

CONTRACT MANAGEMENT SP15

PAGE 1

Spring Semester 2015

PUBAFRS 7550 – Elective

Credit Hours: 3

Room 056 Hagerty Hall

Tuesdays January 13th through April 21st from 5:30 pm – 8:15 pm

Final Exam Due April 29, 2014

Instructor

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Office Hours: by appointment

Course Reading Materials

- Text: Contracting for Public Sector Services, Lawrence L. Martin, Ph.D and John R. Miller, CPPO, 2006 NIGP - - ISBN# 1-932315-08-x
 - Students can access textbook information via the Barnes & Noble bookstore website: www.shopOhioState.com as well as from their BuckeyeLink Student Center. This information is disseminated by B&N to all area bookstores. You may buy from a store of your choice and/or shop for books (always use ISBN# for searches) on line.
 - Students can also access the textbook at www.nigp.org, select NIGP Store and then Publications.
- Provided: Trevor L. Brown, Matt Potoski, and David M. Van Slyke “The Challenges of Contracting for Large Complex Projects: A Case Study of the Coast Guard’s Deepwater Program,” *IBM Center for the Business of Government, 2008 and 2010.*”
- Provided: Other readings in public-sector contracting and supplier relationship management.

Course Description

Outsourcing, privatization, or alternative service delivery are currently advertised as instruments to achieve balanced budgets at all levels of government in countries around the world. Do the contracting methods employed yield best value? How can public entities successfully engage in agreements that provide efficient and effective services that meet the needs of the community?

This course provides students with a perspective on the issues and practices that are employed to contract for services provided by and for the public sector, and the importance of successfully managing those relationships.

CONTRACT MANAGEMENT SP15

PAGE 2

Elements to be covered in class include:

- Determining which services may be best delivered by the private sector.
- Identifying critical success factors to include in service contracts to ease contract administration.
- Managing a procurement engagement and leveling the playing field for competition and evaluation.
- Developing and negotiating performance based public sector services contract.
- Working in the environment in which public procurement is conducted; ethics, confidentiality and public information, protests and disputes.
- Comparative outcomes of contracted public sector services.

Grading and Course Requirements

The requirements for this course consist of four assignments. The composition of the course grade will be composed of the following:

1. 35% Case Study analysis and presentation of public-sector procurement (6 pages)
2. 30% Written analysis and class discussion of two Coast Guard Case Studies (2-3 pages each)
3. 20% Written analysis and class discussion of assigned readings (1 page synopsis)
4. 15% Take home Final on all course materials

The grading scale will be as follows:

SCORE	GRADE	SCORE	GRADE	SCORE	GRADE	SCORE	GRADE
93-100	A	87-89.9	B+	77-79.9	C+	67-69.9	D+
90-92.9	A-	83-86.9	B	73-76.9	C	60-66.0	D
		80-82.9	B-	70-72.9	C-	< 60	E

Note: Due to the highly interactive nature of class sessions, prompt attendance is imperative. For each assignment, participation of presenters and the class is part of the grading evaluation. Kindly extend the courtesy of requesting an excused absence or tardiness in advance whenever there is a known event/requirement precluding timely attendance.

CONTRACT MANAGEMENT SP15

PAGE 3

1. Case Study analysis and presentation of public sector procurement: (35%)

The evaluation of your work shall include the quality of the written analysis, the thoroughness of your research, and the presentation/discussion of findings. In addition, you will present lessons learned about the Case Study. Students should be prepared to make a presentation to the class limited to twenty (20) minutes with an additional seven (7) minutes for class discussion that you will facilitate. In the event that students do not have questions, please prepare thoughtful questions for the students to address. The presentation should address:

By the Third week of class, you will choose an actual public sector contract event. Choose a case study that has been through a complete implementation cycle, with a known outcome. The service must have been competed between two or more potential sources. For the case study, you are required to present an analysis of whether or not contracting was appropriate, with key points to support your analysis. Your report shall include:

- The main challenges for the entity
- The major stakeholders and their responsibilities and concerns
- The description of the pre-contract service delivery model, product, or process drawn from the case study or other research
- The reasons for determining to outsource
- How the outsourcing engagement was competed; the subject goods or services and the type of contract used.
- How and why the outsourcing engagement succeeded or failed (lessons learned)

Research tips: Information is readily available in electronic or other forms. Consequently, you are expected to rely on several sources for your analysis.

Consider a variety of sources, including but not limited to:

- ✓ Authorizing legislation or other relevant legal documents (e.g. contracts)
- ✓ Material published by the entity
- ✓ Evaluations conducted by oversight functions (e.g. legislative oversight committees, public ombudsmen, inspector general reports, Government Accountability Office or a state/local equivalent)
- ✓ Reports in periodicals
- ✓ Primary or secondary interviews, and
- ✓ Blogs

CONTRACT MANAGEMENT SP15

PAGE 4

Cite all sources and be consistent in the method by which you cite (e.g. footnotes, endnotes, APA style.) A list of references does not count against the six page threshold. All written reports shall contain your name and a page number in the header or footer of each page.

2. Analysis of Coast Guard Case Study: (30%)

Read and prepare an Analysis of the Coast Guard Case Studies (provided.) Your Analysis (2-3 pages) shall include:

- A summary of key events
- The main causes of failure
- Recommendations for improving the contracting relationship.

Your analysis will form the basis of discussion regarding the Coast Guard Case Study. Your work will be evaluated on the quality of your written analysis and class discussion participation.

3. Written analysis of assigned readings: (20%)

Readings in public sector contracting will be provided on the Carmen site. Beginning in week three, students will present a synopsis of one of the readings. Students should be prepared to make a presentation to the class limited to fifteen (15) minutes with an additional five (5) minutes for class discussion that you will facilitate. In the event that students do not have questions, please prepare thoughtful questions for the students to address. The presentation should address:

- A synopsis of the reading
- Public Policy issues related to the reading
- Lessons learned from the engagement experience

Your presentation may include (but does not require) a PowerPoint presentation. You must prepare a single page summary of the reading to be provided to the rest of the class members on the day of the class presentation.

Your work will be evaluated on the quality of your written synopsis and class discussion participation.

4. Take home Final Assignment on all course materials (15%)

The final course assignment (take home Final) includes developing a contractor performance measurement tool for a given case of public sector procurement.

Your work will be evaluated on the quality and feasibility of the contractor performance measurement tool, including how thoroughly the tool mitigates risk.

CONTRACT MANAGEMENT SP15

PAGE 5

ASSIGNMENT CALENDAR

Contracting for Public Sector Services text Chapter readings should be completed on the weeks listed below. PLEASE BRING YOUR TEXT TO CLASS.

WEEK 1	January 13 th – Introduction to Class and Public Procurement/Readings Assignments and Presentations Scheduling
WEEK 2	January 20 th – Contracting for Public Sector Services Chpt 1; Case Study Assignment
WEEK 3	January 27 th – Chpt 2 Deciding to Contract; Presentations of Assigned Readings begins (1); and Case Study Choices and Study Presentations Scheduling
WEEK 4	February 3 rd - Chpt 3 Public Private Competition; Relevant current issues and Presentations of Assigned Readings (2)
WEEK 5	February 10 th - Chpt 4, Coast Guard Studies Assignment, and Presentations of Assigned Readings (3)
WEEK 6	February 17 th – Chpt 6, and Presentations of Assigned Readings (4)
WEEK 7	February 24 th - Chpt 5, and selected Performance Based Contracts Readings
WEEK 8	March 3 rd – Performance Based Contracts continued, Presentations of Assigned Readings (5)
WEEK 9	March 10 th - Analysis of Coast Guard Studies due; Discussion of Studies and Complex Contracting
WEEK 10	March 17 th – No Class, Spring Break
WEEK 11	March 24 st – Case Study Presentations and discussions (1)
WEEK 12	March 31 st – Chpt 7, selected readings in protests and disputes Contract Administration at various levels of Government and Case Study Presentations (2)
WEEK 13	April 7 th – Chpt 8, and Contract Administration, Case Study Presentations and discussions (3)
WEEK 14	April 14 th – Chpt 9 including issues in transitions and contract extensions, Case Study Presentations and discussions (4)
WEEK 15	April 21 st – Best Practices in Acquisition and Contract Administration discussion; and Final Assignment provided
FINAL	April 29 th Final Assignment due

CONTRACT MANAGEMENT SP15

PAGE 6

Course Outline:

Week 1: January 13 in class

Introduction and Background

- Course description, requirements, grading and policies;
- Selected Readings Assignments and Scheduling

Introduction to Public Procurement;

Readings: We will discuss basic elements of Public Procurement using a briefing tool provided in Class.

- Elements of a Contract
- Acquisition Basics

Week 2: January 20 in class

Case Study Assignment;

Elements of decision-making in providing public services;

Readings: We will discuss Chapter 1

Content:

- Advantages/disadvantages
- Contracted public services
- Legal and ethical overview

Week 3: January 27 in class

Case Study Scheduling;

Presentations of Selected Readings;

Selecting public services to compete;

Readings: We will discuss Chapter 2

Content:

- Choices: “make or buy”
- Cost Allocation/Analysis

Week 4: February 3 in class

Presentations of Selected Readings;

Issues surrounding the in-house service deliverers;

Readings: We will discuss Chapter 3

Content:

- Distinguishing public services as Core or Ancillary
- Elements of public service delivery
- Public sector vs. Private sector competition
- Ethical issues for public sector employers/employees

Week 5: February 10 in class

Coast Guard Studies Assignment;

Presentations of Selected Readings;

Request for proposals (RFP) development

Readings: We will discuss Chapter 4

Content:

- Determining the RFP Team
- Elements of the RFP

Week 6: February 17 in class

Presentations of Selected Readings;

Selecting a service provider

Readings: We will discuss Chapter 6

Content:

- Issues in Evaluating
- Contract writing

Week 7: February 24 in class

Performance based contracting;

Readings: We will review and discuss relevant in-class provided readings;

We will discuss Chapter 5

Content:

- History and context
- Drafting the scope of work
- Determining performance Measurement

CONTRACT MANAGEMENT SP15

PAGE 7

Week 8: March 3 in class
Presentations of Selected Readings;
Performance Based Contracting continued;

Readings: We will review and discuss relevant in-class provided readings;

Week 9: March 10 in class
Analysis of Coast Guard Studies due;
Discuss Coast Guard Studies;
Discuss Complex Contracting;

Week 10: March 17 no class
Spring Break

Week 11: March 24 in class
Case Studies Presentations and Discussions

Week 12: March 31 in class
Case Studies Presentations and Discussions
Protests and Disputes;

Readings: We will discuss Chapter 7
Content: Protests by proposers;

- Types of protests
- Appropriate responses
- Overview of Disputes

Week 13: April 7 in class
Case Studies Presentations and Discussions;
Contract Administration and Monitoring;

Readings: We will discuss Chapter 8
Content: Contract monitoring and actions related to contractor performance

- Overview of contract administration
- Performance monitoring and correction

Week 14: April 14 in class
Case Studies Presentations and Discussions;
Transitional Contract issues

Readings: We will discuss Chapter 9
Content: Contract extensions, renewals and transitions

- Anticipating/planning for issues

Week 15: April 21 in class
Best Practices/Lessons Learned

- Review of Case Study lessons learned
 - Privatization
 - Acquisition
 - Contract Administration

April 29, 2014
Final Assignment Due

NOTES:

RESOURCES FOR STUDENTS WITH DISABILITIES

Students with disabilities that have been certified by the Office for Disability Services will be appropriately accommodated and should inform the instructor as soon as possible of their needs. The Office for Disability Services is located in 150 Pomerene Hall, 1760 Neil Avenue; telephone 292-3307, TDD 292-0901; <http://www.ods.ohio-state.edu/>.

ACADEMIC INTEGRITY (ACADEMIC MISCONDUCT)

From: <http://oaa.osu.edu/coamfaqs.html#academicmisconductstatement>

The Ohio State University and the Committee on Academic Misconduct (COAM) expect that all students have read and understand the University's [Code of Student Conduct](#), and that all students will complete all academic and scholarly assignments with fairness and honesty. Failure to follow the rules and guidelines established in the University's *Code of Student Conduct* may constitute "Academic Misconduct." Sanctions for the misconduct could include a failing grade in this course and suspension or dismissal from the University. In the Ohio State University's [Code of Student Conduct](#), Section 3335-23-04 defines academic misconduct as: "Any activity that tends to compromise the academic integrity of the University, or subvert the educational process." Examples of academic misconduct include (but are not limited to) plagiarism, collusion (unauthorized collaboration), copying the work of another student, and possession of unauthorized materials during an examination. Ignorance of the University's [Code of Student Conduct](#) is never considered an "excuse" for academic misconduct.

Other sources of information on academic misconduct (integrity)

The Committee on Academic Misconduct web page: <http://oaa.osu.edu/coam.html>

Ten Suggestions for Preserving Academic Integrity:

<http://oaa.osu.edu/coamtensuggestions.html>

Eight Cardinal Rules of Academic Integrity: www.northwestern.edu/uacc/8cards.html

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