Membership Approves $15,000 for 2012 NIGP Forum Scholarships

At the OPPA Fall Conference in Seaside, the membership approved the 2012 OPPA budget. Included in the budget is $15,000 specifically for scholarships to the 2012 NIGP Forum in Seattle, WA. This $15K is over and above the $10K set aside annually for regular scholarships.

The Board has approved a temporary Forum Scholarship Application specifically designed to meet this unique situation. That application can be found at: http://www.oppaweb.org/2012-nigp-forum-scholar.

Applications are due on or before March 16, 2012.

The Scholarship Committee diligently developed award criteria that can be met by every member whether you’re new to the profession or in the later years of your career. The point allocation has been distributed differently than on the regular application. If you have been a member in good standing since July 1, 2011 you’re eligible!

A lack of funds for professional development at your entity should not deter anyone from applying for this scholarship; full and partial scholarships can be awarded.

Be a part of supporting our sister Chapter in Washington, the incoming NIGP President, OPPA member Bobbi Matthews, and the NIGP Region XII Director, OPPA member Jeff Baer.

Numerous Forum volunteer opportunities exist. Stretch your personal and professional growth by participating in a volunteer capacity.

The groundwork has been laid: now it’s to you. Good luck!

President’s Message

Fall has past and Winter has arrived; it is beautiful outside! I feel so lucky to be an Oregonian during this time of year. But, this year we should all feel lucky to be Oregonians because, our very own Bobbi Matthews from the Port of Portland will be the incoming President for NIGP, Jeff Baer from the City of Portland is the NIGP Region 12 director and the 2012 National Forum is going to be held in Seattle this summer. What more can we ask for besides possibly getting a few awards at Forum (I hope I didn’t just jinx us)?

Speaking of Forum, the Membership approved $15,000 in scholarship money to be used towards sending YOU to forum this year. Hopefully this will stop the mindset that Forum is too expensive, too far to travel, or that it is only for Managers and OPPA Board members. Anyone that goes to Forum will testify that attending Forum is an experience that will empower you at your job no matter the level of procurement officer you are, as well as give you a boost of pride to be a servant of the State. Your manager will not be disappointed in the growth you will acquire if they support your efforts to attend.

Keep an eye out for information from the Scholarship committee. They are working hard to provide as many scholarship opportunities as possible. So now is the time to start thinking, “where do I want to help? Can I find a few hours a month to volunteer for OPPA and see if I can increase my possibility to go to Forum?”.

You won’t be sorry that you invested in yourself.
Welcome Our Newest OPPA Members

Please join the Board in welcoming the most recent additions to our membership.

When you cross paths with one of these new members, make it a point to say “Hi”, introduce yourself, offer assistance, and share with them the many benefits of being an OPPA member.

Let them know there’s a mentoring program, a scholarship program, and countless volunteer opportunities. Each benefit is designed to promote the professional development of the membership.

Encourage the new members to contact a member of the Board and discuss what OPPA can do for them. The Board contact information is available on the website at: oppaweb.org.

Thanks to all of our new members for choosing to be a part of OPPA; we look forward to meeting your professional development needs. We hope to see you at an OPPA event soon!

Congratulations to Our Newest CPPB’s and CPPO’s

OPPA is proud to announce that 3 of our members have survived the most recent UPPCC testing cycle. Please join the Board in congratulating the following members for obtaining their professional certifications:

- Kelly L. Kozisek from Oregon State University has earned her CPPO
- Sarah C. Gorsegner from the Eugene Water & Electric Board, has earned her CPPB
- Donald C. King from the City of Eugene has earned his CPPB

- Elizabeth Rayas, Oregon Employment Department
- Lisa Goonan, Oregon Housing and Community Services
- Winona Butler-Gargiulo, Oregon Employment Department
- Linda Richardson, City of Redmond
- Steven Burton, Oregon Department of Transportation
- Caryn Appler, Umatilla-Morrow Education School District
- Gasat Burns, Multnomah County
- Kimberly Copley, Portland Community College
- Mark Forster, OR Department of Transportation
- Jerilyn Irvine, OR Department of Fish and Wildlife
- Marian Kehoe, Beaverton School District
- Kimberly Leeker, Oregon State University
- Lisa Merino, Department of Fish and Wildlife
- Jon Miller, OR Department of Transportation
- Jessica Perkins, OR Department of Fish and Wildlife
- Enrique Rodriguez, OR Department of Fish and Wildlife
- Jeff Svejcar, OR Department of Fish and Wildlife
- Sarah Gorsegner, Eugene Water and Electric Board
- Tim Rogers, Oregon State University
- Jennifer Doreen, Oregon State University
- Rachel Soto, OR Housing and Community Services
- Laurie Goetz, OR Department of Administrative Services
If your agency hasn’t looked at your prequalification process for a while, it might be time for a tune-up.

Under Oregon Purchasing law, a bid award is made with the lowest price being the sole criteria. This distinguishes it from a Request for Proposals, in which the agency can consider other factors in addition to price. One implication of this is that an agency’s prequalification process must effectively function as a first screen to exclude vendors from bidding who may not have the experience or ability to reasonably have a chance at successful completion of the project. That determination requires both professional expertise and sound judgment to make. Once a vendor is through the prequalification gate, the agency will make the award to them if they are the lowest price. If it turns out they are unable to get bonding, you’ll be cleaning up a mess. Given these high stakes, how does your agency make prequalification decisions?

In Oregon, the contracting agency is limited in the prequalification process to considering the same factors as when making the bidder responsibility determination (279C.430). It is important to note that, while the prequalification and responsibility determination processes are very similar, they take place at different times in the procurement process.

If your agency hasn’t looked at your prequalification process for a while, it might be time for a tune-up. The first step in to compare the process and forms your agency uses to the list of specific factors your agency may consider for prequalification, which are listed in ORS 279C.375(3)(b). To be prequalified, your agency may require a bidder to demonstrate that the bidder:

(A) Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all contractual responsibilities.

(B) Holds current licenses that businesses or service professionals operating in this state must hold in order to undertake or perform the work specified in the contract.

(C) Is covered by liability insurance and other insurance in amounts the contracting agency requires in the solicitation documents.

(D) Qualifies as a carrier-insured employer or a self-insured employer under ORS 656.407 or has elected coverage under ORS 656.128.

(E) Has made the disclosure required under ORS 279C.370. [First-tier subcontractor disclosure]

(F) Completed previous contracts of a similar nature with a satisfactory record of performance. For purposes of this subparagraph, a satisfactory record of performance means that to the extent that the costs associated with and time available to perform a previous contract remained within the bidder’s control, the bidder stayed within the time and budget allotted for the procurement and otherwise performed the contract in a satisfactory manner. The contracting agency shall document the bidder’s record of performance if the contracting agency finds under this subparagraph that the bidder is not responsible.

(G) Has a satisfactory record of integrity. The contracting agency in evaluating the bidder’s record of integrity may consider, among other things, whether the bidder has previous criminal convictions for offenses related to obtaining or attempting to obtain a contract or subcontract or in connection with the bidder’s performance of a contract or subcontract. The contracting agency shall document the bidder’s record of integrity if the contracting agency finds under this subparagraph that the bidder is not responsible.

(H) Is legally qualified to contract with the contracting agency.

(I) Supplied all necessary information in connection with the inquiry concerning responsibility. If a bidder fails to promptly supply information concerning responsibility that the contracting agency requests, the contracting agency shall determine the bidder’s responsibility based on available information, or may find that the bidder is not responsible.

Beyond the specific factors your agency considers, it is important
This list may be used in determining responsibility of any Bidder, Proposer, or Offeror submitting a Bid, Proposal, or Offer to the Commission and may be the basis of non-selection for Contract Award.

**How Do You Decide Who is Qualified? continued.....**

to review the decision making process. Are your prequalification decisions made by professionals who are actually qualified to make these determinations, e.g. Engineers or Project Managers? In some organizations, the work of prequalification may not be highly valued, so it is given to the newest person in the work unit (often without instruction on how to make the determination). Worse, it may be relegated to administrative personnel without any training or expertise to scrutinize an application and make a determination.

Does your process yield consistent results or is it somewhat arbitrary? Once you have more than one individual or entity in your organization making the prequalification determinations, e.g. separate Facilities and Transportation groups, it becomes more important to understand how determinations are made and raise the issue of consistent evaluation of prequalification applications. A good way to promote decision making consistency is have those exercising their professional judgment in making prequalification decisions make a list of the factors they consider. This helps ensure consistency and supports business continuity when someone else needs to step into that role.

There are many things that can prevent a contractor from successfully performing once they are on the job. To support a good selection, your prequalification process should be written, consistently administered, and transparent to public scrutiny. It is ultimately a critical early step in your procurement that serves to minimize the risk of contractor performance issues and ensure that your agency pays the lowest cost from responsible bidders on every project.

Allowed to submit bids, proposals, and offers in response to a PDC solicitation.

If a contractor has been placed on the list, and is the apparent awardee in a future solicitation process, prior to PDC execution of a contract, the contractor will be subject to a process that addresses prior performance issues.

The contractor is provided with a list of corrective actions. This is memorialized in a separate document. If the contractor does not agree to corrective actions, they may be considered non-responsible and ineligible for contract award.

If similar previous discussions have been unsuccessful or, if there has been a repeat record of unsatisfactory performance, the contractor may be subject to disqualification or debarment from participating in future PDC solicitations.

**Conditionally Responsible Bidder’s List**

If you missed the 2011 OPPA Fall Conference you missed a great presentation put together by Linda Andrews, CPPO from the Portland Development Commission (PDC).

The PDC recently received approval from their legal staff and Commission to proceed with a new concept; the creation of a Conditionally Responsible Bidder’s List.

The purpose of the list is to identify contractors with a prior unsatisfactory record of performance or compliance. Contractors placed on the list will be conditionally allowed to submit bids, proposals, and offers in response to a PDC solicitation.

Now that’s a process with some teeth in it!

If you would like to learn more about this groundbreaking methodology, please contact Linda. She’s excited to receive input. Good Luck Linda!
The January Workshop was well attended this year; yes, only 1/2 of the registered attendees showed up, but then again not everyone owns a boat. Despite the flooding throughout the state 47 OPPA members made it to the NW Viticulture Center at Chemeketa Community College for some good old fashioned IT focused training.

Many speakers rushed in and rushed out after their presentations as they were on call or had stolen a moment away from their emergency duties to speak to the group. Their dedication was greatly appreciated.

This picture synopsis will leave you with a good idea of the day; a good day to be inside.
ACROSS
1. You may want to refer to the Oregon Government Ethics Commissions, Public Official Guide for guidance regarding exclusions, if you're attending an event, where ________ is provided but is incidental to the main purpose.
2. A sentence conjunction that should not be confused with “and” in contract writing.
3. Liquidated damages are not a ________ but are a reasonable estimation of the damages that will occur in the event of a breach.
4. (abbrev.), is usually paid as time-and-a-half.
5. Sales people might be tempted to inflate or exaggerate. (Hint: Name of the magic dragon.)
6. First antitrust law (Act), passed by Congress that prohibits unreasonable restraint of trade.
7. F.A.S. means “Free Alongside ________”.
8. The price is what you pay after all discounts, rebates, and other adjustments have been taken.
9. Acronym for federal act that focuses specifically on racketeering.
10. Article 2 of this body of law (acronym), deals with the sale of goods.
11. Oregon’s ________ Preference Law requires a percentage to be added to a nonresident bid, if the bid was submitted from a state, where a preference is given.
12. ________, myself, and I.
13. A cooperative agreement, may allow your agency to enjoy the same terms, conditions and ________ of the original contract established by the administering contracting agency.
14. Chapters 279A, 279B, and 279C of the Oregon Revised Statutes might also be referred to as the Public Contracting ________.
15. Benjamin Franklin’s old adage: “A penny ________, is a penny earned,” still has meaning today.
16. You may have a right to recover ________, if a warranty is breached.
17. A type of sourcing that involves a collaborative and structured process for improving and evaluating purchasing activities.
18. A misrepresentation of facts and willful disregard for the truth might be considered ________.

DOWN
1. Topic of Chapter 244 in the Oregon Revised Statutes.
2. Ethics, Accountability, Impartiality, Transparency, and Professionalism are just a few of the Values and Guiding ________ recently published by NIGP.
3. Email may be considered a public ________, and subject to disclosure.
4. Colloquial term for a device the media may use to amplify your voice, if your procurement procedures are not followed.
5. Property ________ is one source of state revenue.
6. Failure to perform the duties of your job might result in a ________.
7. Having no legal force and effect, makes the contract ________ and void.
8. ________ secrets or proprietary information may be exempt from disclosure under Oregon’s Public Records law.
9. A ________ cycle cost analysis is a way of assessing the total cost of ownership.
10. Area where a case is tried and the trial is held.
11. Acronym for nonprofit organization dedicated to protecting life and promoting health.
12. This type of relationship is founded on trust and confidence and requires one party to be fair and scrupulous with the business or transactions of the other party.
13. The shoot-out at the OK corral may have occurred at high ________, but we now have more civilized ways of handling disputes.
14. Conflicts of interest may require an individual to ________ him/herself from the process.
15. To ________ someone else’s original work, may be unlawful.
16. ________ emptor
17. Acronym used for a type of sustainable building certification.
18. A Requisition for a talking horse named, ________, was submitted to the Purchasing Department.
Congratulations to our New CPPB’s & CPPO’s

Public Market Center
Farmers Market

Apply for a Scholarship Today

Do Not Miss The 2012 NIGP Forum in Seattle

67th Annual Forum & Products Exposition
Washington State Convention Center
August 18-22, 2012

If you missed this year’s Fall Conference you may have not been ready for the recent floods. With a focus on Disaster Preparedness and the Tsunami at Brookings being highlighted, you could have learned how DAS and Coos County implemented proactive systems to thwart the next threat. What timely training that turned out to be!

Many thanks to Tim Hay.
Are You Ready? RVTS Calls!

7th Annual
Reverse Vendor Trade Show
Key Connections
Tuesday, March 6, 2012
10:00 am – 3:00 pm

ROSE QUARTER MEMORIAL COLISEUM
Exhibit Hall, One Center Court
Portland, OR 97227
www.rosequarter.com
Parking & Directions -
www.rosequarter.com/ParkingDirections/Directions/tabid/61/Default.aspx

REGISTRATION
Early Bird - before 5:00 pm 2-17-12 $110 per person
2-18-12 thru 3-2-12 at 5:00 pm $130 per person
Day of Trade Show - $150 per person
Sponsor Sign-up due before 2-3-12
Lunch tickets available in advance for an additional $20
(Not available for purchase on day of show)

Nearly 50 agencies are expected to be represented, including:
Portland Public Schools
City of Portland
City of Hillsboro
Port of Portland
Tri-Met
Home Forward (aka Housing Authority)
Oregon Lottery
Multnomah County
City of Beaverton
Washington County
Beaverton School District
City of Tigard
Oregon Secretary of State Office
Oregon Dept. of Transportation
Oregon Dept. of Administrative Services
Oregon Dept. of Education
Oregon Dept. of Human Services
Clark County, Washington

SPONSORSHIP OPPORTUNITIES
» Bonus Hour for RVTS Sponsors - 9:00 to 10:00 «
Bronze Sponsors receive a ½ page black & white ad in the Membership Directory, 1 free trade show entry and 1 lunch (Noon - 1:30) with agency members for $300
Silver Sponsors receive a ¼ page black & white ad in the Membership Directory, 2 free trade show entries and 2 lunches (Noon - 1:30) with agency members for $600
Gold Sponsors receive a Full Page color ad in the Membership Directory, 4 free trade show entries and 4 lunches (Noon - 1:30) with agency members for $1,000

Sponsoring vendors will be required to provide ad artwork no later than February 3, 2012 to be included in the Membership Directory.
Please email your ad artwork to sherry.n.taylor@multco.us. * For questions please contact Sherry Taylor @ 503-988-5111 x22769 or Lawrence Russell @ 503-988-5111 x22870.

*Please note: An earlier flyer had incorrect email for Sherry Taylor. Correct email is sherry.n.taylor@multco.us
Scholarships, Forum, and Your Obligation to Yourself

I remember attending my first NIGP Forum; in Baltimore. Had it not been for Jeff Morgan (and the batting cage at ESPN The Zone) I may have flown home after day 1.

All of those CPPB’s and CPPO’s (I wasn’t one of them); their impressive contributions to the profession. Throng of public procurement officers, a crowded Vendor Showcase. Workshops on concepts so foreign to me I felt like a freshman at MIT; trust me, I’m not remotely intelligent enough to weather one day at MIT.

The OPPA contingent did everything they could to make me comfortable, yet I can’t remember a time when I was more intimidated. I had never been so happy to be coming home from a training event.

That’s when I had my personal epiphany; step-up or go under. Since I get seasick snorkeling and I love to climb, there was only one answer. Get help!

I spent most of the next year participating in OPPA’s inaugural Mentoring Program. Eileen Miller patiently navigated while I tried to right the ship. Sometimes I was guiding a submarine; dive, dive! Other times I was sailing the smooth clear waters of the Bahamas. Either way, Eileen pulled out her compass and guided me home; talk about patience.

Over the course of a year I took an NIGP course, the CPPB Prep class, and passed the certification test. But somehow when I went to Forum the very next year I still felt so overwhelmed that I wanted to avoid every aspect of the event. CPPB or not I was still out of my league and would never be in theirs. I was getting my butt kicked; worst of all I wasn’t fighting, I just took it.

That night at dinner, with close to 75 attendees from numerous states, I made a comment to a colleague from another state. I told this stranger I was frustrated with my social anxiety around my supposed peers and I had never felt so stupid in my life. Then came the turning point, the one that makes all of the difference. I’ll never forget the response; it came in the form of a rebuke.

“If I didn’t think you were intelligent I wouldn’t be talking to you.”

I’m glad it wasn’t very light in the place because there isn’t a color of red that does justice to the shade I was sporting. That may have been the hardest thank you that ever passed my lips.

The rest of that evening, the rest of the Forum, everything was different. I began absorbing the atmosphere, becoming excited to get back and try new things, the entire experience became intoxicating vs. intimidating. I had spent so much time wallowing that I neglected to see, and accept, that these people are my peers. They struggle with the same personal and professional issues that plagued me for 20 years.

I’m not going to say I’ve never been anxious or felt a little overwhelmed since that point in time. What I will say is this; I no longer spend my time thinking I can’t do something, there isn’t a solution waiting for me to find, or there’s not another colleague who isn’t dealing with the identical circumstances.

Now I seek those people out, I try to help them and learn from their experiences. I know every class I’ve sat through and every colleague who’s spoken to me has made a positive impact on my professional performance and my personal beliefs. More importantly, they give me the confidence and desire to excel at serving the public and being the kind of colleague who builds up others, exhibits patience and kindness, and gives back to the profession.

Forum? You belong there, everyone of your peers belongs there. No one has nothing to share and everyone has something guaranteed to inspire another. Often times it takes someone else to pull it out of you. When they do you’ll never want to miss a Forum again.

I can’t express how important is for you to make every attempt to attend the 2012 Forum in Seattle.

PLEASE APPLY FOR A SCHOLARSHIP!

You have no idea how difficult it is to get members to utilize one of the most prized benefits OPPA has to offer; the Scholarship Program. Your Board has been frugal for years so you would have this opportunity.

With delegations being tied to certifications, and training dollars drying up, the onus has been thrust on public buyers to bear the cost of meeting these requirements. OPPA is there for you; take advantage of the benefits.

Begin realizing in yourself what others have realized for years. And let OPPA help!
If you’re a member who’s prepping for the May 2012 certification test, you may want to consider where your most valuable study resources reside.

In addition to the CPPB Prep class being offered March 25th - 26th, network with your OPPA colleagues. You can share books, training materials, and bounce questions off one another. There is a wealth of knowledge in this organization and it belongs to people who want nothing more than for you to succeed at obtaining your certification.

From an email sent last week by the OPPA Professional Development Committee Chair, Sandra Kalin; “If you plan to test in May please contact me. Several of us are planning to study together and want to collaborate with others in the same test pool. If you know of people who may not be on OPPA-Link, please forward this to them… any Columbia Chapter folks out there? We will be sharing information and resources over the next few months. Send along your contact information and we will send you our information.”.

You don’t need to sequester yourself for the next 3 months, studying alone and piling up stress. Share the pain with friends; you may even find yourself laughing just a tiny bit. And if you’re still overly concerned, here’s a fact to help ease your mind:

Of the people from Oregon who have taken the CCPB Prep class prior to taking the certification test, over 80% have passed the test on their first attempt. Compare that to these figures published by the UCCPP in October of 2011: “The UPPCC reports that 71% of the 83 total candidates who tested for the CPPO passed while 58% of the 235 candidates who tested for the CPPB passed. I'll take the odds on an OPPA member any day; good luck!

None of the opinions expressed by OPPA's board or its members should be considered as legal advice or counsel. OPPA disclaims all warranties with regard to information published in the newsletter, whether submitted by OPPA or any third party. Boilerplate Editor: P. Kevin Walther, CPPB, 503.385.6652, kevin.walther@chemeketa.edu