

Tape Logs

Senate Select Interim Committee on Procurement Practices and Procedures, 1985 - tapes

- 8/29/85 (3 tapes) (see tape log)
- 9/5/85 (3 tapes) Questions answered on case law, Seward prison - tape 1. DOT Presentation; AK State Housing presentation; Jim Baldwin, Dept of Law; Health Care providers; SOH10; Anchorage municipality (Henry Hickey)
- 9/17/85 (3 tapes) (see tape log) Anchorage Court system presentation; Larry Wood, Alaska Railroad
- 10/10/85 (4 tapes) U of A, Fbks presentation
- 10/15/85 (2 tapes) Anchorage AK Power Authority presentation  
 tape # 1 - only half of side 1 of 2 recorded  
 tape # 2 - mtg concludes first part
- 10/23/85 (4 tapes) <sup>Rob Walton,</sup> Anchorage Ombudsman office (re: complaints on issue); Wayne Kessler, Chief Procurement Officer in Arizona, Spec. Consultant - section by section on legislation
- 11/6/85 (2 tapes) Barrow mtg.  
 tape 1 - Tam Cook on draft 2 of bill

- 11/15/85 (4 tapes) Anchorage  
tape # 1 - Draft of bill (ethics portion for spec branch)  
Susan Cox, AG Office; Terry Cramer, LAA
- 11/22/85 (4 tapes) (see tape log) Anchorage teleconference

**COMMITTEE TALK LOG**

COMMITTEE: PROCUREMENT SUBCOMTEE      DATE: 11-22-85      TIME: \_\_\_\_\_

SUBJECT: ANCH MTG. (ALSO TELECONFERENCE)

WITNESSES: \_\_\_\_\_

MEMBERS PRESENT: SENATOR FAIRS, SENATOR HALFORD

BILL	TAPE #	SIGNIFICANT INFORMATION
	Tape 1 Side 1	
		<b>PUBLIC TESTIMONY</b>
		LEWIS OVERSTREET, AK. BLACK COUNCIL
		DALLAND or (?)
		STEVE NEELAND - "ALASKAN FIRST"
		NELSON FRANKLIN
		MAURIE HALLIWELL - Yukon Equip. Inc. Vice Pres
	Tape 1 Side 2	HALLIWELL TESTIMONY CONCLUDES
		DIXIE HUDISH, I.B.E.W.
		HARVEY LIVINGSTON (?) AK. BUILDING TRADE
		BILL PLEBANTS, GEN. CONTRACTOR
	Tape 2 Side 1	(?) TAYLOR Equip. Co.
		Gene TENNY - McDONALD Industries
	Side 2	NOT RECORDED ON
	Tape 3 Side 1	Gene TENNY CONTINUES (Lunch Break)
		UNIDENTIFIED PARTICIPANT



COMMITTEE: Procurement  
SUBCOM: Subcom  
SUBJECT: ANCHORAGE MTG.

DATE: 9-17-95

TIME: ?

WITNESSES: ART SNOWDEN, CT. SYSTEM; LARRY WOOD, AK RAILROAD; EVAN McFINNEY  
MILES COLLINS, LAG; KATHLEEN WARE, AK RAILROAD  
MEMBERS PRESENT: SENATOR FRIKS, SENATOR JOSEPHSON, MAZ BROWN,  
ALSO PRESENT: BOB LINK, DEPT. OF ADMIN; MARSH HUBBARD STANLEY

BILL	TAPE #	SIGNIFICANT INFORMATION
Tape 1 SIDE 1	001	MTG. OPENED BY Sen. FRIKS
	014	ELIZ. HICKERSON; UPDATE ON PREV. MTGS. + ACTIVITY.
	188	TERRI LAUTENBACH, Leg. Legal Counsel Addresses Questions raised by Josephson AT PREVIOUS MTG. ON CASE LAW.
	292	LARRY WOOD, Chief Counsel, AK RAILROAD PRESENTATION W/PROJECTOR - <sup>INTRODUCTORY</sup> REMARKS EVAN McFINNEY - DETAILED EXPLANATION + HISTORY OF DEVELOPMENT OF THE RAILROAD'S PROCUREMENT POLICIES + PRACTICES.
Tape 1 SIDE 2	001	RAILROAD TESTIMONY CONTINUES Questions posed by Sen. Josephson + Sen. FRIKS.
	474	RAILROAD TESTIMONY CONCLUDES
	488	ART SNOWDEN, AK CT. SYSTEM, & KARLA FOLSYTHE OUTLINES CT. SYSTEM PROCUREMENT PRACTICES.

9-17-88

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BILL	TAPE #	SIGNIFICANT INFORMATION
TAP 2 SIDE 1	001	ART SNOWDEN TESTIMONY CONTINUES
	010	KARLA FORSYTHE TESTIFIES
	144	CONCLUSION OF CT. SYSTEM TESTIMONY
	150	MILES COLLINS, Supply Officer, LAA, PURCHASING PRACTICES OF LEGISLATURE.
	470	CONCLUSION OF PRESENTATION BY COLLINS
	474	KATHLEEN WAKEFIELD, Office of Governor PRESENTATION ON PURCHASING PRACTICES.
	633	WAKEFIELD CONCLUDES [PUBLIC TESTIMONY BEGINS]
	638	KENT OUTOUR (?), Representing SELF. VENDOR WHO HAS HAD CONTRACTS WITH STATE & MUNICIPALITY. SPEAKS TO PROBLEMS W/ RFPs he HAS ENCOUNTERED.
TAP 2 SIDE 2	001	OUTOUR CONTINUES
	155	" CONCLUDES
	160	SHIRLEY RILLS (?), Representing Substance Abuse Treatment Program.
	492	BOB NESTEL (?) MEMBER OF CORRECTION CMTE. OF ANCHORAGE CRIME Commission

BILL	TAPE #	SIGNIFICANT INFORMATION
	522	SHIRLEY (?) Former Contracting Officer w/ Federal Government Testifying on own behalf.
TAPE 3 SIDE 1	001	ABOVE WITNESS CONTINUES, ANSWERING QUESTIONS FROM CMTE. MEMBERS
	234	CONCLUSION OF ABOVE TESTIMONY
	238	HARLEY HIGHTOWER, Representing A.K. CHARTER OF AMERICAN INSTITUTE OF ARCHITECTS.
	498	HIGHTOWER TESTIMONY CONCLUDES.
	502	<sup>CANCELLED</sup> BERYL PROWLOW (?) HEAD OF CONTRACTING POLITICAL ACTION CMTE. ARCH. PAINTERS.
TAPE 3 SIDE 2	001	ABOVE TESTIMONY CONTINUES
		HAL BROWN, A.M. ANSWERS QUESTIONS
	143	JOHN DIRKHAM (?) SPEAKS TO SEWARD PRISON; CODE OF CONDUCT; CODE OF ETHICS
	302	ABOVE TESTIMONY CONCLUDES



COMMITTEE: Leg. Council Procurement Subcomte DATE: 8-29-85 TIME: 9:00 a.m.  
 SUBJECT: Special Procurement Page: 1  
 WITNESSES: Bob Link, Gen Svcs & Supply

MEMBERS: Jan Faiks, Ch.; Jalmar Kentulla, V-Ch.; Rick Halford, Joe Josephson, Edna DeVries, Fred Zharoff; Hal Brown (A.G.) as ex-officio member

BILL	TAPE #	SIGNIFICANT INFORMATION
	001-006	Indiscernable Absent: ?
	006	Sen Faiks - copies of material available to public and general discussion; Opening Comments
	022	Recommendation #2 (Grand Jury): Exe. Branch Code of Ethics worked on by Legislature
	026	Recommendation #3: Adoption of Revised Procurement Procedures
	027	Recommendation #4: State Employee Awareness of Ethical Obligation
	035	Discussion of Elizabeth Hickerson's background; hand-outs, outline of work session, Div. of Legal Svcs.
	066	Overview of Model Procurement Code & Commentary
	085	Schedule of Subcomte. Activities & Hearings
	128	Attorney General - <sup>Hal Brown</sup> no questions
	139	Unidentified person re: Mr. Hickey's testimony and Munic. of Anchorage actions re: <sup>adoption of</sup> Model Code - indiscernible discussion
	171	Regulations in statute as necessary - general (no action); continuation of hearing schedule
	250	<sup>Senator</sup> Mitch Abood & <sup>Representative</sup> Pat Pouchot in attendance
	255	Bob Link, Director, Div. of Gen. Svcs & Supply - D&A
	259	RFP (Request for Proposal) work by Division
	275	Statutory authority re: procurement

BILL	TAPE #	SIGNIFICANT INFORMATION
—	295	Authority of Division; DoT exception
	305	Reference to chart detailing process and departmental authority as it exists now
	320	Sen. Faik's question: bid waivers; Link: allowed in enabling legislation — reviewed process
	378	Sen. Zharoff's question: dollar amount necessary for projects (commodities) to go out to bid; Link: \$5,000+ (excluding professional services)
	417	Sen. Faik's question: overuse of bid waiver due to time demands of projects; Link: could be not sure
	448	Sen. Zharoff's question: heard it is not uncommon for DoA to use Dept. of Law to block process; Link: not aware of situation — would be unusual to do it except where very complex issue at hand — not used as block but to evaluate
	473	- <sup>unidentified</sup> (male) comments & question: any written
	499	criteria that guides Dept. on bid waivers; Link: no; general discussion of broad views of process and policy-makers role; examples of bid waivers and reasoning behind decisions
Tape 2	001	Bob Link — continued.
	035	Sen. Faik's example of DoL mistake — APOC — quick phone response (wrong info) 4 phone calls requesting written response; written response rec'd 4 1/2 mths. later with correct info
	067	Rep. Pat Pourchot's question: Did Grand Jury recommend market studies be done when reviewing criteria; Link: in some circumstances they are done but not called 'market study.'

BILL	TAPE #	SIGNIFICANT INFORMATION
	085	Dept of Law involvement; general discussion
	109	Sen. Faik's question: planning a briefing session-?
	120-	indiscernable discussion
	189	recess?
	190	Scheduled audits of departments <sup>Audits</sup> not on a regular schedule; discussion of protests -
	240	process of handling protests
	245	Question: any regulations or guidelines? <sup>Link:</sup> Not specifically - passed on to hearing officers.
	278	Purchasing on statewide basis - how Alaska compares with other states;
	293	railroad procurement policy in statutes (Sen. Faik's)
	310	legislator's concerns in response to constituents inquiry (Link); nature of calls to legislators expressing dissatisfaction with system
	380	What are specifics of problem - Dept. needs to know to correct deficiencies
	400	Questions regarding established policy - many are political considerations for legislature to decide.
	445	Review justifications of policy (Link).
	467	Break for lunch; note presence of Hickey (Munic. of Anch.). DelVries will be present for afternoon session.
	TAPE 3 003	Bob Link continued; purchasing can halt the process of the state.
	015	Sen. Faik's question: <sup>Governor's proposal to</sup> consolidate office space. Link: <sup>d. don't know if letter</sup> <del>did not</del> rec'd anything on that. Letter went to Commissioner.

BILL	TAPE #	SIGNIFICANT INFORMATION
	049	Sen. Faiks: stats & regs <sup>should be</sup> in place so we all know what's going on.
	056	Warren Holbran? V.P. Gen. Mgr. Yukon Eq pmt, 2020 E 3 <sup>rd</sup> Ave, Anch - co. incorporated under laws of territory - 1945; rec's changes in dept. policy; lack of coordination between purchasing dept. and user agencies; problems with bidding and bonding - cost \$100,000+ to correct. <sup>1) of Dist PF</sup> "More spec writing to Anch, many problems would be eliminated before they start." <sup>2)</sup> purchasing dept. look at policy/procedures. Company blackballed.*
	132	Sen. Faiks: Coms nr. justified in writing - situation?
	166	Sen. DeVries: back to bid → W.H. machinery met requirements (snow removal); W.H. co. not rec'd bond back - still blackballed in essence;
	198	Bob Link - working with Dept. of Law; <u>non-responsive bidder</u> (not blackballed); detailed process of bypassing bidder (if dept. had problems with them before, i.e., equipment did not work.) W.H. system too rigid - dept. needs flexibility: <del>all</del> *
	265	railroad purchase - <del>state</del> should be under same guidelines as state purchases. - open process.
	270	Sen. Faiks - process (re: r.r.) is open. L.B. & A. is able to come in and review (audit); bids are open
	300	Testimony that bids should be open in response to Sen. Faiks comments that r.r. under fed & state laws and has some protective measures.
	319	procurement code: make awarded bid <u>only</u> , public.

BILL	TAPE #	SIGNIFICANT INFORMATION
	328	<sup>Gen. Mr. Taylor</sup> Jack Richardson, <sup>Equipment Construction Co.</sup> Craig Taylor read Hr. for consideration; / overall purchasing dept.; procedures should include 5% preference for state business.
	366	Jack Richardson continued - proposal for open bidding; bid submission to Anchorage office to be created under DoTPF; local preference; conflict w/ DoTPF Commissioner.
	430	Separate purchasing dept. of railroad - why?
	445	Sen. Josephson - rfp procedure, <sup>Richardson:</sup> purchasing proc vague; r.r. should be considered same as state as state <sup>(partially)</sup> funded.
	485	status of preferential bid for residents <sup>local</sup> (hire) Link - Senate changed House version. <sup>Sen. Faiks</sup> Admin. Proc. Act exempts r.r. from stat. regmt; <sup>Richardson:</sup> r.r. does not pay taxes - neg. impact on truckers.
	500	James Tunney, — Industries, 7216 — Drive, <sup>overall</sup> DoA system is fair; when attending bid opening in Inu - difficult due to time frame.
Tape 3-Side 2	001	Mr. Tunney continued; expand on preference (currently 5%) - volume too low to hear —
	022	John Reynolds; AK. Railroad; Mr. Procurements; referred to stats; do not have % preference for AK. vendors; does not receive state funding; do not pay taxes but maintain own roadway.
	062	Sen. Josephson - should regmt be made for local <del>the</del> preference - process of bid selection.
	099	volume too low - not state employees or Co.
	135	Hallaway? - problems when r.r. has monetary problems.

