

## NAPM-Utah Good News

### *March is Purchasing Month*

### *Come join in our Purchasing Month Activities*

#### *March 8, 2007 at the Red Lion Hotel*

*1:00 p.m. to 2:00 p.m. Keynote Speaker  
Alan Ovson-How to Develop the Greatest  
Communication Tool Ever Invented – Trust*

#### *2:10 p.m. to 2:10 p.m. - Session 1*

*Alan Ovson – Hands-on Negotiation  
Jim Phillips – Ethics  
Dan Fuller – IBM: How to Negotiate with Microsoft  
Steve Cherecwich – Preview of Office 2007*

#### *3:30 p.m. to 4:30 p.m. - Session 2*

*Alan Ovson – Art of Persuasion  
Jim Phillips – Undue Influence  
Dan Fuller – IBM: How to Negotiate with Microsoft  
Steve Cherecwich – Preview of Office 2007*

*4:45 – Announcements & Dinner  
Keynote Speaker 5:30 to 6:30  
Jeff Thredgold – State of the Economy*

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Affiliated with:



**institute for  
supply management**



***Make plans to start Purchasing Month off with a BANG by attending this special event!***

## *President's Message*

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Message from the President – Jeff Palmer, C.P.M. (Lifetime)

With the recent 2006 affiliate excellence award we will receive at the upcoming ISM International Conference in Las Vegas, we want to have you examine why are want to continue being NAPM Utah members and take what we learn back to our organizations.

Here are three bottom-line facts that suggest we are doing some things right in bringing excellence to our members, and the companies who employ us. We think employers will pick supply management professionals who are actively pursuing NAPM Utah.

First, 31% of our affiliate members have earned the designation, Certified Purchasing Manager (C.P.M.) as compared to 11% nationally.

Second, 28% of our affiliate members attend monthly dinner meetings as compared to 12% nationally.

Third, we offer two tracks during our Professional development workshops each month, manufacturing and non-manufacturing and offer two locations for convenient training (Salt Lake City and Provo) to attract world-class supply management professionals. If one track doesn't attract you the other one will. Come join us!

In addition, I received a phone call from Paula Hoelzle, a past President of NAPM Idaho – Southwest. She had served as President from 2003 to 2005 and had requested that she be allowed to attend one of our meetings. I thought you might like to read a portion of her e-mail to us from a different perspective.

“I want to thank your entire affiliate for allowing me to attend your dinner meeting on Thursday the 8th of February. Your board had two Pro-D Development tracks, both starting at the same time, and a different topic for each. The NAPM-Idaho Southwest affiliate normally would have one pre-dinner meeting lasting only 15-20 minutes before the dinner meeting. I enjoyed the Pro-D pre-dinner meeting with Verne Larsen very much ("How's & Why's of Self Motivation"). Your affiliate is much larger than the NAPM - Idaho Southwest affiliate, which creates a completely different "feel" to the dinner meeting. I noticed your board does an excellent job at providing training for all aspects of purchasing. For the March Purchasing [and Supply Management] Month, I noticed your meeting goes from 1:00 pm to 6:30 pm. This is an excellent idea to get all of your affiliates together, while providing more value for their membership dues! Two tracks are all provided FREE with your yearly dues. What a GREAT value to your members. I start with Emergency Management Equipment today. Once I get more funds, I will be able to join as a member of NAPM - Utah.”

## Vice-President's Message

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While browsing through the January 2007 edition of Supply Management, the article, "*A Guide to Contract Language*," caught my eye. Subtitled, *Tired of consulting a thesaurus when working with legal contracts? If so, try putting often – used phrases into user-friendly language. Your suppliers will thank you!*" Can you imagine? Contracts that are easy to read!

Dwight A. Howes, Esq, has provided some ideas & tips on how to accomplish this. I would like to pass on some points from his article that I thought would be helpful when writing contracts, nondisclosure agreements, construction agreements, and so forth.

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"A contract document should be clear and comprehensible. After all, a contract document is a document that is intended to accurately and fully describe an agreement."

"Mark Twain, arguably the greatest American writer, put it this way in a letter to a friend: 'I notice that you use plain, simple language, short words and brief sentences. That is the way to write English – it is the modern way and the best way. Stick to it; don't let fluff and flowers and verbosity creep in. When you catch an adjective, kill it.' Similar advice comes from a book that should be on every drafter's desk, Strunk & White's *Elements of Style*, which cautions us, 'Do not be tempted by a twenty-dollar word when there is a ten-center handy, ready, and able.'"

"some simple drafting tips to make your contract more readable, more understandable and more valuable:

1. Leave unsaid what need not be said. For example, "The parties may agree to revise the pricing." Of course they can. Parties can always agree to modify their contracts. It goes without saying. So don't say it.

2. Can you think of an agreement that isn't mutual? .... "Mutual agreement" is redundant. "Agreement" will do.

3. There seems to be an irresistible urge on the part of drafters to use "utilize" instead of "use." Use "use." See E. B. White's advice above.

4. "In the event of" generally means "if." "If" is better.

5. "Provided, however, that" almost always means either "and" or "but." Help your reader by using one or the other to show what you mean. Skip the "provided, however, that."

6. "Null and void." ... If it's null, it's void. If it's void, it's null. Why say it twice? Also, both "null" and "void," used in the context of saying that an agreement is no longer effective, are pretty archaic. Consider using something else, such as, "This agreement will be terminated."

7. Speaking of archaic, where – other than in some translations of the Bible and in legal documents – do you see regular and frequent use of words such as "whereupon" (consider using "when"), "thereto" and "hereto" (consider using "to it"), "herein," "therein," "wherein" (there mean, "in here," "in there," and "in which")?

7. [sic] "Of no further force and effect." See "null and void" above.

8. "Will in no manner." Say "will not."

9. Shall versus will. Use "shall" when it's a directive. "Purchaser shall pay..." use "will" when describing something that's just going to happen. "This agreement will terminate..."

10. "Shall be (or, more properly, "will be") deemed to be" usually means "will be" or "is to be" – as in, "This contract will be interpreted under ... law."

“Be consistent in numbering and lettering the sections of a contract. There are various conventions for organizing a contract into various sections and none are necessarily better than another. But pick one and use it consistently throughout the agreement document.”

“A great way to add wordiness to an agreement document, increased the possibility of contradiction and detract from the ease with which it can be read is to express numbers twice, like this: “One Hundred Dollars and No Cents (\$100.00).” Expressing numbers that way might have been a good convention when documents were handwritten – and one or the other of the expressions might have been illegible (that’s why we do it that way with handwritten checks) – but it makes no sense to do it that way now.

“Most lawyers write the way lawyers write because of habit.”

“It’s a good exercise for any supply management organization to periodically go through its standard form agreements....”

[Howes] suggest that you propose reviewing your current template agreements to:

- (a) make them consistent;
- (b) revise provisions that are constantly being revised in negotiations with suppliers;
- (c) revise provisions that are constantly being revised in response to your customer’s requests;
- (d) ensure that insurance provisions match your current risk management policies; and, oh, by the way,
- (e) redraft the templates so that they are in plain English.”

“You will find that this exercise pays real dividends in faster turnaround time on negotiated documents, improving your existing templates and identifying opportunities to create new templates to fill gaps.”

I hope these tips will be helpful in writing your contracts.

Julia Tumanuvao, A.P.P.

## Board Member

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Next month it is our opportunity to elect new officers.

I have served on the board of directors almost 2 years now. It has been a great privilege to do so. This was my first time to serve on a board of directors of any group. It has been very interesting to see Roberts Rules of Order actually being put to good use.

I have learned so much about our affiliate and those who serve us. These are devoted, caring individuals who are serious about our chapter being very successful.

I want to encourage any one interested to be a volunteer. There are many positions to fill each year. Service points are also given to those filling any positions.

I personally went into this with the intention of doing my "time" so I could get points to renew my C.P.M. certification, and I got so much more out of it.

The qualifications vary from position to position, but as far as Board of Directors, all that is needed is to attend regularly and a desire to serve.

Please consider carefully if you could serve our affiliate next year. To volunteer, you can contact Jeff Palmer at [jeff.palmer@us.usana.com](mailto:jeff.palmer@us.usana.com)

Thank-you all for the opportunity you gave me.

Sincerely

Susan M. Fowler C.P.M.

## *Pro-D Chair*

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Hello all! We have a really great Purchasing & Supply Management Month scheduled for you.

We start off March 8<sup>th</sup> at 1:00, with an excellent speaker by the name of Alan Ovson. He is a professional speaker who will be, not only the opening keynote, but also doing two breakouts. We will be starting with the breakout in the \*downstairs\* rooms. Here is Alan's summary of the keynote:

### **How to Develop the Greatest Communication Tool Ever Invented – Trust**

“When it comes to getting people to listen to you what is the first ingredient you need? If you said trust, you got it. If people don't trust you, whatever you say is toast – burnt toast. In this fun and interactive speech, Alan will define what trust is, explain why we lose it, and give you three easy ways that you can build it with almost anyone you meet. The power of trust is huge. Join Alan and learn how you can increase your 'trustability' quotient with a little thought, a bit of awareness, and a little practice.”

For his two breakouts, Alan will be performing a **Hands-On Approach to Negotiations** from 2:10 P.M. to 3:10 P.M. Alan will be in the Timpanogos Room doing a hands-on practice in negotiation tactics, using a variety of scenarios. After the break, Alan will then be doing a similar breakout with a Hands-On Approach to the Other Half of Negotiations....Persuasion.

During the two break-outs, I will be in the Ogden room holding an open-question review of the new Office 2007, showing off some of the features and upgrades in Word, Excel, and Outlook (and others upon request.). After the break, I will hold the same session a second time.

The next breakout, will be Dan Fuller, from IBM in the Majestic room. He has been dealing with Microsoft for years, and he knows just how difficult it can be to work with their licensing agreements. In a world where hackers are rampant, and MS is cracking down on illegal licenses, Mr. Fuller can help any size of company (from 2 computers to 2000) work within the MS structure to try and save money, which is what we do as buyers, right?

The last breakout is Jim Phillips, in the Nebo room. Jim will be spending the first session exploring Ethics in the business-place. There are many lines purchasing people face on a regular basis, and not all of those lines are where we think they are. After the break, Jim will be focusing on “Undue Influence”. There are a lot of pressures in the workplace, from politics, to those suppliers begging for an order. Jim will help you spot those, and maybe give you a few tactics on how to avoid those influences.

To end the day, we are bringing back Jeff Thredgold in the Wasatch II (our usual room), to talk to us about economics in Utah. Wait...wait...wait, before you skip to the next page, please remember that Jeff is highly entertaining to listen to, throwing in more than a few jokes to spice up the numbers he throws at us. (And you do need to listen, as he is known to throw out a few fake ones just to test your attention span.)

So as you can see, we've got a full day planned, so I do hope everyone can attend.

Steven Cherecwich  
Pro-D Chairman.



## *Summary of Changes Made to the Constitution*

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### Summary of the changes made to the Constitution.

As in all constitutions, changes need to be made in order to keep up with a dynamic society. NAPM-Utah is no exception. As a board, we have made some recommended changes to better serve our affiliate. These changes have been approved by National, and we are now submitting them to the general membership for a vote to accept the proposed changes. This is a summary of the changes, to read the constitution in its entirety please go to our website:

1. Article II – added supply management.

The objectives of this Association are to foster and promote friendly relations between its members, that they may benefit by the resulting interchange of ideas; to study, develop and encourage more efficient purchasing and **supply management** methods; to circulate information that may be of interest or benefit to members, that they may become more familiar with fundamental marketing, producing and manufacturing practices, various products and their use and dependable source of supply.

2. Article III – added “as defined in Policy.”

Regular membership in an Affiliated Association shall be limited to the following:  
Any person interested in the supply management field shall be eligible to be a Regular Member of an Affiliated Association provided that such person (i) is not primarily engaged in sales activity; or (ii) does not solicit business on behalf of such person or his or her employer during meetings of any ISM activity, including without limitation, meetings of Affiliated Associations (including chapters), ISM Committees, and ISM Groups and Forums **as defined in Policy**. For the purposes of this section, "primarily" shall mean a majority of a person's time. However, no person shall be ineligible by reason of incidentally disposing of scrap, surplus stock, or equipment of the concern by which he or she is employed. The eligibility of an editor, secretary or business manager employed by an Affiliated Association shall not be affected by reason of sales activity directly related to any magazine, bulletin or other publication, or exhibit, product, show or similar activity sponsored by such association.

3. Article IV – changed the criteria for the candidacy of Vice President from having to have held a voted in position to being able to qualify by serving as a member of the board in leadership positions and an 80% attendance record.

Any member nominated as a candidate for the office of Vice President must qualify by having previously served **as a member of the board** in any one of the following capacities: Treasurer, Secretary, and Member of the Board of Directors, **Education Committee Director, Member Services Committee Director Communication Committee Director or Marketing/Public Relations Committee Coordinator. This Candidate must also have an attendance record of 80%.**

4. Article V - added the Director of Central Utah Chapter to the executive Committee and changed the title from a Coordinator to a Director.

The Executive Committee shall be composed of the President, Vice President, Secretary, Treasurer the Immediate Past President **and the Director of the Central Utah Chapter.**

5. Article VI – took the three main chair positions, made them director positions upon approval of the general membership, with voting responsibilities. Added the Director of the Utah Central Chapter to the ballot, formalize this position to 2 years with voting responsibilities:

**Section 1A**      **The appointed positions of Member Services, Education, and Communications Director. will be appointed by the President, and the candidates will be presented to the general membership for approval at the next dinner meeting following elections. This is a one year appointment**

**Section1B**      **The position of Director of the Utah Central Chapter will be added to the ballot for a two year position and also have voting responsibilities**

6. Article IX – adding electronic means for officially recognized means of voting and communicating:

**Section 4.**      Board of Action by Electronic means, anyone or more members of the board of Directors, or of any committee thereof, may participate in a meeting of the Board of Directors or committee by electronic means, which enables all persons participating to communicate with each other at such meetings.

**Section5.**      Voting by electronic means. The same rule apply to electronic voting of a proposal motion. There must be a majority vote of the Quorum, by authorized voting members. The Secretary will be responsible to gather the votes, communicate the motion, and publish the results of the vote in the minutes of the next meeting.



# March NAPM-Utah Luncheon

Please plan on attending the NAPM-Utah Luncheon on Wednesday, March 21st, at the Provo La Quinta Inn, 1460 S University Ave (exit 263).

We have invited Stanley E. Fawcett, Ph.D., Professor, Global Supply Chain Management, Marriot School of Management, Brigham Young University, to share with us his presentation on Total Order Performance. Stan received his Ph.D. from AZ State University, then taught at MI State University before joining the staff at BYU in 1990. He has authored or co-authored 100+ scholarly papers, and 5+ books on topics ranging from Lean Manufacturing to Global Sourcing, from World-Class Logistics to Supply Chain Trust. He has also taught in North and South America, and most recently completed a teaching opportunity in Denmark.

Ruby River will be catering the luncheon. The menu will consist of Salad and Sourdough Bread, Smothered Chicken w/Jacketed Baked Potato, Fruit Punch and/or Water, and dessert. We will start seating at 11:45 a.m. and begin serving the entrée at noon.

Please RSVP by Friday, March 16th, to Susan Maass at MegaDiamond by replying through the NAPM-Utah website, or fax (801) 342-4688 or email [smaass@smith.com](mailto:smaass@smith.com). See you there!

## MARCH LUNCHEON RSVP

COMPANY: \_\_\_\_\_

\_\_\_\_\_

MEMBERS: \_\_\_\_\_

\_\_\_\_\_



# RSVP

For March 8, 2007 meetings  
**Attention: Steven Cherecwich**  
**Pro-D Chair**  
**NAPM-Utah**

Please R.S.V.P. no later than 3:00 p.m. on **March 5, 2007**.

**Company** \_\_\_\_\_

Name(s) Attending	Member	Guest	½ day Workshops Sessions 1 & 2		Dinner (4:45)
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Please remember that the association currently pays for the meal at one monthly meeting for Regular and Lifetime Members. In order to spend our association dues wisely, we rely on your RSVP to provide an accurate meal count to the hotel.  
 (For Guest registrations, please check web for details).

**RSVP by any of the following:**

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**Mail:** Steven Cherecwich  
 USANA Health Services  
 3838 W. Parkway Blvd  
 Salt Lake City, Utah 84120

**MISSION**

NAPM-Utah serves as a center of excellence in the development of supply management.

**VISION**

The National Association of Purchasing Management-Utah will be recognized as a center of excellence in establishing, and promoting best-in-class professional standards of competency, ethics, education, and certification for its members. We value and seek a diverse membership, and there are no barriers to full participation in the association.

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Please contact Patti Pittman at (801) 728-1259 if you are interested in a volunteer position.

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