

News and Views

**A Publication of the Illinois Association of
Public Procurement Officials, Inc.**

**Chapter of the National Institute of Governmental Purchasing,
Inc.**



PRESIDENT'S MESSAGE - Summer 2006

By Larry Widmer, CPPB

How many of you can clearly define Green Procurement? Does your agency have a mission statement that includes a commitment to provide environmental leadership

through policy development and program design? By integrating environmental considerations in public purchasing, your agency can reduce its burden on the local and global environment by removing avoidable hazards from its operations, protecting public health, reducing costs and liabilities, and potentially improving the environmental quality of the region. In this way, an effective policy and program design directs your agencies efforts in procuring environmentally preferable products and services. The definition of Green Procurement according to the National Park Service's Envirofacts Newsletter is as follows:

"The affirmative procurement of environmentally preferred products and services. These products or services have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. Environmental preferability is a function of various factors. These include: (1) recyclability and recovered material content; (2) performance and durability; (3) toxicity and biodegradability; and (4) life cycle energy/natural resource use."

The main purpose of utilizing green procurement is to minimize harmful environmental impacts of your agency's activities by making sure that the procurement of services and products include the reduction and/or removal of toxicity, conservation of natural resources, materials, and energy, and maximization of recycled content. As a purchasing agent, your responsibilities may include the

development and maintenance of information about environmentally preferable products and recycled products containing the maximum practicable amount of recycled materials.

Once a policy/program is instituted, it is your responsibility to inform departments, agencies and contractors of their responsibilities under a given policy and provide implementation support; establish product testing and assessment service for the purpose of evaluating environmentally responsible alternatives pursuant to conventional testing guidelines; require the use of recycled materials and recycled products by incorporating them in bid specifications where practicable; disseminate information on recycled and environmentally preferable product procurement requirements, specifications, and performance to aid vendors with procurement opportunities within your agency; establish guidelines governing the review and approval of specifications for the procurement of selected materials based on considerations of recycling, energy and water conservation, life cycle costing and other environmental considerations.

Factors that should be considered when determining the environmentally preferable good or service include, but are not limited to:

- Minimization of virgin material use in product or service life cycle.
- Maximization of recycled products used in product or service life cycle.
- Environmental cost of entire product or service life cycle.
- Reuse of existing products or materials in product or service life cycle.
- Recyclability of product.
- Minimization of packaging.
- Reduction of energy/water consumption.
- Toxicity reduction or elimination.
- Ultimate disposal of the product.

Your chances of initiating a successful green procurement program can be enhanced by adhering

to certain principles, such as winning high-level support, establishing clear policies and goals, offering incentives and monitoring activity, implementing pilot projects, engaging and training stakeholders, highlighting green products, and developing joint purchasing programs.

Most importantly, environmentally preferable purchasing promotes the purchase of goods and services that have lesser or decreased effects on human health and the environment compared to competing goods that serve the same purpose. Please consider working to expand the awareness and use of environmentally preferable products whenever possible.

New IAPPO Members

IAPPO welcomes some new purchasing professionals to the Association:

Ms. Margaret E. McEvilly
Purchasing/Contract Administrator
Management & Budget
City of Joliet

Lerisa Wilkins
Program Associate/Purchasing
Northwest Municipal Conference

Buyer and Manager of the Year Awards for 2005

Every year IAPPO honors two chapter members who have made contributions to purchasing, professional development, contributions to the entity he or she serves, contributions to the chapter, and other professional considerations. Many individuals in our chapter are deserving of such an award.

For 2005, IAPPO has honored Darcie Garza, CPPB, DuPage County Purchasing as Professional Buyer of the Year, and Darrell Marcy, CPPB, Contract Administrator, Secretary of State, Budget and Fiscal Management as Professional Purchasing Manager of the Year.

Congratulations!

2006 Spring Training Conference

A big thank you goes out to Marilyn Kresse, Budget Analyst, Secretary of State, Budget and Fiscal Management, chairperson of the spring conference in Springfield. Marilyn and her committee of Bob

Partridge, IL State Police, Cheryl Stine, DCEO, Cindy Krebs, CMS, Deborah Perry, Decatur, Mike Knauer, IL Dept. Of Corrections, Joe Cox, IL Dept. Of Corrections, Darrell Marcy, Secretary of State's Office, Mark Windsor, IDOT, Marty Morris, IDOT, Penny McBride, Decatur, Sheila Chernis, DCEO, Larry Widmer, NWMC and Cathy Link, County of McHenry gave their time and efforts to help make this meeting a success.

2006 Fall Vendor Fair and Training Conference

The Host Committee is excited to invite you to the 2006 Fall IAPPO Fall Vendor Fair and Training Conference to be held at the Holiday Inn Conference Center, Itasca, IL, September 27-29, 2006. The Committee has been busy with planning to bring you a dynamic list of speakers and topics, an informative vendor fair, as well as offering you great opportunities to network with your peers.

We realize that these are limiting times, and we are working hard to bring you new skills and resources that you as purchasing professionals can benefit from, all at a reasonable cost. We have a commitment to professional development, and attending the conference will provide you with an exceptional educational experience and allow you a great opportunity to renew old friendships and develop new ones.

We personally invite each of you to attend the 2006 Fall IAPPO Fall Vendor Fair and Training Conference. The vendor fair is free for all public sector employees involved in Purchasing. Pre-registration is required with more details to follow. The \$75 members' conference registration fee includes all seminars, conference materials, and meals. The Holiday Inn Itasca has provided a block of rooms for \$79 plus 11% tax for a King or Double Sleeping Room. Please reference IAPPO when you call for reservations at 630-773-2340.

If you have any special needs, dietary or otherwise, that may require additional accommodations, please let us know, and we will work on obtaining those for you.

Did You Know? NIGP's Research Library Is At Your Service

NIGP provides its members exclusive access to the most current information on trends, research,

and articles on procurement and the business sector. NIGP members have direct access to the ABI/INFORM Global database, an internet-based electronic library covering more than 1,600 leading business and management publications including over 350 English-language titles from outside the U.S.

With ABI/INFORM Global, you can search and find useful information from more than 6,000 periodicals, newspapers and other resources using a database that covers more than 1,100 current sources. You also get complete articles from more than 700 of the most popular and important sources in full text, page image or our unique Text+Graphics format. Check out NIGP's tasty menu at the Research Library section of their website.

NIGP Provides National Members With Contact an Expert Service.

It's just one of the many member benefits provided by NIGP. It's an easy-to-use way to contact public procurement professionals who are experts in subject areas. Through our extensive professional network, NIGP provides a list of experts in specific areas of procurement—all at no cost to NIGP National members!

This is an exclusive platform for members to connect with procurement professionals that can share their skills and expertise resulting in better and more efficient practices.

To contact an expert, simply visit [Member Services](#), select Contact an Expert, choose a subject from the drop down box, then search. You may contact members by email or phone and seek their advice on your specific area of need.

>From one pro to another...NIGP has you covered!

Did You Know?

www.govpro.com

Starting in May 2006, the Product Stewardship Institute, Inc. (PSI) and the Thermostat Recycling Corp. (TRC) will oversee a **five-state pilot project** to determine the feasibility of accepting mercury-containing building thermostats for recycling at local household hazardous waste (HHW) drop-off facilities. The pilot will run through the end of

December of this year in **Illinois**, Minnesota, Wisconsin, Washington State, and Florida at approximately 50 sites determined by state officials.

Under the pilot, permanent HHW collection facilities and short-term collection events will be outfitted with special bins to accept mercury thermostats. Staff at these facilities will be trained in the safe sorting and handling of these devices, which will ultimately be transported to a manufacturer site to be recycled. The three largest thermostat manufacturers (Honeywell, General Electric, and White-Rodgers) operate the recycling program through TRC, and provide the service at no charge to consumers.

"In the past, TRC's mercury thermostat recycling efforts have been primarily aimed at contractors who install these devices," said Scott Cassel, PSI's Executive Director. "This effort broadens the scope to people who replace their own thermostats. By providing convenient local collection sites, we hope to significantly increase thermostat recycling."

"This project is the latest in a series of program expansions that aim to capture as many mercury thermostats as possible," said Mark Kohorst, TRC Executive Director. "It is important that we eliminate the potential environmental impacts from our products all across their lifecycle." "It is important to expand our efforts to collect and recycle as many mercury-containing products as possible to help prevent mercury releases in the environment," said Illinois Environmental Protection Agency Director Doug Scott. "This mercury recycling program is essential to provide for a healthier environment for future generations."

The pilot is part of a comprehensive mercury emissions reduction strategy PSI and TRC have developed to reduce the chances of mercury from thermostats being released into the environment. Currently, Oregon and Indiana are operating a PSI/TRC initiative to give financial incentives to thermostat installation contractors to recycle mercury thermostats they remove from buildings and replace them with new Energy Star qualified thermostats. PSI also brokered an agreement between TRC, the state of Maine, and other stakeholders, which resulted in Maine's new law that requires manufacturers to provide a financial incentive valued at a minimum of \$5 for the return of each mercury thermostat to an established collection point in Maine. The requirement, signed into law earlier this month, will set up systems for installers and consumers to safely recycle these devices.

Mercury pollution is a problem across the nation, with many rivers and lakes subject to mercury fish advisories. People can get exposed to mercury by eating contaminated fish. One of the many sources

of mercury deposition in the environment can be mercury-containing products. Mercury containing products can lead to contamination when thrown in the trash, where they might be crushed, incinerated, or otherwise mismanaged in a way to cause airborne releases, after which mercury falls back to earth in rainwater.

Recycling mercury-containing thermostats is an effective way to address this problem, which is why thermostat manufacturers established the Thermostat Recycling Corporation in 1998. TRC has collected more than 430,000 mercury-containing thermostats since its inception. There are three grams of mercury in every mercury thermostat switch, and an average of four grams of mercury per thermostat because some thermostats have multiple switches. Most continue to be disposed in the trash, however, so there is a clear need for ways to grow the program further.

PSI is a national non-profit membership-based organization that assists 31 states and 28 local governments in pursuing initiatives to ensure that all those involved in the lifecycle of the product share responsibility for reducing its health and environmental impacts. For information on mercury thermostats, go to: <http://www.productstewardship.us/displayPage.php?pageid=70> .

TRC is a private, industry-funded corporation established by the thermostat manufacturing industry. TRC works with the EPA and state environmental officials for the sole purpose of recycling mercury thermostats nationwide. For information on TRC, go to: <http://www.nema.org/gov/ehs/trc/>

HHW PILOT PROJECT – MERCURY THERMOSTAT COLLECTION FACILITIES IN ILLINOIS:

May 1, 2006

Naperville Fire Station No. 4 (DuPage County)

Rock River Reclamation District (Winnebago County)

**Discover Words of Wisdom to Help
Public Purchasers Convey a
Professional Image.**

by Frederick Marks, CPPO, VCO (Virginia Contracting Officer)
www.govpro.com

Marks on Grammar

Within the government marketplace, many articles and courses present ways to improve the image or perception of purchasing professionalism. However, rather than following universal guidelines, each individual can convey a personal level of professionalism, based on how he or she communicates with others. The Uniform Commercial Code treats public purchasers as "having knowledge or skill peculiar to the practices or goods involved in the transaction" with regard to our profession (§2-104).

Do we think of ourselves that way, or worse yet, do we act that way? Each public purchaser can work towards improving the way others perceive us as individuals and professionals. Perceptions are shaped by each individual's image, attitude, work, interpersonal skills, and communication, both oral and written.

I'd like to quickly go over some of my pet peeves, as well as offer ways to convey professionalism:

Walk with a purpose to meetings and appointments. Get to the meeting on time, and apologize if you are late. Be prepared, don't waste time, set an agenda, and stick to your specific goals. Let people know that you are in charge and have relevant facts readily available.

Talk using language appropriate to the group, and speak a common language. If you use a purchasing term, explain yourself and make sure that others understand what you mean. For instance, "low bidder" really means "lowest responsive and responsible bidder," not just the lowest numerical bidder. Write as though an English major is looking over your shoulder. You are judged by others on the basis of your written communications, whether or not this is fair or results in accurate views about you. Because e-mail is currently the most common form of business communication, make yours stand out! Send a professional message by following suggested guidelines:

Do not use "cutesy" fonts in e-mail messages to show your creativity. Fonts such as Copperplate or Bold Franklin Gothic Medium are not appropriate for business communications. Similar pointers apply to backgrounds on e-mail correspondence. At best, the backgrounds can reduce the impact of your message. At worst, backgrounds make the e-mail difficult to read.

Make your writing style clean and clear. Use standard paragraphs to organize information, as well as full sentences and correct grammar. Acronyms such as "LOL" (laugh out loud) and other Internet

chat-room terms will detract from the content of your message. Check your spelling, such as by formatting your e-mail program to spell-check words before sending the message. Double-check that you are using the correct word. Sometimes, your spell-check program will automatically change your misspelled word to another word that carries a totally different definition. For instance, "weather" and "whether" have very different meanings.

English is fraught with potential dangers. Any language where a harmless word like "fly" can mean an annoying insect, a mode of transportation or an essential part of apparel is just asking to be misused. When sending correspondence, use auto-signature to add your full name, title, certifications, e-mail address, telephone and FAX numbers, and any additional contact information that may be pertinent. If your friends call you by other than your official name, your e-mail communication is not the place for adding this casual touch. Save names such as "Cuddles" or "Dude" for personal correspondence. In addition, voice mail is not the time to be funny! What you say reflects on the professionalism of both you and your organization. Other guidelines include the following:

Practice your voice-mail message and listen to the recording before you activate it. If you don't like how you sound, others may not either. Change the message often, depending on your situation. Sometimes, a short, explanatory message will eliminate the need for time-consuming phone calls at a later date. Of prime importance, check your voice-mail messages frequently and be prompt in returning phone calls.

Do not ramble in your opening voice-mail statement, such as offering an abundance of details that might not be relevant to callers. Your "Out of Office Assistant" is a valuable communication tool. Be clear with stating details such as how long you will be gone, who will be in charge of your work, and when you will return to the office. Likewise, one's clothes convey a message as clear as communications. Therefore, dress appropriately! If business casual is your office norm, then wear neat and clean clothes suited to an office environment. If you work in a shop or similar facility and are making a presentation, crank up your apparel a notch and wear a business formal outfit. Although some guidelines I've outlined in this article may sound trivial, they contribute to both your particular brand of excellence and professionalism, as well as another person's perception of you.

To test your grammar skills, this article contains a split infinitive, whereby an adverb comes between "to" and a verb. Can you find this word group?

Frederick Marks, CPPO, VCO (Virginia Contracting Officer), is a retired purchasing officer who formerly held positions as a Supervising Buyer for the Port Authority of New York and New Jersey, as well as Director of Materiel Management for Northern Virginia Community College. His education includes an undergraduate degree in English Literature, and he has written numerous procurement courses. Marks is also a master instructor for the National Institute of Governmental Purchasing (NIGP).



"ETHICS CORNER – Cathy Link, CPPB, Director of Purchasing, County of McHenry"

California Supreme Court Finds in Favor of Whistleblower

The California Supreme Court held that a dismissed public agency employee could go forward with his claims of wrongful termination against his public agency employer. The issue in the suit was whether the former employer included sufficient information in his original administrative claim to enable the public agency to investigate the employee's claims that the motives for his termination were illegal.

Among the terminated employee's claims was that he supported a female employee's claims against the agency's insurance broker for sexual harassment and that the agency selected an insurance carrier without going through a competitive bidding process to determine whether the insurer was the best value.

The employee argued his termination violated public policy principles relating to preventing sexual harassment and conflicts of interest; he also argued his free speech rights had been violated. The jury awarded the employee \$4.5 million in damages.

On appeal, the agency argued the verdict should be set aside because of discrepancies in the employee's administrative claim to the agency and the ultimate lawsuit. The California Supreme Court disagreed, finding that employee's claim provided

sufficient information to conduct an investigation into the merits of the wrongful termination claim. The court said the claim need not specify each particular act or omission that may have caused the injury. The court also noted that the additional detail adduced during the litigation did not shift liability or allege liability based on acts occurring at different times or places.

See *Stockett v. Association of California Water Agencies Joint Powers Insurance Authority*, 34 Cal. 4th 441, 20 Cal. Rptr. 3d 176 (2004).

Illinois Lawyers Must Report Pro Bono Work

By Chris Dettro
Staff Writer

IL State Journal Register

Published Monday, June 19, 2006

The state Supreme Court has implemented new rules that require Illinois lawyers to report what free legal services they've provided in the past year, but attorneys won't be penalized if they provided none. "By requiring lawyers to report their pro bono activity, we hope to see an increase in volunteer attorneys for those who would otherwise have no legal representation," said Justice Thomas Kilbride, whose recommendation led to the creation of a special Supreme Court committee on pro bono services. He called the new rules, which became effective Wednesday, "a critical step in trying to improve the delivery of legal services to unrepresented clients most in need."

Under the new rules, all Illinois attorneys must report annually whether they have provided free legal services in the past 12 months and the approximate number of hours, as well as the amount of any money contributed to a legal-services organization that helps people of limited means. The special committee was formed in 2001, and in an extensive report to the high court in 2003, acknowledged the "significant contribution" made by Illinois lawyers toward meeting the legal needs of the poor, but said much more work remained to be done. The rules don't make it mandatory to provide pro bono legal services, so no minimum number of hours is required, and what qualifies as pro bono work has been expanded. These were sticking points in reaction to recommendations in the 2003 report.

However, reporting of free legal services - or lack of them - is mandatory. It must be done as a part of the attorney's license-renewal procedure, and failure to report can result in the removal of the attorney from the master roll of those allowed to practice in the state. The justices hope the reporting requirement

will "serve as an annual reminder to the lawyers of Illinois that pro bono legal service is an integral part of a lawyer's professionalism," the court said in comments accompanying the rules. Lawyers can directly provide legal services, make financial contributions to organizations that provide those services, or training other volunteer lawyers, Kilbride said. The reporting requirement means the court for the first time will be able to measure the volume of pro bono efforts.

Pro bono legal services are now defined as those rendered to "a person of limited means." Services for which payment was expected, but never collected, don't count. Lawyers don't have to investigate the finances of a client to see if they qualify. The rules say "a good faith determination by the lawyer of client eligibility is sufficient." Pro bono information provided by attorneys as part of the registration process will be confidential, but the Attorney Registration and Disciplinary Commission, which oversees the process, may report the information as a whole. Lawyers who are statutorily prohibited from performing services - such as prosecutors and certain other government lawyers - are encouraged under the rules to contribute either financially or by providing training.

Journal of Public Procurement

Are you aware that under the sponsorship of the National Institute of Governmental Purchasing (NIGP) and Florida Atlantic University, the new Journal of Public Procurement (JoPP) was launched to serve NIGP's 15,000 individual members and 2,000 agency members, other government procurement professional organizations, and interested readers.

The latest issue of the Journal of Public Procurement is a special edition containing six selected papers that were presented at the International Public Procurement Conference last October in Fort Lauderdale. The 2.5 day conference was attended by public procurement senior practitioners and stakeholders from five continents - including the Vice President of the Republic of Sierra Leone - as well as key procurement leaders from the United Nations and the World Bank.

NIGP national members may obtain a copy of the Journal by simply sending an email request to jopp@nigp.org. This will provide you with a complimentary, no-cost subscription to future issues of the Journal of Public Procurement as well as the current edition that features the conference. This subscription is valued at \$150 for governmental employees who are not national members of NIGP.

The six manuscripts featured in the special edition include topics on:

- ▶ Using eProcurement for the selection of consultants
- ▶ Promoting economy through electronic reverse auctions
- ▶ Assessing management costs for delivering services under alternative institutional arrangements
- ▶ Assessing the ability to achieve best value when public entities are not allowed to negotiate
- ▶ De-politicizing the humanitarian supply management system
- ▶ Assessing the future of small businesses in the U.S. Federal marketplace

JoPP seeks manuscripts, from practitioners and academicians alike, on all issues related to public procurement of academic research and technical reports. Issues include purchasing technology, purchasing building construction services, purchasing public works projects, purchasing energy in a deregulated environment, purchasing and its role in strategic planning, total cost of ownership, electronic commerce, buying vs. leasing, benchmarking, procurement cards, automated procurement systems, and other innovative ideas and practices in government procurement.

For manuscript submissions and proposals on featured topics, please contact: Dr. Khi V. Thai, Editor-in-Chief, Director, Public Procurement Research Center, Florida Atlantic University, 220 S.E. Second Avenue, Fort Lauderdale, FL 33301. E-mail: Thai@fau.edu Telephone: (954) 762-5635.

“Teamwork is the ability to work together towards a common vision. The ability to direct individual accomplishment toward organizational objectives. It is the fuel that allows common people to attain uncommon results.” Author unknown.

ARTICLES FOR FUTURE NEWSLETTERS

While I am honored to serve as the IAPPO Newsletter Editor since spring 2003, I need help from the membership. Please submit any articles of interest to me for incorporation in a future IAPPO Newsletter. Please forward to:

MAIL: Theresa Dobersztyn, C.P.M.
 Purchasing Manager
 West Central Municipal Conference
 1127 South Mannheim Rd., Suite 102
 Westchester, IL 60154

FAX: 708-450-0655 FAX
tdobersztyn@westcook.org

Together, let's make this newsletter for the membership, by the membership.

IAPPO Officers and Executive Board

President:

Larry Widmer, CPPB
 Northwest Municipal Conference

Vice President:

Cathy Link, CPPB
 County of McHenry

Secretary:

Joan M. Morange, CPPB
 County of Dupage

Treasurer:

Darcie Garza, CPPB
 County of DuPage

Executive Board

Jeff Dansdill, CPPB
 Theresa Dobersztyn, C.P.M.
 Cindy Krebs, CPPB
 Darrell Marcy, CPPB
 Ray Restarski CPPO, CPPB
 Cheryl Stine, CPPB, C.P.M.,

Immediate Past President:

Robert Partridge, CPPB
 Secretary of State's Office

Newsletter Editor:

Theresa Dobersztyn, C.P.M

HOW DO YOU WISH TO RECEIVE YOUR COPY OF IAPPO'S NEWS & VIEWS?

- U.S. MAIL
- Please e-mail my copy!

Be sure to include any changes in your name, address, telephone, fax, or e-mail.

FAX BACK TO JOAN MORANGE
(630) 407-6201 FAX

Name: _____

Title: _____

Agency: _____

Address: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Fax: _____

E-Mail: _____

FAX BACK TO JOAN MORANGE
(630) 407-6201 FAX