



# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES  
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Her Excellency, Governor Margaret Wood Hassan  
And the Honorable Executive Council  
State House  
Concord, NH 03301

### REQUESTED ACTION

Pursuant to RSA 21-I:14, I; RSA 541-A:1, XV and RSA 4:15, the Department of Administrative Services (DAS) requests approval of a new chapter of the Department of Administrative Services Manual of Procedures (“DAS MOP”), DAS MOP 1625 (“Procurement Cards”), effective upon Governor and Council approval. The text of this proposed chapter is found in Attachment A to this request.

### EXPLANATION

RSA 21-I:14, I provides that the Commissioner of Administrative Services is to adopt a comprehensive uniform system of state financial management described in RSA 21-I:13, XV and XVI in the form of a manual, to be updated and revised as the Commissioner deems necessary, to explain procedures applicable to all executive branch state agencies, officers and employees. Topics addressed in the Manual of Procedures include, but are not limited to, those items listed in RSA 21-I:14, I (b)(1) through (12), as well as topic areas relating to agency annual or biennial reports as described in RSA 21-I:14, IX. Pursuant to RSA 21-I: 14, I(a) and RSA 541-A: 1, XV, the Manual’s provisions are not administrative “rules” that must be adopted by way of the formal rulemaking procedures of RSA 541-A, but executive branch agencies must nonetheless abide by requirements of the MOP.

Pursuant to RSA 21-I:11, I (a)(1) and RSA 21-I:11, II (f), the Department of Administrative Services (“DAS”) Division of Procurement and Support Services is responsible for procuring services for general agency use, including contracts for credit card services. RSA 21-I: 17-c provides that (unless granted a waiver by the Commissioner of DAS), agencies shall make use of contracts which have been entered into by the Division when procuring services that are available under such contracts.

The State has a contract in place approved by Governor and Council on July 10, 2013 (G and C item #16) which allows approved State agencies to utilize certain credit cards in lieu of field purchase orders for the purchase of goods of \$500 or less under restricted and limited circumstances. RSA 21-I:17-a, I provides that the Director of Procurement and Support Services of DAS may authorize agencies to purchase supplies and goods directly from vendors through the use of Procurement Cards, provided that the total expenditure does not exceed \$500, and authorizes the Commissioner of the Department of Administrative Services to establish the form and use of such cards in the Manual of Procedures. A bill expanding the use of Procurement Cards in other contexts is currently pending in the legislature. See SB 191 (2015 session). It benefits the state to make purchases by way of Procurement Cards rather than by way of field purchase orders, because, for example, the State receives benefits for prompt payment of invoices, which results in savings for purchases. The State also receives benefits for volume purchasing via a discount or

rebate from the card issuer, and use of the cards reduces processing of field purchase orders and multiple vendor payments by staff of the various agencies.

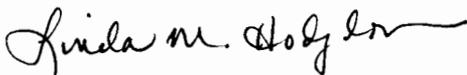
Under the chapter of the Manual of Procedures proposed here, agencies seeking to utilize Procurement Cards must agree to comply with the procedures outlined in the applicable Procurement Card Manual to ensure that Procurement Cards are only used in accordance with the requirements thereof. Agencies must also agree to maintain the security of and establish controls over and procedures governing Procurement Cards as set forth in detail in the applicable Procurement Card Manual. DAS will provide instruction on the use of Procurement Cards to approved agencies and will at times issue guidance to agencies to assist them in better understanding their obligations regarding the use of Procurement Cards. Procedures set forth in the Procurement Card Manuals that have been or will be produced by DAS include controls for handling and restricting Procurement Card usage, reporting and payment requirements, user obligations and consequences for misuse, requirements for reporting lost or stolen Procurement Cards, and similar provisions. The manuals will also require agencies to use specific forms for the issuance and management of Procurement Cards. Approval of MOP 1625 will also highlight the fact that DAS may phase in the use of Procurement Cards by way of pilot programs, that agencies involved in such programs must cooperate with DAS, and that the department may in the future develop manuals which address any expanded use of Procurement Cards that may be legislatively authorized.

The instant request in part seeks Governor and Executive Council approval to develop Procurement Card Manuals that set forth requirements and incorporated forms for agency and cardholder use of Procurement Cards. DAS MOP Chapter 1625 will provide agencies with a general introduction to, and specific requirements for, the use and management of DAS-issued Procurement Cards. Agencies would be instructed that credit cards not secured through DAS should not be obtained or used absent receipt of a waiver from the Commissioner of DAS.

Pursuant to MOP 2, I, I, upon approval of Chapter MOP 1625, Procurement Card Manuals and their related forms, explaining the administrative details of Procurement Card use and management, will be incorporated into the Manual of Procedures by reference. DAS would be authorized to supplement and adjust those incorporated documents in the future in order to address evolving circumstances, amended vendor contracts and other needs.

By approving this requested action, the Governor and Executive Council will authorize the inclusion of DAS MOP 1625 (Attachment A) in the DAS Manual of Procedures. Approval of DAS MOP 1625 would in turn make it clear that agencies are also required to abide by applicable Procurement Card Users Manuals issued by DAS, as well as its incorporated documents, as they may from time to time be amended.

Respectfully submitted,



Linda M. Hodgdon  
Commissioner

Enclosure

# ***EXPENDITURE CONTROLS***

## **MOP 1625 Procurement Cards**

### **I. Introduction**

- A.** This chapter of the Department of Administrative Services (DAS) Manual of Procedures (MOP) describes the requirements applicable to State agencies when utilizing Procurement Cards authorized by DAS Division of Procurement and Support Services (DPSS). Sources other than this chapter of the Manual of Procedures, such as statutes applicable to particular agencies or particular types of purchases, as well as Executive Branch ethics laws and policies, may also apply. In addition to the documents described in this chapter, State employees utilizing State-authorized Procurement Cards must also comply with all internal agency policies related to their use.
- B.** Generally, State policy requires that purchases made with Procurement Cards conform to all State purchasing requirements, including, to the extent applicable, the Adm 600 purchasing rules. Generally, Procurement Cards may be used with statewide contracted vendors or with merchants who have no contractual relationship with the state. All purchases using Procurement Cards must conform to agency policy as well as DAS Procurement Card policies as set forth in applicable DAS Procurement Card Users Manuals and other DAS guidance. Information on Procurement Cards will be available on the State of NH Sunspot intranet web page.
- C.** The Department of Administrative Services will phase in the use of Procurement Cards by state agencies, using such pilot programs as it concludes are necessary to effectuate an efficient roll-out of Procurement Cards in conformity with statutes. Agencies involved in pilot programs implemented by DAS shall cooperate with DAS in establishing Procurement Card protocols and shall abide by the instructions of DAS as to the use of cards and development of internal Procurement Card processes. DAS may select agencies to be involved in such pilot programs and may terminate such agencies' involvement if DAS concludes to do so is necessary for the efficient implementation of its pilot programs. In the first instance, DAS will implement the use of Procurement Cards intended to take the place of field purchase orders (FPOs) for purchases of goods or commodities in amounts of \$500 or less. The Department of Administrative Services may develop, adopt and periodically update such Procurement Card manuals as it concludes are necessary to regulate the use of Procurement Cards by state agencies in accordance with statutes, including but not limited to RSA 21-I, the most recent versions of which manuals are incorporated herein by reference. Such manuals may be periodically produced and updated by the Department of Administrative Services without further action by the Governor and Council and shall be adhered to by state agencies as if fully set forth in the DAS MOP.

## **II. Statewide Contract for Procurement Cards**

- A.** DAS at times enters into statewide contracts to provide goods or services to executive branch agencies, and has done so to provide Procurement Cards for use by authorized State personnel. This contract enables participating agencies to utilize a Procurement Card (credit card) to purchase goods and commodities for agency use under certain circumstances and conditions. Agency heads should carefully consider whether they wish to participate in this contract and request one or more Procurement Cards from DPSS. This chapter of the DAS MOP relates to how agencies obtain and manage Procurement Cards. Participating agencies must also comply with applicable State of New Hampshire DAS Procurement Card Users Manuals.
- B.** RSA 21-I: 17-c generally requires executive branch agencies to make use of statewide contracts entered into by the DPSS for more than one agency, unless a waiver is granted by the Commissioner of DAS. Accordingly, because DAS has entered into a multi-agency Procurement Card services contract, agencies may not enter into separate, individual agreements for Procurement (credit) Cards unless the agency has obtained a waiver from the Commissioner of DAS allowing them to do so. Agencies are not authorized to independently negotiate, or amend, the terms of the DAS contract with the contractor or payment brand(s), and are not authorized to enter into separate agreements relating to Procurement Card acceptance without obtaining a waiver under RSA 21-I: 17-c. As a general matter, DAS Procurement Cards shall be the only credit cards executive branch agencies are authorized to use for purchases.

## **III. DAS Procurement Card Users Manuals and Related Documents**

- A.** For the protection of the State, it is important that agencies understand and adhere to the requirements associated with the use of Procurement Cards set forth in applicable Procurement Card Users Manuals produced by DAS as well as the various attachments to those manuals, the most recent versions of which are incorporated herein by reference. These materials are intended to assist in fostering an understanding of agency obligations at all levels when utilizing Procurement Cards, and to provide an accessible source of information regarding processes associated with the acceptance and issuance of Procurement Cards. As a general matter, the topics that one may find in such documents include, but are not limited to, general requirements and information on Procurement Cards; general policy statements and policies relating to processing payments; agency and cardholder responsibilities; and guidelines on monitoring the use and security of Procurement Cards used for various purposes. Agencies are encouraged to review these items in detail and to submit any questions to the DAS Procurement Card Manager at [prchweb@nh.gov](mailto:prchweb@nh.gov).
- B.** The most recent versions of the State of New Hampshire (DAS) Procurement Card Users Manual(s), including the most recent version of all forms and other attachments thereto, which are incorporated into this Manual of Procedures by reference, may be found in the directory at:

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<http://sunspot.nh.gov/DASManualProcedures/Incorporated.aspx>

The DAS Procurement Card Users manuals and their attachments may be updated or revised by DAS as circumstances require, and agencies shall make certain that they utilize the most recent version of the applicable Users Manual.

### **IV. Policy on Procurement Card Use in Lieu of Field Purchase Orders**

- A.** It is the policy of the State of New Hampshire to utilize Procurement Cards only in limited circumstances. The general policy is that purchases of goods or commodities by state agencies conform with the requirements of RSA 21-I, Adm 600, and that purchases be made from statewide contracted vendors, where applicable. If an agency is authorized by DAS to use Procurement Cards for purchases of goods and commodities of \$500 or less that would otherwise be purchased by means of a field purchase order, those items may be purchased using a Procurement Card, provided the item(s) purchased are solely for state use, the purchase of the item(s) is preapproved by the agency that has been issued the card(s), and that purchases comply with all provisions of the Procurement Card Users Manual and DAS-approved agency policies on Procurement Card use. DAS may also specify other circumstances in which the use of Procurement Cards is authorized as it phases in a statewide Procurement Card program in conformity with statutory provisions that may in the future be adopted.
- B.** Procurement Cards may be used by an authorized State employee in lieu of field purchase orders only when he or she is preapproved to make the purchase by the agency employing the cardholder, and:
1. The total dollar amount of the purchase is less than \$500;
  2. The purchase is made from a Statewide Contractor, if the goods or commodities purchased are offered for sale by a Statewide Contractor;
  3. The purchase is documented with a receipt indicating the item(s) purchased, date of purchase, merchant name and address, cost of each item purchased, the quantity of each item purchased, the total purchase price, and the name of the employee making the purchase;
  4. The purchase is solely for state purposes, and not for personal use; and
  5. Purchases comply with agency and DAS policies on Procurement Card use, and all applicable statutes, rules and executive orders concerning purchasing, including any freezes on purchasing, and fiscal year-end closing requirements.
- C.** Agency authority for purchases utilizing Procurement Cards in lieu of field purchase orders is limited to \$500 per expenditure. In addition, agencies are prohibited from

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making sequential purchases as a means to avoid the \$500 cap on field purchase orders and Procurement Cards set forth in RSA 21-I: 17-a.

- D. Agencies and cardholders are prohibited from using Procurement Cards to purchase motor vehicle, aircraft or other fuel. In this regard, see MOP 1626 relative to fuel cards.

### V. **Obtaining, Using and Managing Procurement Cards**

- A. Agencies shall follow the processes outlined below in Section VI, as well as the applicable DAS Procurement Card Users Manual, in order to obtain a Procurement Card (or multiple Procurement Cards), and must complete the appropriate forms contained in the applicable Procurement Card Users Manual in order to request Procurement Cards.
- B. State-issued Procurement Cards may be used solely to make purchases of goods or commodities for State use.
- C. Agencies and employees must adhere to all procedures discussed in the applicable Procurement Card Users Manual, including those related to issuance, management, security, recordkeeping and payment of charges incurred with Procurement Cards, and to the agency's DAS-approved internal policies and procedures for Procurement Card use.

### VI. **Procedures for Agencies Utilizing Procurement Cards**

#### A. **Agency Procurement Card Administrator**

All agencies requesting Procurement Cards must designate an Agency Procurement Card Administrator (PCA), who shall be responsible for managing all aspects of Procurement Cards for the agency, including but not limited to:

- Developing internal policies related to Procurement Card use in consultation with the agency head and the DAS Procurement Card Manager, that conform to the requirements of the applicable Procurement Card Users Manual, laws and rules;
- Issuing cards and maintaining records of agency Procurement Card Users;
- Ensuring prompt payment of Procurement Card invoices;
- Monitoring Procurement Card use and reporting any issues that may arise to the DAS Procurement Card Manager;
- Reviewing and analyzing Procurement Card use reports to improve efficiencies;
- Maintaining and retaining all receipts and records documenting Procurement Card transactions;
- Resolving disputed charges on Procurement Cards; and
- Any other related duties as prescribed by DAS and/or the specific agency.

**B. Authorized Agency Procurement Card Users**

Procurement Card Users must use the appropriate forms contained in the applicable Users Manual to seek approval for the use of Procurement Cards, and must agree to abide by the provisions of the Procurement Card Users Manual, Procurement Card Cardholder Agreement and all applicable statutes, rules and policies.

**C. Procurement Card Payment Process**

The Agency Procurement Card Administrator must follow the invoice review and payment processes of NH First as described in MOP 2700 found at <http://sunspot.nh.gov/DASManualProcedures/index.asp>, and in the appropriate NH First user instructions at <http://sunspot.nh.gov/erp/index.asp>. The payment process will be paperless and invoices must be paid within the period specified in the Procurement Card vendor contract.

**D. Relinquishing Current Procurement Cards**

As discussed in II. B. above, agencies are not authorized to have separate Procurement Card agreements or use any Procurement Cards other than those issued through DAS DPSS. All State agencies must terminate any other existing procurement or credit card agreements effective immediately.

**VII. Other Sources and Information**

**A. Statutes:**

RSA 21-I: 11 (Division of Procurement and Support Services purchasing authority)

RSA 21-I: 17-a (Delegation of Purchasing Authority; Procurement Card authority)

RSA 21-I: 17-c (Contracts for Use by More Than One Agency)

**B. Rules:**

1. Adm 600 Plant and Property Management Rules

[http://www.gencourt.state.nh.us/rules/state\\_agencies/adm600.html](http://www.gencourt.state.nh.us/rules/state_agencies/adm600.html)

**C. Website Information:**

1. The Department of Administrative Services website:

<http://admin.state.nh.us/>

2. Department of Administrative Services Sunspot Statewide Contracting pages:

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[http://www.admin.state.nh.us/purchasing/contracts\\_posteddte.asp?sort=cna](http://www.admin.state.nh.us/purchasing/contracts_posteddte.asp?sort=cna)

<http://sunspot.nh.gov/StateContracting/default.aspx>

3. As an additional resource for State agencies, State contracting materials, training and reference guides, and other resources are located on the State's "Sunspot" intranet website:

<http://sunspot.nh.gov/>

### **D. DAS Manual of Procedures Provisions**

See Manual index at:

<http://sunspot.nh.gov/DASManualProcedures/index.asp>

and incorporated documents index at:

<http://sunspot.nh.gov/DASManualProcedures/Incorporated.aspx>

1. MOP 1600 – Purchasing Requirements
2. MOP 2700 – NH FIRST Implementation, Utilization and Policies

### **E. Other**

1. DAS Division of Procurement and Support Services can provide hard copies of Procurement Card materials and answer questions relating to the use of Procurement Cards. The Division of Procurement and Support Services may be contacted at:

Division of Procurement and Support Services  
ATTN: Procurement Card Manager  
Department of Administrative Services - State House Annex  
25 Capitol Street  
Concord, NH 03301  
Email: [prchweb@nh.gov](mailto:prchweb@nh.gov)  
Phone: (603)271-2201 or 6899  
Fax: (603)271-2700

2. NH FIRST User Instructions:

<http://sunspot.nh.gov/erp/CourseMaterials.asp>