

Updates

FMAC Meeting

October 5, 2022

HB2400/§105.1500 Update
(OA, Division of Purchasing)

HB2400/§105.1500-Law



- HB 2400 passed during the 2022 Legislative Session creating “**The Personal Privacy Protection Act**,” section 105.1500, RSMo. Effective date of the law was 8/28/2022.
1. **Precludes** any public agency from **requiring a person or 501(c) entity from submitting any “personal information”** or compelling the release of “personal information.” A public agency cannot require a current or prospective contractor or grantee to provide a list of 501(c) entities to which it has provided financial or nonfinancial support.

HB2400/§105.1500-Law, cont'd.



2. A public agency **cannot release, publicize, or otherwise publicly disclose personal information in its possession and all personal information in the possession of a public agency “shall be considered a closed record** under chapter 610 and court operating rules.”
 - **Limited exceptions** and some requirements for compliance. These include: ethics or campaign finance disclosures; lawful requests or subpoenas from Missouri ethics commission; warrant from a court; litigation discovery with a showing of compelling need and a protective order; applicable court rules; and reports or disclosures to be filed with the Secretary of State and only made public if required by law.

HB2400/§105.1500-Law, cont'd.



- “Personal information” is defined to include any:
 - list,
 - record,
 - register,
 - registry,
 - roll,
 - roster, or
 - other compilation of data of any kind that directly or indirectly identifies a person as a **member**, **supporter**, or **volunteer of**, or **donor of financial or nonfinancial support to**, a 501(c) entity.

HB2400/§105.1500-Law, cont'd.



- Penalties range from
 - a minimum of **\$2,500 for each violation** of this section; and
 - for an **intentional violation** a sum not to exceed **three times that sum**.
 - A knowing violation is a **class B misdemeanor**.
 - Court may also award all or a portion of the **costs of litigation, including reasonable attorney's fees and witness fees**.

HB2400/§105.1500-Websites

- **Website Notices Posted** (Purchasing website, MissouriBUYS Contract Board, Awarded Bid and Contract Document Search) – provides detailed explanation including how to request records if needed.
- **Awarded Bid and Contract Document Search** – modified so only publicly displaying documents reviewed/redacted – new bids/open records requests as of 8/28/22.



OFFICE of ADMINISTRATION
Division of Purchasing

MO.gov Governor Parson Find an Agency Online Services

Accounting Budget & Planning Commissioner Facilities General Services ITSD Personnel Purchasing

NOTICE

The passage of House Bill 2400 during the 101st General Assembly, 2nd Regular Session (2022), creates **"The Personal Privacy Protection Act," section 105.1500, RSMo**. The effective date of the Act is August 28, 2022. The Act makes all "personal information" of a 501(c) in the possession of a public agency a closed record under chapter 610 RSMo. In order to avoid violation of the new law, effective August 28, 2022, bid and contract records available in the Division of Purchasing's **Awarded Bid and Contract Document Search** and posted on the **MissouriBUYS Contract Board** will be removed from public access.

- **Awarded Bid and Contract Document Search:** Any new procurements awarded or cancelled on or after August 28, 2022 will first be reviewed and redacted as needed for compliance with section 105.1500 RSMo and then will be made publicly available on the Awarded Bid and Contract Document Search site. As older records are reviewed in response to open records requests received, those records will also be made available on the Awarded Bid and Contract Document Search after the necessary review and/or redaction work has been completed.
- **MissouriBUYS Contract Board:** Effective August 28, 2022, public access to the contract documents as well as the specific contact information for contractors will be removed from the MissouriBUYS Contract Board unless the law changes. All other features of the site will remain the same.
- **Open Records Requests:** If needed bid or contract documents are not found on the Awarded Bid and Contract Document Search website or if the website is unavailable, please direct any open records request for specific contracts or awarded or cancelled bids to purchmail@oa.mo.gov. Such requests should include "OPEN RECORDS REQUEST" in the subject line and include the following information:
 1. Bid/contract number,
 2. Specific documents being requested, and
 3. Requestor's company name and contact information (email and phone).

The requestor will be notified when the necessary review and applicable redactions for compliance with section 105.1500 RSMo have been completed and the documents have been uploaded to the Awarded Bid and Contract Document Search website. **Please Note:** Due to the anticipated volume of requests resulting from these measures taken to ensure compliance with section 105.1500 RSMo, requestor may experience an extensive wait time for document availability.

HB2400/§105.1500-Contract Board, Records Reviews

- **MissouriBUYS Contract Board** – attachments and vendor contacts no longer displaying but we continue to populate for anticipated law change.
 - Agencies **CAN** still access all contracts when logged into MissouriBUYS; **however, unless documents are currently displaying on the Awarded Bid and Contract Document Search, these are NOT public record and should be treated accordingly.**
 - Vendors can modify their MissouriBUYS vendor registration profile to allow them to view their contracts when logged into MissouriBUYS.
- **Purchasing's Review/Redactions:** 1) Open records requests, 2) New bid awards; 3) In preparation of new bid issuance, prior bid/contract history records.

New HB2400/§105.1500 RSMo Language

(From 8/26/22 email to Purch Cmte)

- Beginning August 28, 2022, Division of Purchasing began including the following provision in all new solicitations being issued as well as amending issued bids that have not yet closed **to address the provision of section 105.1500 RSMo that precludes the state from requiring the submission of 501(c) personal information.**
- **NEW LANGUAGE:**

If the vendor provides any “personal information” as defined in §105.1500, RSMo concerning an entity exempt from federal income tax under Section 501(c) of the Internal Revenue Code of 1986, as amended, the vendor understands and agrees that it is voluntarily choosing to seek a state contract and providing such information for that purpose. The state will treat such personal information in accord with §105.1500, RSMo.

HB2400/§105.1500-Contract Amendments

Email transmitting DEPARTMENT COPY of Contract Amendments if master contract file not yet reviewed/redacted will state:

“The attached file you requested has not been reviewed for section 105.1500 RSMo compliance, and therefore is not considered an open record for public disclosure unless it appears publicly on the Division of Purchasing’s Awarded Bid and Contract Document Search website (<https://purch.oa.mo.gov/bidding-contracts/awarded-bid-contract-document-search>) as an official public record for the Division of Purchasing. Only the version of the record on that website (which will have undergone a closed record review and contain any necessary section 105.1500 RSMo redactions) will be considered an open public record after 8/28/2022 when the new law became effective. Therefore, do not publicly disclose such file until a closed record review has been completed.”

HB2400/§105.1500-Reporting

- Purchasing is tracking open records requests post 8/28/22 §105.1500 effective date.
- Weekly **reporting to CO and GO** on number of open records requests and time spent on review/redaction work.
- Current Stats:
 - 34 open records requests
 - 185.8 staff hours spent on reviews/redactions

ERP Name - MOVERS

- Missouri
- Vital
- Enterprise
- Resource
- System
- Branding will be coming soon

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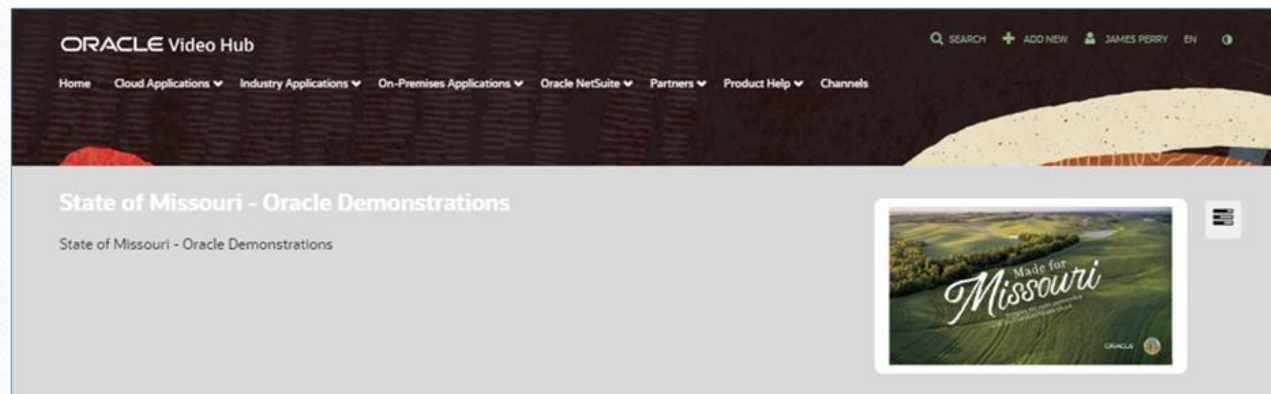
MOVERS Recap of Partners

- Software has been awarded to Mythics, Inc. - Oracle Fusion Cloud
- Accenture has been hired as System Integrator
- Berry Dunn has been hired as State Project Manager
- ISG has been hired as the IV&V for the project

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ERP Demos

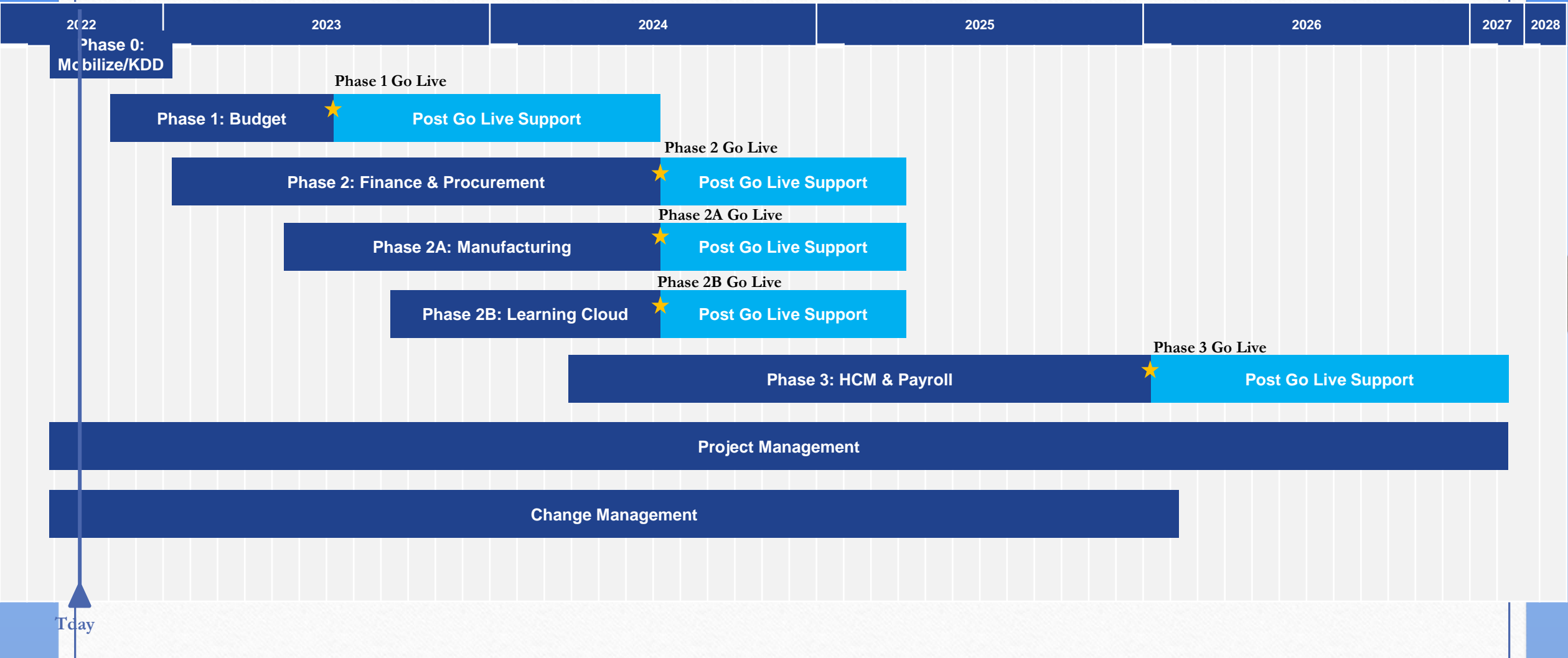
- Oracle demos specific to the State (and only for State employees) are available. To view the videos, go to <https://login.oracle.com/myssso/signon.jsp>, create an account, and click on the video you'd like to play. Then click the play icon in the resulting window.



- Other **Free** learning opportunities for Oracle products: <https://education.oracle.com/learning-explorer>
 - Only select the free training videos
- Additional information at <https://docs.oracle.com/en/>

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ERP Schedule



MOVERS Current Focus

- **Chart of Accounts:**

- Redesign of the chart of accounts is underway.
- The structure is getting close to final based on departmental feedback and needs
- October will be very important – departments will need to determine the codes for the new system with assistance from project team members and Accenture
- Email copy(s) of reports and/or report criteria to ERPCommunications@oa.mo.gov and cc: Lynn.Cannon@oa.mo.gov

- **Business Processes:**

- Submit all documented business processes for financial (grants, projects, AP, AR, cost allocation, etc.), human resources, payroll, budget, procurement and any other process that can be supported by the new ERP
- Critical business processes not documented need to get documented and sent also
- Email business processes to ERPCommunications@oa.mo.gov and cc: Lynn.Cannon@oa.mo.gov

ERP Contacts

- How can we help you? Project will have a single email address to contact for any project-related inquiries or feedback.
 - MOVERS@oa.mo.gov
- Agency Subject Matter Expert (SME) Contacts:
 - The Project needs each Agencies assistance to make the system successful. Please ensure your SME contact list is kept up-to-date. Meeting invitations and other information are sent to your agencies designated SME's as they are considered the central contact for your Agency.
 - Please feel free to share meeting invitations with the necessary staff at your Agency.

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MOVERS Readiness

- **Department's Need to respond to inquiries timely**
- **Department's Need to speak up with concerns, ask questions, be engaged**
- **Department's Need to keep up day-to-day processing but assist with envisioning the future**
- **Department's Need to ensure we keep moving closer to clean records**

MOVERS Readiness – Purchase Orders Outstanding and Progress Made

Calendar Year	Transaction Count as of September 29, 2022	Outstanding Amount as of September 29, 2022	Change in # of Transactions since August 8, 2022	\$ Value Change since August 8, 2022
2011	2	301,383.94	-	(9,940.54)
2015	7	58,061.7	(1)	(17,269.07)
2016	7	117,096.55	-	(4,662.91)
2017	18	718,371.27	(1)	(4,176.61)
2018	36	813,185.80	(3)	(29,595.09)
2019	128	3,212,908.55	(4)	(451,425.56)
2020	288	11,038,614.80	(33)	(3,995,733.98)
2021	305	9,898,267.36	(47)	(2,031,792.93)

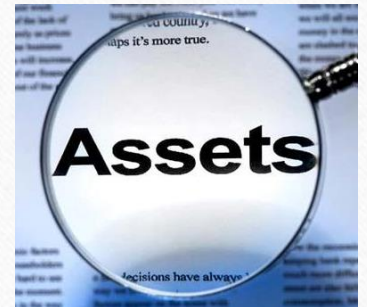


MOVERS Readiness – Purchase Orders Outstanding by Agency

AGENCY	September 29, 2022 NUMBER OF TRANSACTIONS	September 29, 2022 AMOUNT OUTSTANDING
100	11	22,905.64
221	1	100.00
231	6	88,868.67
272	2	109.58
300	63	135,271.71
375	2	544.44
400	1	1,000.00
555	4	4,359.26
580	54	4,275,764.49
605	260	18,774,370.95
625	19	3,747.10
780	54	1,897,151.30
812	311	852,471.73
886	2	20,375.10
931	1	80,850.00
Grand Total	791	26,157,889.97

MOVERS Readiness - Fixed Assets

- Sizable task still remains to reconcile Fixed Assets
 - As of June 1, 2021:
 - Funds out of balance: 90
 - Amount out of balance: \$31,029,379.17
 - Department range from 0.00% to 8.59% out of balance
 - As of October 1, 2022:
 - **Funds out of balance: 96**
 - **Amount out of balance: \$29,443,269**
 - **Department range from 0.00% to 12.42% out of balance**



MOVERS Readiness – Fixed Asset Dispositions

- Ensure fixed asset disposition documents are completed timely in SAM II for all types of assets (including software). This is most efficient after your annual inventory is completed.

Fiscal Year	Number of Transactions	Asset Amount
2017	9,613	(92,632,818.52)
2018	7,112	(78,508,004.25)
2019	9,336	(109,317,568.19)
2020	7,989	(72,562,176.82)
2021	7,313	(72,137,153.02)
2022	8,541	(73,511,838.20)
2023	2,555	(39,083,078.08)

MOVERS Readiness – Next Steps Underway

- Continue to identify and clean up all these erroneous codes and bad data in SAM II and Legacy systems – This needs to be done **now** not later – last week, we found 4,000 codes that were set up in SAMII but never used.
- Maintain reconciled fixed assets monthly
 - Ensure documents are processed asap
 - Need Help contact OA - Accounting
- Reconcile summary receivables

American Rescue Plan Act (ARPA) Payment Portal Update

- Payment Portal is Live!!!!!!!
 - Payments should now begin to go through the Portal
 - A User guide should be coming out soon on how to use the portal
- ARPA Portal website: <https://moarpagrants.mo.gov/>
- Contact Lynn Ratchford for your Agency Admin contact (if unknown) to gain Access to the Portal
- Reminder ARPA procedures letter: https://samii.mo.gov/sites/samii/files/SAM-II-7_ARPA-Receipts-and-Expenditures-Agency-Memo_1.pdf



Mileage and Meal Per Diem Increase

Effective September 15, 2022, the Office of Administration is increasing the meal per diem rate by \$4 per day for Fiscal Year 2023 for both instate and out-of-state rates. The increase equates to an additional \$1 for breakfast, \$1 for lunch, and \$2 for dinner in addition to our existing rates. The new rates will apply for meals incurred on or after September 15, 2022.

Notes from B&P

In October, B&P will be meetings with Departments to discuss budget requests....hence why we have a slide instead of a person 😊

Notes from Purchasing

ARPA contract language has been incorporated into the templates on the intranet site

Discussion of MissouriBUYS and MOVERS

Distribution Lists

- Would you like to be added to a Distribution List?
 - SAM II Financial: <https://lists.mo.gov/mailman/listinfo/samii-fin>
 - SAM II HR/Payroll: <https://lists.mo.gov/mailman/listinfo/samii-hr>
 - MissouriBUYS: <https://lists.mo.gov/mailman/listinfo/missouribuys>
- SAM II Financial and HR/Payroll Bulletins: <https://samii.mo.gov/>

Bulletin
and Announcements

Meeting Wrap up

- **FMAC attendance:**
 - Participation – who, why and how
 - Contact Felicia.Hubble@oa.mo.gov
- **Communication:**
 - Make sure it is happening
 - Top down
 - Bottom up
 - Back and forth (within and across departments)
- **Feedback:**
 - Critical to successful project
 - Give it
 - Ask the questions
- **FMAC Topics:**
 - If you have any questions/topics/issues you would like addressed on a future FMAC call, contact Felicia.Hubble@oa.mo.gov