

Educational Service Unit Coordinating Council
Legal Committee Meeting
Wednesday, October 7, 2020, 10:00 AM
LPS Admin. Bldg., 5905 O Street, Lincoln, NE 68501

Attendance Taken at 10:01 AM.

Dan Schnoes (ESU 03):	Present
Gregg Robke (ESU 04):	Present
Dr. John Skretta (ESU 06):	Present
Dr. Larianne Polk (ESU 07):	Absent
Dr Melissa Wheelock (ESU 10):	Present
Greg Barnes (ESU 11):	Present
Dr. Andrew Dick (ESU 13):	Present
Paul Calvert (ESU 15):	Present

1. Call to Order

2. Roll Call

3. Agenda Item

1. COOP

1. Coop Strategic Plan

2. Coop Contracts

1. Approve Special Buy Agreement with PPG Paints

3. Staff Written Reports

1. Peterson Report

1. Annual/Paper Buy

2. Specials Buys

3. AEPA

2. Colleen Lentz (Data)

2. Legislative Updates

1. Bromm's Updates

3. Policies and Procedures

1. Policies and Procedures

1. Article 5000's

4. Next Meetings Agenda Items

5. Adjournment

{{Name: Agenda Item Name}}
{{Discussion: Agenda Item Discussion}}
{{Comments: Agenda Item Comments}}
{{Actions: Agenda Item Actions}}

Nebraska Open Meetings Act

84-1407. Act, how cited. Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes. (4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the

agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if: (a) Reasonable advance publicized notice is given; (b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used; (c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference; (d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and (e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing. Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if: (a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county; (b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section; (c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, or entity or pool or at a place which will accommodate the anticipated audience; (d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used; (e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call; (f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; (g) The telephone conference call lasts no more than five hours; and (h) No more than one-half of the board's, council's, governing body's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that: (i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and (ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call. Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified Daily Documentation 1st Quarter in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

84-1412. Meetings of public body; rights of public; public body; powers

and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if: (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; (f) Reasonable arrangements are made to provide viewing at other in-state locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and (g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the in-state location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Revised 6-3-19



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Coop Directors report to ESUCC Board
submitted by: Craig Peterson
October 8, 2020

1. Annual/Paper Buy

- a. **Definition of the Annual Buy:** This is a line item bid were vendors are awarded by line item. If there is a tie for the bid price then a Nebraska vendor wins over an out of state vendor, otherwise it goes to a coin flip. Bids are sent to registered vendors nation-wide in October. Bid Awards announced in December and January, catalogs with over 4,200 items are published and distributed schools/members in February. The orders are then aggregated by address (all teacher/staff orders for items are aggregated into one line item per address) and sent to vendors in March and April and merchandise is delivered to the Cooperative members during May through July. The product categories offered are as follows: Electronics and Related Supplies, General Supplies, Furniture, Copier Paper, Maintenance-Shop Supplies, Health & Safety Supplies, Athletic Equipment & Supplies, Hot Lunch Equipment & Supplies, Science Equipment & Supplies, and Art Equipment & Supplies.
- b. 2021 ESUCC-Annual Buy
 - i. Bid opens on October 6, 2020 at 9:00 a.m.
 - ii. Time has been spent on updating Bid Event Details, Attachments (Terms & Conditions, 2020 shipping locations, 2020 Final Order Quantities, and Section Template), Attributes (Questions to be asked of each vendor) and updating/adding of specifications for line items.
- c. 2021 Annual Buy Timeline, Bolded items are ones you can share with your schools
 - i. Public Announcement of IFB - October 6, 2020 9:00 a.m. CST
 - ii. IFB Due Date & Time - December 11, 2020 3:00 p.m. CST (Sections 200, 300, 400, 500, 600, 700, 800, 850, 900)
 - iii. Awards Finalized - January 7, 2021 (Sections 200, 300, 400, 500, 600, 700, 800, 850, 900)
 - iv. RFP Due Date & Time - January 8, 2021 3:00 p.m. CST (100 Electronics Section)
 - v. Awards Finalized - January 19, 2021 (100 Electronics Section)
 - vi. Paper Buy Catalog Opens - February 2, 2021**
 - vii. Paper Buy Order Deadline Schools/Members – March 10, 2021**
 - viii. Annual Buy Catalog Opens - February 16, 2021**
 - ix. Paper Orders sent to vendors - March 18, 2021
 - x. First Day for 400 Paper delivery - April 12, 2021
 - xi. Annual Buy Teacher/Staff deadline – April 8, 2021**
 - xii. Annual Buy orders sent to Vendors - April 21, 2021
 - xiii. First Day for Annual Buy delivery - May 24, 2021
 - xiv. Delivery Deadline for 400 Paper - June 8, 2021**
 - xv. Delivery Deadline Annual Buy Items - July 23, 2021**
 - xvi. Overages picked up by Vendors - October 1, 2021
- d. **Annual Buy Additional Covid-19 Issues**
 - i. We continue to see a number of items that still have not been delivered due to Covid-19, either because of shortages, price increases, or manufacturers have shut down. Items we are aware of in the last month include:

- ii. **Items with increase cost;** Nitrile Exam Gloves, Crayola Liquid Tempera Washable paint,
- iii. **Proposed substitutions that don't meet specifications;** Hand Sanitizer,
- iv. **Items on backorder;** Crayola Regular Size Classpack,
- v. **Items Cancelled (production delays, stock not available);** Tempera Mixing Medium, Dual End Dry Erase Markers, Moist Towelettes, Crayola Sidewalk Chalk, Crayola Washable Metallic Paint

2. Special Buys

- a. **Definition Special Buy:** Contracts are negotiated agreements with exclusive pricing to ESUCC Cooperative Purchasing members. These contracts may range from one to three years. Within the agreement, terms shall be explicitly defined as to both parties' expectations and the scope of the agreement.
 - i. **PPG Paints** – Sales contact called and said he had no contract to attach sales to for smaller schools in Nebraska unlike the larger districts that utilize other National cooperatives like E&I, TIPS or U.S Communities. He wanted to setup a contract in Nebraska for these schools and said someone gave them ESUCC Coop as the contact.

3. AEPA

- a. **Definition of AEPA:** The Association of Educational Purchasing Agencies (AEPA) is a group of Educational Service Agencies/political subdivisions organized through a Memorandum of Understanding between all participating states for the purpose of securing combined volume purchasing contracts based on potential sales by qualifying customers in participating states. Of the many advantages to this unique purchasing group, are the combined human resources representing purchasing/bidding expertise, current and past vendor relationships, past experience and overall vision with regard to the needs of the qualified customers within each represented state. Nebraska is a founding member of AEPA, which started with ten states in 2000 and now has grown to 29 states. AEPA is a voluntary run organization and asks for volunteers from the membership to complete work in Bid Oversight, Administrative Committees, Marketing, Website management, Reporting and other areas as required.
- b. **2019 AEPA Sales/Revenue (January 1 to December 31, 2019)**
 - i. 41 Signed AEPA Contracts
 - ii. \$4,410,501.44 2019 Total Sales compared to \$3,182,499 in 2018
 - iii. \$90,668.87 2019 Total Revenue compared to \$56,952.17 in 2018
 - iv. \$4,041.32 Assessment Fees paid to AEPA for dues.
 - 1. Assessments are based on a \$2,500 flat rate for all members plus .0003*Total Sales to equal the State Members Assessment Fee.
 - 2. Fees are collected in April of each year for the previous year's sales.
 - 3. 2019 was the first year of the increased \$2,500 flat rate cost it was previously \$1,500. According to records, I could find this formula has been utilized dating back to 2012.
 - v. **2019 Top 5 AEPA Vendors (All States Sales)**
 - 1. CDW-G \$208,815,838
 - 2. WTI/Tremco - \$79,078,798

3. Field Turf - \$42,125,395
4. Quill - \$37,139,137
5. School Specialty - \$31,725,432
6. Konica Minolta - \$27,700,125

vi. 2019 Top 5 AEPA Vendors for ESUCC

1. School Specialty \$1,543,376.87
2. CDW-G \$944,751.00
3. Quill \$555,454.36
4. WTI/Tremco \$450,665.58
5. Daktronics \$413,511.00

- c. **2021 AEPA Bid** Opening happened on September 9, 2020. Vendors that were responsive will move forward to the appropriate bid committees for evaluation of proposals and recommendations for awards at the AEPA Winter Virtual meeting December 1, 2020.

- i. 021-A Athletic Facility Lighting
- ii. 021-B Hardwood & Synthetic Flooring
- iii. 021-C Digital Multi-Function Devices, Printers, Document Lifecycle Accessories & Services
- iv. 021-D Roofing & Building Envelope Services
- v. 021-E HVAC & Mechanical Products and Solutions
- vi. 021-F Disaster Recovery Services
- vii. 021-G Security & Safety Solutions

4. Food Buy

- a. This will be the last year before the Food Buy is rebid. Coop staff has begun the process by reviewing the timeline and updating any new USDA requirements for the bid. I would like to have the bid ready to publish by Fall so we can make awards the first of January and have renewals ready for the next year by the end April.

5. ESUCC Marketplace Contract

- a. We are on our last renewal cycle for the Marketplace with Equal Level running through 08/31/2021. I have reached out to Equal Level to begin discussions about renewal of the contract, currently this is \$48,825 per year.

6. Additional Information

- i. Finished The Brenmar Company setup in the ESUCC Marketplace
- ii. Communications with the following vendors/organizations throughout the month: Citrix, Pacha Soap, Trox(formerly Troxell), IXL, Equal Level, The Brenmar Company, Dell Computers, PowerSchool/ESU 3,
- iii. Webinars/Trainings attended: Adobe Staff Training, Adobe Sign and Microsoft Power Automate, IonWave - Contract Management Reporting, IonWave – Review of October Release, IonWave - Creating a Contract from a Bid
- iv. GEERs – have been working with Scott Isaacson, the GEERs committee and vendors to acquire device pricing quotes and preparing to place orders.



2019-20

Nebraska ESUCC Cooperative Purchasing Sales & Savings By ESU

<u>ESU #</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
00	\$373,975.43	\$276,505.70	\$93,600.02
01	\$2,448,045.42	\$1,988,015.76	\$476,909.14
02	\$2,263,947.99	\$1,796,642.40	\$477,814.02
03	\$2,758,633.69	\$2,146,083.08	\$638,676.03
04	\$972,687.35	\$733,737.32	\$238,159.32
05	\$846,973.34	\$688,998.67	\$161,307.97
06	\$2,217,166.72	\$1,704,946.06	\$549,330.85
07	\$1,494,536.53	\$1,131,289.33	\$358,682.73
08	\$1,040,456.13	\$781,694.95	\$255,243.10
09	\$890,002.54	\$680,360.86	\$219,834.88
10	\$2,663,715.15	\$1,977,240.72	\$694,904.41



2019-20

Nebraska ESUCC Cooperative Purchasing Sales & Savings By ESU

<u>ESU #</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
11	\$934,515.02	\$716,108.95	\$213,232.51
13	\$1,057,164.66	\$771,792.83	\$281,014.43
15	\$269,239.76	\$187,190.85	\$79,132.86
16	\$405,868.98	\$297,710.50	\$105,644.01
17	\$326,460.54	\$240,153.80	\$83,609.40
18	\$70,657.30	\$50,439.25	\$20,218.05
19	\$388,234.39	\$301,538.88	\$85,792.63
20	\$275,490.60	\$219,898.03	\$66,450.28
CC	\$27,022.22	\$22,402.35	\$4,025.94
<u>Grand Totals</u>	<u>\$21,724,793.77</u>	<u>\$16,712,750.28</u>	<u>\$5,103,582.59</u>

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2019-20

Nebraska ESUCC Cooperative Purchasing Sales & Savings By Program

<u>Program</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
AEPA	\$5,149,319.29	\$3,779,092.80	\$1,323,470.58
Annual Buy	\$3,419,632.18	\$2,356,150.92	\$1,025,898.42
Annual Buy Punch Out	\$12,514.44	\$9,199.67	\$3,314.77
Custodial Buy	\$2,280,563.60	\$1,711,664.21	\$744,912.69
Extended Buy	\$21,681.41	\$17,345.13	\$4,336.28
Food Buy	\$6,534,042.10	\$5,630,776.46	\$902,694.41
Paper Buy	\$973,249.03	\$856,459.15	\$116,789.88
Special Buy	\$3,333,791.71	\$2,352,061.94	\$982,165.54
<u>Grand Totals</u>	<u>\$21,724,793.77</u>	<u>\$16,712,750.28</u>	<u>\$5,103,582.59</u>



Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
ACCO Brands USA LLC (Annual Buy) (ESUCC-AB-	\$82,979.36	\$58,233.03	\$24,746.33
Aluminum Athletic Equipment Co (Annual Buy) (ESUCC-AB-	\$6,285.71	\$4,400.00	\$1,885.71
AmTab Manf Corp (Annual Buy) (ESUCC-AB-AMTAB)	\$302.86	\$212.00	\$90.86
Articulate 360	\$13,696.46	\$12,511.38	\$1,185.08
B&H Photo & Electronics Corp	\$3,825.60	\$2,677.92	\$1,147.68
Bio Corporation	\$283.05	\$240.59	\$42.46
Biofit Engineered Products	\$3,306.00	\$1,818.30	\$1,487.70
Blick Art Materials	\$36,881.72	\$30,176.54	\$6,766.93
Blick Art Materials (Annual Buy) (ESUCC-AB-Blick)	\$105,959.70	\$74,183.25	\$31,776.45
BSN Sports LLC (Annual Buy) (ESUCC-AB- BSN Sports)	\$77,849.39	\$54,505.00	\$23,344.39
Busch Systems International, Inc	\$3,060.00	\$2,445.00	\$615.00
CDW-G	\$849,384.85	\$733,419.47	\$99,227.38
Computers Etc (Annual Buy) (ESUCC-AB- Comp Etc)	\$18,166.80	\$12,716.76	\$5,450.04
Daktronics	\$1,176,638.00	\$947,531.00	\$229,107.00
Dude Solutions	\$164,183.47	\$143,427.49	\$20,755.98
Egan Supply Company (Annual Buy) (ESUCC-AB- Egan SC)	\$97,957.56	\$68,570.29	\$29,387.27
ETA hand2mind	\$338.53	\$473.11	\$32.63
Flinn Scientific Inc (Annual Buy) (ESUCC-AB-FlinnScientific)	\$7,833.83	\$5,474.91	\$2,358.92



2019-20

Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
FSG Lighting	\$5,000.00	\$4,500.00	\$500.00
Husqvarna Professional Products	\$2,569.52	\$2,312.57	\$256.95
Impero	\$18,638.23	\$15,842.50	\$2,795.73
Infobase Learning	\$33,518.67	\$28,490.87	\$5,027.80
Innovative Office Solutions	\$9,318.36	\$6,522.85	\$2,795.51
Innovative Office Solutions (Annual Buy) (ESUCC-AB-IOS)	\$1,122,169.01	\$785,785.95	\$336,383.06
Insight	\$11,383.84	\$7,719.83	\$3,664.01
IXL Learning Inc	\$37,600.00	\$30,818.50	\$6,781.50
JourneyEd	\$1,567,095.42	\$1,029,135.15	\$542,960.27
Konica Minolta		\$9,966.38	
Kyocera	\$46,982.00	\$17,574.00	\$29,408.00
Mackin	\$77,335.75	\$71,926.15	\$5,284.20
Midwest Technology Products	\$34,936.40	\$31,444.12	\$3,492.28
Midwest Technology Products (Annual Buy) (ESUCC-AB-	\$37,669.66	\$26,368.76	\$11,300.90
MNJ Technologies	\$27,788.37	\$24,008.65	\$3,197.37
Movie Licensing USA	\$210,344.93	\$145,138.00	\$65,206.93
National Art & School Supplies (Annual Buy) (ESUCC-AB- Natl	\$514,635.11	\$360,244.58	\$154,390.53
National Business Furniture	\$60,299.85	\$44,470.13	\$15,829.72

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Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
nearpod	\$2,650.00	\$2,385.00	\$265.00
Newsela	\$4,977.89	\$4,300.00	\$677.89
Paper 101	\$973,249.03	\$856,459.15	\$116,789.88
Parco Scientific Company (Annual Buy) (ESUCC-AB- Prco)	\$18,927.24	\$13,249.07	\$5,678.17
Partac Peat Corp (Beam Clay)	\$382.16	\$346.46	\$35.70
Pitsco Education	\$1,467.54	\$1,438.19	\$29.35
Pyramid School Products (Annual Buy) (ESUCC-AB-	\$771,390.62	\$503,124.61	\$230,683.17
Quill	\$891,451.94	\$520,454.23	\$338,373.61
Rapids Wholesale	\$1,263.76	\$1,036.28	\$227.48
Rapids Wholesale (Annual Buy) (ESUCC-AB-RapidsWholesale)	\$32,284.14	\$22,613.13	\$9,671.01
Really Good Stuff	\$14,884.23	\$10,931.43	\$3,952.80
Riddell / All American (Annual Buy) (ESUCC-AB-Riddel AA)	\$4,998.49	\$3,498.94	\$1,499.55
S&S Worldwide (Annual Buy) (ESUCC-AB- SS Wrldwd)	\$39,846.29	\$28,141.24	\$11,705.05
School Health Corporation	\$1,015.96	\$863.32	\$152.64
School Health Corporation (Annual Buy) (ESUCC-AB- Sch	\$160,447.12	\$112,638.70	\$47,808.42
School Specialty	\$1,709,218.65	\$1,138,514.10	\$563,990.36
School Specialty (Annual Buy) (ESUCC-AB- Sch Spclty)	\$92,098.53	\$64,468.97	\$27,629.56
Schoology	\$152,450.00	\$112,485.68	\$39,264.52



Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
Schutt Sports	\$241.30	\$131.57	\$109.73
Scott Electric (Annual Buy) (ESUCC-AB- Scott Elec)	\$2,342.86	\$1,640.00	\$702.86
Securly	\$215,730.83	\$179,284.25	\$37,100.08
Softchoice	\$540.00	\$462.40	\$77.60
Staples	\$494,641.83	\$358,112.96	\$132,193.73
State Industrial Products	\$9,568.00	\$9,019.00	\$549.00
Sysco Foods	\$6,534,042.10	\$5,630,776.46	\$902,694.41
The Home Depot Pro	\$2,280,563.60	\$1,711,664.21	\$744,912.69
Tremco-Weatherproofing Technologies	\$47,324.77	\$43,065.54	\$4,259.23
Troxell Communications	\$46,657.32	\$40,554.52	\$6,102.80
Troxell Communications Inc (Annual Buy) (ESUCC-AB-	\$79,800.28	\$55,878.73	\$23,921.55
Virco Inc (Annual Buy) (ESUCC- AB- Virco)	\$167,433.74	\$117,601.19	\$49,832.55
Voss Lighting	\$280,102.11	\$217,552.10	\$62,200.01
World Book	\$193,036.65	\$125,473.82	\$67,562.83
Wyebot, Inc	\$33,546.79	\$29,300.00	\$4,246.79
<u>Grand Totals</u>	<u>\$21,724,793.77</u>	<u>\$16,712,750.28</u>	<u>\$5,103,582.59</u>

Sales- Revenue-Savings Summary	2016-17	2017-18	2018-19	2019-20	Completed years)Delta	2017-18 Svgs by ESU	2017-18 Sales	2017-18 Savings	2018-19 Sales	2018-19 Savings	2019-20 Sales	2019-20 Savings
Total Coop Sales	15,640,253.67	16,446,634.93	15,927,976.44	16,712,750.28	784,773.84	ESU 00	441,782.99	125,626.06	336,491.73	96,949.77	276,029.39	93,600.02
Total Coop Savings	4,326,977.33	5,554,975.02	4,852,808.80	5,103,582.58	250,773.78	ESU 01	1,363,510.49	442,484.81	1,298,252.00	381,675.31	1,988,015.76	476,909.14
Total Expected Sales Revenue [1]	411,118.23	431,226.15	416,013.62	433,827.97	17,814.35	ESU 02	1,728,240.08	541,243.54	1,739,735.88	458,311.16	1,796,642.40	477,814.02
Total Paid Revenue	414,212.56	431,397.44	421,280.19	360,478.25	n/a	ESU 03	2,338,559.19	833,784.08	2,246,268.06	659,332.88	2,145,837.43	638,676.03
Sales By Program						ESU 04	595,893.67	227,673.72	657,533.65	234,709.62	733,737.32	238,159.32
Annual/ Paper Buy	3,172,995.28	3,273,675.17	3,237,851.25	3,212,610.07	-25,241.18	ESU 05	693,027.41	193,829.18	711,344.80	185,313.91	688,998.67	161,307.97
Annual Buy Punch-out			15,133.72	9,199.67	-5,934.05	ESU 06	1,636,538.61	482,771.31	1,632,623.15	468,565.92	1,704,946.06	549,330.85
AEPA	3,939,001.37	3,769,550.58	3,685,080.29	3,779,092.80	94,012.51	ESU 07	1,155,587.69	404,298.91	1,137,728.90	419,226.37	1,131,289.33	358,682.73
Special Buys	1,719,292.64	2,196,965.45	2,126,586.20	2,352,061.94	225,475.74	ESU 08	802,713.43	299,573.52	801,932.11	261,296.52	782,416.91	255,243.10
Food Program	5,006,128.75	5,405,047.05	5,340,878.66	5,630,776.46	289,897.80	ESU 09	630,167.70	200,662.05	916,296.34	240,554.30	680,490.70	219,834.88
Custodial	1,798,612.51	1,788,954.99	1,514,159.30	1,711,664.21	197,504.91	ESU 10	1,519,326.70	638,134.10	1,333,730.63	488,101.24	1,977,110.88	694,904.41
Extended Buys	4,223.12	12,441.69	8,287.02	17,345.13	9,058.11	ESU 11	948,806.42	287,386.97	800,041.84	211,917.00	716,108.95	213,232.51
Savings By Program [2]						ESU 13	1,239,893.06	369,976.20	827,356.71	297,264.75	771,792.83	281,014.43
Annual/ Paper Buy	1,089,181.21	1,409,494.18	1,119,132.97	1,142,688.31	23,555.34	ESU 15	162,264.12	84,130.04	191,022.62	72,159.39	187,190.85	79,132.86
Annual Buy Punchout			7,418.22	3,314.77	-4,103.45	ESU 16	309,059.93	138,314.46	438,958.49	127,655.49	297,710.50	105,644.01
AEPA	1,291,023.48	1,289,535.20	1,146,643.57	1,323,470.58	176,827.01	ESU 17	181,344.19	71,409.82	210,037.10	66,944.14	240,153.80	83,609.40
Special Buys	762,406.75	1,257,519.50	821,800.00	982,165.54	160,365.54	ESU 18	51,794.77	24,762.05	57,474.83	27,344.16	50,439.25	20,218.05
Food Program	838,603.03	976,658.28	1,199,226.57	902,694.41	-296,532.16	ESU 19	438,649.33	126,021.42	264,756.02	78,951.72	301,538.88	85,792.63
Custodial	344,576.81	616,533.08	555,998.62	744,912.69	188,914.07	ESU 20	207,813.05	61,369.70	303,641.14	61,692.69	219,898.03	66,450.28
Extended Buys	1,186.05	5,234.78	2,588.85	4,336.28	1,747.43	ESUCC	1,662.09	1,523.08	22,750.44	14,842.44	22,402.35	4,025.94
Expected Revenue by Program						Total Sales By ESU		16,446,634.92	Total Sales By ESU	15,927,976.44	Total Sales By ESU	16,712,750.29
Annual & Paper Buy	158,649.76	163,683.76	161,892.56	160,630.50	-1,262.06	Total Svgs By ESU		5,554,975.02	Total Savings By ESU	4,852,808.78	Total Savings By ESU	5,103,582.58
Annual Buy Punchout			302.67	183.99	-118.68	4 Year Savings Total	19,838,343.73					
AEPA	78,780.03	75,391.01	70,747.40	74,992.88	4,245.48	2019-20 Sales/ Savings By Program [3]						
Special Buys	37,382.45	47,649.26	45,555.87	50,304.52	4,748.65	Program	Total Sales	Total Savings				
Food Program	100,122.58	108,100.94	106,817.57	112,615.53	5,797.96	Annual/Paper Buy	3,212,610.07	1,142,688.31				
Custodial	35,972.25	35,779.10	30,283.19	34,233.28	3,950.10	AEPA	3,779,092.80	1,323,470.58				
Extended Buys	211.16	622.08	414.35	867.26	452.91	Special Buys	2,352,061.94	982,165.54				
Sales Statistics	2016-17	2017-18	2018-19		YOY Delta	Food Program	5,630,776.46	902,694.41				
Total Number of Purchasing Schools [4]	424	402	402	401	-1	Custodial	1,711,664.21	744,912.69				
Food Program Participants	111	114	114	111	-3	Extended Buys	17,345.13	4,336.28				
Food Program Purchasing Schools	107	109	108	108	0	Annual Buy Punchout	9,199.67	3,314.77				
Annual- Paper Buy Purchasing Schools [5]	273	261	250	263	13	Total Sales	16,712,750.28	5,103,582.59				
Annual Buy Items Offered [6]	3227	3917 [7]	4258 [8]	4201	-57	Total % Savings	30.54%					
Annual Buy Items Ordered [9]	2328	2659	2429	2626	197	2018-19 Sales/ Savings By Program [15]						
Paper Buy Items Offered [10]	149 [11]	115 [12]	194 [13]	188 [14]	-6	Program	Total Sales	Total Savings				
Paper Buy Items Ordered	131	107	150	144	-6	Annual/Paper Buy	3,237,851.25	1,145,774.52				
Total Number of Annual Buy Bidding Vendors	29	31	27	26	-1	AEPA	3,685,080.29	1,261,429.99				
Total Number of Annual Buy Awarded Vendors	27	29	26	22	-4	Special Buys	2,126,106.20	887,281.66				
Total Number of Marketplace Shoppable Vendors			39	42	3	Food Program	5,341,358.66	930,298.19				
Total Number of Contracts [16]	93	95	102	114	12	Custodial	1,514,159.29	618,852.71				
Total Number of Vendors			96	99	3	Extended Buys	23,420.74	9,171.72				
Total Number of vendors/contracts w/ sales [17]	52	54	60	72	12	Total Sales	15,927,976.43	4,852,808.79				
						Total % Savings	30.47%					

[1] Microsoft Office User:
Revenue based on sales- not actual paid

[2] Manually entered from FM Excel Spreadsheet

[3] From Coop Programs Sales & Savings 2018-19 in Data_Collection Folder

[4] created a pivot table from excel data base

[5] Pivot table program & school copy list from AB & PB put in a sheet in 1 column> highlight column>conditional format> highlight cell rules>find dup's>data tab>remove dups

[6] Use excel spreadsheet from PQ total orders, create pivot table for offered and ordered

[7] 300's- 893 items

[8] 300's- 1406 items- added many new chairs/ desks. Got no bids on file cabinets

[9] Used AB Final Order>Pivot>item description>

[10] Use excel spreadsheet from PQ total orders, create pivot table for offered and ordered

[11] 400140-white copy paper 26.50 case
400141 white copy paper 999.60 pallet

[12] 400140-white copy paper 27.00 case
400141 white copy paper 996.00 pallet

[13] 400140-white copy paper 32.60 case
400141 white copy paper 1,255.20 pallet

[14] 400140-white copy paper 28.25 case
400141 white copy paper 1,130.00pallet

[15] From Coop Programs Sales & Savings 2018-19 in Data_Collection Folder

[16] IonWave/Contracts/Active/Type-does not incld interlocals, sub's
+ AB awarded vendors

[17] pivot table from excel database + add in AEPA sales from mult contracts for 1 vendor



2019-20

Nebraska ESUCC Cooperative Purchasing Sales & Savings By Program

<u>Program</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
AEPA	\$301.10	\$264.97	\$36.13
Annual Buy	\$882.21	\$617.55	\$264.66
Paper Buy	\$192.61	\$169.50	\$23.11
Special Buy	\$25,646.30	\$21,932.68	\$3,702.04
<u>Grand Totals</u>	<u>\$27,022.22</u>	<u>\$22,984.70</u>	<u>\$4,025.94</u>

2020-21 Food Program Participation Summary

- **2020-21 Participants: 111**
 - **Spend Commitment:** \$7,101,491.30
 - **Non-Renewals: 5**
 - Yutan Public Schools
 - St John Lutheran School
 - Madison Public Schools
 - Loomis Public Schools
 - Christ Lutheran Elementary -Juniata
 - **New Participants: 2**
 - Brady Public Schools
 - Creek Valley Public Schools
 - North American Martyrs Catholic School

Previous Years

- **2019-20 Participants: 113**
 - **Spend Commitment:** \$7,121,155.26
 - **Total Sales:** \$5,630,776.46
 - **% of sales/ commit:** 79%
- **2018-19 Participants: 114**
 - **Spend Commitment:** \$7,507,251.19
 - **Total Sales:** \$5,351,985.00
 - **% of sales/ commit:** 71%
- **2017-18 Participants: 114**
 - **Spend Commitment:** \$7,101,278.38
 - **Total Sales:** \$5,392,099.59
- **2016-1 Participants: 111**
 - **Spend Commitment:** \$6,892,280.20
 - **Total Sales:** \$5,017,842.73