DGS
GENERAL SERVICES

MEMORANDUM

Date: January 23, 2014 File No. 3207

To: Caroll Mortensen, Director
Department of Resources Recycling and Recovery
1001 I Street, 25th Floor
Sacramento, CA 95814

From: **Department of General Services**
Office of Audit Services

Subject: **AUDIT REPORT: DELEGATED PURCHASING PROGRAM**

This report presents the results of our compliance audit of the Department of Resources Recycling and Recovery (CalRecycle) delegated purchasing program. As required by Public Contract Code Section 10333, the Department of General Services (DGS) conducts an audit at least once in each three-year period of each state agency to which purchasing authority has been delegated by the department. At the time of our audit, CalRecycle had two purchasing authority delegations: No. 9G-0913-DRR-HQ1 governing non-information technology purchases and No. 9I-0913-DRR-HQ1 governing information technology (IT) purchases. Our audit was conducted in accordance with U.S. generally accepted auditing standards.

The objective of our audit was to determine that procurement transactions are being conducted in accordance with the terms and conditions of CalRecycle's purchasing authority delegation agreements with DGS, which include dollar threshold limits for various categories of procurements. The state's delegated purchasing requirements are primarily contained in State Contracting Manual (SCM) Volumes 2 (non-IT) and 3 (IT). As applicable, the scope of our audits of state agencies includes, but is not limited to, compliance with policies governing the conduct of competitive solicitations, use of leveraged procurement agreements, solicitation of certified small businesses and disabled veteran business enterprises, establishment of fair and reasonable pricing for acquisitions of less than $5,000, use of CAL-Cards to pay for goods and services, and prompt payment of suppliers.

Based on the results of our fieldwork conducted over the period April 12, 2013 through June 25, 2013, we concluded that CalRecycle is conducting its delegated purchasing program in compliance with the terms and conditions of its delegation agreements. CalRecycle's delegated purchasing policies and procedures are sufficient to provide reasonable assurance of compliance with the state's procurement statutes, policies, and procedures.

During our review we identified a number of areas for improvement within CalRecycle's delegated purchasing program. These areas included our concern that policies and procedures were not always ensuring full compliance with SCM provisions governing the: (1) obtaining of a copy of the supplier's sellers permit for non-IT goods transactions (SCM 2, 4.B6.3); (2) use of delegated purchasing policies and procedures to procure non-IT services (SCM 2, 2.B1.6); (3) obtaining of bidder declaration forms from small businesses and disabled veteran business enterprises which assist in verifying the performance of a commercially useful function (SCM 2 and 3, 3.2.6); (4) maintenance in the procurement transaction files of a copy of the contract pricing page(s) for IT leveraged procurement agreement transactions (SCM 3, 6.A4.1); and, (5) establishment of fair and reasonable pricing for CAL-Card payment transactions of less than $5,000 (SCM 2 and 3, 4.C1.0).

Prior to the completion of our audit, we verified that appropriate actions had been or were being taken to address the above issues. Therefore, they are not further discussed in this report.

We are pleased with the prompt actions taken by CalRecycle to address findings identified during our audit fieldwork. However, we did not perform effectiveness tests to determine whether the corrective actions were functioning as intended. CalRecycle's management has the ongoing responsibility for ensuring that its business management policies and procedures are functioning as prescribed and are modified, as appropriate, for changes in conditions.

To determine compliance, we reviewed policies and procedures, interviewed parties involved, tested records and transactions and performed other tests as deemed necessary. The period covered by our testing varied depending upon the area of review and the type of transactions involved; however, the emphasis of our review and testing was with current procedures and transactions completed during the 2012/13 fiscal year. Our transaction tests included the review of 29 delegated procurements.

We greatly appreciated the cooperation and assistance provided by CalRecycle's personnel.

If you need further information or assistance on this report, please contact me at (916) 376-5058, or Andy Won, Audit Supervisor, at (916) 376-5052.

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