

May 2, 2011

**MEMORANDUM**

TO: Purchasing Offices  
Departments, Institutions, Agencies  
Commonwealth of Virginia

FROM: Ron Bell  
Director

SUBJECT: Procurement Information Memoranda (PIM) #98-028

Enclosed is PIM #98-028, effective May 2, 2011, representing changes to the September 1998 edition of the *Agency Procurement and Surplus Property Manual (APSPM)*. The Summary of Changes below is in the order of the changes to the *APSPM*. All changes to the *APSPM* are incorporated into a web-based *APSPM*, which is downloadable from the eVA website at <http://www.eva.virginia.gov>. The full *APSPM* version containing changes as a result of this PIM will be posted to the website. The location of text changes is indicated by an arrow in the margin ( → ) with the corresponding PIM #98-028 number identified next to the changes. All arrows indicating previous changes are removed. Appendix C contains a log recording the PIM number and date of revision. This memorandum and the corresponding PIM #98-028 should be filed in the back of the Appendix C log.

<b>APSPM Cite</b>	<b>Summary of Changes</b>
1.5 b. (17)	Adds rare and historic printed and photographic materials to the list of items exempt from competitive requirements.
3.5 b.	Adds an example for calculating the 25% or \$50,000, whichever is greater, contract/purchase order modification restriction on fixed price contracts.
3.28 c.	Authorizes an agency to allow a bidder/offeror additional time to provide the SCC Identification Number or a statement describing why the bidder/offeror is not required to provide one.
3.28 d.	Adds that any bidder/offeror that falsifies or misrepresents a statement regarding its SCC Identification Number may be debarred.
5.6.a.	Adds section requiring that Quick Quote solicitations be open for 3 business days.
5.7.b.8.	Deletes section regarding Quick Quote open time.
Annex 5-E	Changes the minimum solicitation open time for a Quick Quote from 1 day to 3 business days.
Annex 6-B	Removes State Corporation Commission ID Number from the IFB cover page.
Annex 6-B, IFB STEP-BY-STEP PROCEDURES, STEP THREE, V., G.	Adds State Corporation Form, Annex 6-J, as a form that must be included in all IFBs.
Annex 6-J	Adds SCC Form for inclusion in all IFBs.
Annex 7-B	Removes State Corporation Commission ID Number from the RFP cover page.
Annex 7-B, COMPETITIVE NEGOTIATION STEP-BY-STEP PROCEDURES, STEP 2, IV., B.,7.	Adds State Corporation Form, Annex 7-I, as a form that must be included in all RFPs.
Annex 7-I	Adds SCC Form for inclusion in all RFPs.
Annex 8-E	Adds a place for the purchase officer/contract officer to provide additional contact information.
Annex 9-B	Deletes the notation for a reason for the emergency award on the notice form. Adds a place for the purchase officer/contract officer to provide additional contact information.
Table of Contents, Chapter 11	Eliminates all references to the DGS/DPS Appeals Board that was appointed by the Governor. The DGS/DPS Appeals Board has been eliminated.

11	Deletes the sentence regarding discussion on remedies being divided into goods and services.
11.1	Eliminates all references to the DGS/DPS Appeals Board that was appointed by the Governor. The DGS/DPS Appeals Board has been eliminated.
11.2	Changes heading from “Services Appeals” to read “Administrative Appeals”. Deletes the words “certain” and “or any of these which relate to contracting for services” from the first sentence.
12.4 f.	Lists the Library of Virginia as an additional source for record keeping.
14.5 e.	Requires that a Quick Quote solicitation must be open for a minimum of three (3) business days (24 business hours) unless exempted in writing by the agency head or designee who shall be a direct report to the agency head.
14.9 a.(1)	Adds a requirement to process any confirming orders through eVA within five (5) business days of notifying the vendor to proceed with the work.
Appendix B Section II, 64.	Requires a bidder/offeror to complete the SCC Form provided in its bid or proposal.
INDEX	Adds State Corporation Commission Identification Number.
INDEX	Deletes DPS Appeals Board.
INDEX	Under Appeals, changes “Services” to read “Administrative”

To print a copy of the manual, save it to your hard drive or network and print from there. Printing directly from the website may result in lost formatting. If you should have questions about the changes, please contact Dennis Blackwell at 804-786-0394 or [dennis.blackwell@dgs.virginia.gov](mailto:dennis.blackwell@dgs.virginia.gov).

- 1.5 **Exceptions to Competitive Requirements.** DGS/DPS has determined that competition normally is either not practicable or available for purchases of the following goods or services, and purchase through DGS/DPS is not mandatory; however, one quote must be obtained and documented, and a purchase order must be issued for requirements over \$5,000. Purchases using the Small Purchase Charge Card (SPCC) do not require a purchase order to be issued (see 4.12) Purchase orders are not required for items in 1.5b numbered 1, 3, 7, 11, and 13. When an order document is not issued, agencies are advised that proper verification of receipt or performance is essential for audit purposes.
- a. Purchases up to \$5,000.
  - b. The following selected categories of goods and services up to and including \$50,000:
    - (1) Books, pre-printed materials, reprints and subscriptions (e.g., print or electronic), pre-recorded audio and video cassettes, compact discs, slide presentations, etc., when only available from the publisher/producer.
    - (2) Academic/research consulting services.
    - (3) Alcohol purchased from Alcohol Beverage Control stores.
    - (4) Honoraria, entertainment (speakers, lecturers, musicians, performing artists).
    - (5) Training that is specialized, proprietary, not typically available to the general public for which competition is generally unavailable, off-site, and requires a registration fee. Contact the Department of Human Resource Management, Training Manager, at 804-225-2016, to ascertain if the training being requested is available through an existing contract or another source.
    - (6) Royalties and film rentals when only available from the producer or protected distributors.
    - (7) Professional Organizational Membership dues.
    - (8) Writers.
    - (9) Artists (does not include graphic artists); original works of art; and original, or authentic antique period art frames (does not include newly created replacement or reproduction frames).
    - (10) Photographers other than for graduations and yearbooks, e.g., for official photographs/portraits.
    - (11) Contributions and donations made by a university.
    - (12) Advertisements such as in newspapers, magazines, journals, radio, television, etc.
    - (13) Utility charges.
    - (14) Conference facilities (to include conference support and related lodging and meals) only when the use of a specific facility is directed by an outside donor, sponsor, or organization (see 4.16 for the purchase of conference facilities under all other conditions).
    - (15) Accreditation fees and academic testing services.
    - (16) Exhibition Rental Fees for exhibitions of historical artifacts or original works of art. (The rental fee may include charges other than the rental of the exhibition, such as transportation costs.)
    - (17) Rare and historic manuscript, printed and photographic materials (e.g. books, ephemera, maps, manuscripts, photographs, and prints) that are one of a kind or exist in very limited supply.

3.5 **Contract/Purchase Order Modification Restrictions.** A contract or purchase order may not be modified or renewed unless provided for in the original contract or solicitation. No additional consideration or increase in contract price may be paid to the contractor because of renewal unless specifically authorized under the original contract. The issuance of a change order or contract modification is required when the purchasing office has issued an agency purchase order or contract or eVA order and the approved change exceeds \$500. This limitation applies to cumulative change orders in a contract or purchase order. The DPS Purchase Order Change (Annex 10-E), Agency Purchase Order Change (Annex 10-F), and Contract Modification Agreement (Annex 10-G) are the recommended forms to be used for all modifications to contracts and purchase orders awarded outside of eVA. Use the eVA Change Order functionality to make changes to orders issued in eVA (see 14.6).

- a. **Purchases Up to \$50,000** - Cumulative contract modifications to purchases made under small purchase procedures shall not exceed 25% of the original contract price without advance written approval of the agency head or his/her designee (see also *Vendors Manual*, 7.17 for exception).
- b. **Purchases Over \$50,000** - A public contract may include provisions for modification of the contract during performance, but no fixed-price contract may be increased by more than 25% of the original amount of the contract or \$50,000, whichever is greater, without the advance written approval of the Governor or his designee (*Code of Virginia*, § 2.2-4309A). By executive order this is the Director of the Department of General Services. This limitation applies to the aggregate change orders in a contract. In no event may the amount of any contract, without adequate consideration, be increased for any purpose, including, but not limited to, relief of a bidder or offeror from the consequences of an error in its bid or offer (see 10.12).

For example:

Original contract = \$300,000

Modification limit = \$75,000 (25% of \$300,000 or \$50,000 whichever is greater).

If the contract was modified by \$40,000 during the original term, additional cumulative modifications cannot exceed \$35,000 over the life of the contract, including all renewals, without the approval of the Director of the Department of General Services.

3.28 **Authorization to Transact Business in the Commonwealth**

- a. In accordance with the *Code of Virginia* § 2.2-4311.2, all public bodies shall include in every written contract a provision that a contractor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 or as otherwise required by law. General Term and Condition BB shall be included in all contracts to meet this requirement. (See General Term and Condition **BB: AUTHORIZATION TO CONDUCT BUSINESS IN THE COMMONWEALTH**, Appendix B, Section I.)
- b. The *Code of Virginia* § 2.2-4311.2 subsection B requires that “Pursuant to competitive sealed bidding or competitive negotiation, all public bodies shall include in the solicitation a provision that requires a bidder or offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 to include in its bid or proposal the identification number issued to it by the State Corporation Commission. Any bidder or offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law shall include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized” (see Annexes 6-J and 7-I). Accordingly, Special Term and Condition **64: STATE CORPORATION COMMISSION IDENTIFICATION NUMBER** shall be included in all Invitations for Bids or Requests for Proposals.
- c. Should a bidder/offeror omit including the SCC number or a statement describing why the bidder/offeror is not required to be so authorized on its bid/proposal, the agency, at its sole option, may allow the bidder/offeror additional time to provide the SCC Identification Number or a statement describing why the bidder/offeror is not required to be so authorized and continue the evaluation. An agency shall not award a contract to a bidder/offeror that fails to comply with § 2.2-4311.2 unless a waiver is granted by the Director of the Department of General Services or his designee.

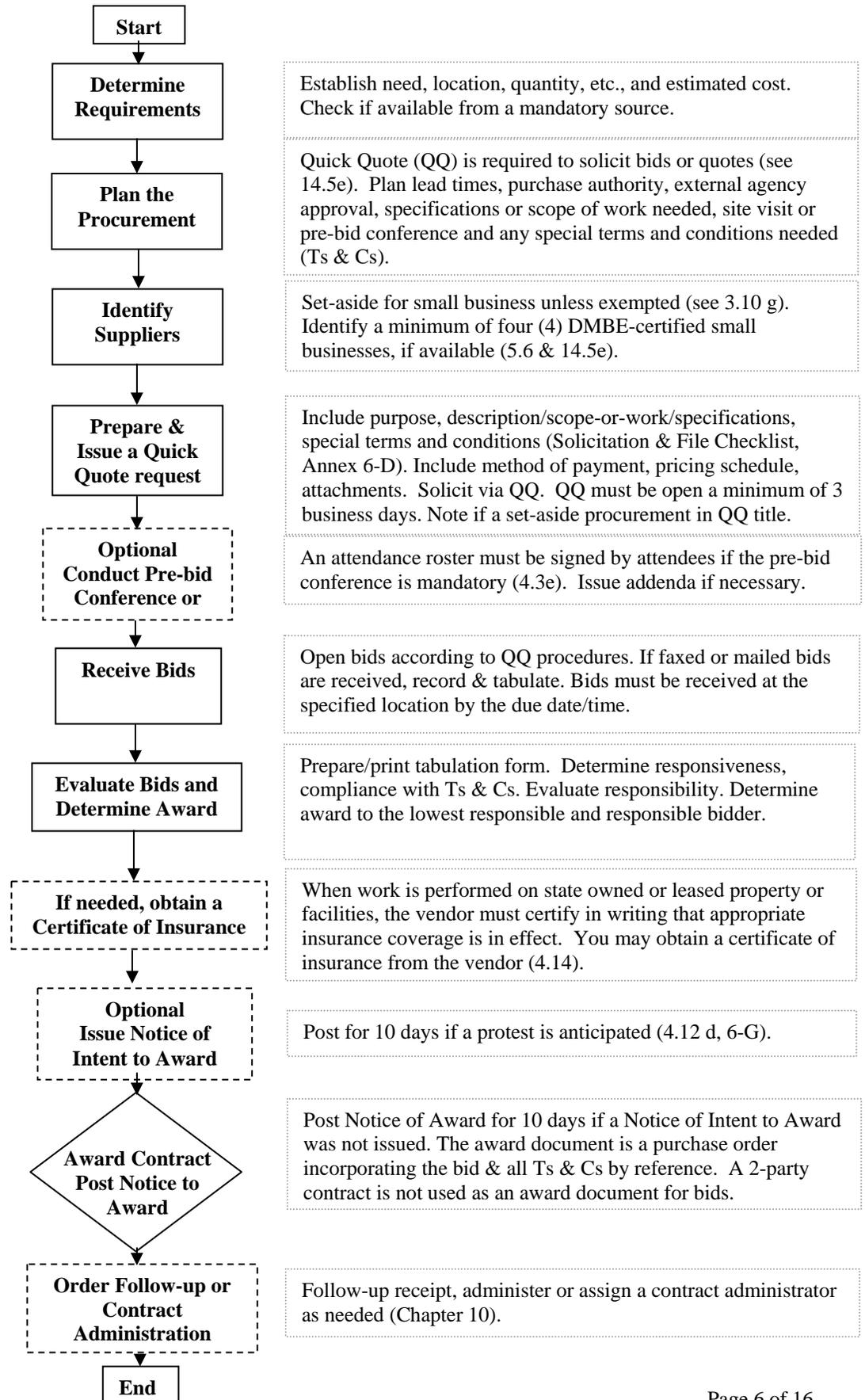
- d. For purposes of compliance with this section, agencies may rely on the accuracy of the bidder's/offeror's statement provided on the SCC Form describing why the bidder/offeror is not required to be so authorized per exclusions listed in Title 13.1 or Title 50 and are not required to validate. Any falsification or misrepresentation contained in the statement submitted by the bidder/offeror pursuant to Title 13.1 or Title 50 may be cause for debarment.
- e. Any bidder or offeror described in *Code of Virginia* § 2.2-4311.2 subsection B that fails to provide the required information shall not receive an award unless a waiver is granted by the Director of the Department of General Services or his designee in accordance with *Code of Virginia* § 2.2-4311.2.

5.6. **Unsealed Bidding.** (Over \$5,000 to \$50,000)

- a. Quick Quote shall be used to solicit bids or quotes for goods and nonprofessional services from \$5,000 to \$50,000 (see 14.5e). Any appropriate special conditions must be stated in or attached to the Quick Quote. The solicitation shall be open for the period of time stated in the solicitation but must be open for at least three (3) business days (24 business hours). A reasonable amount of time should be allowed for vendors to respond based on the nature of the procurement.

- 5.7.b. 8. If set –aside for small businesses, solicit a minimum of four (4) DMBE-certified small business sources, if available, by mail, fax or electronically. If not set-aside for small businesses, solicit a minimum of four (4) sources, if available. Include a minimum of two (2) DMBE-certified small business sources, if available. If fewer than the required number of sources are solicited, the reasons shall be documented. VBO advertising on eVA is not required up to \$50,000.

**Annex 5-E**  
**Unsealed Bidding Process**  
**For Goods and Non-professional Services over \$5,000 to \$50,000**



Annex 6-B

SAMPLE FORMAT AND STEP-BY-STEP PROCEDURES

INVITATION FOR BIDS (IFB)

Issue Date: IFB# \_\_\_\_\_

Title:

Commodity Code:

Issuing Agency: Commonwealth of Virginia

Using Agency And/Or Location Where Work Will Be Performed:

Period Of Contract: From \_\_\_\_\_ Through \_\_\_\_\_ (\*Renewable) (\* If contract has renewal clause)

Sealed Bids Will Be Received Until \_\_\_\_\_ (Time and Date)

For Furnishing The Goods/Services Described Herein And Then Opened In Public.

All Inquiries For Information Should Be Directed To: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_.

IF BIDS ARE MAILED, SEND DIRECTLY TO ISSUING AGENCY SHOWN ABOVE. IF BIDS ARE HAND DELIVERED, DELIVER TO:

Street Address Building Floor Room No.

In compliance with this Invitation For Bids (IFB) and all conditions imposed in this IFB, the undersigned firm hereby offers and agrees to furnish all goods and services required by this IFB at the prices indicated in the pricing schedule, and the undersigned firm hereby certifies that all information provided below and in any schedule attached hereto is true, correct, and complete.

\* Virginia Contractor License No. \_\_\_\_\_ Class: \_\_\_\_\_ Specialty Codes: \_\_\_\_\_

Name And Address Of Firm:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Zip Code: \_\_\_\_\_

Date: \_\_\_\_\_  
By: \_\_\_\_\_  
(Signature In Ink)

eVA Vendor ID or DUNS #: \_\_\_\_\_

Name: \_\_\_\_\_  
(Please Print)

Fax Number: (\_\_\_\_) \_\_\_\_\_

Title: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

\* PREBID CONFERENCE: A (mandatory/optional) prebid conference will be held on \_\_\_\_\_ at the \_\_\_\_\_ (Reference: Paragraph \_\_\_\_ herein). (If mandatory add: "NO ONE WILL BE ADMITTED AFTER \_\_\_\_\_ (Time) ") \* If special ADA accommodations are needed, please contact \_\_\_\_\_ (Name) at (phone number) by \_\_\_\_\_ (date) .

\* Delete if not applicable.

Note: This public body does not discriminate against faith-based organizations in accordance with the Code of Virginia, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

Annex 6-B, IFB STEP-BY-STEP PROCEDURES, STEP THREE, V., G.

G. STATE CORPORATION COMMISSION FORM: Required of all bidders pursuant to Title 13.1 or Title 50 (See Appendix B, Section II, 64.). Include SCC Form, Annex 6-J, in Invitation for Bids.

**Annex 6-J**

**State Corporation Commission Form**

**Virginia State Corporation Commission (SCC) registration information. The bidder:**

- is a corporation or other business entity with the following SCC identification number: \_\_\_\_\_ **-OR-**
- is not a corporation, limited liability company, limited partnership, registered limited liability partnership, or business trust **-OR-**
- is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the bidder in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from bidder's out-of-state location) **-OR-**
- is an out-of-state business entity that is including with this bid an opinion of legal counsel which accurately and completely discloses the undersigned bidder's current contacts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of § 13.1-757 or other similar provisions in Titles 13.1 or 50 of the Code of Virginia.

**\*\*NOTE\*\*** >> Check the following box if you have not completed any of the foregoing options but currently have pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wish to be considered for a waiver to allow you to submit the SCC identification number after the due date for bids (the Commonwealth reserves the right to determine in its sole discretion whether to allow such waiver):

Annex 7-B

SAMPLE FORMAT AND STEP-BY-STEP PROCEDURES
REQUEST FOR PROPOSAL (RFP)

Issue Date: RFP# \_\_\_\_\_

Title:

Commodity Code:

Issuing Agency: Commonwealth of Virginia

Using Agency And/Or Location
Where Work Will Be Performed:

Initial Period Of Contract: From \_\_\_\_\_ Through \_\_\_\_\_ (\*Renewable).
(\* If contract has renewal clause)

Sealed Proposals Will Be Received Until \_\_\_\_\_ For Furnishing The Goods/Services
Described Herein. Time and Date

All Inquiries For Information Should Be Directed To: \_\_\_\_\_ Phone: (\_\_\_\_\_)\_\_\_\_\_.

IF PROPOSALS ARE MAILED, SEND DIRECTLY TO ISSUING AGENCY SHOWN ABOVE. IF PROPOSALS ARE
HAND DELIVERED, THEN DELIVER TO:

Street Address Building Floor Room No.

In compliance with this Request For Proposals (RFP) and all conditions imposed in this RFP, the undersigned firm hereby
offers and agrees to furnish all goods and services in accordance with the attached signed proposal or as mutually agreed
upon by subsequent negotiation, and the undersigned firm hereby certifies that all information provided below and in any
schedule attached hereto is true, correct, and complete.

\* Virginia Contractor License No. \_\_\_\_\_
Class: \_\_\_\_\_ Specialty Codes: \_\_\_\_\_

Name And Address Of Firm:

Date: \_\_\_\_\_
By: \_\_\_\_\_
(Signature In Ink)
Name: \_\_\_\_\_
(Please Print)
Title: \_\_\_\_\_
Telephone Number: (\_\_\_\_)\_\_\_\_\_
Zip Code: \_\_\_\_\_
eVA Vendor ID or DUNS #: \_\_\_\_\_
Fax Number: (\_\_\_\_)\_\_\_\_\_
E-mail Address: \_\_\_\_\_

\* PREPROPOSAL CONFERENCE: A (mandatory/optional) proposal conference will be held on \_\_\_\_\_ at
the \_\_\_\_\_. (Reference: Paragraph \_\_\_\_ herein). (If mandatory add: "NO ONE WILL BE
ADMITTED AFTER \_\_\_\_\_ (Time) ")\* If special ADA accommodations are needed, please contact \_\_\_\_\_ (Name) at
(phone number) by \_\_\_\_\_ (date) .

\* Delete if not applicable.

Note: This public body does not discriminate against faith-based organizations in accordance with the Code of
Virginia, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability,
or any other basis prohibited by state law relating to discrimination in employment.

Annex 7-B, COMPETITIVE NEGOTIATION STEP-BY-STEP PROCEDURES, STEP 2, IV., B.,7.

7. State Corporation Commission Form: Required of all offerors pursuant to Title 13.1 or Title 50 (See Appendix B, Section II, 64.). Include SCC Form, Annex 7-I, in Request for Proposals.

**Annex 7-I**

**State Corporation Commission Form**

**Virginia State Corporation Commission (SCC) registration information. The offeror:**

- is a corporation or other business entity with the following SCC identification number: \_\_\_\_\_ **-OR-**
- is not a corporation, limited liability company, limited partnership, registered limited liability partnership, or business trust **-OR-**
- is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the offeror in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from offeror's out-of-state location) **-OR-**
- is an out-of-state business entity that is including with this proposal an opinion of legal counsel which accurately and completely discloses the undersigned offeror's current contacts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of § 13.1-757 or other similar provisions in Titles 13.1 or 50 of the Code of Virginia.

**\*\*NOTE\*\*** >> Check the following box if you have not completed any of the foregoing options but currently have pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wish to be considered for a waiver to allow you to submit the SCC identification number after the due date for proposals (the Commonwealth reserves the right to determine in its sole discretion whether to allow such waiver):

Annex 8-E

(Agency Letterhead)

COMMONWEALTH OF VIRGINIA

**NOTICE OF SOLE SOURCE AWARD**

DATE OF AWARD \_\_\_\_\_

COMMODITY \_\_\_\_\_

PURCHASE ORDER OR CONTRACT NUMBER: \_\_\_\_\_

CONTRACTOR(S)/VENDOR(S) \_\_\_\_\_

IT HAS BEEN DETERMINED THAT ONLY ONE SOURCE IS PRACTICABLY AVAILABLE FOR THE COMMODITY LISTED ABOVE.

RECORDS FOR THIS PROCUREMENT ARE NOW AVAILABLE FOR INSPECTION.

(PURCHASE OFFICER/CONTRACT OFFICER)

\_\_\_\_\_  
(SIGNATURE)  
NAME TYPED OR PRINTED

\_\_\_\_\_  
TELEPHONE NUMBER

\_\_\_\_\_  
E-MAIL ADDRESS

**Annex 9-B**

**(Agency Letterhead)**

COMMONWEALTH OF VIRGINIA

**NOTICE OF EMERGENCY AWARD**

DATE: \_\_\_\_\_

COMMODITY: \_\_\_\_\_

PURCHASE ORDER OR CONTRACT NUMBER: \_\_\_\_\_

CONTRACTOR(S)/VENDOR(S): \_\_\_\_\_

RECORDS FOR THIS PROCUREMENT ARE NOW AVAILABLE FOR INSPECTION.

(PURCHASE OFFICER/CONTRACT OFFICER)

\_\_\_\_\_  
(SIGNATURE)  
NAME TYPED OR PRINTED

\_\_\_\_\_  
TELEPHONE NUMBER

\_\_\_\_\_  
E-MAIL ADDRESS

# CHAPTER 11

## APPEALS AND DISPUTES

In this Chapter look for . . .

- 11. General
- 11.1 Deleted.
- 11.2 Administrative Appeals
- 11.3 Disputes
- 11.4 Alternative Dispute Resolution

11. **General.** The *Virginia Public Procurement Act (VPPA)* provides remedies that are available to a vendor in the event of a challenge on a procurement action.

11.1 Deleted.

11.2 **Administrative Appeals.** *Code of Virginia*, § 2.2-4365, provides that agencies may establish an administrative procedure for hearing appeals from refusals to allow withdrawal of bids, appeals from disqualifications, appeals from determinations of nonresponsibility, appeals of denials of protests of award or decision to award a contract, and appeals from decisions on disputes arising during the performance of a contract. Such administrative procedures shall provide for a hearing before a disinterested person or panel, the opportunity to present pertinent information, and the issuance of a written decision containing findings of fact. The disinterested person or panel shall not be an employee of the governmental entity against whom the claim has been filed. The findings of fact shall be final and conclusive and shall not be set aside unless the same are fraudulent, arbitrary, or capricious, or so grossly erroneous as to imply bad faith. No determination on an issue of law shall be final if appropriate legal action is instituted in a timely manner. Any party to the administrative procedure, including the public body, shall be entitled to institute judicial review if such action is brought within thirty days of receipt of the written decision (*Code of Virginia*, § 2.2-4365). Any appeals procedures that are established must be consistent with the *VPPA*, can apply only to appeals filed after the procedure is established, and must provide for the vendor to receive written notification of the action taken.

12.4 f. **Property Records.** In order to track their inventory and assets both upon acquisition and during their use, agencies should maintain records of their property using the Commonwealth's Fixed Asset Accounting and Control System ("FAACS") or other appropriate entity-specific, property asset record-keeping systems. Such records are important and helpful when items become surplus property, as the purchase date, age, model and manufacturer of the item can then be traced from such information.

DGS/OSPM does not have access to agencies' FAACS inventory listings or any other inventory systems used by agencies. Therefore, regardless of how an agency codes its inventory system, an agency remains responsible for its fixed asset property records until the property is disposed of. Surplus property may be disposed of in several ways and examples include: transfer within an agency or to another agency, delivery to a surplus warehouse, delivery to a buyer (if sold at auction or on the internet, delivery to or collection by a contracted recycler, or delivery to a landfill, if authorized by a disposal letter from DGS/OSPM.

For records related to the surplus and disposition of surplus property, follow the procedures in Section 12.11 of this chapter of the APSPM. State agencies or institutions disposing of surplus property are to maintain their records in accordance with the policies established for public records management from the Library of Virginia, which can be accessed at <http://www.lva.virginia.gov/agencies/records/> or any then-current successor URL. The Library of Virginia (LVA) provides records storage and disposal. Agencies may contact LVA at (804) 692-3710 for additional information.

14.5. e. **Quick Quote (over \$5,000 to \$50,000):** Solicitation of bids or quotes via Quick Quote is mandatory for non-contract requirements between \$5,000 and \$50,000. Solicit a minimum of four (4) DMBE-certified small business sources, if available. Quick Quote may also be used to solicit a quote(s) for requirements under \$5,000. All Quick Quote solicitations shall be open for a minimum of three (3) business days (24 business hours) unless exempted in writing by the agency head or designee who shall be a direct report to the agency head. However, a sufficient length of time should be given to all vendors to respond considering, but not limited to, solicitation requirements, complexity of the procurement, market trends, etc. Vendors must be registered in eVA in order to respond electronically to Quick Quotes in eVA. Electronic Quick Quote responses and other methods for vendors to respond to Quick Quotes may be used simultaneously. Provide the Standard eVA Term and Condition in Annex 14-A when providing Quick Quote information to an ad hoc vendor. The resulting order must be processed through eVA. Reference the Quick Quote number in the header cross-reference field of the eVA requisition. When an award action is taken or a “no award” decision is made, the agency shall update the Quick Quote to reflect the appropriate status. Quick Quote solicitations and award notices are not required to be posted on the eVA VBO website.

14.9 **Use of eVA and Exclusions:**

a. **Use of eVA.**

- (1) All purchase transactions, regardless of funding source, governed by the *VPPA* without regard to agency-specific exemptions, shall be processed through eVA to eVA registered vendors except as otherwise provided herein (see 14.11 or 14.9 b). eVA purchase orders should be issued prior to contractors performing any work. However, should the agency find it necessary to issue any eVA confirming orders, the confirming orders must be placed within eVA within five (5) business days after directing the contractor to proceed. This includes orders imported to eVA from ERPs (enterprise resource planning systems).

**SPECIAL TERMS AND CONDITIONS**

64) **STATE CORPORATION COMMISSION IDENTIFICATION NUMBER:** Pursuant to Code of Virginia, §2.2-4311.2 subsection B, a bidder or offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 is required to include in its bid or proposal the identification number issued to it by the State Corporation Commission (SCC). Any bidder or offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law is required to include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized. Indicate the above information on the SCC Form provided. Contractor agrees that the process by which compliance with Titles 13.1 and 50 is checked during the solicitation stage (including without limitation the SCC Form provided) is streamlined and not definitive, and the Commonwealth’s use and acceptance of such form, or its acceptance of Contractor’s statement describing why the bidder or offeror was not legally required to be authorized to transact business in the Commonwealth, shall not be conclusive of the issue and shall not be relied upon by the Contractor as demonstrating compliance.

**\* When used: In all Competitive Sealed Bidding and Competitive Negotiation solicitations (IFBs and RFPs).**