

Julia McIlroy: 0:04

Hi everyone and welcome to NASPO's Pulse, the podcast that focuses on current topics in public procurement. I'm your host, Julia McIlroy. Today's guest is Sherry Neas from the state of North Dakota. This is part two of our session covering state's legislature.

Sherry Neas: 0:24

Thanks for having me, Julia.

Julia McIlroy: 0:27

Sherry, I'm so glad you're back. So let's talk about after session. A session ends and new laws are passed. What's the first step procurement leaders should take to move into implementation mode?

Sherry Neas: 0:41

Great question, Julia. Legislative session is like running a marathon, right? And you're so glad that it's over. Um, but you really only have a couple of months before the new laws go into effect. So the first thing to do is to take an inventory about what are the laws that would change that were changed, and then treat each bill individually and do a breakdown. Um what are what needs to happen to implement this law? Um, you know, sometimes there's a law that says you have to develop guidelines, um, which kicks off a whole new policy making role. Um sometimes there's laws that um impact your workload very often. So um there's a tendency to want to go back to normal work. But the reality is that your day-to-day work directly competes with your ability to get strategic stuff done. So workload management is huge, not just your personal workload, but the workload of your staff. And this is something that we learned over time, you know, that we have in this, you know, in North Dakota, we carve out a portion of our staff to work on you know implementation or the strategic work where all other people are making sure that the you know day-to-day procurement operations are happening. So um, so after you've got your inventory, so we do a legislative summary. You know, these are all the laws because you don't want to surprise the regulated audiences. So we do a um legislative summary, we um list all the bills with hyperlinks to the legislation, and then a brief summary of the laws. And if it's you know, if it's not directly procurement, maybe it's a risk management law or an attorney general law or something like that. We'll make sure that our summary is run by that um the regulatory agency to make sure that we are all in agreement on what the law means or what the summary says, and then we issue that as an email article to our state agencies and institutions, you know, heads up, these are the laws, and then we go into um implementation. So um we need to update manuals and we post that legislative summary on our website also, so everybody knows where to find it, and make sure our staff is, you

know, because the staff has been doing normal work during session, you know, they may or may not you know be aware, so make sure the staff knows what's happening. Um, we have a procurement advisory council, so you know we um inform the so the agenda would be the you know is going over the legislative summary, and then we have a monthly meeting with the state agencies letting them know, so we make sure that the state agencies in higher ed know what's happening. Um then there's a process of updating the manuals, um, updating training, um, updating the website. Um so, and then if it's something that impacts um like your state contracts or your workload, um be mindful of that too. Um there's some times where it's a lot of work um to implement um a legislative session. So, and like in North Dakota, it's August 1st and it goes by so fast. And it we call it sliding into home, you know, where it might be 11th hour, you know, but you're not out. You just got to make sure you get it done by the deadline.

Julia McIlroy: 4:30

Sherry, in part one, you had mentioned that you have a tracking system to know which bills impact procurement and where they're at in the system. Is that an off-the-shelf product or is that a homegrown product?

Sherry Neas: 4:43

It's um, well, there the legislative council has a solution that's available uh, you know, for all state agencies. And then there is um, I'm gonna say it's an enhancement that some of the agencies have done that does a screen scrape of the um legislative data so that it can be massaged and and organized. So um, you know, explore those technology options in your state, uh, you know, if um because it is huge, you've got to know what's going on. And there might be some bills even after session, you might find some bills that, oh, I missed this one. Um, but it impacts us. That that definitely happens sometimes. It's easy to happen. Um, you know, bills get amended during session, and so um you could easily have had had a bill that wasn't on your radar screen, but it was amended in a manner that impacts your agency.

Julia McIlroy: 5:38

So, Sherry, what's the best way to communicate legislative changes outside of your organization?

Sherry Neas: 5:45

Julia, that's a great question. Um, in North Dakota, we are regular contributors to some of the area publications. So, like the association of counties, the League of Cities, um, even the School Board Association publish periodic or publications. Um, and so we are regular

contributors and we'll do like a legislative summary about um narrow down to like areas that that would impact them just to understand, you know, this was the law, this is how it changed. Um, for vendors, sometimes you know, laws impact vendors. Um, and you might see that as a template change. Um, so the in North Dakota, we have pages on our website that are devoted to bidders and vendors, and so we'll update those. And even our bidders and our template, it might say that you know, like say a preference law was changed. Then in our template, we'll say that you know, this law was changed by you know, house bill, yada yada, and so the vendors that are used to seeing solicitations will at least know where that change is coming from. So um the other um stakeholders, like in North Dakota, there are um economic development groups that do outreach, and so there's an opportunity. So um so think about what publications or what venues in your state would be would reach that target audience, whether that's vendors, and maybe you've got an easy way to communicate to your bidder's list. Um, you know, most of us have like a website where vendors go to see bidding opportunities, and that might be a a good place to post a news article about something that changed.

Julia McIlroy: 7:36

That's a great idea. So we know that legislators want to see results. How do you keep sponsors informed about how their legislation is being implemented?

Sherry Neas: 7:46

That's a great question. Um, we do follow up with uh sponsors to let them know. Um, and it's nice to follow up with them before they follow up with you because oftentimes that happens. Hey, where's where's what's going on with my bill? Um, so just having that that open communication, even it's just an email, you know, you know, dear representative so-and-so, you know, wanted to let you know that you know this contract's been awarded, or you know, this this is the policy that was developed, or you know, and and then thanking them, you know, that we, you know, we this was a you know, we appreciate this law, we appreciate you bringing forth this bill. And I think that that too, it helps establish the your credibility, but the credibility of your entity, that they know that you know the state procurement office in your state is transparent, is responsible, and follows through. And it's nice to be done, right? And that let them know that it was done.

Julia McIlroy: 8:49

Again, going back to kindness and being respectful, right?

Sherry Neas: 8:53

Absolutely.

Julia McIlroy: 8:55

So, in the long run, how does building a reputation for follow-through and trust help procurement offices work better with legislators?

Sherry Neas: 9:04

You know, Julia, that's a great question. You know, uh the legislators do get to know state agency staff. So, you know, if you are your agency is consistently well prepared um for legislative session, um doing a good job when you're testifying, um, good to work with during session, during conference committees, um, getting back to legislators, um, it that those things build trust. Um and then when an issue comes up outside a session, they know who to reach out to and they know that you're gonna give uh fair treatment. Um so you know, maintaining your integrity is paramount. Um things come up, you know. Sometimes vendors escalate things to legislators, um, and then just and sometimes it may be just explaining, you know, that hey, you know, we've got, you know, there's laws and rules about protests, or there's laws and rules about conflict resolution, and just explaining how things work and then making sure that you're keeping the legislator informed that their constituents' issue was professionally addressed. Um and just building that trust and that open communication, and again, having that redundancy that it's not just the pref pre the chief procurement officer, you know, but maybe an assistant or someone, a lead in your agency um that's gonna timely get back to that. And I think the other thing too is like um there's a natural tendency to maybe feel overwhelmed or intimidated or unsure when you get an email or a phone call from a legislator, and just you know, train your staff that you know it's okay, you don't have to answer right now, but just say you'll get back to them. And then, you know, so that your staff gets used to that idea that you know, sometimes in state government you are dealing with, you know, high-ranking officials or legislators.

Julia McIlroy: 11:11

That's a really great point. And going back to that media training, but really staff training and making sure that they're prepared for those phone calls and emails.

Sherry Neas: 11:21

Absolutely.

Julia McIlroy: 11:23

So, Sherry, let's segue into secession planning, the always critical, right? Secession planning. So legislative work takes years of experience. What skills should procurement leaders be passing down to their staff now?

Sherry Neas: 11:38

Great question, Julia. Um, it takes years, it takes decades to be confident during the legislative session. So um really identifying who on your team, keep your team involved, you know, they're curious too. You know, your staff may be doing the the daily work, but make sure they know, you know, especially it's so easy now with teams to let them know what's going on. So um one thing that we do is that if if if we are preparing for a hearing, if I'm preparing for a hearing or someone on my staff, then we'll share out the link. Hey, you know, team, this bill's gonna be, you know, tomorrow at such and such time, and share out a link so they can tune in and feel part of it. And then they get that experience of watching a hearing. You know, this, you know, and they may have read the testimony before and then they see how it plays out. Wow, these were the questions that were asked. This is how she, you know, this is how we responded, you know, this was the discussion by the committee. Um, so so that experience can come at uh many different ways. Reading, observing, seeing the steps it takes, and just explaining to them, you know, hey, I've got to be off, I've got to be offline for a while because I've got to get this done by morning. And um then giving them the opportunity. Sometimes there's like bills that are simple. You know, this is just an administrative bill. Um, it's just doing some cleanup stuff. It shouldn't be controversial. Um, letting your staff people have that opportunity, even going to attend a hearing. Maybe there's that, maybe there's a hearing where you know someone's testifying, and your staff is just going to be there, you know, putting on their suit or their dress and you know, going to the room and understanding the protocol of you know, you know, waiting um, you know, before you go into the room and watching what's going on, um, getting all of that experience so that, and continue that experience until you've got you know more than one person who is trained to be your backup, or maybe eventually they'll even be the lead, but to make sure that they are ready, right? Because, you know, it's like a track meet, right? You know, what kind of leader are we if we can't pass the baton and make sure the next person's gonna grab that baton and finish the race?

Julia McIlroy: 14:07

Fantastic point, Sherry. So you've touched on this, but how do you involve your staff in the legislative process without overwhelming them, especially for junior staff?

Sherry Neas: 14:18

Absolutely. You know, as managers, we need to know what's on people's desks and knowing that there's daily work and daily deadline. Um, and so we want to keep them, we want to keep everybody involved, at least at the high level. But if there is someone that is going to need to have responsibilities during legislative session, you've got to do workload

management. You've got to offload the normal work because you know you can't get it done. You need time to focus. And so there are times where we say, if it's not mission essential, it needs to get back burned. And then, you know, manage expectations also, that you know, hey, you know, we're we can't get to this right now, we're getting to that. But I think the other thing too is just, you know, um, you had asked about how to not overwhelm them. I think just even having that conversation, you know, because anxiety and workload stress, those are real things, you know, and so just from a wellness perspective, you know, talking to your staff and checking on your staff, um, and you know, how are you doing? Are you keeping up? Are you not keeping up? How can we help? What can we take off your desk? Can someone else help? So just really checking on each other during session. Um, and again, if you're taking work off someone, that means you're piling it up on someone else, right? So, you know, we talk very openly. Um, we have team huddles. Um, you know, so we have like an all-staff procurement huddle, you know, on Mondays, and then we have team huddles during the week so that the section leaders are talking to their people and checking it. So, especially in a virtual environment, you know, you know, you're all in the same voxel, right? Check on your buddy.

Julia McIlroy: 16:11

So it sounds like it's important to really understand everyone's bandwidth and where folks are with their workloads, and then acknowledge that if one person is doing this project, then someone else needs to pick up the slack.

Sherry Neas: 16:24

You know, in North Dakota, we've actually done a fair amount of like personality testing too, you know, and then you know, just so it could be like Gallup strengths or colors, you know, lots of different um personality testing. So, you know, we know people that their strength strength is planning, right? So they've got their they do better with you know well planned out, organized stuff. And then there's people that are you know more extemporaneous and you know they're okay. We call it like meteors, that the meteors falling out of the sky. So knowing who's good at what, and so we do our workload that way. So um, you know, there's one other person and I who are more I'm gonna call it fly by the seat of your pants, but okay with crazy, you know, okay with crazy. Um, and and we get paid to be okay with crazy, right? So um that's where knowing who's um got strengths in handling um the the type of work that session brings on. And you need those planners to help you really break down the normal work and keep it going. So, really understanding how your staff worked, what their strengths are, what their attributes are, and honestly, that helps everybody really like their job too.

Julia McIlroy: 17:41

I love that you've done that personality analysis to know who's good at what and who likes doing what.

Sherry Neas: 17:49

Absolutely.

Julia McIlroy: 17:50

That's great. So the legislative session can be long and exhausting, as we've discussed. So, some are what are some ways you can keep your staff excited and engaged during that period?

Sherry Neas: 18:04

Some of the things we've touched on too, um, you know, share the hearings with them, let them know how things uh turned out, and take time so that you're not just talking about what you're doing with session, but check on them also, right? Because if if you celebrate their wins, then they're gonna also feel more engaged, you know, to celebrate the wins of legislative session, knowing that it's a team effort, right? That you know, the team that's working on legislative stuff couldn't do it if it weren't for the rest of the team doing the normal work. And then um, you know, just taking time to celebrate, hey, this law got changed, and to know that, hey, this is a part, isn't it wild that we are part of an organization where if you roll up your sleeves and do the work, you can change law.

Julia McIlroy: 18:49

That is exciting. And as you said, celebrating wins matter. So, how do you make sure that the whole team feels pride in shaping procurement law?

Sherry Neas: 18:59

I think everything we've talked about plays into that. So it because this is a process, right? Uh so when the need was identified, you know, that that was you know put down onto a dashboard, and they see the process where you know legislation was dis or you know, the issue was discussed by at these various, you know, procurement advisory council meetings, um, you know, legislation was drafted, they had an opportunity to read it, they followed through the legislative process, and you know, voila, you know, it might look very different than you thought it was at the end of the process, but you know, that if they've got that visibility, then they're learning along the way and they can take ownership because it's a team effort, right? And to not use I, but use we, because this is our law. And then when you see it change, um, it's a beautiful thing.

Julia McIlroy: 19:51

It is a team effort. That's a great point. So throughout part one and part two, we've talked a bunch about communication. It comes up again and again. So why is it so critical for succession planning and building future leaders?

Sherry Neas: 20:08

You know, the future is now. You need to have backup. Um during legislative session, and honestly, in life, right? You can't be two places at once, and sometimes that just happens. You need to be deep in your talent pool and make sure that you are building them up, right? My job is to prepare someone else to have my job someday, you know, and and more than one person, right? That you know, as as procurement officers, they start out as practitioners and then you evolve into policy makers and then into leadership. You know, so that's really you know, the building blocks of succession planning is so that because you know, when you and I started this career, it was just a job, right? And then we fell in love. And then we and one thing that I teach is you have to be a student of the law. You have to know the laws and the rules by the back of like the back of your hands and the guidelines, so that when you hear a scenario, something in your brain should trigger and it goes, ah, this law applies, this rule applies, there's this guideline, and it might not have a specific answer, but a skill set that we all need to have, and your staff needs to learn. And so sometimes you don't give the answer. You say, Why don't you like what do you think? Can you, you know, apply the law? You know, why are you drawing that conclusion? And then you can, you know, respond to that, but let them take a stab at it first, and then make sure that you're showing them. Um the way I write manuals, and the kind of the way I do everything, is like make sure that you are citing and everybody can find the the linkage, right? So this law is implemented through this rule, which is tied to this guideline, which may be a policy or procedure, so that you can see everything that applies, and then all of it is situational. You have to take all that and apply it to a situation, and that's just like a teacher at school, right? You teach the concepts, but then they have to apply it to the scenario, and that's how you build your future leaders.

Julia McIlroy: 22:25

So you didn't end up as a high school English teacher, but you did end up a teacher.

Sherry Neas: 22:31

Absolutely. And what a wonderful profession that we are blessed to be in.

Julia McIlroy: 22:36

That's that's the best way to put it. It really is. I love procurement, as I know you do, and it is a wonderful profession. Sherry, lastly, please tell me about your most memorable procurement.

Sherry Neas: 22:50

Julia, um, I love procurement and I love hockey. Love hockey. So um in North Dakota, we have University of North Dakota, and um, their original motto was logo was the fighting Sioux. And they were directed to change that. Um, and that was controversial, right? Because there are a lot of fighting Sioux tattoos walking around this world. And so our office had the opportunity to work with the University of North Dakota when when it was announced that it would be the fighting hawks. Um, there was an RFP to identify the graphic identity that would represent the fighting hawks. And we had an intern at the time who just happened to be a Zamboni driver, and that was very controversial. We had um reporters were you know calling us about our every move in the during the procurement process, you know, and there were firms from all over the nation that submitted proposals. So there was um you know a thorough evaluation process. Um, we did very detailed debriefings, you know, and then we, you know, then it was announced, you know, which firm won the uh the contract to develop the fighting hawk graphic identity. And we even the governor's office even got a thank you letter about how well the process had been done, and so proud of that. So when it was the intern's last day, um by then the fighting hawk apparel had come out, and so we gave them a swag bag of fighting hawks. So um, you know, now when we see like people walking around with their, you know, fighting hawk hats and t-shirts and coffee mugs, we'll always feel like very proud that we were a part of that process, and that's what makes you love procurement. When you know, when you drive down the interstate and and and see a building go up, and it's like what how blessed we are to be in this public procurement profession.

Julia McIlroy: 24:59

So well said, Sherry. Thank you so much.

Sherry Neas: 25:04

Thank you, Julia.

Julia McIlroy: 25:05

And go fighting hawks, right?

Sherry Neas: 25:08

Yeah.

Julia McIlroy: 25:10

Sherry, thanks again for joining me today. I appreciate it.

Sherry Neas: 25:13

Well, thank you so much, Julia, for having me. I love talking about legislative session. And best wishes to you out there. Um, you can do this. We are good at this. It's the same skills in procurement to make legislative processes successful.

Julia McIlroy: 25:30

And to our friends in public procurement, remember, we work in the sunshine. Bye for now.