

ABA's Sixth Annual State and Local Procurement Symposium recap

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The American Bar Association (ABA), [Section of Public Contract Law](#) held its 6th Annual State and Local Procurement Symposium on May 13, 2011. The event was hosted in Sacramento, Calif. in partnership with the [National Association of State Procurement Officials \(NASPO\)](#), the [National Institute of Government Purchasing \(NIGP\)](#) and [TechAmerica](#). The event contained energized discussions on current challenges, drivers and solutions in state and local procurement and procurement law around outsourcing, public/private partnerships, cloud computing and cooperative purchasing.

Panelist led discussions on varying topics that all touched on the current government market mix of shrinking public sector revenues, tightened capital markets, aging government physical and human infrastructure, and high demands by citizens for services as catalysts for change. Private sector investment in government through public/private partnerships or benefits-funded contracts is much more appealing to governments with no money to invest. The low capital expenditures in the cloud computing model make it a much more appealing model, especially when compared to high cost custom solutions. The conference wrapped with a positive discussion on interstate cooperative contracts and how they make perfect sense to resource-strapped procurement departments and small agencies that want leveraged buying power. Dianne Lancaster, chief procurement officer of Oregon supported this momentum by stating that the 30 WSCA/NASPO contracts now net more than \$6 billion annually.

Find a full Analyst Recap with expanded details and analysis [here](#).

Take Aways

- Governments should negotiate an "out" for cloud contracts
- Vendors should use the question and answer period for all it is worth to address contract terms and conditions
- Governments will benefit from cloud solutions by accepting standardization with enough customization
- Governments should ask how cloud products can support their business process transformations
- State and local governments should keep an eye on federal activities for potential cloud solutions
- Revenue-challenged governments are driven to exercise flexible sourcing strategies, including outsourcing, PPPs, benefits-funded and fee-based contracts