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STATE RECORDS BOARD

MINUTES

Meeting of August 29, 1997

The meeting was called to order by Chairman Scott Moore at 9:06 A.M. on August 29, 1997, in Room 1507 of the State Capitol, Lincoln, Nebraska.

The following board members were present:

Scott Moore, Chairman;
William Miller, representing the Director of Administrative Services;
John Breslow;
David Heineman;
Jeanne Raznick;
Terry Harder;
Jeff Funk;
Mark Sutko;
Donald Stenberg;
Yvonne Norton Leung, representing the Governor.

Not present were:

Craig Schroeder;
John Dale.

The minutes of the meeting of August 6, 1997, were considered. Ms. Norton Leung moved that the minutes be approved as circulated at this meeting; motion seconded by Mr. Heineman.

Voting For:	Breslow	Funk	Harder	Heineman
	Miller	Moore	Norton Leung	Raznick
	Stenberg	Sutko		

Voting Against: None

Absent: Dale Schroeder

The motion carried.

James A. Mastera, representing Cornhusker Bank and the Nebraska Bankers Association, presented public testimony regarding new services that bankers would like to see provided by the Nebrask@ Online network.

Mr. Stenberg presented and discussed a Memorandum of Understanding developed in a meeting with Nebrask@ Interactive, Inc., regarding the continuation of operation of the network during a transition period after the end of the current network manager contract. This memorandum would establish a transition period from February 1, 1998 through April 30, 1998.

After discussion, Mr. Stenberg moved that the Memorandum of Understanding be adopted; motion seconded by Mr. Sutko.

Voting For:	Breslow	Funk	Harder	Heineman
	Miller	Moore	Norton Leung	Raznick
	Stenberg	Sutko		

Voting Against: None

Absent: Dale Schroeder

The motion carried.

Mr. Stenberg moved that the board give notice to Nebrask@ Interactive, Inc., that the board wishes NII to provide services during the transition period pursuant to the Memorandum of Understanding; motion seconded by Ms. Norton Leung.

Voting For:	Breslow	Funk	Harder	Heineman
	Miller	Moore	Norton Leung	Raznick
	Stenberg	Sutko		

Voting Against: None

Absent: Dale Schroeder

The motion carried.

Mr. Miller presented a list of seventeen possible changes to the draft RFP for the Nebrask@ Online Network Manager, and additional possible changes suggested by the State Auditor and Craig Schroeder. After discussion, Mr. Breslow moved that fourteen changes from the list of seventeen be approved, excluding changes #2, 9, and 10; motion seconded by Ms. Harder. After further discussion, Mr. Breslow withdrew his motion with the consent of Ms. Harder.

Mr. Breslow moved that changes #1, 3, 4, 5, 6, 8, 12, 13, 14, 15, 16, and 17, from the list of seventeen be approved, excluding changes #2, 7, 9, 10, and 11; motion seconded by Mr. Heineman.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

The board considered change #2, the length of the contract. After discussion, Mr. Heineman moved that the length of the contract be 4 years + 1 year + 1 year options; motion seconded by Mr. Breslow.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
Voting Against:	Sutko			
Not Voting:	Miller			
Absent:	Dale	Schroeder		

The motion carried.

The board considered change # 7, the schedule of events for the RFP process. Mr. Miller presented the following proposed schedule:

Release RFP	9/12/97;
Deadline for written questions	9/30/97;
Mandatory prebid conference	10/6/97;
Respond to conference questions	10/13/97;
Open bids	10/30/97;
Board start review of bids	11/1/97;
Bidder presentations	11/17-21/97;
Award bid	12/1/97;
Contract start	12/1/97;
Assume network operation	5/1/98.

Mr. Heineman moved that this schedule of events be adopted; motion seconded by Mr. Breslow.

Mr. Stenberg moved that the Heineman motion be amended to change the following dates:

Bidder presentations	Change to 11/10-13/97;
Award bid	Change to 11/14/97;
Contract start	11/17/97.

Ms. Raznick seconded the Stenberg motion to amend.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			
Voting Against:	None			
Not Voting:	Miller			
Absent:	Dale	Schroeder		

The motion to amend carried.

The board then considered the Heineman motion, as amended, to adopt the following schedule of events:

Release RFP	9/12/97;
Deadline for written questions	9/30/97;
Mandatory prebid conference	10/6/97;
Respond to conference questions	10/13/97;
Open bids	10/30/97;
Board start review of bids	11/1/97;
Bidder presentations	11/10-13/97;
Award bid	11/14/97;
Contract start	11/17/97;
Assume network operation	5/1/98.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

The board considered change #10, clarification of how the proposals will be evaluated. Mr. Stenberg moved to dispense with a numerical point weighting and scoring system and use evaluation by the State Records Board based on general categories listed in the RFP; motion seconded by Mr. Funk.

Voting For:	Funk	Harder	Heineman	Norton Leung
	Raznick	Stenberg	Sutko	

Voting Against: Breslow Moore

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

The board considered change #9, clarification of who will make up the selection committee. Mr. Breslow moved that the selection committee will be the State Records Board with a report from the Technical Committee to assist in the selection; motion seconded by Ms. Norton Leung.

Voting For: Breslow Harder Heineman Moore
 Norton Leung Raznick Stenberg Sutko

Voting Against: None

Not Voting: Funk Miller

Absent: Dale Schroeder

The motion carried.

The board considered change #11, the status of existing hardware and software under the new contract. Mr. Stenberg moved that two bullet items be added to the RFP indicating that there would be no hardware or software transferred from Nebrask@ Online to the new contractor, and that existing state communications circuits would be available to the new contractor; motion seconded by Mr. Funk.

Voting For: Breslow Funk Harder Heineman
 Moore Norton Leung Raznick Stenberg
 Sutko

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

Mr. Stenberg moved that the RFP state that at the end of a four year period the State of Nebraska would own the software, including source code, to be used and modified as the state decides; motion seconded by Mr. Heineman. After discussion, Mr. Stenberg withdrew his motion with the consent of Mr. Heineman.

Mr. Stenberg moved to add the provision to the RFP that at the expiration of the four year contract the State of Nebraska would have a perpetual license to the software at no additional cost, including the source code and the right to modify the code; motion seconded by Mr. Funk.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

The questions and comments from the State Auditor were considered. After discussion, Mr. Breslow moved to make the changes discussed by the board; motion seconded by Mr. Heineman.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

The board considered the changes suggested by Mr. Schroeder. Ms. Norton Leung moved the adoption of the requested language changes regarding local government agencies; motion seconded by Mr. Funk.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

Mr. Stenberg moved that the RFP prohibit discussion with potential bidders only of information directly related to the RFP; motion seconded by Mr. Heineman.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

Mr. Stenberg moved that the RFP incorporate language suggested by the Attorney General regarding award of the bid; seconded by Mr. Funk.

Voting For:	Breslow	Funk	Harder	Heineman
	Moore	Norton Leung	Raznick	Stenberg
	Sutko			

Voting Against: None

Not Voting: Miller

Absent: Dale Schroeder

The motion carried.

Mr. Moore indicated that revisions incorporated in a new draft of the RFP would be discussed at a State Records Board meeting on September 8, 1997, if such a meeting is deemed necessary. The subsequent board meeting would be at 10:00AM, October 8, 1997, to consider question from the prebid conference.

The board discussed the duties of the Technical Advisory Committee as set out by Mr. Moore. Ms. Norton Leung moved that the proposed duties be adopted; motion seconded by Mr. Miller.

Voting For:	Breslow	Funk	Harder	Heineman
	Miller	Moore	Norton Leung	Stenberg
	Sutko			

Voting Against: None

Not Voting: Raznick

Absent: Dale Schroeder

The motion carried.

The board discussed the approval of additional no-fee services by Nebrask@ Online. Mr. Moore indicated that he would handle the no-fee service requests and report such to the board.

The board discussed a request to the Legislature for approval to make the state statutes available through Nebrask@ Online. Mr. Funk moved to authorize the chairman to send such a letter of request to the Legislature; motion seconded by Mr. Stenberg.

Voting For:	Breslow	Funk	Harder	Heineman
	Miller	Moore	Norton Leung	Raznick
	Stenberg	Sutko		

Voting Against: None

Absent: Dale Schroeder

The motion carried.

Mr. Moore indicated that the next meeting of the State Records Board would be at 1:30PM, September 8, 1997, unless cancelled. The subsequent board meeting would be at 10:00AM, October 8, 1997.

Mr. Funk moved that the meeting be adjourned; motion seconded by Mr. Stenberg.

Voting For:	Breslow	Funk	Harder	Heineman
	Miller	Moore	Norton Leung	Raznick
	Stenberg	Sutko		

Voting Against: None

Absent: Dale Schroeder

The motion carried.

The chairman declared the meeting adjourned at 11:58AM.



Scott Moore
Chairman
State Records Board