

NASCA and NASPO Topical Roundtable

Procurement Leadership

Atlanta, Georgia





NASCA and NASPO Topical Roundtable *Procurement Leadership*



"I'd like to escalate this to a conversation about what's in it for the citizen? We need to work together to develop more customer-centric solutions. We have a national opportunity to drive this conversation with our partners."

– Robert Oglesby,
Commissioner, Department of General Services,
State of Tennessee

Today, the pace of change is as slow as it will ever be in our careers. With advances in technology, connectivity, and new operating models, citizens and stakeholders expect everything to happen faster – including the speed of government. To effectively lead their organizations, their people, and their partners, today's State Chief Administrators (SCAs) and Chief Procurement Officials (CPOs) must know how to appropriately harness the new velocity of change.

These leaders must address a challenging set of questions as they prepare their organizations for the future:

- Should government really keep pace? If so – where and how? And at what costs and benefits?
- There's a lot of talk about agility, but what does it really mean in procurement, and what's at stake?
- What can procurement do to accelerate the pace of technology uptake and balance it with obtaining the best results?
- How can state leaders find new ways to collaborate to make government more agile, responsive, efficient and effective?



To help state leaders address these questions and explore evolving state procurement for new agility and value creation, the National Association of State Chief Administrators (NASCA) and the National Association of State Procurement Officials (NASPO) convened State Chief Administrators and Chief Procurement Officials for the NASCA and NASPO Topical Roundtable on Procurement Leadership October 10-11, 2017. During this Roundtable, facilitators from Leadership for a Networked World and the Technology and Entrepreneurship Center at Harvard, Richard Pennington, Dugan Petty, and Gary Zura guided sessions and discussions, providing opportunities for leaders to collaborate with their peers in other states to identify challenges, brainstorm solutions, and develop action steps for driving transformation.

Through a series of presentations, panels and moderated discussions, the Roundtable culminated in an ideation session, in which participants worked together to develop new ideas and strategies for modernizing procurement to respond to the velocity of change and increase value generation in their states.

By sharing highlights from this event, leadership insights, and concrete action steps, we hope this report will inspire and inform public sector leaders across the country as they modernize procurement processes.



Contents

The Leadership Landscape	5
Deep Dives	7
Procuring Innovative IT Solutions	7
Contract Administration	9
Dimensions for Change	11
Action Plan	12
Conclusion	16
Acknowledgments	17



The Leadership Landscape

Participant Survey and Café Discussions

Before the Roundtable, participants offered their perspectives, through an online survey, on the most compelling opportunities for modernizing and improving IT procurement.

Most participants identified improving the sourcing process as the highest value opportunity for SCAs and CPOs. Most sourcing is based on the use of competitive requests for proposals in response to a predefined solicitation, which assumes that requirements are knowable in advance and that the time to execute is predictable. However, in large IT projects, change happens. IT implementations across a state can involve enormous complexity. Participants were interested in exploring alternatives that result in better outcomes.

Other priority topics include generating faster contracting and greater choice, using agile procurement methods, modernizing procurement policy, rules, and statutes, and enhancing business requirements and strategy. Of note, SCAs ranked improving the decision-making process as a top three priority, while this was at the bottom of the list for CPOs. Similarly, improving business requirements and strategy was a much higher priority for CPOs than for SCAs.

“We have a great opportunity to dialogue, to learn from each other, and to do things in a different way”

– Dugan Petty
Event Facilitator

Rankings of Promising Opportunities for Improving IT Procurement

1 represents the top priority items, or most promising improvements

Improvement Description	CPO Rankings	SCA Rankings
Improving the Sourcing Process	1	1
Faster Contracting & Greater Choice	5	2
Agile Procurement Methods	3	9
Policy, Rule & Statute Modernization	4	13
Business Requirements & Strategy	2	11
Cross Boundary Collaboration	6	5
Contract Administration: Issues Elevation/Change Mgmt.	10	4
Relationship & Team Building	8	6
Contract Disputes	7	7
Enterprise Architecture	12	7
Suppliers as Partners	9	12
Supplier Accountability	11	10
Decision Making	13	3

These topics were refined throughout the first day and explored using a 90-minute, rotating series of short table discussions — café meet-ups — where participants shared questions and insights about challenges and next steps in the various topical areas.



Deep Dives

To spur ideas, generate discussion, and highlight innovations, Roundtable participants examined the findings from the NASCIO-NASPO State IT Procurement Negotiations Task Force, and studied promising cases of innovative cloud solutions procurement in Utah and large-scale IT procurement in Georgia.

These discussions highlighted a unique set of opportunities and challenges to advancing IT procurement. The strategies employed to meet these challenges and leverage opportunities shaped the development of a state improvement roadmap for IT procurements and the final action plan presented in this report.

Procuring Innovative IT Solutions

During this session, Sarah Hildebrand, Co-Chair of the NASCIO-NASPO State IT Procurement Negotiations Task Force and Chief Procurement Officer in Idaho, presented highlights from the *State IT Procurement Negotiations: Working Together to Reform and Transform* report, reflecting on the process the group engaged in to advance IT procurement negotiations, key themes from the report, and recommendations. Of note, the Task Force focused on strategies to enhance relationship building, centralize IT procurement, improve partnership processes, and co-develop strategies for policy and legislation. With an emphasis on communication, collaboration, and cooperation, the Task Force outlined concrete recommendations in each area. For additional details on these recommendations, you may download the full report by visiting naspo.org.

This presentation set the stage for a dialogue on the opportunity to develop guiding principles on the work that falls between IT and procurement, balancing iterative and linear processes, evolving from historically control-oriented agencies to customer-service agencies, and working together to develop more citizen-centric solutions.

“In Procurement, 15-20 years ago we wanted to fly under the radar.... I’ve seen a paradigm shift the last couple of years. We need to be visible. We need to be talking to our stakeholders. We need to be educating people.”

– Sarah Hildebrand
Co-Chair of the NASCIO-NASPO State IT
Procurement Negotiations Task Force
and Chief Procurement Official in Idaho.

Innovative Cloud Solutions Procurement in Utah

Following Sarah's presentation, Chris Hughes, Assistant Director of Purchasing for the State of Utah and the lead on developing a cloud solution for procurement, reflected on the collaborative process states and partners from around the country engaged in to develop new solutions to cloud procurement. During this session, Chris spoke about the challenges the group faced defining security controls, establishing terms and conditions that would benefit the states involved, and bringing together both CIOs and CPOs to discuss opportunities to improve the solicitation and contracting processes. He highlighted the importance of taking a collaborative approach and the tension between the "old rules" with the "new way of doing business." To overcome differences, Chris invited all parties out to Utah to meet in person and adopted a "family law negotiation approach," sitting down together, listening, and writing out what each side wanted to accomplish. The CPOs emphasized compliance with the rules, publicly bidding out the contract, approaching the scoring in a particular way, and engaging in a process that would be free of protests. The CIOs emphasized security controls, terms and conditions, engaging in an agile procurement process that would provide options, and obtaining technology in a timely manner.

By creating a collaborative environment; focusing on defining the problem together; seeking out solutions from non-traditional partners; learning from other states, countries, and private sector partners; addressing terms, conditions, and security; and, emphasizing the scope of work, performance, and price rather than contract terms, the group was able to create a marketplace where government entities can turn to find solutions that best meet their requirements.

Following Chris's presentation, the group explored how the Software as a Service (SaaS) category was structured to account for the dynamic and rapidly evolving nature of SaaS; how the refresh will work; reactions from vendors; re-seller agreements; how new states can join; and balancing a diversity of suppliers with achieving economies of scale.

Transforming Large-Scale IT Procurement in Georgia

Steven Nichols, the Chief Technology Officer for the State of Georgia, described their new approach to managing large-scale IT procurements, which to date has resulted in no protests, no glitches, and no significant contract changes.

He began by observing that the theme of their approach has been "the same, but different." It has required no legislative changes and no special rulemaking. However, for large-scale IT procurements the volume and intensity is different, and the state introduced better ways to negotiate with suppliers and opened up lines of communication.

In revamping their approach to high-stakes contracts for projects totaling \$100 million or more, their objective was minimizing risks, establishing good relationships with suppliers, avoiding big changes and surprises with the contracts, taking the risk premium out of the picture, and managing the "sore loser" protests. To accomplish this, they focused on changes in five process areas:

1. The Request for Qualified Contractors – emphasizing securing qualified contractors, pre-approving suppliers, and soliciting a predictable number of bidders.
2. Draft and Final Requests for Proposals (RFPs) – highlighting the value of issuing multiple RFPs so suppliers could provide substantive comments on the RFPs.
3. Amended Responses – allowing suppliers to provide multiple bid responses after receiving feedback from the state.
4. Integration Sessions – holding in-depth, one-on-one meetings with suppliers to bring together the people delivering the

"We sat down and just listened and wrote down what each side wanted accomplished in that procurement."

– Chris Hughes
Assistant Director of Purchasing
State of Utah

"Historically we're both control-oriented agencies that have a reputation challenge, and we're both trying to transform to become customer-service oriented agencies that deliver a world-class experience."

– Curt Topper
Secretary, Pennsylvania Department of
General Services

solution. Often these would include up to 30 people and serious investments by bidders.

5. Including Contract Negotiations as Part of the RFP Evaluation – inviting bidders to submit contracts alongside their proposals and beginning the redline process at that juncture, so the contract is agreed upon when the state makes its selection.

While these changes have introduced some new challenges – such as explaining the new approach to the supplier community, overcoming internal resistance, increasing the timeline and workload during the bidding process, and using outside suppliers to assist with the contracts – Georgia has reaped benefits with the final quality of the projects and contracts that underwent this more rigorous approach.

After the session, participants dug into the governance structure of this model; protections and safeguards that have been established to avoid giving improper advantages during the one-on-one sessions; statutes that allow for innovative procurement processes; how the rebidding process is managed with suppliers; timeframes for taking this approach; and, how award decisions are made and documented.

Contract Administration

Following the discussion on procuring innovative IT solutions, participants studied new opportunities and challenges around contract administration with Gary Zura. Gary began the session by outlining policy objectives and primary contract administration models, noting that although contract administration typically extends over a period of time that exceeds all of the other contracting cycle phases combined, it does not often get the focus and attention it merits.

During the session the group reviewed topics including: contract types, adopting tailored approaches, and defining strategies around risk, dollar thresholds, products and services, and sensitivities. There was a discussion of approaches to communication, reviewing contract requirements, change control processes, and status report expectations.

“A rigorous contract administration process is as much about the relationship management piece, as it is about terms and conditions.”

– Robert Gleason
Senior Procurement Advisor, State of Maryland

Throughout the session, participants identified several significant challenges associated with contract administration, including: determining who has ownership of the contract; developing an effective staffing model to ensure there is complete compliance; the daunting task of managing and auditing hundreds of contracts; providing adequate training; the strong desire to avoid litigation; preparing agency customers, who are receiving the goods and services, with the knowledge, skills, and abilities necessary to manage contracts; and, consistent reminders of all deliverables.

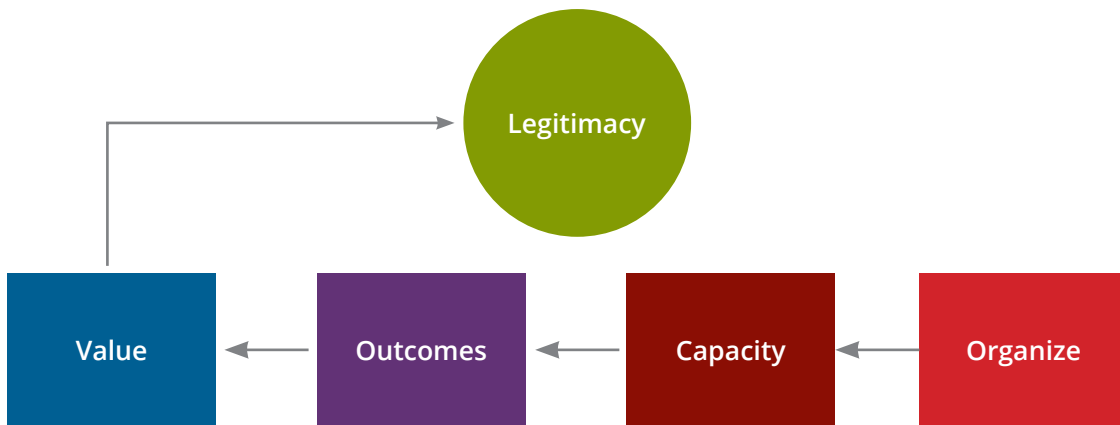
In addition, in small groups participants explored best practices in contract administration. Some highlights from the conversation include: the value of establishing milestone payments; the impact of developing a contract management checklist; the use of Key Performance Indicators (KPIs); outlining measurable deliverables in the contract; the need for training in contract management; creating an auditor position to lead contract administration efforts; scheduling regular reviews with contractors; developing a contract administration guide; establishing contract baselines (on service level agreements, milestone payments, etc.); tiering contracts based on risk and complexity; enhancing the hand-offs between strategic sourcing groups and the contract management group; maintaining a white board with the status of all major contracts; engaging a LEAN transformation team to assess and assist with large contracts; and, developing a public-private review board.

Throughout the session, the conversations emphasized that a solid, well-thought-out, tailored approach is the first step to effective contract administration. Organization and leadership strategy is essential; developing capabilities and training is an imperative; and, while not generally a high priority, effective contract administration should be prioritized to the importance it plays in ensuring value to the customers.

Preparing for the Outcomes Economy

On day two of the Roundtable, leaders explored the shift to an outcomes economy with Antonio Oftelie, Executive Director of Leadership for a Networked World, and discussed the importance of growing capacity and increasing agility to create new levels of public value and legitimacy, which serves as a long-term indicator of whether public institutions are achieving their mission and meeting the mandate society has given them. While legitimacy is certainly subject to swings in public sentiment and environmental factors in the near-term, it is ultimately driven by the public value that government creates. If a particular institution delivers outcomes in an equitable, efficient, and effective manner, citizens judge it to be legitimate.

Public Value – The Meta View



Antonio provided examples of organizations and companies that have dramatically changed their operating models to achieve new outcomes, including Johnson & Johnson, General Electric, Cisco, the State of Ohio, and others. Looking to the future, the group agreed that to obtain the outcomes citizens care about, they would need to modernize procurement systems in order to bring new agility and capacity to state governments. As levers to enhance capacity, agility, and public value the group considered four primary dimensions: governance and organizational structure, teaming and roles, interactions and processes, and budgeting and forecasting.

Dimensions for Change

During the Roundtable, participants reflected on what each of the four dimensions currently looks like for procurement, what they should look like, and steps leaders can take to redesign work along this dimension.

- **Governance and Organizational Structure** – This dimension represents factors that shape the way work is structured and governed. It includes the overall vision for procurement, the design and structure of that work, and the allocation of resources to these efforts. To assess this dimension, leaders can consider the following questions:
 - Who sets the vision for procurement and manages it (please consider both formal governance boards and informal groups)?
 - How are we setting our agenda and getting buy-in and engagement around our strategic direction or “North Stars?”
 - How have we organized our procurement resources?
 - Is our cross-agency work structured in the most effective manner?
 - Have we minimized the number of hand-offs between procurement, agencies and vendors?
 - What legislative/policy changes might we need?
- **Teaming and Roles** – This dimension represents the teams and roles we have established to lead this work, and their levels of authority, accountability and responsibility. To assess this dimension, leaders might consider the following questions:
 - What teams have we established to manage and conduct this work?
 - Within those teams do we have clear roles and all of the roles necessary to succeed?
 - Are people authorized to act out their roles?
 - What new competencies must we develop to be successful?
 - How should the role of the Chief Procurement Officer evolve to respond to a rapidly changing environment?
 - What steps can we take to build a professional community among procurement officials and user groups?
- **Interactions and Processes** – This dimension represents the interactions between procurement, agencies and vendors. It encompasses communications systems, structures, and approaches, decision-making processes, and tools to plan and fulfill tasks. To assess this dimension, leaders might consider the following questions:
 - Are there clear lines of communication between procurement, agencies and vendors?
 - Do we have effective strategies in place to make decisions?
 - Are we able to make decisions quickly while maintaining consistency and abiding by safeguards?
 - Are there sufficient levels of accountability and transparency in our processes?
 - Do we have processes in place to promote coordination and ensure knowledge transfer?
 - How can we meet the data needs of policy-makers, agency heads, agency procurement officers and central procurement staff?
- **Budgeting and Forecasting** – This dimension represents the process for predicting and allocating funding. It includes planning cycles, the frequency with which budgets are established and revisited, how funds are released, and the ability to adjust budgets and fund allocation. To assess this dimension, leaders might consider the following questions:
 - Do our budgeting and planning cycles allow us to rework and rebalance our efforts as necessary?
 - Are we able to adjust resources as projects develop?
 - Can we capitalize on opportunities to reduce waste?
 - Do we have an appropriate level of transparency in our fiscal processes?



Action Plan

Finally, participants broke into small groups to explore various themes, lessons and insights that emerged over the course of the event. The following Action Plan represents a vision and a path to evolving procurement for new agility and value generation, by redesigning the dimensions of governance and organizational structure, teaming and roles, interaction and processes, and budgeting and forecasting.

Governance and Organizational Structure

Although each state has different ways of structuring, organizing, governing, and delegating resources to procurement, participants were able to find common ground around a core set of governance and organizational structure recommendations.

- Obtain buy-in from the governor and the legislature to break down silos that impact procurement agility, efficiency and value generation.
- Engage with partners to define the problem contracts are seeking to solve together, and collaborate to emphasize the scope of work, performance and price rather than contract terms.
- Increase transparency to maximize the use of limited resources.
- Co-develop a procurement communications strategy with agency and department heads.
- Establish enterprise-wide efficiency goals and metrics.
- Establish guiding principles on the work that falls between IT and procurement. Often IT manages the big picture technology, and procurement manages the purchase of commodities, but what guides the activities that fall in between?
- Enhance contract administration by establishing Key Performance Indicators (KPIs) and outlining measurable deliverables in each contract.
- Develop public-private review boards to assist with contract administration.
- Maintain a white board with the status of all major contracts to provide a big-picture overview and real-time updates on significant activities.

- Tier contracts based on risk and complexity, and assign additional resources and oversights to the high-risk, complex activities.
- Dedicate additional resources to educating people about procurement activities and increasing communication with stakeholders.
- Engage early with all agencies involved, including purchasing, IT, legal and other key stakeholders, particularly for large-scale, complex projects.
- Advocate for statutes that are not too prescriptive, include waiver options, and allow for innovative procurement solutions that can increase agility and outcomes.
- Establish, maintain and communicate a prioritized project list.
- Develop a small strategic planning team to implement “North Star” ideas and continuously work on preparing for the ‘future state.’
- Strive for stability in setting enterprise priorities.

Teaming and Roles

Participants highlighted interpersonal communications, interactions and relationships as strategic “North Stars” that would be critical to modernizing the procurement function. They offered recommendations on building the right competencies, establishing effective teams, designing appropriate roles, and providing the right levels of authority, accountability and responsibility, to shape these interactions and relationships.

- Evolve the procurement role from transactional to acting (and being seen) as a strategic partner.
- Collaborate with partners, agencies and vendors to develop shared goals.
- Establish functional categories within procurement offices to strengthen relationships and overcome cultural and language barriers.
- Develop more cross-agency sourcing teams.
- Seek out new opportunities to adopt the customer perspective, by engaging subject matter experts and conducting additional market research.
- On a regular basis, clarify and re-establish the role of procurement officials.
- Build new competencies in project management.
- Cultivate employees with an enterprise-wide view who are experts in the patterns, trends and direction in which the world is moving.
- Establish a procurement policy council.
- Provide clearer definitions of procurement roles and responsibilities, particularly as they relate to large IT projects, the “gray zone” between IT and procurement, and contract administration.
- Prepare agency customers, who are receiving goods and services, with the knowledge, skills and abilities necessary to manage contracts.
- Seek out solutions from non-traditional partners, and create opportunities to learn from other states, countries and private sector partners.
- Continue to develop training programs for contract management.
- Create an auditor position to lead contract administration efforts.
- Engage a LEAN transformation team to assess and assist with large contracts.
- Offer more intensive and intentional team-building exercises and activities at the operations level to cultivate stronger relationships.

Interactions and Processes

Participants proposed several ideas to enhance interactions between procurement, partner agencies, and vendors, noting that process breakdowns can lead to high staff turnover and frustration. They identified recommendations to enhance communications, improve decision-making processes, maintain consistency, better coordination and capitalize on data.

- Hold regular strategy sessions between the procurement office and stakeholders to discuss philosophies and approaches and anticipate cooperative initiatives.
- Clearly define communication protocols to ensure consistent and persistent communication with all key stakeholders.
- When possible, open up new lines of communication with suppliers to gather input throughout the process and enhance RFPs, bids and final contracts.
- Develop clear contract administration guidelines to outline processes, procedures and approaches.
- Seek out opportunities to enhance the hand-offs between strategic sourcing groups and the contract management group.
- Enhance and augment existing training programs.
- Refine systems to improve access to information necessary for decision-making related to contracts and procurement.
- Establish clear communication timelines.
- Set expectations around project outputs.
- Identify and incentivize habits that will drive positive change in workforce culture.
- Establish milestone payments.
- Develop a contract management checklist.
- Schedule regular reviews with contractors.
- Increase the use of collaboration tools, including technology platforms and social media.
- Consider developing new communications – such as a biweekly newsletter – to share information on the status of contracts, trainings, and so forth.
- Broaden communications to regularly engage the “user group.”
- Align data wants and needs with stakeholders.
- Increase transparency by benchmarking procurement processes and outcomes with other systems.
- Change procurement language to make it more accessible.
- Develop outreach teams to proactively work with suppliers.
- Host procurement roundtables to share information, review governance models and gather feedback.

Budgeting and Forecasting

Participants noted that the procurement funding mechanism has a significant impact on flexibility and varies by state. Nonetheless, they developed a set of ideas, recommendations, and topics for exploration to align budgeting and forecasting with procurement modernization.

- Explore innovative funding mechanisms to allocate resources to increasing efficiency and reducing costs associated with procurement.
- Setup regular meetings with agencies to better understand their strategic vision and predict, allocate, track and assess related procurement efforts.
- Develop revenue streams to self-fund operations, in lieu of general fund appropriations or assessments.
- Maintain flexibility in funding models to promote agility and innovation.
- Establish an interim authority that is empowered to move money across agencies.
- Take steps to secure additional appropriations if unexpected costs or projects emerge.
- Approve budgets in stages, allowing for progress reports.
- Encourage agencies to engage in five-year planning for big equipment purchases to maximize the use of resources.
- Advocate moving away from general funding for operations in order to increase flexibility and agility.
- Ensure strategic forecasting is done consistently.
- Create new feedback mechanisms on funding decisions.
- Identify and mitigate funding and budgeting pressures that reduce the likelihood of introducing positive changes after budgets have been approved.
- Seek out additional appropriations to position procurement operations to be more nimble when new opportunities present themselves. For example, in Georgia the team used funds to engage outside counsel on contracts during the RFP process.
- Explore new strategies to balance the high degree of fiscal transparency with the agility of the procurement processes.
- Standardize the collection and analysis of data to increase transparency and assist the CPO in assessing current activities and reallocating resources moving forward.
- Collectively address the challenges associated with estimating costs. Tools to accomplish this include engaging subject matter experts, collecting and analyzing longitudinal data, and engaging third parties in these efforts.
- Invest in project management training.
- Explore vendor payment programs to manage prompt payment interest accumulation.
- Allocate additional resources (time, treasure and talent) to procuring major contracts in a way that will avoid protests, glitches and significant contract changes.
- Offer performance rewards to employees who find ways to reduce waste.



Conclusion

At the beginning of the Roundtable, participants identified the strengths they each brought to the challenge of modernizing procurement, including the abilities to see challenges from different perspectives, create order out of seeming chaos, maintain balance and focus, look up and ahead to the future, stay attuned to changes in a rapidly evolving environment, understand the details of complex situations, offer an analytical perspective, keep sight of the people on a team and assess how they are doing, tell effective stories, and develop a long-range vision.

As we look to the future and seek to generate new agility and value creation in state procurement, these skills will be invaluable. The dialogue and discussion during the Roundtable emphasized the power of bringing SCAs and CPOs together regularly to generate new goals, redesign systems, structures, processes and policies, and enhance collaboration.

As the event came to an end, participants reflected on the importance of remaining intentional about this work, approaching it as a partnership, and adopting strategies to ensure it will gain momentum and traction when participants return back to their offices.

Throughout the Roundtable, we were impressed by the elegant solutions that leaders around the country are already developing to improve the agility, efficiency, effectiveness and impact of government. It was an honor to be a part of this effort, and we are bullishly optimistic about the advancements that are still yet to come. We hope this Report will inform and inspire participants and others who are striving to modernize state procurement, and we look forward to learning about the innovations on the horizon.

“How we do our business and the delays between people and entities is an area we could control if we worked together more effectively.”

– Ellen Daley
Chief Procurement Official, State of Illinois



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Facilitated By:

Leadership for a Networked World (LNW) facilitated the 2017 NASCA and NASPO Topical Roundtable: Procurement Leadership. Founded in 1987 at the John F. Kennedy School of Government at Harvard University, LNW is now a think-tank that works with the Technology and Entrepreneurship Center at Harvard and academic institutions globally to provide uniquely powerful leadership summits and transformation programs. Since 1987, LNW (E-government Executive Education - "3E," prior to 2005) has conducted more than 200 learning events and gathered more than 12,000 alumni globally. To learn more about LNW programs visit www.lnwprogram.org.

In Collaboration With:

The National Association of State Chief Administrators (NASCA) is the leading organization advancing professional development and best management solutions for the administrative functions of state government. The association provides state chief administrators with the opportunity to increase their knowledge of state government administration through education, networking and information exchange on state government trends, leading edge innovations, standards and best practices. For more information about NASCA visit www.nasca.org.

In Collaboration With:

The National Association of State Procurement Officials (NASPO), Inc. is a nonprofit association dedicated to advancing public procurement through leadership, excellence and integrity. It is made up of the directors of the central purchasing offices in each of the 50 states, the District of Columbia and the territories of the United States. NASPO is an organization that helps its members achieve success as public procurement leaders through promotion of best practices, education, professional development, research, and innovative procurement strategies. To learn more about NASPO visit www.naspo.org.

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