

Sunset Public Hearing Follow-up Questions for
State Procurement Commission
Created by Section 4-56-102, *Tennessee Code Annotated*
(Sunset termination June 2017)

1. Provide a brief introduction to the commission including information regarding its purpose, statutory duties, staff and administrative attachments.

Response to Question 1:

The Procurement Commission was created pursuant to Tenn. Code Ann. § 4-56-102. The purpose of the Commission is to:

- Review, comment, and recommend changes to all departmental and agency rules related to procurement, and
- Review, comment on, and approve draft rules and regulations, policies, standards, and procedures governing procurement of goods and services, contracting, agency contract and grant management, and training and professional development.

Article XV of the Tennessee Procurement Commission Bylaws and Rules of Procedure states that Commission Staff shall consist of the Chief Procurement Officer, staff of the Central Procurement Office as designated by the Chief Procurement Officer, and such other staff as designated by each Commission member. Designated Procurement Commission Staff are as follows:

- Shay Oliphant, Department of General Services
- Buddy Lea, Finance and Administration
- Melinda Parton, Office of the Comptroller of the Treasury

2. Provide a list of current members of the commission. How many times has the commission met since the December 2013 governmental entity review hearing? How many members were present at each meeting?

Response to Question 2:

Procurement Commission Members are as follows:

- Robert Oglesby, Commissioner, Department of General Services
- Justin P. Wilson, Comptroller of the Treasury
- Larry B. Martin, Commissioner, Department of Finance and Administration
- Michael F. Perry, Chief Procurement Officer (serves as a non-voting member)

The Commission has met six times since December 2013. Four members were present at five meetings, with the exception of one meeting which had three members in attendance.

3. Has the commission promulgated rules and regulations? If yes, please cite the reference.

Response to Question 3:

The Commission approved the rules of the Central Procurement Office, which became effective on January 20, 2014. Tenn. Comp. R. & Regs., ch. 0690-03-01 (2014).

The rules of the CPO may be found online at:

<http://tn.gov/sos/rules/0690/0690-03-01.20140120.pdf>

4. Describe any items related to the commission that require legislative attention and your proposed legislative changes.

Response to Question 4:

For the 2015 109th General Assembly, the CPO proposes legislation which deals with protests of procurements and limitation of liability clauses in state contracts. In addition, the CPO's proposed legislation also will enable higher education institutions to participate in cooperative purchasing contracts in which the CPO is participating or conducting.

5. Describe the nature and extent of the commission's activities or accomplishment since the date of the last governmental entity review hearing to the present.

Response to Question 5:

The Commission has reviewed and approved new procurement policies, procedures, rules, the Procurement Procedures Manual, and the templates and models for contracts and grants that must be used by state agencies.

The agendas and meetings of the Commission are available online at:

<http://tn.gov/generalserv/cpo/CentralProcurementOfficeProcurementCommission.shtml>

The rules, policies and Procedures Manual are available online at:

<http://tn.gov/generalserv/cpo/library.shtml>