

**General Membership
Meeting Minutes**



TEXAS ASSOCIATION OF PUBLIC PURCHASERS

OUR MISSION

To provide the central Texas public purchasing profession with educational and networking opportunities in a professional, effective, and ethical manner while promoting member support, information resources, and professional certification.

Date: Thursday, August 7, 2008

Location: DSHS Building

Scheduled Time		Actual Time	
Start	Stop	Start	Stop
11:30 AM	12:30 PM	11:40 AM	12:37 PM

Convening: The TAPP general membership convened at 11:40 a.m. on 08/07/08 at the DSHS building and a quorum was present.

President Jo Woten, in her opening remarks, asked if anyone had new professional certifications or re-certifications, or job vacancies to announce.

New certifications: Mary Conterro with City Of Austin - CPPO, Rosie Rainey TxDOT - CPPB Life time certification.

Re-certifications: None

Job announcements: job vacancies were announced at CPA 2 Contract Specialist II; Senior Specialists at COA; Contract Tech, and 5 program specialist V at HHSC.

President's Announcements:

Mentioned the AustinOnTAPP website experienced a virus and has been unavailable since June. The new webmaster is working to resolve the issue and will begin updating the site during August.

If any guests are contemplating membership in TAPP, there are blank applications at the entrance desk. Also, if current members have not picked up their membership certificates, please check the folder with current membership certificates. For new members, please pick up a TAPP mugs and chapter pin at the entrance desk.

TAPP must change meal amounts to \$8 members; \$12 non-members due to various price increases. We are not passing on the full increase, but some costs must be defrayed, beginning with the September general meeting. The meal price does not include the December holiday meeting, which is priced separately.

The members were provided several handouts such as the agenda for today, last month's minutes, and the treasurer's report.

Officer's Reports:

Vice President's Report: Ernie Lee - Vice President: Handout on Ford Challis Memorial Award application; \$100 is awarded to be applied toward any TAPP sponsored seminar. Application deadline is now September 30, 2008. Board will evaluate applications and intends to announce the award at the November general meeting. We are extending the use date and this award will be good for seminars held during FY 2009.

Treasurer's Report: Lou Britt – Treasurer: presented the Treasurer's report for June and July 2008. Weaver moved to accept the report, Karen Wood seconded; motion carried.

Secretary's Report: Sandra Radosavljevic – Secretary: no general meeting in July, so no notes were presented for approval.

Committee Reports

Professional Development: Ann Tillman – Chair. Absent today but Jo provided updated information. Asked members to fax registrations for the September class to the fax number on the flyer and Jo will forward them to Ann. Referred members to the AustinOnTAPP website for more information on seminars, once the site is back up.

Membership: Regina Adams - Chair.

Newsletter and Communications: John Dobrich – Editor – Current newsletter will be posted as soon as the web site is back up. He is working with the new web master (Lise Brown) to revise and update the site with current info and improved format.

Facilities: Mike Long– Chair: reminded members that all meeting for the remainder of the year (except the holiday luncheon) will be held at DSHS. The December event will again be at the City of Austin facility on Barton Springs Road.

Programs: Art Huck – Chair: In September DIR will speak on the Team for Texas contract. Art asked more members to become active in the Chapter. TAPP can do more for members if we have people to assist with the various tasks.

National Board of Directors Report:

Carol Debish reminded members to volunteer for hosting the August 13, 2010 National Forum in San Antonio. See the NIGP.org site for details. Participants will receive many points toward national recertification.

Requested volunteers to participate in committees to set up and host the Forum.

Old Business: None

New Business: None

Program: Our speaker today was Adrian Henderson of the Texas Attorney General's office who spoke on the topic of contract dispute resolution. Mr. Henderson stressed the importance of ensuring the contract document is very specific on exactly what is required, when, how, etc. and the need for clear, written documentation during contract administration.

Every time a contractor calls and complains, write it down including resolution, agreements, actions promised, etc. (confirm in a letter where appropriate). Cases are often won or lost based on how clear and thorough the documentation is by both parties.

Mentioned that mediation is an option before going to the State Office of Administrative Hearings. The contractor and state agency must each pay half of a fee for the SOAH hearing, based on the amount being sought.

SOAH makes a report to the Legislature with recommendation for any payment. Money is based on funds available on the contract, or from a fund (if any) kept by an agency to pay claims.

Described several case studies and the decision from the SOAH judges. Explained that as of 2005 there is an appeal process when a judge makes an egregious decision, but the appeal is determined by another judge.

When a contractor brings a claim, an agency counter-claim would simply be an offset of the amount determined. It would only reduce the amount a contractor is awarded; won't result in agency getting money from the contractor if the awarded amount is less than the counter-claim filed and both are upheld.

Contractor can't sue in both SOAH and district court at the same time. A University sued a contractor in district court, contractor tried to submit a claim to SOAH after the court case began, and was denied an SOAH hearing.

If the University lost in district court, the contractor could have then sued through the SOAH claims process.

At the conclusion, the speaker was presented a plaque (Certificate of Appreciation) and TAPP coffee mug. A door prize drawing immediately followed.

Adjournment: Dana Edwards moved to adjourn, Weaver Jackson seconded; motion carried and the meeting adjourned at 12:37 p.m.

Other: The next general membership meeting will be at 11:30 AM, September 4, 2008.