

Nov 18 MPS Rulemaking Work Session IV Summary

SCOPE

Review and gain agreement on the draft proposed rule

AT A GLANCE

- Gained agreement on a draft proposed rule;
- Agreed that nothing in the proposed rule would create a potential deal breaker (opposition to or litigation against the proposed rules);
- Clarified the distinction between current MPS Contract scope and current MFD Contract scope:
 - MPS Contract is for MPS services and equipment;
 - MFD Contract is a transitional contract for the lease, rent, purchase of equipment, supplies (not paper or staples), consumables, and related software. Managed print services are outside the scope of the MFD Contract.
- Stakeholders agreed that simply defining the Guidelines as a resource for agencies to use in conjunction with the rules does not incorporate by reference the Guidelines into the rules;
- Stakeholders agreed that the expanded definition for managed print services rule makes a clear distinction between managed print services and print management;
- Removed definitions for MPS Work Agreement, MFD Work Agreement, and Master Contract Usage Agreement. These types of agreements are common for most DES master contracting and not unique to these rules;
- The revised definitions of MPS State Contract and MFD State Contract now allow flexibility for additional state master contract options;
- No additional strategies identified;
- Confirmed DES's commitment of "no surprises" to stakeholders:
 - Guidelines would be adopted in advance of filing CR-102;
 - Stakeholders would see both proposed rules and guidelines in advance of filing or adoption.

DRAFT RULE UPDATES

- Removed definition for Print Management Guidelines because the content duplicates the definition for Managed Print Guidelines;
- Changed "DES" to "the department" in order to stay consistent with the draft rules as a whole.

AGREED GUIDELINE UPDATES

- No additional strategies identified;
- Continue to populate draft with strategies identified at prior work sessions.

PARKING LOT

- Legislative changes – turned over to DES Government Relations Manager;
- Fast track/Streamline acquisition processes;
- WSCA contracts impact on Washington small businesses;
- Print management vs managed print services – What did the legislation mean?

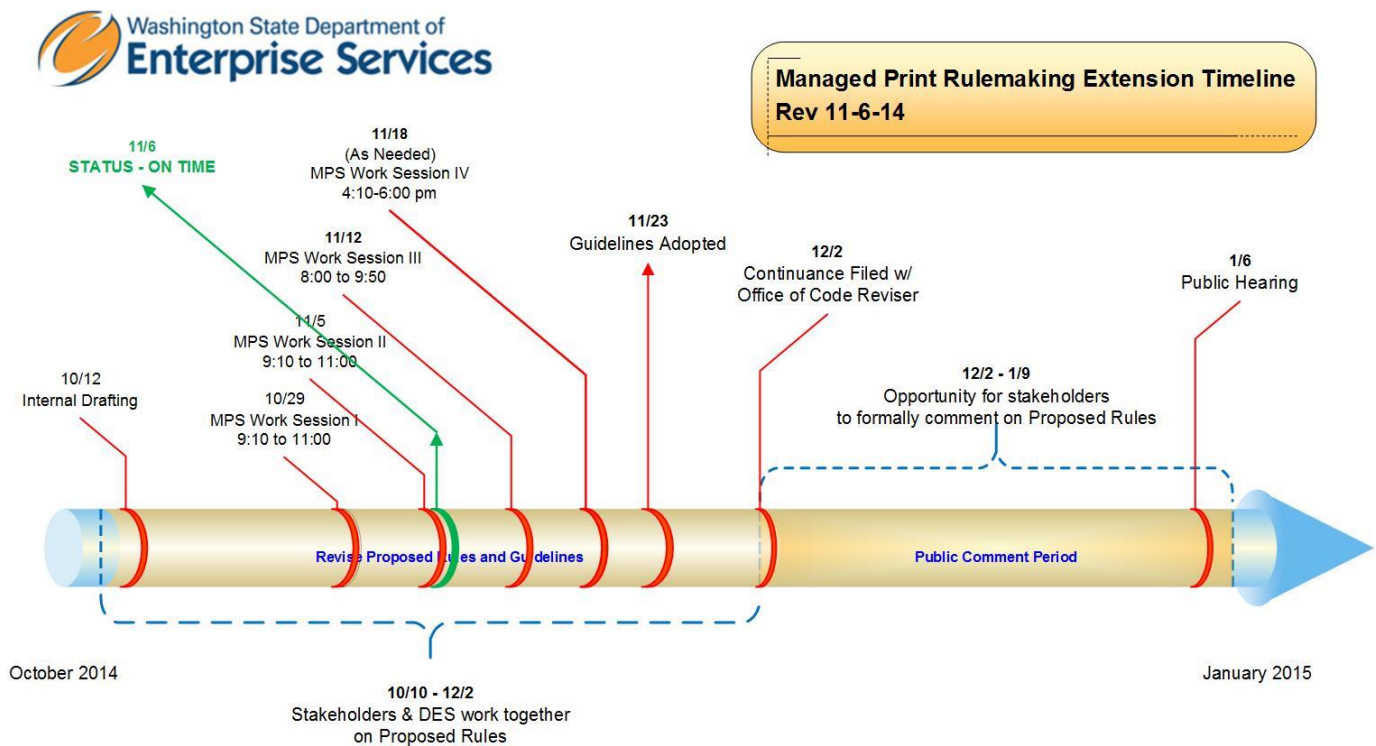
DELIVERABLE COMMITMENTS

- Provide a Meeting Summary to stakeholders;
- Provide final draft rules to stakeholders;
- Finalize and share draft Guidelines using information learned from our work sessions. In order to meet the timeline below, the Guidelines should be adopted by the Director of DES and shared with stakeholders in advance of filing the proposed rules on or before December 3, 2014;
- Post on the DES Rule Website the Settlement Agreement and Release of Claims (Cause No. 13-2-01209-7) between CBM, the State of Washington, and Xerox.

CHALLENGES

Short time frame to get to finished product by Dec 3:

- Prior commitments by DES Team and Stakeholders alike presents challenges for all to actively participate;
- Resource limitations within DES creates a barrier to timely deliverable commitments to stakeholders;
- Discovering and addressing rule topics that would create a potential deal breaker (opposition or litigation against the proposed rules.)



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