PROCUREMENT IMPROVEMENT COUNCIL (PIC)

May 24, 2022

Start Time: 1:03pm End Time: 2:32pm Location: Virtual

Members Present:

Chair, CPO	Mike Zimmerman	**Sec. of Health, Designee, Procurement Director**	
State Treasurer, Designee Deputy Treasurer		**Superintendent of Schools, Designee**	Jenna Meinl
Chancellor USM, Designee	Elizabeth Moss	**Senate Member**	Karen White, for Senator Griffith
Sec. DoIT, Designee	Susan Howells	**House of Delegates Member**	Delegate Nicholas Charles
Sec. MDOT, Designee, CPO	Valerie Radomsky	**Local Govt. Rep (w/Proc. Exp.)**	Mary Jo Childs
BPW Procurement Advisor	Gabe Gnall	**Social Services**	
GOSBA, Designee	Alison Tavik	**Social Services**	
Sec. of Juvenile Serv., Designee		**Veteran Owned Business**	Joseph Giordano
Sec. Human Serv., Designee, Deputy Secretary		**General Public (w/State Proc. Exp.)**	
		Minority Owned Business	Wallace Sermons
		Minority Owned Business	

Guests/Attendees:

Cristen Ervin	Robert Gleason	John Gontrum	Valerie Green
Joana Pei	Vincent Ruddy	Emily Soontornsaratool	

DGS Office of State Procurement (OSP) Staff:

Sachin Bhatt	Shae Cronin	Mike Haifley	Lisa McDonald
Yasin Mohammed	Leslie Shoenhard	Jamie Tomaszewski	Judy Urban

PIC Statutory Responsibilities -- The Council shall:

(1) Ensure that the State's procurement system is utilizing the most advanced procurement methods and management techniques, including policies, procedures, and forms for all procurement activity and contract management;

(2) Effect and enhance communication between State units on procurement matters, with an emphasis on disseminating information on current developments and advances in procurement methods and management;

(3) Provide a forum for the discussion of specific procurement issues and problems that arise, including:
- *i. Procurement officer training;*
- *ii. Risk analysis and insurance requirements;*
- *iii. Management of eMaryland Marketplace and other Internet procurement resources;*
- *iv. Use of eMaryland Marketplace and compliance with State Finance and Procurement Article (SFP) §17–502;*
- *v. Use of intergovernmental cooperative purchasing agreements; and*
- *vi. Any other issues or problems identified by the Council;*

(4) Advise the Board on problems in the procurement process and make recommendations for improvement of the process;

(5) Review existing procurement regulations to:
- *i. determine whether they fulfill the intent and purpose of the law, especially as it relates to fostering broad–based competition; and*
- *ii. make recommendations on the regulations, if revising and restructuring them will result in easier understanding and use; and*

(6) Advise the General Assembly on proposed legislation in order to enhance the efficiency and transparency of State procurement.

ITEM	AGENDA
1	Welcome & Member Attendance
2	Topics for Discussion
3	Open Discussion
4	Closing Remarks
5	Adjournment

Welcome:

Mike Zimmerman, Chief Procurement Officer (CPO), welcomed the members and guests to the PIC meeting. Member attendance was taken.

Item A: IT Terms and Conditions Workgroup Update

This topic will be discussed at a later date.

Item B: Maryland Procurement Academy (MDPA) / Certified Maryland Procurement Officer (CMPO) and Certified Maryland Procurement Associate (CMPA) Training Program Updates

Shae Cronin, MDPA Program Certification Administrator, DGS OSP, provided the following updates: since January 2021, the CMPO program had 237 graduates; during CY2022, there have been two CMPO sessions completed, and two additional sessions are scheduled for August and October. During the summer break, the curriculum is being updated. The CMPA pilot program was completed in May. The first CMPA session is launching in June. This program is for staff who do some procurement, but are not full-time procurement officers. MDPA has added a specialty certification for a CMPO Green Purchasing Specialist program. Having a CMPO certification is a prerequisite for this program. The pilot is set to launch in July. Open enrollment procurement training courses such as BPW: Back to the Basics, SOW: Best Practices, Small Procurement, and MD Procurement 101 are offered on a recurring basis, as well as the eMMA training classes. Since January 2022, there were 694 State and 416 virtually lead Vendor attendees, and 2042 State and 909 On-Demand Vendor attendees for these courses. The Maryland Procurement Pulse Newsletter will be rolled out in July for communications with both state and vendor communities.

Item C: New Initiatives

Jamie Tomaszewski, Chief Administrative Officer:

1. Vendor Communication Work Group – Attendees: Nancy Hall, Alyson Tavik, Tom Hickey, Jenna Meinl, Nneka Willis-Gray, Valerie Radomsky, and Jamie. As Chair, Valerie reported the initial charge was to make recommendations on improving Vendor communications and enhance Vendor training. First discussion also included enhancing MBE, VSBE, DBE, and SBR participation. Discussion included meet and greet, industry days, connecting MBE's with primes, holding proposals in person, training topics, having and providing successful examples, and checklists. Both GOSBA and OSP have great online training opportunities, locating access to these should be easier to find. Would like more vendor partners on the team.
2. MDPA – eMMA Vendor Training Schedule – Shae shared some basic eMMA classes will be coming out in early June with more in July, Jamie shared the webpage links.
3. DGS OSP Vendor Outreach – Workgroup members: Carla Thompson, Cristen Ervin, George Mitchell, Judy Urban, Lisa McDonald, Victoria Steeger, Yasin Mohammed, and Jamie will meet June 6. Goal is to have in-person meet and greets, 2-4 sessions, half days, sometime in August and September. Survey was sent to all vendors registered on eMMA for feedback on difficulties, etc. and we'll build on those responses.
4. 2022 Business Opportunities Summit – Cristen Ervin briefed on the upcoming 7th Annual Summit, which is an all-day, in-person event to be held at Turf Valley in October. This event gives vendors many avenues of opportunity from breakout sessions, vendor training, prime contractor Q&A, etc.

Item D: Final Approval on recommendations to reduce the number of Procurement Reports

Jamie reported that after this past Legislative Session we may want to look at this topic again. Our previous suggestion, that the Report on Green Purchasing Activities & Progress could be combined with the Green Purchasing Annual Report, has been accepted. Tom Hickey talked with Emily Soontornsaratool and suggested combining the reports on Green Purchasing Activities & Progress and the Green Purchasing Annual Report, she

was in favor.

Regarding seeking legislation to delete SF&P 15-111(a), on the chart listed as #7-#11, it was discussed by Delegate Charles that this annual report is mainly a reminder. Mike Zimmerman suggested we may need to improve, streamline, and automate the process to better serve the need and suggested another review.

Item E: CY2022 PIC Responsibilities

Jamie Tomaszewski went over the responsibilities of the PIC for CY2022 and the report due at the end of the year:

(1) Guidelines on how to identify entities that are required to publish notices of procurement and awards of procurement on eMaryland Marketplace under SFP § 17–502(a);
(2) Guidelines on how to identify entities that do not comply with the requirement to publish notices of procurement and awards of procurement on eMaryland Marketplace and the reasons why the entities do not publish the required notices and awards; and
(3) Recommendations on strategies and enforcement mechanisms to improve compliance by entities required to publish notices of procurement and awards of procurement on eMaryland Marketplace, including any necessary legislation to authorize or implement the strategies and enforcement mechanisms.

Jamie met with George Mitchell, eMMA Program Manager, and he provided her with a list of entities currently registered on the eMMA system. The next step is to make sure this covers everyone in SFP § 17–502(a). She asked for thoughts on the best way to implement, she will also be contacting Mary Jo Childs for suggestions. Mary Jo said she's met with Victoria and is devising a strategy to ensure our counties, municipalities, and school districts are using this properly with training sessions, videos, and reminders of requirements. Suggestions include "flash up" reminders on eMMA and CMPA class reminders. Wallace Sermons asked how we verify or validate all requirements and solicitations are posted? Elizabeth Moss responded that the language of the legislation requires posting of notification, that's the only requirement. This takes the place of the notifications in the newspaper. The language also says publish notice of the procurement OR notice of the award; it does not say both. Awards are harder because of technical challenges. Mary Jo would like to speak with Elizabeth offline and get insight and how it's working with locals. Mike Zimmerman would like another small group put together to tackle this issue, please contact Jamie.Tomaszewski@maryland.gov and have some suggestions for our August 23rd meeting. (Jamie, Gabe, Del. Charles, Mary Jo, Elizabeth, Wallace, Yasin)

Item F: Review Proposed Procurement Regulations

Gabe Gnall, Procurement Advisor, BPW - Approval of Title 21, State Procurement Regulations, changes in law regarding emergency procurement took effect April 27, 2022. The law tightened up the emergency procurement method, they need to be reported to the Board within 15 days instead of 45, if valued at $1M or more, the reporting period is 7 days, there are additional requirements (please review), changes also included opening up the expedited procurement method to all agencies.

How do we "improve" regulation or statute changes? Del. Charles wants to make sure equity is at the forefront of all our decisions across Maryland, including awards. Alison Tavik is requesting documentation a week ahead of time so we have time to process and respond allowing for a more fruitful discussion instead of "gut" reaction discussion.

Item G: Open Discussion

There was no discussion.

Closing Remarks

Mike Zimmerman thanked everyone for their input in the discussions.

Meeting adjourned at 2:32pm.