



Procurement Standards Board Minutes

November 10, 2022

Members attending Ms. Kelly Flannery, Chair, Mr. Wallace Dietz, Ms. Kim Samson, Dr. Cynthia Croom
Mr. Larry Turnley

Others present: Ms. Michelle Hernandez Lane, Procurement Division; Mr. Christopher Wood, BAO;
Ms. Jerval Watson, Business Development, Ms. Macy Amos, Legal

Chairman Kelly Flannery called the meeting to order.

Ms. Flannery recognized that we have a new board member, Mr. Larry Turnley and a new person representing Metro Legal, Ms. Alexandra Rivera.

Ms. Flannery entertained an approval of the last meeting's minutes. Mr. Dietz made a motion to approve and Dr. Croom seconded. They were approved unanimously.

Purchasing Agent Report – Ms. Michelle Hernandez Lane

The Procurement Division continues to work with Departments to best meet their needs legally and efficiently. We are beginning to see a loosening of the supply chain bottlenecks brought on by the pandemic which have created some limitations in meeting departmental procurement needs. Port issues have been alleviated and many worker shortages have been addressed, though the war in Ukraine does continue to have some effect on certain raw materials which may translate into higher prices for Metro. During the last quarter, the Procurement Division has maintained staffing levels, though not fully staffed. The Procurement Division continues to solicit applications to fill this position in the Procurement Resource Group. During the last quarter, the Purchasing Division engaged procurement activity resulting in the transactions detailed in the Key Performance Metrics Report in Board Member packets. Metro Nashville's next Disparity Study is currently underway and is on track. Ms. Flannery asked for an explanation for the Disparity Study for the benefit of the newer board members. No protest hearings were held during the period. Two procurement appeal hearings were held during the last quarter pursuant to procurement activity related to the Medical Benefits solicitation for the Human Resources Department and the Parking modernization solicitation for the Nashville Dept. of Transportation.

EBO Update – Christopher Wood

The Disadvantaged Business report for the 1st quarter reveals 4.35% MWBE participation and 8.66% SBE participation. These numbers are down from last year but the spend is also down. The EBO annual report was published last quarter.

BDO Report – Ms. Jerval Watson

Ms. Watson presented the BDO report for the quarter. We are moving back to more in person trainings, will continue to offer some virtual trainings as well.

Proposed Procurement Regulations Modification

Regulation 4.20.030.02

Bond Amounts for Design Build and Construction Manager at Risk Projects. For design build and construction manager at risk projects, the penal sum for payment and performance bonds shall be equal to the guaranteed maximum price and shall exclude the costs of pre construction services to be performed by the design build contractor or construction manager. The bonds shall be provided to Metro within ten days after execution of a contract amendment establishing the guaranteed maximum price, but in any event prior to the performance of any substantive construction work. Upon any authorized change in contract scope that entitles the design build contractor or construction manager to additional compensation, the design build contractor or construction manager shall provide an acknowledgement from the surety approving a like increase in the penal sums.

Motion to approve this modification was made and properly seconded. The motion passed unanimously.

Adjournment – Ms. Kelly Flannery, Chair

The date of the next meeting will be decided at a later time.

Chair Flannery requested a motion that the meeting be adjourned. Receiving a motion by Ms. Samson and a second by Dr. Croom and a unanimous vote, the meeting was adjourned.

Respectfully submitted,

Judy Cantlon

APPROVED:

Kelly Flannery, Board Chair