



Procurement, Contracts, and Grant Administration



Kevin Kelly

Director

December 14th , 2018

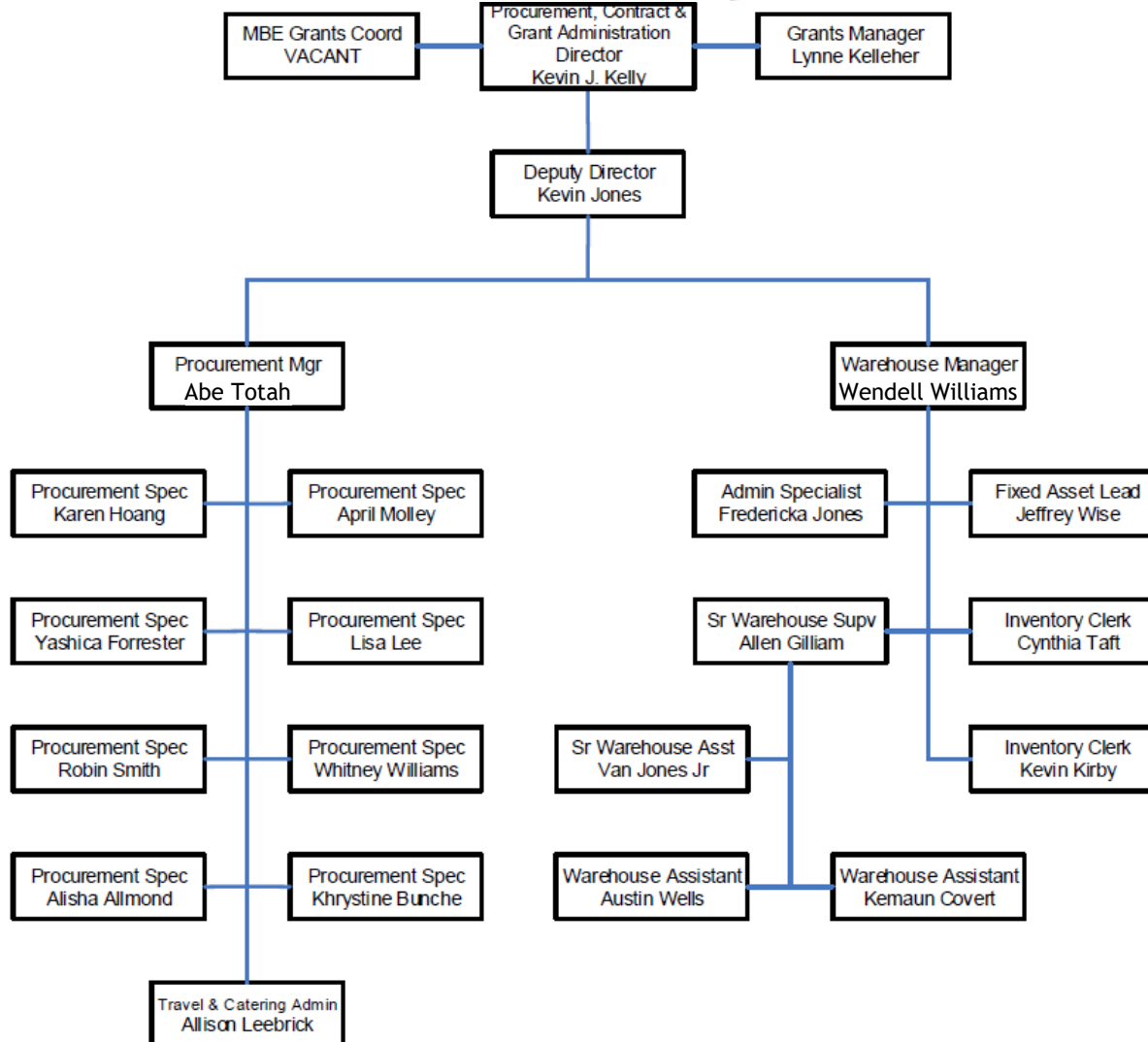
Agenda

- Team Overview
- Quiz Time.....”How Well Do You Know Procurement, Grants, and MOU’s?”
- Procurement Policy Recap
- Procurement “Best Practices”.....and why they matter
- How To Stretch Your Dollars
- Disruptive TechnologyThe New Business Tool Kit
- Key Definitions
- Grants and MOU’s “Demystified”



PROCUREMENT, CONTRACT & GRANT ADMINISTRATION

Meet The Team



Proposed Duties and Responsibilities

*Khrystine Bunche
Alisha Allmond
Yashica Forrester

JIS TEAM

STAKEHOLDERS

- JIS
- AOC
- District Court
- Circuit Court

COMMODITY

Consultant

- Application Developer
- Technology Enhancement
- Network & Desktop Support
- Webcast Upgrade Administration

Hardware

- Computers
- Monitors
- Laptops
- Cable & Wiring

Software

- License
- Software Training

*Whitney Williams
April Molley
Allison Leebrick

EVENTS PLANNING TEAM

STAKEHOLDERS

- Law Library
- Education & Training
- State Board Law
Examiners

COMMODITY

- Conference /Events
- Bar Exam
- Travel
- Hotel Reservations

* Lisa Lee
Karen Hoang
Robyn Smith

STAKEHOLDERS

- Facilities
- AOC
- District Court
- Circuit Court
- Court of Appeals
- Court of Special Appeals

COMMODITY

- Construction
- Carpet
- Painting
- Furniture
- Janitorial Services
- Copiers
- Telephones and Cell Phones
- Printing
- Weapons
- Security Equipment
- Credit Cards
- Office Supplies
- Fleet

FACILITIES & ADMINISTRATION TEAM



* TEAM LEADS

Ready For Your Quiz?



How well do you know Procurement... MOU's... & Grants?



Quiz Time

Let's have
some fun!

- First question is two partsMust get both answers
 - Part #1 At what financial point (\$\$\$\$) must you use a Purchase order if you are not District Court?
 - Answer is.....\$2,500
 - Part #2 Is that the same amount in place for District Court....if no, what is the District Court Amount?
 - Answer is.....No....District Court Limit is \$500
- At what financial point (\$\$\$\$) must a contract be used?
- Answer is....All purchases \$25,000 and above
- Is a Purchase Order considered a contract?
- Answer.....Yes a Purchase Order is considered a binding legal contract
- At what financial point (\$\$\$\$)is the Chief Judge required to approve a contract?
- Answer.....All purchases \$500,000 and above

How well do you know Procurement... MOU's ...& Grants?



Quiz Time

Let's have
some fun!

- Procurement is aligned across how many teams?
- Answer isThree (3)
- Are MOU's Legally Binding?
- Answer.....MOU's are considered non legally binding
- What Maryland Department is accountable for maintaining Approved and Validated Minority and Small Businesses used by the Judiciary?
- Answer isMDOT Maryland Department of Transportation
- Where is the The Maryland Judiciary, Policy on Grants Administration & General Grant Conditions located?
- Answer.....Procurement Contract and Grant Administration Grant Home Page
- Are Federal Grant recipients required to follow State Policies?
- AnswerYes Federal Grant recipients are required to follow their States and Organization's policies in addition to Uniform Administrative Requirements.
- Can recipients receive 100% of Grant funds in advance of the project? "If yes....then who?"
- Answer.....No.....Funds are generally reimbursed quarterly

How well do you know Procurement ...MOU's...& Grants?



Quiz Time

Let's have
some fun!

- What does the acronym NOFA stand for?
- **Answer.....Notice of Funding Availability.....or Announcement**
- What does our internal acronym GAD stand for?
- **Answer.....Grant Awarding Department**
- DUNS numbers are sometimes required for Grant applications. The DUNS number is a proprietary system developed and owned by what company?
- **Answer.....Dun & Bradstreet**
- DUNS Acronym stands for what term?
- **Answer.....Data Universal Numbering System**

Key Grant of Authority (GOA) Policy Requirements



- Spending above \$2,500 requires a PURCHASE ORDER (PO)
- District Court Small Procurements are capped at \$500....anything over \$500 requires a PO
- Spending above \$25,000 requires a CONTRACT
- Procurements between \$2,500 and \$25,000 are governed by PO Terms & Conditions
- Procurements above \$25,000 are governed by Contract Terms & Conditions
- Amount in excess of \$100,000 require the approval of the State Court Administrator (SCA).
- Contracts in excess of \$500,000 require the approval of the Chief Judge COA



andWhy it matters

Procurement and Contracting “Best Practices”... Why They Matter



- Complete Requisitions with crystal clear SOW's (Statement of Work)
- *Why this matters-SOW's are the first and sometimes the ONLY time you get a chance to put in writing “what you actually want delivered. This is the time to spell out this out. If we are not clear everything is up for assumptions and interpretation.*
- Allow enough lead time for the RFP and Contracting process. (*including bidding, site visits, proposal review, and contracting.*)
- *Why this matters- People can underestimate the time required. Maximizing lead time ensures none of the steps are rushed and the proper level of due diligence can be applied.*
- Ensure all vendors have an active PO prior to beginning ANY work.
- *Why this matters-Suppliers who begin work without a PO are in violation of Judiciary Policy. Secondly the suppliers may not be bound by the necessary requirements including insurance and liability clauses*



Procurement and Contracting “Best Practices”... Why They Matter



- If you are the CONTRACT KEY PERSON (You own the contract) Pay attention to contract renewals! You will be notified 120, 90, 60, and 30 days out around the impending expiration date.
- *Why this matters-If contracts expire or due to expire too close to the date then modifications will be required due to the fact there is not enough time to put out an RFP.*
- Agree to use only AOC contracts with AOC terms. Do not agree to modify AOC terms or agree to use supplier contract templates.
- *Why this matters- Supplier contracts are typically written to benefit the supplier and load most if not all of the “RISK” back to the AOC. Our contracts are developed to minimize RISK to the AOC*
- Sign any forms or “click thru” documents (Wet or Electronic) without reviewing with Procurement or Legal
- *Why this matters - Similar to the above reason however many click thru agreements have clauses that allow contracts to be revised or modified without any input or notification.*

Procurement and Contracting “Best Practices”... Why They Matter



- Highly regard leveraged, internal or confidential information.
- *Why this matters-Suppliers are very skilled at acquiring information that improves their leverage. Many are trained specifically to extract information such as:*
 1. *Project Budget*
 2. *Competing Supplier Names*
 3. *Who Are The Decision Makers*



The New Business Toolkit....Disruptive Technology Is Here!

Definition - “A disruptive technology is one that displaces an established technology and shakes up the industry or a ground-breaking product that creates a completely new industry.”

➤ **Movement from Sports Card Collecting to Fantasy Competition-**



➤ **Reverse Auctions in Procurement**-A reverse auction (also called procurement auction, e-auction, sourcing event, e-sourcing or eRA) is a tool used in business-to-business procurement.

- It is a type of auction in which the role of the buyer and seller are reversed,
- Primary objective to drive purchase prices downward.
- Usage is increasing at 5% annually
- Results can exceed traditional RFP pricing between 5%-30%.

➤ **Gamification** - Refers to the incorporation of game elements, like point and reward systems to tasks with sometimes open invitations to participate.

- Recently used for evaluating IT Technology skills and Marketing capabilities. Making something potentially tedious into a competitive game.
- Taps into people's natural desires for competition and achievement.
- Companies use gamification to increase participation and improve productivity and create neutral job recruiting platforms. **Unilever Example**

How To Stretch Your \$\$\$\$\$



- Multi-year contracts can drive optimized pricing
- Extending warranties is something vendors do at little to no cost
- Model upgrade requirements.....ensuring you are getting the most up to date equipment
- On the flip side..... ordering a slightly older model with the same functionality can stretch your funds as they can be offered at deep discounts
- Trading in equipment is often overlooked but suppliers have tremendous leverage with manufactures especially when switching manufactures on new equipment.

Grants and MOU's “Demystified”

mystery

#CMYSTERY | ILLUSTRATION BY JOSEPH ALLOTTI

CREATIVEDORINGS





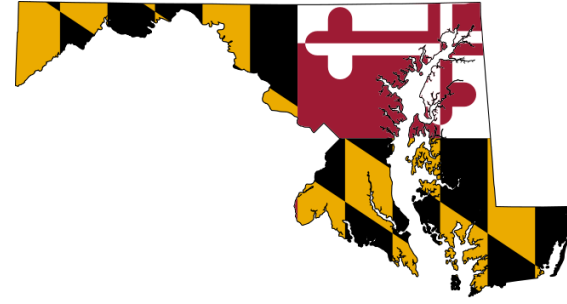
Memorandum of Understanding - MOU

A memorandum of understanding (MOU) is a nonbinding agreement between two or more parties outlining the terms and details of an understanding, including each parties' requirements and responsibilities.

Government Grant

A government grant is a financial award given by the federal, state or local government to an eligible grantee. Government grants are not expected to be repaid and do not include technical assistance or other financial assistance. They typically last over a fixed period of time.

Grants & MOUs



Grants

- Financial assistance agreement awarded to courts, State and local governments, non-profit organizations and institutions of higher education to support a public purpose

Memorandum of Understanding (MOU)

- Document that expresses mutual accord on an issue between two or more governmental agencies; may or may not be monetary



Role of the DPCGA

Department Procurement, Contract and Grant Administration



Grants

- Partner with Grant Awarding departments to facilitate the distribution of funds through a grant award process
- Post Notice of Funding Announcements to website
- Participate in grant application review
- Process Grant Award & Acceptance Forms for execution by Legal and other Judiciary officials
- Create and dispatch Purchase Orders
- Maintain electronic record in GEARS



Role of the DPCGA

Department Procurement, Contract and Grant Administration



MOUs

- Partner with requestor to facilitate MOU for required services
- Process MOUs for execution by DPCGA, Legal and other appropriate Judiciary officials
- Create and dispatch purchase order, if appropriate
- Maintain electronic record in GEARS



MOU, Grant, and Contracts

Differences and Similarities

	MOU	Grant	Contract
Legally Binding		✓	✓
Contains Offer Acceptance & Consideration		✓	✓
Only Used in Government	✓		
Requires Legal Review	✓	✓	✓
Financial Tool	Maybe	✓	✓

Question

