

STATE OF OKLAHOMA
STATE USE COMMITTEE MEETING MINUTES

Library for the Blind and Physically Handicapped
300 NE 18th Street, Oklahoma City, OK 73105
March 10, 2010

Call to order

Will Smith called to order the regular meeting of the State Use Committee at 1:04pm.

Roll call for Quorum

Will Smith conducted a roll call.

Members Present: William Smith, Committee Chair; David Oliver, Committee Vice Chair; Effie Ballard, Committee Member; Randy Ross, designee for John Richard, Committee Member.

Members Absent: Jane Nelson, Committee Member

Quorum Declared with four members present.

I. Approval of minutes

December 2, 2009 meeting minutes discussed with following corrections:

Page 2, second sentence, strike out “we”, replace with “will” – Typo

Page 2, third paragraph, second sentence, “bidding” – Typo

Motion to approve amended minutes by Ms. Ballard and seconded by Mr. Ross.

YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross, Mr. Smith

NAYS: None

ABSENT: Ms. Nelson

Motion passed

February 22, 2010 meeting minutes discussed with the following corrections:

Page 1, Item two, third sentence, add “Gaye Tudor stated or explained”

Page 1, Item two, second from the last sentence, replace “council” with “counsel” – Typo

Motion to approve amended minutes by Ms. Ballard and seconded by Mr. Oliver.

YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross, Mr. Smith

NAYS: None

ABSENT: Ms. Nelson

Motion passed

II. 1% Levy Report & Financial Information

Updated reports provided to Committee. Allotment Report, Deposit Report and Operating Budget Comparison Reported
Discussed among committee members.

III. Discussion and possible action on recommendations presented by the Legislative Sub-committee on statutes and rules

Judy Goodwin presented on behalf of the Legislative Sub-Committee. The list of ideas presented:

1. Add to rules "Budget will be developed and expenditures made in coordination with the State Use Committee."
2. Define statewide mandatory contract? Define mandatory contract?
3. Have not been able to find a definition of statewide mandatory contract either in the State Use Law or in the Central Purchasing Act. We constantly refer to it but if we don't know what it is and can't find it, how can DSC tell us what it is.
4. We need to clarify that when a contract has been awarded it remains with the agency to which it was awarded as long as they continue to meet performance standards and fair market value pricing. If the agency is found to not be performing according to these standards, the information will be brought before the committee for review before the contract is taken away. There is no incentive to develop a new contract if you can't keep it.
5. Once all recommendations, proposed rule changes and statute interpretations have been made, the Committee shall hire independent legal counsel to review all documents.
6. Get a definitive answer on formulating the procurement schedule. How do we insure that the procurement schedule that is published is the one that the Committee approves? We need a much better definition of what the Committee's responsibilities are in relation to the procurement schedule.
7. Develop a cross-reference list of provider agencies and goods/services so that each references the other. This current system is MUCH too complicated and it is too hard for potential buyers to get from a product to the vendor who produces it. This is an impairment to business.
8. Increase potential applicant qualifications so that organizations must also show financial stability.
9. Review State Use Rules to ascertain if any of these issues can be resolved through the Rules process.

Discussion among Committee members and vendors followed. Name of sub-committee changed to Fact Finding Sub-Committee. Jerry Weddington from Dale Rogers Training Center to assist with resources. Ms. Goodwin is the point of contact for the sub-committee, State Use Vendors to email any ideas for revisions. Sub-committee to review other state and federal programs.

IV. Presentation, Discussion & Possible Action on:

a. Fair Market Pricing

- i. Children's briefs (pull-ups) (SW203/PS 1542)
Fair Market Review Sub-Committee recommends \$45.00 per case for each line presented.
Motion by Mr. Oliver to approve, seconded by Mr. Smith
YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross, Mr. Smith

NAYS: None

ABSENT: Ms. Nelson

Motion passed

- ii. Pens, ball point, retractable (SW022/PS 1071)
Fair Market Review Sub-Committee recommends \$5.00 per dozen.

Motion by Mr. Oliver to approve, seconded by Mr. Ross

YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross, Mr. Smith

NAYS: None

ABSENT: Ms. Nelson

Motion passed

- iii. Personal Hygiene (SW078/PS 1684)
Nine items requested to be removed from list by the vendor in an email dated March 10, 2010 at 9:38 AM. Items removed: soap box, no-shank tooth brush, Mennen's deodorant, lotion in clear container, carrying case, Prell shampoo or comparable, shampoo and conditioner in see through bottle, shave cream, shave gel.
Motion by Mr. Oliver to approve all items except the nine items removed, seconded by Ms. Ballard
YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross, Mr. Smith
NAYS: None
ABSENT: Ms. Nelson
Motion passed

b. Ratification of Contract to establish fair market on Powdered Laundry Detergent

Motion to ratify the price for powdered laundry detergent in a 50 pound box at \$18.00 per carton by Ms. Ballard, seconded by Mr. Oliver.
Clarification on the item being placed on the procurement schedule was discussed. Powdered laundry detergent is now a mandatory purchase through Kiamichi Opportunities and the vendor will pay the one percent levy on all sales.

YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross

NAYS: None

ABSTAIN: Mr. Smith

ABSENT: Ms. Nelson

Motion passed

V. Progress report of annual Legislative Reception, Trade Show and Vendor Training

State Use Contracting Officer, Larry Smith provided an update on the Legislative Reception, Trade Show and Vendor Training on March 30 and 31, 2010. List of Legislators which have confirmed their attendance will be sent to the State Use Vendors.

VI. Public comments and announcements

Ms. Goodwin made announcements.

Steve Clay from Oklahoma Production Center asked where to report agencies that were not purchasing from the mandatory statewide contracts. Contracting Officer, Larry Smith directed him to the DCS web site.

Cathy Cash from Garvin County Community Living Center asked how new items with approved fair market information is disseminated to the Certified Procurement Officers of the State of Oklahoma. Contracting Officer, Larry Smith explained that CPO's must refer to the procurement schedule prior to a purchase and the procurement schedule will be updated. Mr. Ross explained the auditing process of the Department of Central Services Auditors. Central Purchasing Director, Scott Schlotthauer discussed the possibility of doing a CPO announcement with the information on a quarterly basis.

VII. New Business: Consideration of any matters not known about or which could not have reasonably been foreseen within twenty-four hours of this meeting

None

Adjournment

Motion to adjourn by Mr. Ross, seconded by Mr. Oliver

YEAS: Mr. Oliver, Ms. Ballard, Mr. Ross, Mr. Smith

NAYS: None

ABSENT: Ms. Nelson

Motion Passed

Meeting Adjourned at 2:18 PM