the contractor, the purpose of the contract, effective dates and periods of performance, the cost of the contract and funding source, any substantive modifications to the contract, and whether the contract was competitively procured or awarded on a sole source basis.



- RCW 36.26.210 (1) List of agency contracts (eff. 1/1/2013)
  - The legislation is designed to make the procurement process more transparent, competitive and efficient.
  - One of the guiding principles of procurement reform: OPEN GOVERNMENT
    - TRANSPARENT (Free from pretense, readily understood, information that is visible and accessible.)
  - Who cares?
    - Vendor community
    - Legislature
    - Other stakeholders
    - Public THE TAXPAYERS!



#### **RESULTS WASHINGTON**

"Washingtonians expect their tax dollars to be put to the best possible use. That means investing in state services that are the most important to them, providing those services with excellence and then making results easily available to the public."

#### DRAFT OUTCOMES:

	TRANSPARENCY AND ACCOUNTABILITY "I know how my money is being spent"	
Transparency Increase access to state government data from X to X by 20XX (TBD)	Procurement Reform Increase the percentage of contract data available on a central website from zero to 100% by 2015	Accountability Increase the number of Results Washington outcome measures and leading indicators improving from X to X by 20XX (TBD)

http://results.wa.gov/default.aspx



- What has happened so far?
  - Developed an Excel reporting spreadsheet
  - Partnered with several agencies to test and provide feedback
  - Created a Contract Reporting website
    - <u>http://www.des.wa.gov/services/ContractingPurchasing/PoliciesTraining/Pag</u> <u>es/ContractsTransparency.aspx</u>
    - Posted Frequently Asked Questions (FAQ) and other information
  - Set up a <u>ContractReporting@des.wa.gov</u> mailbox for collecting data from agencies
  - Created business rules and processes



- Contract Reporting Pilot
  - 20+ agencies have volunteered
  - Pilot reporting period will be will be January 1 through June 30, 2013
    - Those agencies not participating will have to report January 1, 2013 through June 30, 2014 data next year.
  - Pilot goals:
    - Pilot agencies will provide feedback and suggestions
    - Agencies will be able to update systems and databases to include required data



- Enabling Legislation RCW 39.26.210
- Purpose:
  - "To foster transparency related to state processes and agency contracts."
  - "Open government not only relies on the ability to collect data but is dependent on and is fostered by the ease in which this data can be readily accessed by all interested parties."



- Contract Reporting General Requirements
  - State agencies must annually submit to DES a list of all contracts that the agency has entered into or renewed in the prior fiscal year.
  - The reporting period is for the fiscal year and should reflect the cost of contract expenditures during the fiscal year (July 1-June 30).
    - Pilot Reporting Period January 1 June 30, 2013



- Contract Reporting General Requirements
  - The report must be submitted to DES no later than September 1st of each year.
    - Pilot Reporting due date: October 1
  - The annual list must include all the required data fields for each contract reported.



- What types of contracts must be reported?
  - All contracts entered into or renewed or amended in the prior fiscal year that has a statement of work or exceeds the Direct Buy limit, including:
    - Service contracts
    - Client service contracts
    - Direct buy agreements that include a statement of work
    - Goods and commodity contracts
    - Architectural and Engineering (A & E)
    - Software licenses including click-through
      - on-screen license agreement that is accepted by the user by clicking a button.
    - Equipment and software maintenance



- What types of contracts must be reported? (Con't)
  - Revenue contracts
  - Contracts procured from Qualified Master Contracts
    - Only if the procurement results in an agency specific contract that includes a statement of work
      - » Example: Organization Development, Management Consulting, Information Technology Professional Services (ITPS)
    - Qualified Master Contract -
      - » DES Master Contracts; and
      - » Cooperative contracts that conform to all applicable Washington State procurement laws, rules, policies and trade agreements.
  - Optional: Public Works contracts
    - Legislation



- Exemptions from Contract Reporting
  - Purchase orders or field orders
    - UNLESS THEY CONTAIN A SCOPE OF WORK
  - Direct buy contracts EXCEPT those that contain a statement of work
  - Expert witness agreements
  - Non-fiscal agreements
    - Examples Data share, MOU, confidentiality agreement
  - Interagency/Interlocal agreements (RCW 39.34)



- Exemptions from Contract Reporting (Con't)
  - Loan agreements
  - Grant and sub-grant agreements
  - Contracts exempt from disclosure under another state law
  - Contract specifically exempted by the DES director.



- Policy #DES-210-01
- Required Data Fields
  - 1. Contracting agency
  - 2. Contractor name
    - as it appears in the contract
  - 3. Vendor Identifier
    - UBI, TIN or both
    - If none, unique agency identifier
    - Be careful to scrub your reports for SSNs



- Policy #DES-210-01
- Required Data Fields
  - 4. Purpose of the contract or the goods or services the agency is procuring
  - 5. Effective Dates
    - The date the contract becomes effective, not the date the work actually begins
  - 6. Period of Performance
    - The time frame in which work is to occur or when the commodity must be delivered



- Policy #DES-210-01
- Required Data Fields
  - 7. Cost of the contract
    - Total actual or estimated amount of the contract or amendment.
    - Total cost of the commodity including tax and other ancillary costs.
  - 8. Funding Source
    - State, Federal, other (to include private grants, etc.)



- Required Data Fields
  - 9. Contract modifications
    - Substantive amendments
    - Renewals
  - 10. Competitively procured or sole source
    - Sole source includes:
      - Filed sole source
      - Sole source exempt from filing
      - Emergency and direct buy (if it includes a statement of work)
  - 11. Small Business status (optional)



#### Policy #DES-210-01

How does my agency request and exemption from reporting?

- Agencies may request a reporting exemption for a specific contract or a category of contracts.
  - In writing, addressed to DES director, signed by agency head
  - Must include detailed explanation, why contract(s) needs to be exempt
  - How the requested exemption aligns with the intent of the law



- Policy #DES-210-01
- Compliance
  - Agencies are expected to submit complete and timely contract reports. The agency's record of compliance will be factored into the agency's risk rating.

# Non-compliance could affect your delegation of authority.



- Additional Frequently Asked Questions
  - Q: Will agencies be required to report P-Card transactions?
  - A: No the P-Card is simply a method of payment, not a contract type.
  - Q: Who will answer questions from the public or vendors, etc. regarding data submitted by agencies?

A: Questions will be directed to the agency who submitted the data.



Additional Frequently Asked Questions

Q: We do not track or are able to pull all the required data fields that we need to report. Do we still need to provide it?

A: Yes. Legislation directed every state agency and institution of higher education to submit a list of all contracts with the elements identified. \*\*\*This is one of the purposes of the Pilot. It will allow agencies to begin collecting this data for next year's report. Also, it will allow us to recommend possible changes to the legislation.



Additional Frequently Asked Questions
 Q: Will DES scrub or validate data submitted by agencies and higher education entities?

A: No. Agencies are required to review their data prior to submission to ensure integrity.

Q: Do we report the original contract that has an effective date prior to January 1, 2013 but has an amendment effective date after January 1?

#### A: Yes.

Q: I have contracts that I'm not sure if I have to report?

A: Refer first to your policy. If still unsure, call or email Melanie Buechel (see contact information)



#### Excel Spreadsheet Template

- Agency Contract Reporting
- Field information
- Small Business definition
- Exemptions



- If your agency uses ECMS as its Contracts System, we have developed a special report to assist you in developing your Agency Contract Reporting.
- At the end of Agency Contract Reporting training we will walk you through using WEBI to pull your contract reporting information.



- Your current contract system may not have all the information required for Contract Reporting.
- Pull the required information that you have available in your system.
- Transfer / copy the information you do have to the Contract Reporting template and manual fill in the remaining.



CONTRACT_NUMBER	AMEND_DATE	ENDING_DATE	BEGIN_DATE		CONTRAC T_TYPE	PARTY_TWO	DESCRIPTION
2000-pm-001	6/10/2013 0:00	6/30/2013 0:00	6/1/2000 0:00	12/31/2013 0:00	PUR	WFF Facility Services	To provide janitorial and security services for Tacoma Rhodes Center, 949 Market Street, 940 Market Street (Garage), & 950 Broadway Tacoma, WA 98402.
2010-mp-003	3/26/2013 0:00		12/1/2009 0:00	11/24/2014 0:00	PUR	INVERS Mobility Solutions Inc	Purchase Software licenses and Equipment for INVERS COCOS KeyManager and Reservation System.
2011-pm-017	1/31/2013 0:00	1/31/2014 0:00	3/3/2011 0:00	1/31/2014 0:00	PUR	Caracal Enterprises	To provide DES with central communication processor, enterprise database, and transaction processing server system housed and maintained by Ventek, for 9 Automated pay station.



- Agency Contract Number
  - Enter you agency contract number
  - If you are reporting an amendment enter the contract number and amendment number (K1111.1, K1111.2)
- Contractor Name
- Contractor Name DBA (Optional)



- Vendor Identifier TIN, UBI or other unique identifier
  - Federal Tax Identifier (TIN) XX-XXXXXX
     (91-XXXXXXX)
  - Social Security Number (SSN) XXX-XX-XXXX (5XX-XX-XXXX)
  - Unified Business Identifier (UBI) XXX-XXX-XXX (60X-XXX-XXX)



- Please do not list any SSN's in your Agency Contract Reporting
  - If the Vendor uses an SSN as their Vendor Identifier, show their UBI in your Agency Contract Report, if possible.
  - Otherwise leave the Vendor Identifier column blank and select Unique in the TIN, UBI or Unique column.



- If your agency Contract System does not collect Vendor Identifiers:
  - Consider working with your Finance Office to pull the Vendor Identifiers from AFRS Vendor Tables or
  - Look up the Vendor's UBI on the Department of Revenue's UBI Lookup Website

http://dor.wa.gov/content/doingbusiness/registermybusiness/brd/Default.aspx#brdResults



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- Purpose of the Contract
  - NIGP Category Codes
  - Sub-Objects
- If the contract is coded to more than one code, select the code that describes the majority of the contract cost.
- If your agency's Contract System does not collect this information
  - Consider working with your Finance Office to determine the sub-object used for payment. Or
  - Look up the sub-objects on the Office of Financial Management's website - SAAM 75.70.20 <a href="http://www.ofm.wa.gov/policy/75.70.htm">http://www.ofm.wa.gov/policy/75.70.htm</a>



- Purpose of the Contract Description (Optional)
- Contract Effective Start Date
- Contract Effective End Date
- Period of Performance Start Date
- Period of Performance End Date



- Contract Amount
  - Federal
  - State
  - Other
- Cost of Contract
- Explanation of Costs (Optional)
  Example: No Maximum Amount



- Procurement Type
  - Competitive
  - Sole Source
  - Sole Source Exempt from filing
  - Emergency
  - Direct Buy
  - Revenue
- Small Business Status (Optional)



- Revenue Contracts
  - Enter the contract cost as a credit or negative number (-X,XXX.XX)
  - Select "Revenue" for Procurement Type
- Contract Amendments
  - You will need to include the contracts entire history if you have a contract amendment that takes place during the reporting period (January 1, 2013 to June 30, 2013).



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	Blumberg, Jackie	RE: FYI from DES - FW: Agency Contract Repor	Wed 8/21/2013 1:50 PM	
	Marcus, Roselyn (DES)	RE: Agency Contract Reporting	Mon 8/19/2013 12:52 PM	
	Stewart, Ginger (PSP)	RE: Agency Contract Reporting	Mon 8/19/2013 11:38 AM	
	John Friedrick	RE: ACTION REQUIRED - Agency Contract Rep	Thu 4/4/2013 3:43 PM	
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<b>A</b>	Debbie Danielson	Re: FW: ACTION REQUIRED – Agency Contract	Tue 4/2/2013 3:16 PM	
	Tucker, Diane (PERC)	RE: ACTION REQUIRED - Agency Contract Rep	Mon 4/1/2013 4:58 PM	
	John Friedrick	RE: ACTION REQUIRED - Agency Contract Rep	Mon 4/1/2013 10:04 AM	



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- Posting Data Collected Matt
  - -New data is appended
  - -Admin publishes the new dataset

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42	≡	Department of Enterprise Services (TEST D	K1324	Legacy Solution	



#### Questions

Policy Questions: Melanie Buechel 360-407-8156 <u>Melanie.Buechel@des.wa.gov</u>

**Reporting Questions: Matt Ackerman** 

360-407-9395 ContractReporting@des.wa.gov

#### **Spreadsheet Questions:**

Luisa Diaz – 360-407-8114 Luisa.diaz@des.wa.gov Kris Gorgas – 360-407-9255 Kris.gorgas@des.wa.gov

#### Visit the Agency Contract Reporting Website at

http://www.des.wa.gov/services/ContractingPurchasing/PoliciesTraining/Pages/ContractsTran sparency.aspx





# Wrap Up and Final Thoughts

This is a pilot. Sharing of data gathering techniques, tips and tricks, etc. will be of great value to us all.

Your feedback and suggestions will be invaluable as we move forward. You are helping to determine and develop the final reporting process for next year!



### **ECMS**

- Run Web Intelligence (WEBI) Report
- Look over contract information
- Make an necessary changes to contracts in ECMS
- Re-run WEBI Report
- Copy over to Agency Contract Reporting template.



## ECMS

- If you use Temporary or Provisional Vendor Numbers in ECMS the WEBI will not pull Vendor Identifier information.
  - If possible, update Vendor Number in ECMS to SWV Vendor Number.
  - Otherwise, you will need to manually enter the Vendor Identifier.





#### Log into Enterprise Reporting Services

https://reporting.des.wa.gov/BOE/BI/custom.jsp

