COMMENTS ON RULES AND GUIDELINES FOR MPS

During the stakeholders meeting DES stated that they were going to talk to their legal counsel to see if there was any flexibility to allow agencies to acquire MPS using the hardware contract as Capital Business Machines had been doing for several state agencies since the mid 2000's.

Unfortunately the state's legal counsel came back with a decision that there was no flexibility to allow MPS using the hardware contract even though it was already being done. Our legal counsel told us that there was flexibility within the statute to allow MPS services to be available from two different contracts.

At our company we use a program that focuses on Character called Character First and one of the 49 Character qualities that all of our employees strive to demonstrate in there interactions with others is flexibility.

The definition of Flexibility is Willingness to change plans or ideas without getting upset. Using flexibility incorrectly manifests itself as Stubbornness.

The Department of Enterprise Services on their Strategic Framework document has a list of Strategic Anchors, Values, and Goals. Under the Strategic Anchors section there is a quote "What you need. How you need it. When you need it."

That sounds very flexible; it would make a person believe that DES was there to truly serve fellow agencies and the taxpayers. I wish I could believe that but unfortunately I am not able to.

I am sure staff at DES has spent hours wondering why Capital Business Machines has been such a pain. Once several years ago Neva had Sharp Electronics escort me to the DES offices to have a talk. I'm not sure why Sharp was needed maybe it was to get me to toe the line; I had been called up to meet with Neva because I had been mean to her. When I ask her how I had been mean I was told that I had caused her a whole bunch of extra work by filing public records request.

On DES Strategic Framework document under Values one of the 6 items mentioned there is Openness. Openness is expressed by DES as "We listen and communicate to promote understanding, transparency and trust. Unfortunately the opposite has been demonstrated.

When DES is finished being inflexible a small business of 26 people who has served the Department of Corrections for nearly two and one half decades will have their customer taken away.

Will it be because of providing poor services, you do not keep a customer for 24 years by not doing your job? It will be because we want our government to be accountable. What a foolish and outdate concept.

When DES deals with a manufacture they deal with an employee of said company. And employees are afraid to ask serious questions or rock the boat as they might get fired.

Capital Business Machines however is a Washington based business, family owned, Olympia grown (so we know about politics) that believes that small business can deliver exceptional service (also one of the goals on the DES Strategic Framework page). We believe we can do it just as well as the big boys by partnering with other Small Businesses within the State of Washington.

Just think all this ongoing tension between DES and CBM could be removed by the state showing a little flexibility when making rules. By allowing the hardware contract to be used as well as the MPS contract for MPS many hundreds of thousands of dollars could be saved at just one agency.

On the CR-102 dated December 03, 2014 no economic impact statement was prepared as "the implementation of these rules have minimal or no cost to small business." I guess that is easy enough to say when you're not the small business that will be damaged because of a lack of flexibility.

Under Strategic Anchors on DES's strategic Framework document is your Mission statement: We deliver innovative, responsive, cost-effective and integrated solutions and services to meet the diverse needs of our customers. In the old days there used to be pre-bid conferences where GA/DES would bring the vendor community together and present what they were thinking about putting in a bid. There was impute given and taken on how to craft a bid that would work for all involved. CBM even as a dealer would be allowed to participate and give input. It eliminated a lot of protests. It also allowed DES to receive information from Experts in a particular field for free. With all vendors allowed to be involved it made for more effective and balanced documents.

With the contracting now being done through WSCA only manufactures are allowed to play. The problem is the small businesses have to pay the taxes that support WSCA contracts without being able to participate. When only DES gets to state what is best for Washington there is no way to make sure that what is being presented is best for DES or best for the citizens of the State of Washington.

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