

**COUNCIL OF BUYERS
MEETING MINUTES
June 25, 2015**

| Members/Attendees | Institution | In Attendance | Conference Call | Absent |
|---------------------|------------------|---------------|-----------------|--------|
| Antoniak, Ed | UOM | | √ | |
| Arnold, Jonathan | COSCC | | √ | |
| Blain, Judy | APSU | | | √ |
| Bunch, Sharon | TSU | √ | | |
| Butts, Constance | UOM | √ | | |
| Clark, John | PSCC | √ | | |
| Crisp, Kathy | MTSU | | √ | |
| Desrochers, Suzanne | APSU | | √ | |
| Fennell, Charles | SWCC | | √ | |
| Flynn, Angela | TBR | √ | | |
| Fox, Alisha | CLSCC | | √ | |
| Griffy, Marilyn | APSU | | √ | |
| Hamer, Lynn | WSCC | √ | | |
| Hemrick, Dart | JSCC | | √ | |
| Hull, Judy | TTU | √ | | |
| Jansen, Anita | TBR | √ | | |
| Jones, Randal | NESCC | | √ | |
| Lowe, Doris | ETSU | | √ | |
| Martin, Ron | CHSCC | | | √ |
| McGovern, Terry | VSCC | √ | | |
| Nabors, James | UOM | | √ | |
| Presley, Dana | RSCC | √ | | |
| Pritchett, Will | MTSU | √ | | |
| Pugh, Wayne | TBR | √ | | |
| Ridgeway, John | TCAT McKenzie | | √ | |
| Robbins, Canty | UOM | √ | | |
| Sims, Joel | TSU | √ | | |
| Smith, Jo | NSCC | √ | | |
| Stafford, Camilla | MSCC | √ | | |
| Staples, Mary Jane | MTSU | | √ | |
| Turpin, Danice | TCAT Harriman | | √ | |
| Voorhees, Philip | TBR | √ | | |
| Wallis, Donna | TTU | | √ | |
| Walls, Leigh | MTSU | | √ | |
| Watts, Amy | DSCC | √ | | |
| Young, Stacy | TBR | √ | | |

The meeting was called to order at 9:00 am.

Attendance was taken by Angela.

Introductions

Angela introduced and welcomed to the Council Anita Jansen, new Administrative Assistant for the TBR Purchasing and Contracts Office.

Accessibility Requirements

Angela introduced Philip Voorhees, ROCC Accessibility Coordinator. Mr. Voorhees is part of an established accessibility task force formed by Dr. Tristan Denley, Vice Chancellor for Academic Affairs. Angela also serves on the task force, along with campus representatives in the areas of business and finance, student services, academic affairs, disability services and TBR System Office representatives. Angela indicated that accessibility requirements come into play anytime there is utilization of a computer/electronic device by employees and/or students for the purpose of accessing any type of information. For academic offerings, this applies to both credit and non-credit. It is the purpose of the task force to establish baseline requirements and guidance regarding the language and processes related to accessibility. As such, the focus of the Council of Buyers is on the procurement and contracts portion of these requirements. Angela provided language for the various purchase scenarios and the necessary forms that vendors must complete to indicate compliance or steps to become compliant. Purchasing and Contracts Officers will work with the designated accessibility coordinators on each campus, as appointed by and at the discretion of Dr. Denley. These coordinators will be trained collectively on testing and vetting products/services offered by the vendor community, as well as communication with the vendors on the completion of the necessary forms/documentation. These coordinators shall act as liaisons with the vendors and the campus community. Mr. Voorhees and Angela are working with Matthew Gann, IT Webmaster at System Office, on establishing an online library/repository showing either that a vendor is compliant, or the date in which compliance will be achieved. Each campus coordinator, as well as the System Office, will have the ability to post/upload/update information as vendors are vetted. The forms, developed by Mr. Voorhees and included in the packet provided by Angela, will be posted on the website. Angela and Mr. Voorhees stressed that these are fairly new requirements and mandates placed upon the vendors so it is understandable that they may not be fully compliant at this time. The key is completion of the forms and the vendor showing they are making a proactive attempt to fulfill the obligations set forth.

August 1st is the expected go-live date for the online library/repository. Mr. Voorhees stated that his accessibility team has traveled in recent months to institutions to train academic, IT, distance education representatives and other personnel, on course development and development of accessible documents. An upcoming initiative will involve assessment of the top 30 courses at each institution in order to train faculty in the development of accessible documents, and to assess instructional materials. Instructional saturation was stated as an initial goal.

A question was asked if a list is available of persons who have been trained per campus thus far. Also, guidance was requested regarding the manner in which to move forward in the negotiation of contracts process. Angela's response was that the aim should be for completion of forms to validate a vendor's compliance or date to be compliant, prior to contract execution. In lieu of attempting to vet all contracted vendors now, institutions should address those applicable contracts at renewal time. All contracts from this date forward should address accessibility. Non-compliant vendors will be dealt with on a case-by-case basis, as per Department of Justice and Department of Education mandates.

Facilities Update

Angela had asked TBR Facilities to come and speak with the Council regarding Facilities updates. They were unavailable but did provide the following information that was shared with the Council:

- Statute and bulletin regarding the new wage rate law that went into effect last year. State wage rates do not apply to building related construction. State highway rates apply to public highway construction or projects that use state or federal highway funds. Davis Bacon may apply to projects funded with some federal grants and those detailed would be provided in the grant.
- Any SBC project or component of a State Building Commission (SBC) project that is bid at the campus is required to follow SBC policy. This is not new requirement, but there is increased focus on these projects. The TBR Facilities documents incorporate related SBC policy and should be used on any SBC project bid locally. The procurement policy and procedures probably do not comply with SBC policy. A TBR Facilities project manager can assist the campus as appropriate.
- The Gift In Place projects also are required to follow SBC Policy. This is also not a new requirement, but there are now forms that need to be submitted and approved by the State Architect on all Gift In Place projects. Institutions should work with TBR Facilities project managers on these projects.

Legislation Update/Changes

Wayne Pugh, Associate General Counsel, provided a brief update regarding Public Chapter 515. This Chapter states that all major procurement contracts will have enforceable language regarding compliance of vendors and sub-contractors in remitting sales and use tax on all services and/or goods. In order to comply, TBR System Office has changed the language of the proforma contracts to read as follows:

Sales and Use Tax. The Contractor shall be registered or have received an exemption from the Department of Revenue for the collection of Tennessee sales and use tax. This registration requirement is a material requirement of this Contract. The Contractor shall comply, and shall require any subcontractor to comply, with all laws and regulations governing the remittance of sales and use taxes on the sale of goods and services made by the Contractor, or the Contractor's subcontractor.

Mr. Pugh also stated that discussions have been ongoing among System Office, Central Procurement Commission, and UT regarding Senate Bill 95, House Bill 84, Public Chapter 272, with regard to section 12-3-5-14 Protest Statute. A determination was made internally that the revisions in the bill are not applicable to TBR and UT, and that policies and procedures currently in place regarding bid protests should be abided. Angela noted that, although protest guidelines will be followed almost fully, the concern felt regarding the revisions is that now any protest would prompt an automatic stay of award which would delay mission critical initiatives.

SciQuest

Consortium Metrics/Data Presentation - Angela provided the overall annual Consortium spend information provided by SciQuest to the Council containing information such as overall spend levels, process cycle times, rankings of suppliers, consortium license pack summary, etc.. Angela noted that when running reports, several schools have found unusual discrepancies. It appears that MTSU and UOM made manual changes and adjustments in SciQuest, and the question was raised as to whether this was an effort to capture procurement card spend. Based upon the information, approximately \$37,000,000 in goods and services have been procured from consortium suppliers in the 2014/2015 fiscal year.

Dell Customized Punch-Out Premiere Pages – Angela updated the Council on the status of individual Dell Premiere Pages which was discussed at the last meeting. Dell had requested the ability to create custom premiere pages for each institution. The System Office requested written verification from Dell that all pages would be created with the University of Memphis Contract pricing offered to everyone, at a minimum, with the understanding that additional discounts could be offered for large volume purchases. Dell has not sent anything in writing to date.

Reports Needed – Schools were provided instructions on two reports to run in SciQuest:

- (1) a year-to-date by organization spend report
- (2) a year-to-date by supplier report.

In addition, the System Office is requesting a listing of the types purchasing and accounts payable reports that it currently runs and the frequency that those reports are run. Reports and the listing should be submitted to Mark Hodges no later than July 15, 2015.

Institution Presentations - UOM and CLSCC were tasked to present information to the Council regarding their campus' use of metrics, and about informational reports its schools provide to staff and/or senior management.

A PowerPoint presentation was given by Canty Robbins, explaining the reports run at the UOM facilities, touching on use of document search functions which provide unlimited data, invoice modules reflecting invoice data, and reports to determine the timing of bids needed. Constance Butts of UOM next informed Council members of her work in SciQuest with university libraries, wherein data collected highlighted the existence of differing contract renewal times. An effort was then made to coordinate new contract renewal times with the same start dates to facilitate the fiscal year. Contract Manager was noted by Ms. Butts as an excellent tool which acts as a repository for contracts. This program increases cost savings by helping to eliminate contractual inaccuracies. Additionally, the program sends out reminders, emails to buyers and to customers, and automatically assigns contract numbers to requisitions and purchase order numbers. This enables tracking of terms, budgets, spending, etc. Ionwave and Argos are also SciQuest/Banner products which provide additional ways to track costs and spending. Reports sent to management can include cycle times, assessment measures, benchmarks set, actuals for FY, and improvement actions to be taken. A question was raised as to the cost of the Contracts Manager program, to which Angela replied that it is dependent on the tier of the school.

Alisha Fox with CLSCC reported that CLSCC uses the purchasing module only. A listing of the reports and tutorials used at CLSCC was provided to the Council. Currently, weekly cycle time reports are run. Once a semester, an overview report is run to be submitted to the VP of Finance. This report shows the existence of problem departments or areas, if any. Currently, also, departments have been trained to run search and export data reports in SciQuest for campus spend tracking.

Two (2) additional campuses will be identified to present their information at the next Council Meeting.

TSM Update – an Order Form as been executed with Ellucian. Ellucian has provided a tentative timeline with a go-live date of 4/1/16, with lots of tasks identified for completion between now and then. The TBR System Office, Ellucian, and SciQuest will be having a conference call to discuss the project and next steps in the near future. Angela will keep the Council and the focus group updated regarding next steps, and did ask that ETSU and a community college serve in a test capacity once the developed system is ready for the testing phase.

Contract Monitoring

The System Office's Contracts log will soon be generating automatic notices, similar to what is currently being sent on contract term expirations, regarding contract monitoring. The goal is to aid institutions in timely oversight of contracts and capture of the required contract monitoring document/information. The timing on the notices will be based upon the frequency of the monitoring, as indicated on the contract summary sheet. Institutions are not required to submit their contract monitoring information to the System Office but are required to have this information on file at the institution level.

A new process regarding monitoring of system-wide contracts is being initiated within the System Purchasing and Contracts Office. The System Office will notify the Council of any upcoming contract monitoring meetings to give institutions an opportunity to provide any feedback that can be addressed by Angela with the contracted vendors. To date, contract monitoring meetings with Adobe, AMEX, AP&T and Apple have been scheduled. Angela will provide the exact meeting dates to the Council and requests any feedback prior to those dates. Institutions may also request to participate if they desire to do so. Angela distributed the current contract monitoring form and asked for review and feedback on recommended changes to the form to improve/enhance the monitoring process. Any suggestions should be provided to Angela no later than Friday, July 10th.

RFP Exceptions to Proforma Contract in RFP Technical Responses

It has been brought to the System Office's attention that some institutions are automatically rejecting RFP responses where vendors have noted exceptions to the *pro forma* contract. An Institution's goal should always be to keep proposals, not reject. Exceptions should not be automatic eliminations – negotiations should be attempted, if possible. After the policies have been updated and the associated manuals created, the RFP format is going to be evaluated at System Office and subsequently edited. In the interim, however, use of professional judgment and the referral of questions to legal counsel is appropriate. The Council was provided language that the Central Procurement Commission is using related to this matter and the Council was encouraged to incorporate said language into its RFP template until the System Office provides an updated RFP format.

TBR/UT/CPO Collaboration Initiatives for Goods/Services

- Office Supplies. The Staples Collaborative contract is now finalized and the effective date of the new Agreement is July 1st. Angela will check with Staples to see when the new pricing will be loaded and available. Pricing and discounts are better than the previous Agreement.
- HVAC/Plumbing/Electrical Subcontractor RFP. This initiative is still moving forward. An RFI was issued and the RFP is scheduled to be released the week of 7/6.
- Procurement Cards. The next initiative will be a collective procurement card contract. Preliminary discussions have taken place and campuses will be invited to participate in this process. As with other system-wide initiatives, institutions will not be asked to cancel any current contracts, but institutions would want to evaluate the resulting contract rebates to determine if it is feasible to renew any existing contracts. Currently, the TBR System has approximately \$30 million in pcard spend. The timeline is to have a new Agreement in place sometime in 2016; however, the process will begin in July of this year due to length of time of preparation and collaboration. Conversations with CFOs will begin at the BASC meetings as well.

TBR Policies/Manuals Update

A subgroup is currently at work on several items. The first project at hand is the Procurement Policy and manual, a draft of which should be available the week prior to the next Council of Buyers meeting. This timing will give everyone time to review and then discuss at the next meeting. The next item scheduled for review and discussion at the January Council meeting is the Contracts Policy and Manual. The third project involves the implementation of a Pcard Policy and Manual, with a projected release date of March 2016. In addition, the Approval of Agreements Policy will also be updated and provided at some point during the 2015/2016 year.

Strategic Sourcing Group

A system-wide group has been formed to look at system-wide strategic sourcing. The genesis of this group stems from the need to increase system-wide sourcing, the recent Community College Huron Report, as well as recent collaboration discussion/initiatives with the University of Tennessee and the Central Procurement Commission. This group is comprised of university, community college, TCAT and System Office representation. The following areas were discussed at the first meeting:

- Mission/Governance
- Identifying new Strategic Initiatives
- Leveraging spend/analytics to improve existing system-wide agreements
- Marketing/Communication of Strategic Group Focus/Initiatives
- Identification/Approval of Additional Consortium Suppliers in SciQuest
- Advisory/Contract Monitoring of System-wide agreements

These areas were divided up for additional work by sub-groups to be discussed at the next meeting. Two (2) initiatives were identified regarding system-wide agreements:

- American Paper & Twine (existing system-wide contract) – review of spend analytics to standardize products and drive deeper discounts
- Audio/Video Equipment (new sourcing opportunity) – survey the institutions to identify existing contracts, types of equipment, spend, etc. to develop a baseline RFP.

It was also noted that UT and the State of TN should be included when feasible to establish the best possible agreement.

Updates will be provided at each Council of Buyers meeting, in addition to periodic email communications. A strategic sourcing section will be created on the Purchasing and Contracts webpage, with minutes of meetings and documentation. The next strategic sourcing meeting will take place in late July/early August, via conference call.

Current Strategic Sourcing System Initiatives/Updates

The Educational Advisory Board (EAB) - EAB has approached some of the TBR campuses regarding memberships to various modules. Software embedded in the Student Success Collaborative Subscription makes approvals required, specifically Fiscal Review as multiple years exceed \$250,000. This software procurement was taken to Fiscal Review for approval for MTSU. The EAB has also approached TTU. Angela has asked the Council to check with their institutions and let her know who else is interested in pursuing the purchase of this software as Vice Chancellor Sims is looking to seek approval for all applicable institutions collectively with Fiscal Review. Angela has also notified EAB that a conversation is required with the System Office prior to moving forward with any TBR institutions as discounting is expected if multiple TBR institutions move forward in procuring this software.

Business Continuity/Emergency Preparedness Software – A Business Continuity/Emergency Preparedness software RFP is being created due to the various stages of existing emergency preparedness and business continuity plans at TBR schools. A consultant will be retained by System Office to aid in developing and/or revising/updating schools' existing emergency preparedness plans, and a committee comprised of CFOs, IT and facility personnel has been formed to implement a survey to gather data regarding specific items to be included in the RFP. The RFP is expected to be sent out by early fall.

Curriculum Management Software – Under the direction of Dr. Denley, several task forces have been created to look at curriculum. A system-wide committee has been formed to develop and evaluate an RFP for a curriculum management software solution. The goal is a central library/repository of curriculum offerings with transparency/continuity across the System. The committee has conducted its first meeting and it is tentatively scheduled that the RFP will be released in August.

Disability Services Software – a system-wide committee has been formed to issue an RFP for disability services software for common collection, tracking, and reporting of disabilities at TBR institutions.

Affirmative Action Software – The TBR Office of Organizational Efficiency and Strategic Initiatives (OESI) is developing an RFP for affirmative action software and training in an effort to develop collaborative and collective pricing efficiencies.

Microsoft Surface Pro – The TBR Purchasing and Contracts Office has been asked to do a system-wide bid for Microsoft Surface Pros. This initiative is being spearheaded by the WSCC IT Director who is working with the campuses to collect campus needs regarding Pros and associated peripherals.

Sound and Video Streaming for TBR Board Meetings – Plans are underway for the rebid of sound and video streaming for the quarterly TBR Board meetings. This will be bid internally with only TBR institutions. Specifications are currently being developed and the bid will be issued mid-July.

Title IX/Campus SaVE Online Training for Employees –This RFP process has concluded, with the successful Proposer and Contract awarded to EverFi, Inc. More information will be provided from each campus HR Department regarding the training of all employees. Heather Stewart of Legal, Heidi Fleming of Academic Affairs, and April Preston are discussing system-wide deployment.

Sign Language/Interpreting/Transcription Services – An RFP has been issued for these services, with four responsive proposals received. These responses are currently in the evaluation stage. A regional/multiple award may be necessary due to the servicing locations identified within the state by the Proposers.

Online Course Management System RFP – This RFP is currently in the testing phase of the evaluation process. This phase will be concluded mid to late July and the RFP then moves into the cost evaluation phase. The successful Proposer will be determined this fall.

Other Updates/Institution Updates

Follett has recently acquired Nebraska Book. For institutions that currently contract with Nebraska Book, a letter is being issued by Follett for reassignment of the Contract. This represents a material change to the current contract in place and will require routing and approval by the System Office. Wayne Pugh also requested that he be notified by each school receiving the assignment letter.

Apple –

- a. The TBR System Office recently negotiated a Lease Agreement with Apple for Apple Products. Institutions were advised that this is leasing of Apple products only. Apply has recently indicated that other products manufactured by other suppliers could also be leased but TBR informed Apple that this leasing option is only for Apple branded products/equipment.
- b. Apple has recently requested that TBR contract with Apple for the Apple Self-Servicing Agreement. The purpose of this Agreement is for institutional personnel to be certified and have the ability to provide warranty work on Apple products and then be reimbursed by Apple. The TBR System Office has requested additional documentation from Apple and will notify the institutions if this contract is negotiated.

DocuSign – The TBR System Office, specifically Purchasing and Contracts and Human Resources, will begin processing certain documents through the DocuSign online approval offering. TBR is awaiting pricing information/next steps from DocuSign and institutions will be notified when any material changes in document submission will begin. The goal is more electronic and timely approvals of documents that require System Office approval.

AON/Student Athletic Insurance – Student Athletic Insurance is the next insurance offering that will be transitioned to the State's broker, AON. AON has presented potential carriers to offer this coverage to the System Office, and TBR and athletic representation from each campus have been invited to participate in presentations by 3 of those carriers on July 9. Once the presentations have taken place, decisions will be made regarding costs, coverages and next steps.

TBR System Office Purchasing and Contracts Webpage – Significant changes are currently being made to the webpage. SciQuest and RJYoung information has been greatly augmented. Also, more minutes-related information will be provided on the website, with access available to view minutes, agendas, and related documents. The January Council of Buyers meeting information has been posted, and future information will be posted quarterly. Strategic sourcing meeting information will be posted, as well, along with other information suggested or requested by the schools. Old forms on the website are in need of updating, and Angela welcomed suggestions to make the webpage a better resource for the schools.

Office Supply Comparison Report – This information is requested periodically from the System Office for discussion with Staples in the contract monitoring process. For institutions that have not provided this information in the past, a few more will be selected to provide in the near future.

Next COB Meeting – Efforts are being made to coordinate the September Council of Buyers meeting with the SciQuest Regional User Group (RUG) meeting on September 23 and 24.

Cammie Stafford from Motlow asked for an update on System Office Trainings and the Purchasing Policy and Manual updates. Regarding training, Angela indicated that the only training opportunity identified at this time was to possibly contract with a SciQuest representative to provide deeper use of the functionality available in the eprocurement system. Pertaining to the Purchasing Policy and Manual, Angela responded that a subgroup of the Council of Buyers are currently drafting the new policy and manual, with the goal to have a shorter policy and a robust procedures manual. The hope is to have drafts of both documents to the Council of Buyers a week or two prior to the next COB meeting so these can be discussed in detail at that meeting.

Canty Robbins at UOM advised that Charles Fennell is now at SWCC, and his replacement, Sharion Smith, will begin Monday, June 29.

The meeting adjourned at 11:20 am.

Minutes were taken by Anita Jansen and Stacy Young.