



Procurement Standards Board Minutes

November 12, 2020

Members attending Ms. Talia Lomax-O'dneal, Chair, Ms. Shannone Raybon, Mr. Don Hardin, Mr. Bob Cooper

Others present: Ms. Michelle Hernandez Lane, Procurement Division; Ms. Terri Ray, Procurement Division; Mr. Christopher Wood, BAO; Ms. Jerval Watson, BAO; Ms. Macy Amos, Department of Law

Due to the global pandemic meeting held virtually.

Chairman Lomax O'dneal called the meeting to order.

Judy Cantlon called roll. Ms. Lomax-O'dneal made a statement regarding the need to hold the meeting virtually and entertained a motion to confirm the need to move forward electronically given the extent of the global pandemic. The Board voted that there was specific need to protect health and safety to hold the meeting virtually. Mr. Cooper made a motion to approve and Mr. Hardin seconded. It was approved unanimously.

Ms. Lomax-O'dneal entertained an approval of the last meeting's minutes. Ms. Lane presented a change to the minutes requested by Ms. Eke. Mr. Hardin made a motion to approve with change and Ms. Raybon seconded. They were approved unanimously.

Purchasing Agent Report – Ms. Michelle Hernandez Lane

Ms. Lane presented highlights from the Purchasing Agent's Report. She noted that 100% of Purchasing staff is working from home due to the pandemic. The board expressed concern about funding for the extra purchasing requests caused by the pandemic. Ms. Lane stated that we are working through these issues including inability to fill vacant positions and doing more work with less people. Additional staff is expected to be hired at the end of the month. Purchasing activity is a priority with management. Mr. Harding asked about the lack of participation on the list of contracts of \$5 million and above included in the report. Ms. Lane explained some of them were not applicable because they were for goods only which is not applicable to the program. The board would like to look in to adding goods to the program in the future. Ms. Lane stated the Data Officer reviews each project looking for ways to include participation. There is significant participation indicated on other reports, for which the board extended congratulations. Significant support has been provided to the Sheriff's Department by Procurement to assist in the transfer of management from CoreCivic to the Sheriff's Department.

Procurement Regulation Modifications

Ms. Lane requested a change of order of the modifications from the agenda, granted by the Board Chair.

R4.08.080.01 Selection of Architects and Engineers – B. Selection Process

Adding language requested by TDOT. Ms. Shanna Whitelaw from Public Works stated the change is required to receive funding from TDOT. Ms. Lane stated that there is no change in existing process and the modification being requested will put the Regulations in line with actual practice. The language has been approved by the Department of Law. Mr. Hardin asked if there has been any feedback from A&E firms regarding this language. Ms. Whitelaw stated she is not aware of any pushback from the firms, it is not unusual for them. Mr. Cooper made a motion to approve and was seconded by Mr. Hardin. The motion was approved unanimously.

R4.08.080.01 Selection of Architects and Engineers – A. Master Lists

Requesting elimination of the section referencing the A&E Master Lists. Metro Council has approved the elimination of A&E master lists therefore the Regulations need to be modified to reflect this change. Mr. Hardin made a motion to approve and was seconded by Ms. Raybon. The motion was approved unanimously.

R4.36.010 Authority to Resolve Protested Solicitations and Awards

The board discussed protests and the timing of submitting documentation. Timing for lodging protests can be changed if additional facts are provided. The language submitted for modification has been reviewed and approved by Legal. After significant discussion and questions and answers, Mr. Cooper made a motion to approve and was seconded by Mr. Hardin. The motion was approved unanimously.

R4.12.095.01 Privatization Contracts

This modification will clean up outdated language. Mr. Hardin made a motion to approve and was seconded by Ms. Raybon. The motion was approved unanimously.

R4.12.200.01 Records of Procurement Actions Taken Under Section 4.12.060

This modification is consistent with recommendations from an audit conducted by Internal Audit. Retention period is for all procurement records. Longer retention periods can be established by the standards board, the public records commission and the director of law but must be at least three years. The proposed language mirrors the language used in pending legislation before Metro Council. Mr. Cooper made a motion to approve and was seconded by Mr. Hardin. The motion was approved unanimously.

R4.12.110.02.3 Standards for Subcontractors

Metro can request supporting documentation from subcontractors that they have the necessary business licenses, payment of all gross receipt taxes and payment of all personal property taxes. Mr. Hardin made a motion to approve and was seconded by Ms. Raybon. The motion was approved unanimously.

Adjournment – Ms. Talia Lomax-O’dneal, Chair

Next meeting February 11, 2021.

Chair Talia Lomax-O’dneal requested a motion that the meeting be adjourned. Receiving a motion by Mr. Hardin and a second by Ms. Raybon and a unanimous vote, the meeting was adjourned.

Respectfully submitted,

Judy Cantlon

Judy Cantlon

APPROVED:

Talia Lomax O'dneal

Talia Lomax O’dneal, Board Chair