

MINUTES

UNEMPLOYMENT COMPENSATION MODERNIZATION AND IMPROVEMENT COUNCIL

September 27, 2021
Room 112-N—Statehouse

Members Present

Representative Sean Tarwater, Chairperson
Senator Robert Olson
Senator Caryn Tyson
Representative Stephanie Clayton
Representative Susan Estes
Peter Brady
Phil Hayes
Jeff Oswald
Shelbye Smith
Senator David Haley, appointed substitute member for Senator Jeff Pittman
Makala Navarro, appointed substitute member for Katie Givens

Members Absent

Senator Jeff Pittman
Katie Givens
Jake Miller
Shawana Woods

Staff Present

Edward Penner, Kansas Legislative Research Department (KLRD)
Dylan Dear, KLRD
Victoria Potts, KLRD
Elaina Rudder, KLRD
Matthew Willis, KLRD
Kyle Hamilton, Office of Revisor of Statutes
Jason Long, Office of Revisor of Statutes
Charles Reimer, Office of Revisor of Statutes
Sky Westerlund, Committee Assistant

Conferees

Tom Day, Director, Legislative Administrative Services
Richard Beattie, Director of Procurement and Contracts, Department of Administration

Others Attending

See [Attached List](#).

ALL DAY SESSION

Call to Order and Welcome

The Chairperson opened the Council meeting at 10:09 a.m.

The Chairperson recognized Senator David Haley, who was appointed as a substitute for Senator Pittman for this meeting.

The Chairperson stated the members of the Council received the six technical proposals for the request for proposal (RFP) issued to conduct a review of the Kansas Department of Labor handling of claims during the COVID-19 pandemic.

Review and Discussion of Audit Technical Proposals

Tom Day, Director, Legislative Administrative Services, addressed the Council. Six proposals were received. The six include BakerTilly, BKD, CBIZ, Charles Rivers Associates, Marcum, and RubenBrown. Mr. Day noted the "Tab B" section of the Charles Rivers Associates proposal was confidential. Mr. Day also noted the BKD proposal had a sample contract that contains the word proprietary but contains no confidential information.

The Chairperson stated the Council would have an initial discussion about each proposal, working through them in alphabetical order.

A discussion ensued about how the Council should rank and evaluate each proposal based on the criteria in the legislation and the RFP. Staff was asked to assemble a list of criteria to assist the Council in determining rankings and weightings to use in evaluating each proposal.

The Council discussed each proposal, noting various items, such as methodologies, experience, staffing, scope, previous similar projects, timelines, supports, and availability of contact person.

The Chairperson stated the Council will review the proposals again after rankings and weightings have been established.

Break

The Chairperson recessed the meeting at 11:23 a.m. for a lunch break, and the meeting reconvened at 12:03 p.m.

Review and Discussion of Audit Cost Proposals

The cost proposals will be discussed at the next meeting and discussion will take place in executive session.

Kansas Department of Labor Modernization Bidder Product Demonstrations

The Chairperson asked Richard Beattie, Director of Procurement and Contracts, Department of Administration, to address the Council.

Mr. Beattie stated each of the four bidders were permitted to produce a pre-recorded presentation up to two hours long. He stated two recorded presentations would be shown today and the other two at the next meeting on Thursday. They would be shown in the order in which the agency received them. Mr. Beattie advised the Council no cost information would be discussed at the current time.

Council members would be able to ask questions in written form only, and all four bidders would have the opportunity to respond.

The first presentation was from Sagitec. The presentation was a demonstration of their system from the claimant, employer, and staff perspectives ([Attachment 1](#)).

Discussion ensued following the recorded presentation.

Mr. Beattie stated the next presentation was from Accenture. The presentation included several staff members of the company discussing the features of the product ([Attachment 2](#)).

Discussion ensued after the recorded presentation.

Review and Discussion of Audit Proposals and Possible Action

The Chairperson returned to the audit proposals.

Edward Penner, Kansas Legislative Research Department, addressed the Council and explained the list of criteria and the ranking options from 1 to 10 ([Attachment 3](#)).

Discussion ensued regarding the criteria and the ranking options.

The Chairperson asked for a motion.

Phil Hayes moved to assign weightings of 1 to 10 with 10 as highest, and a weighting of 10 given to vendor's understanding of the project and experience providing similar services.

Representative Estes asked to add methodology as a third criteria to assign a weighting of 10. Mr. Hayes agreed.

Representative Estes seconded the amended motion.

Discussion ensued on the ranking of 1 to 10 total adding up to 100 percent or 1.0. There was general consensus the rankings should add up to 100 percent.

Peter Brady offered a substitute motion.

Mr. Brady moved to go down the list, line by line, with the following values: 10 percent for cost; 10 percent for adequacy and completeness; 20 percent for understanding; 5 percent for compliance of terms; 20 percent for experience in providing like services; 10 percent for qualified staff; 20 percent for appropriate methodology; and 5 percent for required format according to the RFP, to add up to 100 percent. Senator Olson seconded the motion.

Senator Tyson asked for an amendment to increase the weight for qualified staff from 10 percent to 15 percent and drop another ranking. The Chairperson suggested to decrease compliance of terms from 5 percent to 2.5 percent and required format from 5 percent to 2.5 percent. Mr. Brady agreed to the amended rankings.

The motion, as amended, passed.

The Chairperson instructed Council members to complete their preferences using the rankings before the Thursday meeting.

Adjourn

The Chairperson noted the Council will hear two more presentations on Thursday. He noted if the Council goes into executive session to hear about the cost proposals, that portion of the meeting will not be available online.

The Council will meet at 10:00 a.m. on Thursday, September 30.

The Council was adjourned at 4:37 p.m.

Prepared by Sky Westerlund

Edited by Matthew Willis

Approved by the Committee on:

December 15, 2021

(Date)