

**Los Angeles County
Metropolitan Transportation Authority
Office of the Inspector General**

**Review of Office Supplies
Purchased from Staples**

We found that an opportunity exists to reduce the cost of office supplies. Metro does not have an office supplies contract or participates in a contract associated with a cooperative purchasing network. Although purchase card holders can use a Staples “corporate account” to purchase office supplies, we found that the use of this method often does not result in the best prices.

**Review of Office Supplies Purchased from Staples
Report No. 11-AUD-10**

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Metro

Los Angeles County
Metropolitan Transportation Authority

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DATE: June 14, 2011

TO: Board of Directors
Chief Executive Officer

FROM: *Jack Shigetomi*
Jack Shigetomi
Deputy Inspector General – Audit

**SUBJECT: Review of Office Supplies Purchased from Staples
Report No. 11-AUD-10**

INTRODUCTION

The Office of the Inspector General (OIG) performed a review of office supplies purchased through Staples. This review was conducted as part of our ongoing program to assist Metro in improving the economy and effectiveness of operations, ensuring the adequacy of internal controls and procedures, and deterring fraud, waste, and abuse. The objective of this review was to determine if the best prices were being obtained.

We found that an opportunity exists for Metro to save costs on the purchase of office supplies. Currently, Metro staff purchase office supplies from Staples; but, Metro does not have a contract with Staples or participates in a contract associated with a cooperative purchasing network organization. Most of Metro's office supplies are purchased through a Staples corporate account and paid for by Metro purchase cards (P-cards). However, we found that the use of this method often does not result in the best prices for Metro. Our comparison of a limited number of items Metro purchased showed that on average these items would have cost 44% less if purchased pursuant to a cooperative purchasing network contract.

OBJECTIVE, METHODOLOGY AND SCOPE OF REVIEW

The objective of our review was to determine whether Metro is obtaining the best prices for office supply purchases. We focused on purchases from Staples (formerly Corporate Express) because it is commonly used by Metro Purchase Cardholders to purchase on-line. To accomplish this objective, we:

- Interviewed the appropriate Procurement staff in charge of the P-card program;

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- Reviewed P-card policies;
- Obtained a list of P-card charges for office supplies for Fiscal Year (FY) 2010 and FY 2011 through November;
- Contacted four other local government agencies to determine how they purchase office supplies;
- Reviewed the Staples Advantage 2010 catalog to determine the pricing structure for the “corporate account” that is used by Metro; and
- Compared office supplies prices paid by Metro via other alternatives such as a cooperative purchasing network contract.

Our review was performed in accordance with Generally Accepted Government Auditing Standards for staff qualifications, independence, and due professional care and included such tests of procedures and records as we considered necessary. Because of the limited scope of this review, we did not review internal controls or perform a fraud risk assessment regarding use of the P-cards. Also, since we did not have access to the computer systems at Staples, we did not test those systems. We did obtain copies of the documentation underlying the purchases tested.

BACKGROUND

In most instances, Metro employees purchase office supplies from the Staples on-line “corporate account” called “Staples Advantage.” In the past, Metro employees ordered office supplies from a company called Corporate Express. During FY 2010, this company became part of Staples. While some orders were placed through other suppliers, such as Office Depot, we did not include them in this review.

Staples Advantage Catalog

The General Terms section of the Staples Advantage catalog states: “Prices shown ... are the manufacturers’ suggested list prices at the time of publication and are subject to change. List prices do not reflect your exclusive corporate discount.” This discount is not negotiated with Metro and the amount of discount on each item is not known until the final purchase checkout and payment so it is difficult for employees to compare prices when they shop.

Metro employees place orders by logging on to the Staples Advantage website. Shipping is free for orders of \$50 or more. The program is available to any business of 20 or more employees. Staples has a separate website for the general public to purchase office supplies.

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Staples Purchases

During FY 2010, Metro employees made 3,184 on-line purchases¹ from Staples totaling \$437,374. During the first 5 months of FY 2011, Metro employees made 1,205 purchases from Staples on-line totaling \$218,884, which is a monthly average of \$43,777. These totals do not include purchases made at Staples stores. Based on the amount of purchases for the first 5 months, we estimate that the total purchases for FY 2011 will be about \$525,000, which is about 20 percent higher than the purchases made in FY 2010.

Contract for Office Supplies

In 2002, Metro initiated a contract with Corporate Express² for frequently purchased office supplies. This contract was extended through 2005. Since the expiration of that contract in 2005, Metro has not had any contract for office supplies. The Procurement official responsible for the P-card program informed us that Procurement has only about 1.25 FTE assigned to the P-card program and did not have the resources to contract for office supplies.

Staples Advantage officials informed us that Staples Advantage, Staples.com, and the Staples stores are separate divisions of the overall company and do not coordinate their prices. We were informed that Staples Advantage bases their prices to Metro on the expired Corporate Express contract in the absence of any other contracts.

RESULTS OF REVIEW

Metro neither has an office supplies contract nor participates in a contract associated with a cooperative purchasing network organization. In most cases, Metro employees purchase office supplies from the Staples Advantage program. We found that this method often did not obtain the best prices, and Metro could reduce costs by participating in cooperative purchasing network contracts.

1. Staples Advantage Prices Are Often Higher than Prices Offered to the General Public

We initially reviewed a specific purchase of 5 line items from Staples Advantage on December 3, 2010, to determine if the prices offered in the Advantage Program were lower than the prices for the same items offered to the general public. We found that the prices of all 5 line items were less on the Staples public website (total savings of 29.2%). For example, a pack of liquid glue pens costs \$1.72 through Staples Advantage versus \$1.29 on

¹ Some of these purchases were made through Corporate Express prior to their merger with Staples.

² Corporate Express was later acquired by Staples.

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the public website; and a pack of yellow legal writing pads cost \$42.87 through Staples Advantage versus \$22.99 on the public website.³

We then obtained a list of purchases for office supplies charged to all the P-cards for FY 2010 and FY 2011 (through November). We selected a random sample of 10 purchases from the 1,205 purchases from Staples in the FY 2011 group to expand our review.

The 10 purchases we selected at random included 57 line items for quantities of 1 or more units. For 20 of the line items, we could not find the exact match to the original items purchased, either because the stock number had been changed, the unit of issue had been changed (e.g., 1 dozen per pack to 20 per pack, etc.), or we could not find the item at all. For the remaining 37 items, we compared the discounted Staples Advantage unit price to price on the Staples public website. We found that for 13 of the 37 line items the price on Staples public website was lower.

Combining our initial sample and the random sample, we found that 18 line items had lower costs available to the public. When the price extensions (unit price x number of items purchased) were considered, we found that Metro could have saved 15.9 percent for these 18 line items if purchased from the Staples public website rather than from the Staples Advantage program.

2. Staples Advantage Prices Are Higher than Cooperative Purchasing Network Prices

We compared 11 items Metro purchased from the corporate Staples Advantage program to the National Intergovernmental Purchasing Alliance (National IPA) contract price list⁴ dated January 1, 2011. We found that the National IPA unit price was lower than the Staples Advantage price for 10 of the 11 line items. One item on the National IPA price list was only 10 cents higher (see Attachment A for details). Overall, we found that the National IPA prices were on average 44.5 percent less than the Staples Advantage prices.

The 11 line items were exact matches by stock number between items on the Staples Advantage corporate account and the National IPA contract. There were other instances where the same items were found but the National IPA contract item had a different unit of issue or color, etc. The following examples show the National IPA contract prices are lower than Staples Advantage:

- Metro purchased 500 inches of ¾ inch tape at 1.43 per roll from Staples Advantage. The National IPA contract listed 36 yards (1,296 inches) of the same tape for \$1.62 per roll. On a per inch basis, the National IPA price was more than 55 percent lower than the price paid by Metro.

³ Shipping charges were free for these purchases. We also did not consider tax since it would be applied to the whole order at the same rate, though a lesser total cost would generate less sales tax cost.

⁴ Based on the National IPA contract with Staples.

- Metro purchased blue mouse pads from Staples Advantage for \$3.26 each. The National IPA contract listed the same item (except in black color) for \$1.26 each, which is more than 60 percent lower than the price Metro paid.

3. Survey of Other Government Agencies

We surveyed four other government agencies in California to determine their source for office supplies purchases. All four agencies utilized contracts that were established through one of two cooperative network purchasing organizations. The requirements and procedures for participating in a network contract are minimal. All of the contracting work is already done and the network administers the contract. Also, the networks have contracts with major suppliers such as Staples, Office Depot, and Office Max. (See Attachment B for descriptions of network organizations).

County of San Diego and City and County of San Francisco

We found that both the County of San Diego and the City and County of San Francisco currently purchase office supplies through a National Intergovernmental Purchasing Alliance (National IPA) contract. The lead agency for this contract is the County of San Diego. Previously, San Francisco had its own contract for office supplies, but an audit found problems with this contract.⁵

County of Los Angeles and City of Los Angeles

We found that both the County of Los Angeles and the City of Los Angeles currently use The Cooperative Purchasing Network (TCPN) to purchase office supplies. Previously, the City of Los Angeles had its own contract for office supplies, but an audit found problems with the contract.⁶

4. Subsequent Management Action

On January 20, 2011, we discussed the lack of a Metro contract and the use of cooperative purchasing networks with Procurement officials. As a result of our review, we understand that Procurement has initiated actions to use one or more cooperative purchasing network contracts for office supplies.

⁵ The Office of the Controller issued a report on December 18, 2009, titled "Office of Contract Administration: Office Depot Did Not Comply With Its Contract and Has Overcharged at Least \$5.75 Million."

⁶ The Office of Controller, City of Los Angeles, issued a report on May 20, 2009, titled "Review of the City's Contract with Office Depot Business Services Division for the Purchase of Office Supplies."

CONCLUSION

We found that the practice of using purchase cards to order office supplies through Staples Advantage program often does not result in the best prices for Metro. This practice is used because Metro neither has a contract with any vendor nor participates in a contract associated with a cooperative purchasing network organization for office supplies. We found that the Staples Advantage prices frequently were higher than the prices Staples offered to the general public. However, it appears that the best overall prices could be obtained by using a contract associated with a cooperative purchasing network. Our comparison of prices for a limited number of items showed that the National IPA prices were on average 44.5 percent less than the Staples Advantage prices.

The last Metro contract with an office supply vendor expired in 2005. The Contract Administrator Manager responsible for the P-card program informed us that Procurement has only about 1.25 FTE assigned to the P-card program and did not have the resources to contract for office supplies. Given this, we believe that Metro should initiate action to purchase office supplies from a cooperative purchasing network contract. We are not aware of any downside in doing this because:

- The network has already performed the necessary work of contracting with the vendor and negotiating discounts.
- Other governments in California already participate in these networks.
- Metro would only need to join the network and train P-card holders on how to purchase (National IPA already has a contract with Staples).
- There is no direct cost to the participating agencies.
- There is no mandatory purchase amount.
- Metro could elect to discontinue participating in a network at anytime.
- There is no shipping charge for orders over a certain minimum order.
- The network administers the contracts. For example, one network has an outside company audit purchases monthly to ensure that the prices in the contract are actually charged to participating agencies.
- Metro would not be limited to any one network or one contract; and could elect to use multiple networks and/or contracts.

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- If obtaining office supplies through a network proves satisfactory, other commodities are also available through the networks for such things as janitorial and sanitation supplies, copiers, maintenance, repair and operational supplies, carpeting, etc., which could be considered for future sources of products.

RECOMMENDATIONS

A. We recommend that the Procurement Department reduce the cost of office supplies. Specifically:

1. Explore the office supplies contracts associated with various cooperative purchasing networks in addition to the one recently negotiated.
2. Select appropriate cooperative purchasing network contracts to procure office supplies.
3. Advise P-card holders that they should procure purchases from the network contracts.
4. If it is subsequently determined that the selected cooperative purchasing network contracts are not meeting Metro expectations, consider evaluating other available network contracts.
5. Advise other Metro departments that savings might be realized by participating in cooperative purchasing networks for other items such as office furniture, janitorial and sanitation supplies, copiers, maintenance, repair and operational supplies, and carpeting.

B. We recommend that the County Counsel should consider making a demand on Staples to recover as cash or credit towards future purchases for the estimated amount (based on audit sample and total purchases for 2010) of the overcharge on Metro purchases where the Staples Advantage prices were higher than the prices on the Staples general public website.

MANAGEMENT COMMENTS

Metro management concurred with the findings and provided an action plan that implements the recommendations in the report. Corrective actions taken by management include (see Attachment C for the full text of management comments):

- Metro has joined both the National Intergovernmental Purchasing Alliance (NIPA) and the National Joint Powers Alliance (NJPA) cooperative networks. Where appropriate, the Procurement Department has entered into corporate-wide agreements

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using companies on the cooperative networks. However, the use of cooperative purchasing networks has not been widely publicized and Purchase Card users have not been adequately trained to “comparison shop.” To address this matter, the Procurement Department has added a specific module to its recurring training for Purchase Card users to address techniques for identifying the best price from all available sources.

- The Procurement Department is currently a participant under the NIPA contract for office supplies with Office depot and under the NJPA contract with Staples to provide alternate sources of office supplies for Metro Purchase Card holders. We will continue to review other opportunities to join other networks and office supply providers as they arise.
- The Procurement Department recently expanded its program to establish corporate level “Master Agreements” to cover higher volume items purchased with the Purchase Card, including participation under network contracts. Purchase Card holders are advised of the availability of these agreements and how to access the discounted prices during the new cardholder and refresher training generally conducted monthly.
- Contracts available through cooperative purchasing networks are competitively awarded by a lead state or local government agency and administered by that agency. Those agencies ensure compliance as part of their responsibilities under the respective network. The Procurement Department periodically surveys cardholders to ensure participation under the program, including these contracts, meets Metro’s needs.
- The Procurement Department has requested further information from both networks on contracts for a variety of commodities, including those recommended in the audit report, for further “piggybacking” on network contracts as appropriate. For applicable commodities and services, the Procurement Department has provided links on its Purchase Card website to advise Metro departments of the availability of cooperative agreements and includes information in its training program.

The County Counsel’s response, dated June 9, 2011, to recommendation B stated: “County Counsel will review the matter and consider making a demand on Staples to recover as cash or credit towards future purchases for the estimated amount (based on audit sample and total purchase for 2010) of the overcharge on metro purchases where the Staples Advantage prices were higher than the prices on the Staples general public website.”

EVALUATION OF MANAGEMENT COMMENTS

Metro management provided an adequate corrective action plan to implement the recommendations in the report. Therefore, we consider all issues related to the recommendations in the report resolved based on the corrective actions taken.

Comparison of Items Purchased to an Available National Contract

Catalog Number	Item	Unit of Issue	Line Item Price		National IPA vs. Staples Advantage	
			Metro Staples Advantage ⁷	National IPA	Unit Price Savings	Percent Savings
PIL31002	Black Gel Roller Pen	DZ	\$11.40	\$10.21	-\$1.19	-10.4%
STP652589	19" Black Wrist Rest	EA	14.02	5.27	-8.75	-62.4%
BRTTZ231	½" Embossing Tape	EA	10.76	8.89	-1.87	-17.4%
STP814955	Black Dry Erase Marker	DZ	9.80	4.95	-4.85	-49.5%
SAN60151	Uniball Pen, 5mm Black	DZ	4.91	2.13	-2.78	-56.6%
PAP5640115	6 oz. Correction Fluid	DZ	13.56	7.81	-5.75	-42.4%
STP809866	Legal Pads	DZ	9.06	9.16	0.10	1.1%
SAN33001	Sharpie Bold Black Marker	DZ	20.72	10.18	-10.54	-50.9%
MMM65412S SCY	Post It Notes, super sticky	DZ	17.19	9.54	-7.65	-44.5%
SAN60153 EXP50001	Uniball Pen, 5mm Be	DZ	10.72	2.79	-7.93	-74.0%
STP831610	Staples Large Binder Clips, 2" width	DZ	4.82	0.83	-3.99	-82.8%
Average Savings						-44.5%

⁷ This is the discounted price that Metro actually paid.

Cooperative Purchasing Networks

Requirements/Procedures for Participating in Network

Generally speaking, these networks are open to any government agency whose State and local laws allow use of this type of contract. They require the agency to enter into a participation agreement and then set up procedures with the applicable vendor. There is generally no direct cost to the participating agency.

Description of Networks

1. National Intergovernmental Purchasing Alliance (National IPA)

National IPA is a cooperative purchasing organization, established through a collaborative effort of public agencies across the United States with the specific purpose of reducing procurement costs by leveraging group volume. National IPA aggregates purchasing volume of participating agencies in order to receive larger volume discounts from suppliers. All master agreements are publicly solicited, awarded, and held by a Principal Procurement Agency.⁸

National IPA currently has contracts with 22 vendors, which includes Staples and Office Depot for office products. The lead agency for Staples is the County of San Diego, California, and the current contract is in effect through June 30, 2012. The lead agency for the Office Depot contract is the State of Florida, and this contract expires in 2016. In both contracts there are no minimum orders and no shipping charges over a certain minimum individual order. National IPA has no direct fee or cost to agencies that use these contracts, though the vendors do pay National IPA a fee. Also, there are no minimum orders and no shipping charges over a certain dollar purchase amount. An outside company audits purchases monthly to ensure that the prices in the contract are actually charged to participating agencies.

2. The Cooperative Purchasing Network (TCPN)

TCPN is a national governmental cooperative that leverages a large pool of purchasing potential. TCPN competitively bids and awards contracts to national vendors in accordance with purchasing procedures mandated by state procurement laws and regulations. TCPN contracts are available for use and benefit all entities that must comply with state purchasing laws (public and private schools, colleges and universities, cities, counties, non-profits, and all governmental entities). TCPN has contracts with four vendors for office supplies.

⁸ A lead government agency that contracts with the vendor.

Cooperative Purchasing Networks

3. Western States Contracting Alliance (WSCA)

WSCA uses a “Lead State” model in issuing cooperative solicitations. One WSCA state leads the procurement, issues the solicitation and awards the contracts based on that state’s statutory requirements and processes. The Lead State owns and manages the contract. Oregon is the lead state for the office supplies contract, and California is a participating state. All governmental entities within WSCA states are eligible to use WSCA contracts, if the governmental entity has the legal authority to use their home state’s contracts.

4. National Joint Powers Alliance (NJPA)

NJPA was established under the authority of the State of Minnesota. The primary purpose is identified to be the performance of planning on a regional basis and to assist in meeting specific needs of clients in participating governmental units, which could be better provided by a service cooperative than by the members themselves. Other government agencies may participate in the alliance by joining the alliance and contacting the vendor. There is no cost to participate because vendors pay NJPA a contract administrative fee. NJPA issues 4-year contracts competitively and reviews them annually for compliance, for a number of types of products including office supplies. Staples Advantage has one of these contracts for classroom and office supplies.

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Metro

Interoffice Memo

Date	June 7, 2011
To	Karen Gorman Acting Inspector General
Through	Arthur T. Leahy <i>ATL</i> Chief Executive Officer
From	Michelle Lopes Caldwell <i>Michelle Lopes Caldwell</i> Chief of Administrative Services
Subject	Response to OIG Draft Report, "Review of Office Supplies Purchased from Staples" (Report No. 11-AUD-10)

OVERVIEW

I have reviewed the results of the subject draft report, and I concur with the findings in the report. In particular, I concur that the agency can achieve better pricing on its office supply purchases.

Your recommendations and the corrective measures below provide a framework to achieve those savings going forward.

PROPOSED CORRECTIVE ACTIONS

- o Recommendation A1: "Explore the office supplies contracts associated with various cooperative purchasing networks in addition to the one recently negotiated."

Management Response: The Procurement Dept. has proactively pursued this avenue for cost savings for several years. In 2009 Metro put forth legislation (AB1471) to allow Metro to, "piggyback" onto contracts awarded by cooperative purchasing networks. Since then Metro has joined both the National Intergovernmental Purchasing Alliance (NIPA) and the National Joint Powers Alliance (NJPA) cooperative networks and participates under the State of California contract for Purchase Card services. Where appropriate, the Procurement Department has entered into corporate-wide agreements using companies on these cooperative networks. However, the use of cooperative purchasing networks has not been widely publicized and PCard users have not been adequately trained to, "comparison shop." To address this shortcoming, the Procurement Department has added a specific module to its recurring training for PCard users to address techniques for identifying the best price from all available sources. No further corrective action required.

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- Recommendation A2: "Select appropriate cooperative purchasing network contracts to procure office supplies."

Management Response: The Procurement Dept. is currently a participant under the NIPA contract for office supplies with Office Depot and under the NJPA contract with Staples to provide alternate sources of office supplies for Metro Purchase Card holders. We will continue to review other opportunities to join with other networks and office supply providers as they arise and prove to be in the best interests of Metro. No further corrective action required.

- Recommendation A3: "Advise P-card holders that they should procure purchases from the network contracts."

Management Response: The Procurement Department recently expanded its program to establish corporate level, "Master Agreements" to cover higher volume items purchased with the P-Card, including participation under network contracts. Details are available on the Purchase Card Program website at http://mymetro/pcard/master_agreements.htm (a copy of the website page is attached for illustration.) P-Card holders are advised of the availability of these agreements and how to access the discounted prices during the new cardholder and refresher training generally conducted monthly (also see response to A1 above).

Corrective Action – The Procurement Department will issue notice of the availability of corporate master agreements to Business Unit Managers by June 30, 2011, advising the availability of these network contracts and how to best use them to maximize cost savings.

- Recommendation A4: "If it is subsequently determined that the selected cooperative purchasing network contracts are not meeting Metro expectations, consider evaluating other available networks."

Management Response: Contracts available through cooperative purchasing networks are competitively awarded by a lead state or local government agency and administered by that agency. Those agencies ensure compliance as part of their responsibilities under the respective network(s). In addition, these contracts are not mandatory on Metro. The P-Card program by its nature is a decentralized purchasing system. Individual P-Card holders and their management are primarily responsible for ensuring wise expenditures with the P-Card, either by using master agreements or as they may be able to find better terms and pricing elsewhere. The Procurement Dept. periodically surveys card holders to ensure participation under the program, including these contracts, meets Metro's needs. Also see

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responses to recommendations A1, A2 and A3. No further corrective action required.

- o Recommendation A5: "Advise other Metro departments that savings might be realized by participating in cooperative purchasing network contracts for other items such as office furniture, janitorial and sanitation supplies, copiers, maintenance, repair and operational supplies, and carpeting."

Management Response: The Procurement Dept. has requested further information from both networks on contracts for a variety of commodities, including those recommended in the audit report, for further, "piggybacking" as appropriate. Certain commodities, for example copiers, are currently obtained under existing Metro-wide contracts. For applicable commodities and services, the Procurement Department has provided links on its PCard website to advise other Metro departments of the availability of cooperative agreements and includes information in its training as discussed in the response to Recommendation A1. Also see responses to recommendations A1 and A3. No further corrective action required.

Should you have any questions, please feel free to call me.

Thank you.

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Metro Purchase Card Program

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Metro Purchase Card Program

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- Getting Started**
- Responsibilities**
- Rules/Guidelines**
- Restrictions**
- Ethics**
- Procedures**
- Lost/Stolen Cards**
- Reporting**

Master Agreements Index Listing

Master Agreements are contracts that are entered into with various vendors to obtain special pricing. These types of agreements establish a list of vendors and simplify the purchasing process for the end user by utilizing state contract pricing for the product to be purchased.

Select an agreement number from the following chart to see the details of each agreement.

Commodity	Agreement No.	Contractor	Start Date	End Date	Mandatory	Contract Administrator
Automotive Supplies						
Bottled Water						Ruth DeWitt
Industrial Supplies/Safety Equipment/Lighting	MA2010-001	G&C Corporation / Grainger	12/01/10	07/31/11	No	Ruth DeWitt
	MA2010-002	MSC Industrial Supply Co.	02/01/2011	Indef.	No	Ruth DeWitt
Office Supplies	MA2011-003	Office Depot	02/28/2011	10/17/2016	No	Ruth DeWitt
Uniforms						Nicole Dang
Welding Supplies						

Note: The Industrial Supplies/Safety Equipment/Lighting is the only completed agreement at this time, others will be added in the near future.

Last Update on 03/17/2011 02:57 PM

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