



NEBRASKA
Administrative Services
Materiel/Purchasing Division

Procurement User Group (PUG)
January 2014
Nebraska State Purchasing Bureau

1

AGENDA

- Opening Remarks
 - ❖ E-Mail Blasts and How to Receive
- Introductions
 - ❖ Staff
- Procurement Basics
- RFP Process and Planning
- New SPB Website
- Report – Open Contract Lines

2

**Procurement Basics –
Commodity & Service**

Nebraska State Purchasing Bureau

3

Resources

- SPB Contacts
 - Rita Kucera, Services 402.471.4194
 - Kate Severin, Commodities 402.471.4367
 - Brenda Pape, State Procurement Manager 402.471.0971
- SPB Website Resources
 - The Unrestricted Open Market Authority Letter should be your new best friend*
- Contract List on SPB website – start here first



4

Procurement Team Structure

State Purchasing Bureau is now divided into two teams:

- Services and IT (IT includes IT commodities and service)
- Commodities
- Reduces confusion and allows more specialization among the buyers and teams
- As requisitions come in, Supervisor(s) review for appropriate documentation and assign to Buyer(s)



5

State Purchasing Bureau Goals

- Thorough communication with agencies during the procurement process
- Enhanced tools for agencies and vendors – including updated website, forms and training guides
- Committed to maximum competition to ensure the best value for state tax dollars
- Mutual accountability and responsibility between SPB and agencies



6

COMMODITY PROCUREMENT
UPDATES

7

Commodity Team

Julie Dabydeen, Buyer
Teresa Fleming, Buyer
Dianna Gilliland, Buyer
Jennifer Crouse, Buyer
Annette Walton, Buyer
Christie Kelly, Buyer
Bitsy Longan, Staff Assistant
Charla Peterson, Staff Assistant

Kate Severin, Supervisor

Brenda Pape, State Procurement Manager

8

New in Commodity Procurement

- **Proof of authorization to engage in business within the State of Nebraska** required prior to award for commodity contracts or formally posted ITB's for one-time purchase (73-101.01)
Ensures legitimacy of vendors receiving awards, typically done via Secretary of State registration
- **Commodity Specification** template changes – includes Secretary of State language and formatting changes
Formatting changes (Yes/No/No & Provide Alternative) offer more clarity to bidders; new table structure easier to format

9

New in Commodity Procurement

- **Preference** –Invitation to Bid updated to include language from 73-107 to allow a Resident disabled veteran or a business located within a designated enterprise zone to claim preference if all other factors are equal, based on documentation provided

New statute from 2013 legislative session

- **Core & Catalog** –ensures flexibility for agencies, as needs change

SPB cannot add items to a contract that were not part of the competitive bid

10

Commodity Procurement Processing Steps

- Upon requisition arrival in SPB, team Supervisor reviews file and attached documentation; Supervisor may request additional information from the Agency before assigning to a Buyer

- Requisition attachments may include:

Specifications (for contract or formal bid)

Vendor List (for contract or formal bid)

Quotes already received (for Direct Purchase Authority)

Justification Memo (Sole Source or Restrictive)

Explanation Memo (Used Equipment)

Text attachments explaining any other needs, concerns or factors that will affect the agency

11

Commodity Procurement Processing Steps

- Upon assignment of requisition, SPB Buyer should send a "heads up" note to the agency contact

Enhances communication with agency

- SPB is working contract renewals a minimum of six (6) months prior to expiration (both commodity and service contracts)

Enhances planning at the SPB and agency level

12

Planning Procurement Projects

- Since SPB is working contract renewals a minimum of six (6) months prior to expiration:
If an existing contract is out of renewal options, agencies – please be prepared to begin planning the procurement calendar a minimum of six (6) months prior to expiration
- This allows time for measured review of specifications for rebid and ensures that pre-contract award documentation may be collected in advance of desired start date

13

Planning Procurement Projects

- **Work backward from the desired start date of the contract or purchase order issuance**
- SPB requires a minimum of 45 business days to review and post an ITB from date of requisition receipt
- Bid process – minimum 3 weeks for ITBs
- Please ensure that all agency internal stakeholders have reviewed the planned procurement project and given their input before submitting requisition to SPB

14

After Receiving Agency Recommendation for Formal Competitive Bids

- SPB must obtain “proof of authorization to engage in business” from awarded vendor
- Bonds, COI or other requirements may require receipt
- Legal review if bidder has taken exception(s) to standard terms and conditions or has included a Licensing Agreement
- Vendor addition to PFC Address Book, if necessary

15

Direct Purchase Authority (DPA) Process (\$10,000 to \$24,999.99)

- Direct Purchase Authority is only available on procurements between \$10,000 to \$24,999.99.
SPB cannot, by statute, grant DPA for procurements at or above \$25,000
- Please include copies of all quotes/bids received with the requisition
- If it was not possible to receive three (3) bids, please note. Include a justification memo if necessary.
- Used equipment within this price range should be accompanied by an explanation memo

Document for the file and possible future review

16

GSA-Like Pricing (\$10,000 or Over)

- Requisitions for products with GSA-Like pricing are to be accompanied by (1) a quote that calls out the GSA-Like pricing, (2) a copy of the cover sheet of the associated GSA contract and (3) copies of the specific contract pages with the item(s) and prices listed

The vendor should be able to supply this to the agency

17

Formal (\$25,000 or Over) One-Time Purchase Specifications

- Agency is responsible for providing the technical specifications to SPB
- "We've always done it that way" – let's explore how we can improve or update the specifications
- Please work with SPB as we ask questions. Our goal is the best product at the best price for your needs
- We are all stewards of the public's interest – maximum competition and transparency is the goal

18

Commodity Contract Specifications

- Agency is responsible for providing the technical specifications to SPB
- “We’ve always done it that way” – let’s explore how we can improve or update the specifications. Please work with SPB as we ask questions. Our goal is the best contract or purchase order at the best price for your needs
- We are all stewards of the public’s interest – maximum competition and transparency is the goal

19

Commodity Specifications

- Ensure that specifications provided to SPB are current. Helpful Hint: Review past specifications and past “Questions and Answers” to prevent past issues from re-occurring. Use the past Q & A as a guideline to help make specifications more clear, more inclusive and thus more functional

20

Commodity Contract or Formal One-Time Purchase Specifications

- Attach the Word file with specifications to the requisition – do not use the OLE function in E1
Please do not enter the requisition and email the specifications to a Buyer – the specifications should travel with the requisition.
- Include a vendor list
For any requisition except DPA or documented Sole Source; SPB will also attempt to find other vendors using the E1 address book listings
- Include any Justification memo for Sole Source or Restrictive needs
All justifications or explanations are part of the file; please write the memo so that it can “stand alone” and gave an outside reviewer (Auditor or citizen) the complete picture of the agency need.

21

Commodity Contract or Formal One-Time Purchase Specifications

➤ Core & Catalog

Is the core list appropriately sized? Include all items that will be used on a regular basis.

➤ Agency Subject Matter Expert (SME) research ensures that multiple vendors may compete

➤ Allow adequate time for Question & Answer period

Including SPB review of Q & A prior to posting.

➤ Is a Pre-Bid Conference necessary?

➤ Is a Bid Bond necessary?

➤ Is a Performance Bond necessary?

➤ Are there any Federal requirements that should be addressed up front?

Buy America, for example.

22

Award of Bid

➤ Whenever a formal procurement (ITB for either contract or one-time purchase valued at \$25,000 or over) garners fewer than three (3) bids, Materiel and the using agencies must review to determine if the specifications should remain as written (81-154).

➤ Therefore, if the formal procurement was not noted or reviewed as a Sole Source or Restrictive bid (with justification review prior to release), SPB has a duty to ask the agency to explain why the specifications cannot be altered.

23

Sole Source

➤ Sole Source means that there is only one manufacturer and no other distributors OR only one distributor within the geographic location

➤ Include a letter from the manufacturer on company letterhead that states this directly

➤ Include a memo from the agency that has a clear, Stand-Alone explanation as to why the item is needed – not just why it is a Sole Source

A "Stand-Alone" justification means that a lay person without specific knowledge of agency business processes can understand the need. Paint the whole picture; the file lives on after the procurement!

24

Restrictive (Brand/Model) Requests

- Restrictive requests, if valued at \$25,000 or over, will be posted to the SPB website, since competition may be attained among multiple distributors
- Include a vendor list
- Include a memo from the agency that has a clear, stand-alone explanation as to why the request should be restricted to brand/model

A "Stand-Alone" justification means that a lay person without specific knowledge of agency business processes can understand the need. Paint the whole picture; the file lives on after the procurement!

25

Exception Item Requests

- Weapons come to SPB at any dollar amount
- Non-CSI furniture comes to SPB at any dollar amount
- For all other categories, see Attachment I, Restricted Items, on the current Unrestricted Open Market Purchase Authority FY 2013-2014

Found on the SPB website homepage – an excellent, concise resource for all agency users!

26

Emergency Needs

- Emergencies can happen at any time and within any agency. Contact SPB as soon as possible – certainly that day if the emergency occurs during a business day and will cost over \$10,000 in non-contract commodity procurement

Emergency services have a \$50,000 cap, but again, contact SPB for help or assistance.

27

Quantity Increase Requests – Existing Commodity Contracts

- When completing the form, estimate usage for the next several months, not just for one purchase order
- Commodities – usage on state contracts is estimated and may be added to as needed

Request to Increase Contract Quantity Form is found under “Agency Information” on the SPB website.

28

SERVICE PROCUREMENT UPDATES

29

Services and IT Team

- Connie Heinrichs, Buyer
- Robert Thompson, Buyer
- Michelle Thompson, Buyer
- Pete Kroll, Buyer
- Nancy Storant, Buyer
- Kristi Kling, Buyer
- Karen DeVries, Staff Assistant
- Lydia Daniel, Staff Assistant

- Rita Kucera, Supervisor

Brenda Pape, State Procurement Manager

30

Quantity Increase Requests – Existing Service Contracts

- Services – most service contracts are at a fixed dollar value. Releasing a PO in error, cancelling or revising the PO, does *not* add quantity back into the contract. Please explain on the form why quantity needs to be added, if for a service contract!

Request to Increase Contract Quantity Form is found under "Agency Information" on the SPB website

31

New in Service Procurement

- **RFP Boilerplate** template changes – Order of Precedence, only one (1) original of RFP response is required, Blind Vendor preference language for Vending Services, Terms and Conditions in new format and Glossary of Terms update.

Posted on SPB website

- **Preference** –RFP Boilerplate updated to include language from 73-107 to allow a Resident disabled veteran or a business located within a designated enterprise zone to claim preference if all other factors are equal, based on documentation provided

32

Planning Service Procurement Projects

- **Work backward from the desired start date of the contract**
- SPB requires a minimum of 75 business days to review and post an RFP from date of requisition receipt
- Bid process – allow for all contingencies keeping in mind the longer the time, the better the RFP response, RFP pricing and less likelihood of error
- Please ensure that all agency internal stakeholders have reviewed the planned procurement project and given their input before submitting requisition to SPB

33

What Makes an RFP Simple or Complex?

- Cost-Only RFP's – example - recycling, snow removal are typically less complex.
- Complex RFPs include highly technical projects, data system and software development, and human services and are evaluated on more factors than just cost

Rule of thumb – the longer it takes to write or review an RFP, the more complex it may be – consider that bidders also need time to develop a thoughtful, cost-effective and complete response to the RFP.

A more in-depth presentation on RFP planning and evaluation is next on the Agenda

34

Request for Proposal Planning and Evaluation

Nebraska State Purchasing Bureau

35

What Does the RFP Process Promote?

- Competition
 - ❖ Quality
 - ❖ Lower Pricing
 - ❖ Flexibility in Approach
- Better Understanding
 - ❖ Detailed Requirements
 - ❖ Identifies Needs
 - ❖ Fosters Better Understanding Of Needs
- Clarity
 - ❖ Communicate Agency Requirements
 - ❖ Ensures All Bidders Are Provided Same Information

36

What Does the RFP Process Promote? (Continued)

- Standardizes Evaluation
 - ◆ Makes Evaluation Process Easier
- Reduces Bias
 - ◆ Pre-defined Evaluation Criteria
 - ◆ Written Evaluations
 - ◆ Withstands Public Scrutiny
 - ◆ Must Be Fair, Open and Transparent
- Improves Quality of Request for Proposal Responses
 - ◆ Better, More Complete Information Provided By Bidders
- Reduces Risk
 - ◆ Evaluate Bidders Organization (Corporate Overview)
 - ◆ Evaluate Bidders Technical Approach (Technical Response)
 - ◆ Evaluate Costs (Cost Proposal)

37

General Planning Guidelines

- SPB is now working a minimum of six (6) months out on service contract renewals.
- However, if a contract is out of renewal options, be prepared to begin planning the procurement calendar a minimum of nine (9) to twelve (12) months prior to expiration.

Complex projects require a total time frame that takes into consideration
Agency research and development of RFP
Pre-Release review by SPB and collaboration with agency
Bid Process
Evaluation Period
Pre-Contract Finalization

38

General Planning Guidelines (Continued)

- The drafts of the RFP, Cost Sheet(s) and Evaluation Criteria arrive in State Purchasing attached to the requisition
- Ensure during RFP review that the Cost Sheets are tied to the Deliverables within the Technical section
 - *Required by statute*
- Ensure that the Evaluation Criteria are aligned with the requirements of the Corporate and Technical section
- Agencies have the ability to bid RFP's on their own using SPB processes – pre-review of documents by SPB required prior to posting – 7-10 business days

**More on Evaluation Criteria later in the presentation!*

39

Planning Considerations

- Adequate Resources and Appropriate Amount of Time
- Formal Definition of Tasks
- Understanding of the Requirements
- Time and Budget
- Active Support and Involvement From Stakeholders, Including Legal, IT If Applicable

40

Planning Considerations (Continued)

- Standardized Documents and Checklists
- Knowledge of Major Risks and Problems
- Gathering Necessary Approvals From Management and Other Sources

There is a lot of work to do before the bidding process begins!

41

RFP Timeline

- Question and Answer period –minimum 15 business days from release to last day for vendor to submit questions; minimum 10 days for State to respond (includes SPB review prior to posting)
- Second round of Q & A requires additional time
- Evaluation Period – minimum of 21 days
- Oral Demonstrations –minimum of 7 days to request after initial scoring is received and verified by SPB

Please allow sufficient notice for bidders, who may be out-of-state

42

What To Include in the RFP

- ▶ Information Regarding the Agency and Specific Program For Which Services Are Being Procured
- ▶ Program Narrative
 - ❖ What is the agency seeking to procure?
 - ❖ What is the problem the agency is trying to solve?
 - ❖ What is the objective?
 - ❖ Major components of services sought and desired outcome
 - ❖ Service elements and service delivery, setting specific aspects of the service requested and those items the agency wants the bidder to address
 - ❖ Desired Contract Outcomes, including quantifiable objectives
 - ❖ Bidder and Bidder Staff Data, including expertise of both the firm and its personnel in delivery of the service being requested, and available resources

43

What To Include in the RFP (Continued)

- ▶ Identify Milestones (Deliverables)
 - ❖ Bidder must provide cost for each deliverable
 - ❖ Payments must be tied to deliverables
- ▶ Identify Monitoring Points
 - ❖ Monitor progress and acceptability of the work will be evaluated and corrective action taken

44

The RFP Process

- ▶ Allow a Minimum of 75 Business Days From Requisition Receipt to RFP Release
- ▶ Pre-Release Meetings with SPB
- ▶ Release of Request for Proposal
- ▶ Question/Answer Period (Possibly Two Rounds)
- ▶ Pre-Proposal Meeting, if applicable
- ▶ Proposal Opening

45

The RFP Process (Continued)

- Evaluation Process
- Contract Finalization
 - ❖ Finalization of Terms and Conditions
 - ❖ Secretary of State Registration/Letter of Good Standing
 - ❖ PFC Address Book Registration
 - ❖ Performance Bond
 - ❖ COI
 - ❖ Proposed contractor may not begin providing services until the contract is signed
- Contract Management
 - ❖ Contract Monitoring for progress and acceptability, may include corrective action

46

Legal Review Pre-Award

- Exceptions to standard boilerplate terms and conditions or a separate Licensing Agreement is part of the RFP response, trigger a Legal review
 - Any negotiation with vendor by SPB must occur prior to award*
- The State cannot agree to terms that are in conflict with the Nebraska State Constitution or statutes (for example, Limitation of Liability)

47

Proof of Need

- \$15 Million and over contract value requires Proof of Need analysis completed by the Agency after the bid opening, concurrent with award recommendation and prior to contract award.

\$15 million limit includes estimated dollar value of all possible renewal periods
Burden of proof is on the Agency, not SPB. SPB reviews to ensure all elements of the analysis are included.

48

Why is Evaluation Criteria Important?

- ▶ Helps clarify the agency's desired end result
- ▶ The RFP must be evaluated on the stated technical requirements
RFPs must be evaluated on the written proposal only; not assumptions or presumptions
- ▶ Helps the bidder understand what is needed to prepare the best possible response
- ▶ Ultimately, this saves the state time and money

49

RFP Evaluation Criteria Best Practices

- ▶ Aid in revealing the best solution and project approach
- ▶ Encourage competition by fostering fairness
- ▶ Set thresholds for quality and responsibility
- ▶ Must be tied to the RFP requirements

50

Agency Analysis for Developing RFP Criteria

- ▶ What does a successful outcome for the RFP look like?
- ▶ What contractual standards are required around services and/or delivery?
- ▶ What information do the bidders need to know?
- ▶ What information is needed from the bidder?
- ▶ To assess proposals, what are the most important elements?

51

Agency Business Processes – What Is Important to You?

- The RFP scope should clearly outline or state the Agency needs. Bidders should not have to guess what those needs are. Clearly defined needs and goals lead to better responses.

52

Bottom Line: Evaluation Criteria Are Not an Afterthought

- Evaluation Criteria must be linked to the RFP narrative. The creation of good, thoughtful RFP Criteria are part of the initial process of developing the RFP.

53

Evaluation Team Roles and Responsibilities

- A single point of contact (Project Leader) who does not score but responds to team member questions
- Project Leader holds an initial meeting of the Evaluation Team to explain the evaluation process, provide instructions and the evaluation schedule
- SPB is willing to assist with the initial meeting
- Project Leader is responsible for checking and verifying all scoring documents prior to submission to SPB
- Evaluation Committee members must sign the *Declaration Concerning Conflict of Interest and Confidential Information* form

54

Evaluation Team Roles and Responsibilities (Continued)

- Evaluation Team understands the process
- Do individual evaluators understand their roles and responsibilities within the process?
- Evaluators score RFPs independently, not collaboratively
- RFPs are scored individually not comparatively
- Evaluators may not make assumptions, but score on solution proposed within the RFP response
- Cost Evaluation is scored by one (1) evaluator only (not all evaluators) and verified by Project Leader

55

- Each RFP is a unique experience. Other phases of the process may include:
 - ❖ Oral Interviews/Demonstrations
 - ❖ Best and Final Offer (BAFO)
 - ❖ Reference Checks

For more information on these phases, please see the SPB Website to download the Request for Proposal Evaluation Scoring Manual

56

New SPB Website

Nebraska State Purchasing Bureau

57

SPB Website Update

Next Up:

- An exclusive look at the new and improved State Purchasing Bureau website
<http://das.nebraska.gov/materiel-2013/purchasing-land.html>

58

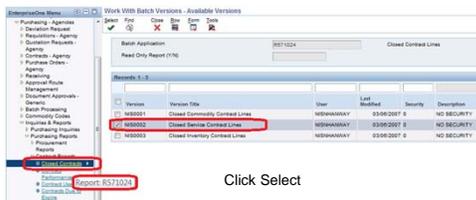
Report - Open Contract Lines

Nebraska State Purchasing Bureau

59

To View Open Service Contract Lines

- Purchasing – Agencies -> Inquires & Reports -> Purchasing Reports -> Contract Reports -> Closed Contracts (Report:R571024) -> NIS0002 (version) Closed Service Contract Lines



Click Select

60

> Choose Data Selection and Click Submit



Data Selection prior to changes shows the following:

Operator	Left Operand	Comparison	Right Operand
Where	Date - Cancel (F4311) (CNDJ) (BC)	is greater than	Date Today (SL)
And	Status Code - Next (F4311) (NCTR) (BC)	is equal to	'999'
And	Status Code - Last (F4311) (LSTR) (BC)	is less than	'980'
And	Order Type (F4311) (DCTO) (BC)	is equal to	'04'
And			

61

Operator	Left Operand	Comparison	Right Operand
Where	Date - Cancel (F4311) (CNDJ) (BC)	is greater than	Date Today (SL)
And	Status Code - Next (F4311) (NCTR) (BC)	is equal to	'999'
And	Status Code - Last (F4311) (LSTR) (BC)	is less than	'980'
And	Order Type (F4311) (DCTO) (BC)	is equal to	'04'
And			

Choose the Row with Status Code equal to 999 and Click "Delete"

To Add Criteria to your Data Selection:
Click on the Left Operand Down Arrow -> Choose "Business Unit"
Click on the Comparison Down Arrow -> Choose "is equal to"
Click on the Right Operand Down Arrow -> Choose "Literal"

62

> Choose from Single Value, Range of Values, or List of Values and Fill in the Blank(s)

A screenshot of a dialog box titled "Select Literal Value". It has buttons for "OK" and "Cancel". Below the buttons are three tabs: "Single Value", "Range of Values", and "List of Values". The "Range of Values" tab is selected. It contains two input fields: "Literal Value From:" with the value "25000000" and "Literal Value To:" with the value "25999999".

63

- The Order Type may include O4, OC and ZC if desired.
- Data Selection shows the options chosen to run the Report

Operator	Left Operand	Comparison	Right Operand
Where	Date - Cancel (F4311) (CNDJ) (BC)	is greater than	Data Today (SL)
And	Status Code - Next (F4311) (NXTN) (BC)	is less than	'999'
And	Order Type (F4311) (DOCT) (BC)	is equal to	'O4'
And	Business Unit (F4311) (BUCU) (BC)	is equal to	'20000000-20999999'

64

- Click OK
- Click OK
- Click Close
- View Job Status
- Click on Row -> View PDF or View CSV
- Open the Report in pdf to view

Order Number	Order Type	Order Line	Description	Description Line 2	Order Date	Cancel Date	Last Order	Reorder	Buyer	Supplier	Supplier Name
19503	O4	8	Access Natl Credit Data Base	66% 07/01/07 - 07/31/09	4/28/2006	9/30/2014	213	215	130099	4213396	CSC CREDIT SERVICES INC
19503	O4	8	Access Natl Credit Data Base	34% 07/01/07 - 07/31/09	4/28/2006	9/30/2014	213	215	130099	4213396	CSC CREDIT SERVICES INC
19503	O4	8	Access Natl Credit Data Base	66% 1/15/10/09 - 09/30/11	4/28/2006	9/30/2014	213	215	130099	4213396	CSC CREDIT SERVICES INC
19503	O4	8	Access Natl Credit Data Base	34% 1/15/10/09 - 09/30/11	4/28/2006	9/30/2014	213	215	130099	4213396	CSC CREDIT SERVICES INC
19504	O4	8	INSUR POLICY STUDY FOR RFP PROG		9/27/2006	9/30/2015	213	215	130099	342647	POLICY STUDIES INC - PAYMENTS
20384	O4	8	2ND RENEWAL		7/1/2006	6/30/2015	213	215	137117	342647	POLICY STUDIES INC - PAYMENTS
20384	O4	8	2ND RENEWAL		7/1/2006	6/30/2015	213	215	137117	342647	POLICY STUDIES INC - PAYMENTS
22972	O4	44	WCD CERTIFICATION RATE UPDATES	SPY 2014	4/1/2006	3/31/2014	213	215	136677	350095	MERCURY HEALTH & BENEFITS LLC - OMAHA PRO
24330	O4	23	CS ENFORCEMENT DOUGLAS CITY	46% SPLY	6/1/2007	9/30/2015	213	215	130099	550005	YOUNG WILLIAMS PC - OMAHA PRO
24330	O4	23	CS ENFORCEMENT DOUGLAS CITY	46% SPLY	6/1/2007	9/30/2015	213	215	130099	550005	YOUNG WILLIAMS PC - OMAHA PRO
24330	O4	24	CS ENFORCEMENT DOUGLAS CITY	34% SPLY	6/1/2007	9/30/2015	213	215	130099	550005	YOUNG WILLIAMS PC - OMAHA PRO
24330	O4	24	CS ENFORCEMENT DOUGLAS CITY	34% SPLY	6/1/2007	9/30/2015	213	215	130099	550005	YOUNG WILLIAMS PC - OMAHA PRO
25732	O4	8	2ND RENEWAL		7/1/2007	6/30/2015	213	215	137117	400784	ARNDT & T LLC - CONTRACT PFM
25732	O4	8	2ND RENEWAL		7/1/2007	6/30/2015	213	215	137117	400784	ARNDT & T LLC - CONTRACT PFM

65

- OR
- Open the Report in CSV (Excel) to view/sort/manipulate – The title is changed to "Open Contract Lines" on this report

Order Number	Order Line	Description	Description Line 2	Order Date	Cancel Date	Last Order	Reorder	Buyer	Supplier	Supplier Name	
19503	O4	8	Access Natl Credit Data Base	66% 07/01/07 - 07/31/09	4/28/2006	9/30/2014	213	215	130099	4213396	CSC CREDIT SERVICES INC
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66