



# COMMONWEALTH of VIRGINIA

## Radford University

Martin Hall

Radford, VA 24142

### FY2010 Annual SWaM Procurement Plan

Date of Submission: Tue Sep 22 13:21:07 EDT 2009

1. Agency/Institution Official Name: Radford University

Address: Martin Hall, Radford, VA 24142

2. Agency Code: 217

Sub-Agency Code(s):

3. Agency Head: President Penelope W. Kyle

Phone Number: 540-831-5401

Email Address: pwkyle@radford.edu

4. Secretariat: Dr. Thomas R. Morris

5. List your FY2010 SWaM expenditure goals for Small, Women- and Minority-Owned businesses as a percentage of your projected discretionary expenditures. Goals should include your projected sub-contracting expenditures if applicable. FY2009 goals were pre-filled from your FY2009 SWaM plan. FY2009 SWaM expenditures were system-generated from the SWaM Dashboard.

	MBE	WBE	SBE
FY2009 Agency SWaM Goals	7.0 %	2.0 %	15.0 %
FY2009 Agency Actual Expenditures	7.69 %	4.95 %	28.40 %
Total FY2010 Projected SWaM Spend Goals	7.0 %	3.53 %	17.03 %

(Percentage based on Discretionary Budget)

6. Describe the process for determining your SWaM goals and issues that have been taken into consideration for determining these goals

Radford University's SWaM goals and issues were determined as the result of the May 19, 2009, meeting between

President Kyle and Secretary Baskerville May 19, 2009.

## **II. Designation of Procurement Champion(s)**

### **A. Purchases and Supply Division**

Name: Pamela P. Simpkins

Title: Director of Materiel Management & Contracts

Mailing Address: POB 6885 Radford, VA 24142

Telephone/Fax: 540-831-6118

E-mail Address: ppsimpkin@radford.edu

### **B. Building and/or Construction Division (if applicable)**

Name: Roy E. Saville

Title: Director Facilities Planning & Construction

Mailing Address: POB 6909 Radford, VA 24142

Telephone/Fax: 540-831-7812

E-mail Address: rsaville@radford.edu

## **III. Responsibilities, Policies and Procedures**

### **A. Who is responsible for the following (Name and Title for each):**

1. Producing the Annual SWaM Plan for the agency? Pamela P. Simpkins ( Director of Materiel Management )
2. Monitoring the agency spend with SWaM vendors? Pamela P. Simpkins ( Director of Materiel Management )
3. Evaluating the progress in meeting the SWaM goals? Pamela P. Simpkins ( Director of Materiel Management )
4. Planning and implementing agency participation in Diversity Outreach Events? Pamela P. Simpkins ( Director of Materiel Management )
5. Providing training on SWaM policies and procedures for agency staff and end users? Pamela P. Simpkins ( Director of Materiel Management )
6. Posting future procurement opportunities on eVA site? Kimberly Bane ( Buyer Specialist )
7. Does the Agency Head meet with the SWaM Procurement Champion(s) on a regular basis to discuss the agency progress and/or barrier that prevent the agency from meeting the SWaM goals? Yes  
If yes, how often: As needed

### **B. Does your agency subscribe to the policies that follow:**

1. All solicitations under \$5000 are issued as set-asides for DMBE certified Small Businesses? No  
Purchases under \$5,000 will go to SWaM suppliers, if available.
2. Solicitations between \$5000 and \$50,000 are issued as set-asides for DMBE certified Small Businesses? No  
RU buying staff use eVA Quick Quote (QQ) and unsealed faxed bids for non-complex purchases of good.

3. Solicitations above \$50,000 are issued as set-asides for DMBE certified Small Businesses? No

Sealed solicitations are posted in eVA and advertised if required.

4. For all contracts in excess of \$100,000, prime contractors are required to submit Small Business Subcontracting Plans and proof of payment to the Subcontractors? No

Contracts in excess of \$100,000 include a Small Business Subcontracting Plan; however, proof of payment is not collected from the prime contractors. Prime contractors are required to submit status reports on the use of SWaM subcontractors.

5. All proposals from prime contractors are evaluated with weighted value assigned to the prime's Small Business Subcontracting Plan? Yes

Weight Assigned: 20

6. Does the agency apply a broad definition of "prior experience", not only to the firm but also to the personnel to be assigned to the contract, in order to include participation of SWaM businesses in state procurements? Yes

7. Does your agency make early postings of future procurement opportunities on the eVA website in order to allow SWaM businesses to prepare and compete for the solicitation? Yes

How far ahead? 3 to 6 months

8. Is training on the SWaM Initiative, and how to implement it, required of staff with procurement responsibility and end users? Yes

9. Are Outreach Events for certification/training/information purposes part of your agency's activities to enhance SWaM participation? Yes

How many will you attend in FY2010? 1

How many will you host in FY2010? 1

10. Does your agency have a policy in place for unbundling contracts in order to include SWaM Participation? No

If No, is there a plan to develop a policy for unbundling? No

11. Does your agency have a pre-qualification program? No

12. Has the agency developed any pilot programs to increase opportunities for SWaM vendors to perform as prime contractors on Commonwealth projects? No

13. Does your agency have specific barriers or limitations that prevent your agency from achieving your agency SWaM goals and plans? No

14. Do you have a review process to evaluate the agency progress in achieving the agency's SWaM goal? Yes  
The quarterly reports are used to assess progress.

**C. Are there Procedures in place in your agency to do the following:**

1. Distribute information to certified SWaM vendors, as well as potential SWaM vendors, about procurement opportunities and to increase SWaM participation? Yes

As a member of VASCUPP, Radford University is represented at SWaM committee and Cooperative Contracting committee meetings where contracting opportunities are defined and SWaM vendors are distributed information.

2. Strongly encourage eligible vendors to apply for SWaM Certification? Yes

Radford University employees that are designated as contract administrators are asked to encourage vendors eligible for SWaM Certification to either contact DMBE or someone in the university's department of Materiel Management & Contracts to assist them in the process.

3. Provide a standard form including prime company name, prime TIN, sub company name, sub TIN, subcontracting payment amount and payment date, to a prime contractor to be used to capture the required data for subcontractors participating on the contract? Yes

4. Please list NIGP codes of product or service that the agency is experiencing difficulties in finding certified SWaM vendors: 91200 90638 20453 204454

5. Please list NIGP codes of product or service that the agency is making its most purchase: 20600 61500 91000 96659

6. Please provide the web link to your agency procurement policies: <http://purchase.asp.radford.edu/> and <http://www.radford.edu/fpc/FPCIndex.htm>

7. Additional information: Radford University was granted Level 2 Status in July 2009 for Procurement Authority. A copy of the Memorandum of Understanding between Radford University and the Commonwealth of Virginia, including the signed Radford University Three-Year SWaM Plan For Fiscal Years 2010-2012 in Accordance with the Restructured Educational Financial and Administration Operations Act Level 2 Authority in Procurement will be mailed with a copy of this FY2010 Annual SWaM Procurement Plan

Completed by: Pamela P. Simpkins Signature: Pamela P. Simpkins Date: 09/23/2009

Reviewed by: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agency/Institution Head

See attached signed MOU and Three-Year SWaM Plan

(The Plan must be reviewed, approved and signed by Agency/Institution Head)

**PROCUREMENT AUTHORITY**  
**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**RADFORD UNIVERSITY**  
**AND**  
**THE COMMONWEALTH OF VIRGINIA**

**Background**

The General Assembly of Virginia enacted at its 2008 Session, and the Governor approved, Chapters 824 and 829 of the 2008 Acts of Assembly of Virginia ("Chapters 824 and 829"), two identical acts that amended and reenacted § 23-38.90 of the Code of Virginia and enable certain operational authority to be granted to certain public institutions of higher education in Virginia in the functional areas of information technology, procurement, and capital projects excluding leases of real property. Specifically, § 1.0 of the second enactment clause of Chapters 824 and 829 provides that "any public institution of higher education in Virginia may be granted additional operational authority in a minimum of two, but not all three of the following functional areas: information technology ...; procurement ...; and capital projects excluding leases of real property ... . For each functional area ... such institution shall be required to enter into a separate and distinct memorandum of understanding with the appropriate Cabinet Secretary or Secretaries, as designated by the Governor, in order to exercise any such operational authority." Radford University (the "University") has selected information technology and procurement as the most advantageous functional areas for which to request and be granted additional operational authority.

**Grant and Exercise of Authority**

This Memorandum of Understanding ("MOU") grants to the University the additional operational authority authorized by § 3.0 of the second enactment clause of Chapters 824 and 829 for the functional area of procurement. The University agrees to exercise this procurement authority as granted by this MOU and set forth in § 3.0 of the second enactment clause of Chapters 824 and 829, the "Rules Governing Procurement of Goods, Services, Insurance, and Construction by a Public Institution of Higher Education of the Commonwealth of Virginia" contained in Attachment 1 to § 3.0 of the second enactment clause of Chapters 824 and 829, and its small, women and minority-owned business ("SWaM") plan adopted by its Board of Visitors on June 11, 2009.

**University Personnel Responsible for Implementation**

With the understanding that it is at all times fully and ultimately accountable for the proper fulfillment of the duties and responsibilities set forth in, and for the appropriate implementation of, the procurement authority detailed in § 3.0 of the second enactment clause of Chapters 824 and 829, the University's Board of Visitors has, by its legally permissible procedures, adopted a Board Resolution specifically delegating the duties and responsibilities set forth in § 3.0 of the second enactment clause of Chapters 824 and 829 to the President of the University, and, while continuing to be fully accountable for such

duties and responsibilities, the President is authorized to further delegate the implementation of those duties and responsibilities pursuant to the University's usual delegation policies and procedures.

### **General Criteria Satisfied**

- The University received certification pursuant to § 23-9.6:1.01 of the Code of Virginia from the State Council of Higher Education for Virginia ("SCHEV") on June 8, 2009 for the most recent fiscal year (2007-08) for which SCHEV has completed certification, and shall continue to maintain that certification.
- The University's Board of Visitors has by at least a two-thirds vote in the affirmative approved a Resolution expressing that the University is qualified to be, and should be, governed by separate MOUs for information technology and procurement authority.
- In consultation with the Secretary of Administration, the Secretary of Finance, the Secretary of Education, the Secretary of Technology, and SCHEV, the University has developed and adopted two new education-related measures and targets for those measures. SCHEV approved these two new education-related measures and their respective targets at its May 12, 2009 meeting.

### **Functional Criteria for Procurement Satisfied**

- The University has decentralized procurement authority delegated to it by the Department of General Services pursuant to Chapter 11 (§ 2.2-1100 et seq.) of Title 2.2 of the Code of Virginia.
- The University is in full compliance with the requirements of the Virginia Public Procurement Act, Chapter 43 (§ 2.2-4300 et seq.) of Title 2.2 of the Code of Virginia.
- The University has adopted the "Rules Governing Procurement of Goods, Services, Insurance, and Construction by a Public Institution of Higher Education of the Commonwealth of Virginia" contained in Attachment 1 to § 3.0 of the second enactment clause of Chapters 824 and 829 to govern the University's procurement of goods, services, and insurance.
- The University's Chief Procurement Officer and all other current buyers have and shall maintain the Virginia Contracting Officer ("VCO") certification. Any new buyers hired will attain certification within two years of hiring.
- The University's 2009-10 small, women, and minority-owned business ("SWaM") plan goals and its aspirational SWaM plan goals for 2010-11 and 2011-12 were adopted by its Board of Visitors on June 11, 2009 and have been approved and certified by the Secretary of Administration.
- As its implementing policies and procedures for the procurement authority granted by this MOU, the University will use (i) the Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and Their Vendors (the "Manual"), other than those provisions of the Manual requiring state agency review or approval for procurements covered by Chapters 824 and 829,

including by the Department of General Services and its Division of Purchases and Supplies, and (ii) the University's internal procurement policies and procedures to implement the Rules and the Manual.

### **Termination of MOU**

The Governor shall have the right and power to void this MOU as provided herein. If the Governor makes a written determination that the University is not in substantial compliance with the terms of this MOU or with the requirements of Chapters 824 and 829, (i) the Governor shall provide a copy of that written determination to the Rector of the Board of Visitors of the University and to the members of the General Assembly, and (ii) the University shall develop and implement a plan of corrective action, satisfactory to the Governor, for purposes of coming into substantial compliance with the terms of this MOU and with the requirements of Chapters 824 and 829, as soon as practicable, and shall provide a copy of such corrective action plan to the members of the General Assembly. If after a reasonable period of time after the corrective action plan has been implemented by the University, the Governor determines that the University is not yet in substantial compliance with this MOU or the requirements of Chapters 824 and 829, the Governor may void this MOU. Upon the Governor voiding this MOU, the University shall not be allowed to exercise any authority pursuant to Chapters 824 and 829 unless and until the University enters into a subsequent MOU with the Secretary or Secretaries designated by the Governor or the void MOU is reinstated by the General Assembly.

### **Effective Date and Term of MOU**

This MOU shall become effective on the date of the latest signature below and shall remain in effect for three years from that date.

\* \* \* END OF PAGE \* \* \*

Agreed to by Radford University:

Penelope W. Kyle

Penelope W. Kyle  
President

Date:

June 15, 2009

Agreed to by the Commonwealth of Virginia:

For the Secretary of Administration:

By: Lisa O. Basherolle

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

Date: July 3, 2009

For the Secretary of Education:

By: Th R Morris

Title: Sec. of Education

Date: 7/2/09

For the Secretary of Finance:

By: W. D. Bowen

Title: Sec. of Finance

Date: 7/6/09

**Radford University Three-Year SWaM Plan  
For Fiscal Years 2010-2012 in Accordance with the  
Restructured Higher Educational Financial and Administration Operations Act  
Level 2 Operational Authority in Procurement**

**Executive Summary:**

The Restructured Higher Educational Financial and Administration Operations Act, Chapter 4.10 of Title 23 of the Code of Virginia, provides inter alia, that "any public institution of higher education may enter into a memorandum of understanding with the appropriate Cabinet Secretary or Secretaries, as designated by the Governor, for additional operational authority in any operational area or areas adopted by the General Assembly in accordance with law provided that the authority granted in the memorandum of understanding is consistent with the institution's ability to manage its operations in the particular area or areas." The Level 2 Memorandum of Understanding with the Commonwealth, once approved, will be in effect for a three year period.

An institution seeking additional authority in procurement operations must have their SWaM plan adopted by their Board of Visitors and approved and certified by the Secretary of Administration. On May 19, 2009, the Secretary of Administration informed Radford University (RU) that as part of the secretariat certification process, the University must submit to her office for review and approval a three-year SWaM Plan to coincide with the three-year period of the Level 2 Memorandum of Understanding.

Radford University has developed this SWaM Plan for fiscal years 2010, 2011 and 2012 to serve as a master plan that outlines the University's SWaM stated utilization goals for FY2010 and aspirational targets for utilization of Small, Women- and Minority-Owned businesses for FY2011 and FY2012 and the efforts that must be put forth to achieve these goals. This three-year SWaM Plan follows the Procurement of Goods, Services, Insurance, and Construction and the Disposition of Surplus Materials as they relate to the SWaM initiative and all requirements mandated by Governor Kaine's Executive Order 33.

**I. SWaM expenditure goals for Small, Women- and Minority-Owned businesses as a percentage of RU's projected discretionary expenditures. Goals include expenditures with prime contractors, as well as subcontractors.**

<b>Spending Targets (compared to total university discretionary spend)</b>	<b>MBEs %</b>	<b>WBEs %</b>	<b>SBEs %</b>	<b>Total SWaM % Goal</b>
FY2010 (stated goal)	7.00%	3.53%	17.03%	27.56%
FY2011 (aspirational target)	7.00%	3.75%	21.03%	31.78%
FY2012 (aspirational target)	7.00%	4.00%	25.03%	36.03%

## II. Designation of SWaM Co-Champions

### A. Purchases and Supply Division

Name: Pamela P. Simpkins

Title: Director, Materiel Management and Contracts

Mailing Address: P O Box 6558, Radford, VA 24142

Telephone/Fax: 540-831-6118 / 540-831-5946

Email address: [ppsimpkin@radford.edu](mailto:ppsimpkin@radford.edu)

### B. Purchases and Supply Division

Name: Gary B. Tilley

Title: Associate Director, Materiel Management and Contracts

Mailing Address: P O Box 6558, Radford, VA 24142

Telephone/Fax: 540-831-6097 / 540-831-5946

Email address: [gtilley@radford.edu](mailto:gtilley@radford.edu)

### C. Construction Division

Name: Roy E. Saville

Title: Director, Facilities Planning and Construction

Mailing Address: P O Box 6909, Radford, VA 24142

Telephone/Fax: 540-831-7812 / 540-831-5964

Email address: [rsaville@radford.edu](mailto:rsaville@radford.edu)

## III. Responsibilities, Policies and Procedures

A. Who is responsible for producing, implementing and monitoring the SWaM Plan? The SWaM Co-Champions are responsible for working together with university administration, faculty and staff to achieve the University's SWaM Plan. Co-Champions responsibilities include:

- Providing communication and awareness training to campus and to vendors.
- Assisting vendors with questions, certifications and eVA registration.
- Working with prime contractors to increase the usage of certified SWaM vendors as subcontractors.
- Researching and analyzing spend data and SWaM vendors' commodity listings.
- Participating in state procurement and higher education outreach events.
- Participating in the VMSSDC events.
- Preparing and distributing all reporting requirements to the University administration and the State.

- Posting known procurement opportunities on the eVA "Future Procurement" site.
- Following up with SWaM vendors that choose not to bid on university solicitations to research reasons and attempt to assist if training opportunities are discovered.
- Monitoring SWaM Plan on a quarterly basis and making adjustments in activities as necessary.

#### B. Procurement Policies and Procedures

- Increase efforts in identifying SWaM vendors and assist them in the DMBE certification process; follow-up to ensure certification in correct category.
- Purchases under \$5,000 will be to SWaM suppliers, if available.
- Purchases of office supplies will be from SWaM suppliers.
- Inclusion of 20% evaluation points for small business subcontracting plans in RFPs.
- Use of eVA Quick Quote (QQ) by professional buying staff for non-complex purchases of goods and services valued between \$5,000 and \$50,000. QQ solicitations flow electronically to registered eVA vendors, including SWaM vendors, according to commodity code selection.
- Continued use of eVA as the campus-wide e-procurement system and increased awareness to campus on the importance of using SWaM suppliers.

#### C. SWaM Purchasing and Contracting Strategies for Fiscal Years 2010, 2011 and 2012

- Evaluate all capital Construction Manager at Risk pre-qualifications and awards using multiple factors, including a firm's ability to bring WBE and MBE subcontractors to our area. Look closely at the maturity of the prospective firm's internal disadvantaged business outreach program, current subcontracting database, previous history of utilizing WBEs and MBEs on similar projects, and the firm's projected utilization of WBEs and MBEs as subcontractors on RU's respective capital projects. Consider any company who is willing to pursue joint ventures or protégé agreements with a WBE or MBE partner on a RU capital project.
- Utilize the resources of DMBE, specifically the new DMBE SWaM Construction Administrator, for identifying WBE and MBE firms that have an interest in traveling to Southwest Virginia for work. RU will serve as a conduit to match these firms with prospective prime contractors for determination of their capacity to be engaged in future capital construction projects as a DMBE certified subcontractor.

- Require prime contractors to submit SWaM subcontracting plans. Evidence of compliance to SWaM subcontracting plans will be required prior to final payment being processed. The reported subcontractor spending will be reviewed to ensure the subcontractor is a certified DMBE vendor. Subcontractors found to be eligible for DMBE certification will be contacted and certification assistance will be offered.
- The 'prior experience' requirement in solicitation will be written so that qualified SWaM businesses will not be excluded from consideration.
- Update the eVA "Future Procurement" site as needed.
- Continue membership and active participation in the Virginia Minority Supplier Development Council (Western Region).
- Partner with DMBE to assist vendors with certification requirements.
- Review existing term contracts to identify SWaM vendors and potential SWaM vendors that may already be or may be eligible to be on contract.
- Update SWaM designations in the Banner Finance vendor data base.
- A RU SWaM Co-Champion will actively participate on the newly formed VASCUPP SWaM committee.
- Advertise required solicitations in statewide newspapers.
- Actively participate in VASCUPP events (SWaMfest).

D. Evaluation process utilized by RU for SWaM procurement progress and achievement

The Director of Materiel Management and Contracts, Associate Vice President for Finance and Administration, Vice President for Finance and Administration, and the University President will evaluate the progress and achievement of the SWaM Plan through SWaM reporting and university communications processes. These individuals and other RU administrators will support and advocate the efforts of the SWaM Plan as part of the University's goal to spread diversity throughout the campus.

The Radford University Department of Materiel Management and Contracts certifies that purchasing manuals, regulations and guidelines incorporate and comply with the SWaM purchasing regulations and/or guidelines set forth in the applicable Procurement Manual, e.g., for goods and services-Department of General Services, Division of Purchases and Supply's Agency Procurement and Surplus Property Manual (PIM #98-021 effective 10/2/2006); for IT goods and services-Virginia Information Technology Agency's IT Procurement Policy for Enhancing Opportunities for Small, Women- and Minority-Owned Businesses (v. 2, effective 2/23/2007); for construction-Department of General Services' Construction and Professional Services Manual (2004).

The University's SWaM Plan for fiscal years 2010, 2011 and 2012 has been prepared and reviewed for submission to the Radford University Board of Visitors by:

SWaM Co-Champion:  
Pamela P. Simpkins

Signature Pamela P. Simpkins Date 6-11-09

SWaM Co-Champion:  
Gary B. Tilley

Signature Gary B. Tilley Date 6-11-09

SWaM Co-Champion:  
Roy E. Saville

Signature Roy E. Saville Date 6/12/09

AVP Finance & Administration:  
Evelyn C. Wilson

Signature Evelyn C. Wilson Date 6-11-09

**Acronym Key**

DMBE – Department of Minority Business Enterprise

eVA – Electronic Virginia, State Procurement System

SWaM – Small, Woman- and Minority-Owned Businesses

SWaMfest – Annual outreach event coordinated by the VASCUPP organization

VASCUPP – Virginia Association of Schools, Colleges, and University Procurement Professionals

VMSDC – Virginia Minority Supplier Development Council