

Advisory Council on Optimizing and Streamlining State Government

Report to Governor Herbert

October 19, 2011

Executive Summary

The 2011 Utah Advisory Council on Optimizing and Streamlining State Government brought together nineteen stakeholders in Utah to discover, consider, and evaluate potential ideas for a more efficient and effective government. These ideas included identifying opportunities to reduce administrative costs, incorporate best management practices, streamline services, and align agencies to further improve the efficiency of state government. Ideas considered by this council include items from stakeholders, legislators, the business community, proposals considered during the Legislature's 2011 General Session, and the 2010 Governor's Commission on Optimizing Government.

Advisory Council work was done under an expedited process with reporting requirements less than five months after the first meeting. This report details the initial information gathered and recommended by the Council for further review by Executive Branch and Legislative leadership for actual implementation. This document contains 25 recommendations that are likely to have the greatest positive potential impact in the areas of realignment and operational change.

The realignment recommendations include items that can provide ongoing cost savings and put our State in a better position for the future. The 12 realignment recommendations found in this report, include areas where stakeholders and decision-makers can focus for two important resources: water and communication infrastructure. Both water and communication resources in Utah are vital to our sustainability and growth and the Advisory Council recommends a review to ensure policy and capital infrastructure can be coordinated for the greatest beneficial use.

Operational recommendations include 13 improvements to state government that can be initiated from within the Executive Branch with further study and coordination from the Governor's Office. These include items such as: performance incentive programs, discovery process for best practices for purchasing and procurement, increasing throughput on Utah's business recruitment process, and providing higher quality support services for smaller executive branch agencies.

Introduction

On March 22, 2011, Governor Gary R. Herbert signed into law House Bill 280, *State Agency Realignment* (Harper) and established the Advisory Council on Optimizing and Streamlining State Government. The Council consisted of nineteen stake holders, legislators, and business community members. Its task was to consider ways to reduce administrative costs, incorporate best business models, and streamline services to improve the efficiency and reduce the cost of state government.

This report contains 25 recommendations and observations the Council considers to be of the highest potential impact. The report has been organized into the following sections:

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Council Membership

Advisory Council on Optimizing and Streamlining State Government

Val Oveson, CPA

Chair of Advisory Council
Partner, Wisan, Smith, Racker &
Prescott, LLP

Rep. Patrice Arent

State Representative
Attorney and Law Professor

Brad Bertoch

President, Wayne Brown Institute

Tom Bingham

President, Utah Manufacturing
Association

Kristen Cox

Executive Director, Department of
Workforce Services

Brent Gardner

Executive Director, Utah Association
of Counties

Clark Harms

Chairman, Board of Pardons and
Parole

Randy Harmsen

Owner, 9th South Delicatessen

Rep. Wayne Harper

State Representative
Project Management and Consultant

David Hart, Ph.D

Director of BYU Romney Institute of
Public Management

Carlos Linares

Business Coach, Linares Consulting
Group

Tammie Lucero

Executive Director, Uinta County
Economic Development

Michelle McOmber

CEO, Utah Medical Association

Taylor Oldroyd

CEO, Utah County Association of
Realtors

Randy Parker

CEO, Utah Farm Bureau Federation

Tyler Ploeger, CPA

Audit Manager, Tanner LLC

Sen. Stuart Reid

State Senator
Real Estate and Economic
Development Consultant

Lincoln Shurtz

Director of Legislative Affairs,
League of Cities and Towns

Jenny Wilson

Director of Institutional
Advancement, Moran Eye Center

Scope

The Council members considered, investigated, and performed due diligence on plans that included items from stakeholders, legislators, the business community, proposals considered during the Legislature's 2011 General Session, and the 2010 Governor's Commission on Optimizing Government. These included Cabinet, Cabinet Council, and independent entities in Utah's State Government.

Process

Organization - Sixteen advisory council members were selected, as directed by statute, from stakeholders who receive services from state agencies or are regulated by state agencies and are leaders in the business community that may include up to two executive directors. Additionally, one member from the Utah State Senate and two members from the Utah House of Representatives were appointed to serve. The Council was provided detail information on the cabinet, cabinet council, and independent entities of state government including:

- Name of agency executive director or commissioner
- Agency mission statement
- Appropriated budget and sources of funding
- Number of full-time employees (FTE)
- Programs and services offered
- Organizational charts

Discovery Process – The Council was organized into three distinct groups, based on their areas of individual expertise, for the purpose of further obtaining additional information on agency operations and the programs they administer. Information was gathered on a group level to identify recommendations that might be discussed with the Council. (see Appendix B for group assignments and Appendix C for the standardized question list)

Criteria Establishment – The Council adopted criteria that would be utilized to categorize the recommendations for future discussions. These criteria included:

- Financial savings
- Structural alignment
- Cultural improvement
- Regulatory costs
- Customer impact

Reporting Process – A representative from each group presented findings to the Council. Members, including legislative members, were given the opportunity to present any additional findings. Staff was instructed by the chair to prepare a survey permitting members to consider and evaluate each finding by the Council.

Survey and Due Diligence Process – Council members ranked each finding based upon their individual assessment of likelihood for positive potential outcome using the established criteria. Members of the Council chose by motion to perform due diligence on findings and presented them back to the groups of origin for review prior to the final meeting.

Final Meeting – A draft of this report provided to the Council members for review on October 13th 2011. The items listed in this report are the final recommendations of the Council.

Recommendations – Areas of Realignment

1. Create a process for better collaboration and consolidation of fiber optic networks across all branches of state government

Action needed: Executive and Legislative

Develop a process for better collaboration and consolidation of fiber optic networks on an enterprise level through all the branches of state government. Combine the coordination and collaboration efforts from three major fiber contributors: Utah Education Network, Department of Transportation and Department of Technology Services as well as major procurers of services such as the Judicial Branch. While there are many organizations that are conducting discussions on these efforts, a formalized way to share information and discuss potential ideas will increase the frequency of the discussions taking place.

2. Relocate Department of Community and Culture’s Housing and Community Development division

Action needed: Governor’s Office and Legislative

Customer focus within the Department of Community and Culture, Housing and Community Development is split between individuals and local governments. Further study being conducted by the Department of Community and Culture House under the direction of House Bill 287, *Restructuring of the Department of Community and Culture* (Harper) is supported by this advisory group.

3. Increase collaboration between the Labor Commission’s boiler inspection and Division of Facility and Construction Management

Action needed: Executive

Increase collaboration to reduce redundancy when conducting safety inspections for state-owned boiler systems. The Labor Commission has inspections upon installation and annually for large power boiler and biennially for low pressure boilers operated in the State. DFCM also does an annual inventory and evaluation of boilers in state-owned buildings. A review of both processes could result in redundancy savings and lower customer impact.

4. Consider further study to move Office of Rehabilitation into the Department of Workforce Services

Action needed: Executive and Legislative

Review if the Office of Rehabilitation should continue to be aligned with Utah State Office of Education as opposed to the Department of Workforce Services.

5. Consider further study to move Custom Fit funding from Utah College of Applied Technology

Action needed: Executive and Legislative

Review if Custom Fit funding should remain with the Utah College of Applied Technology or if it should be moved to another entity that can better administer and leverage how and where training should occur. Two areas that may be considered are the Department of Workforce Services or Governor’s Office of Economic Development.

6. Consider further study to move funding for Adult Basic Education

Action needed: Executive and Legislative

Review if Adult Basic Education should remain in its current position or if it should be moved to the Department of Workforce Services for more unified coordination of services within the state.

7. Expand server and service consolidation practices in Public Education, Courts and Elected Officials

Action needed: Executive and Legislative

Department of Technology Services (DTS) should prepare a business case for the further consolidation of information technology services in the areas of server and service consolidation and present it to Public Education, Courts, and Elected Officials such as the Attorney General and the Senate. These entities would then be given the option to use DTS services if the business case justifies the decision to do so. As an incentive to accept the DTS business case, the legislature should allow these non-executive branch groups to retain a portion of the dollars saved to reinvest in other program areas.

8. Transfer the Department of Public Safety Aero Division to the Department of Transportation

Action Needed: Executive and Legislative

Department of Public Safety's Aero Division is located at the Department of Transportation's hanger. These aircraft require similar staffing, maintenance, and storing. By combining the State's aircraft equipment needs will allow centralization and permit more efficient and routine operational functions.

9. Consolidate water boards

Actions Needed: Executive and Legislative

Create a single Utah Water Advisory Board established primarily to offer a balanced and broad-based review of water development, conservation, protection and funding strategies. Using the current Executive Water Task Force model, provide a process whereby rural and urban, irrigators, municipal and industrial, development strategies, historic and legal obligations are provided a fair and balanced forum to fully review issues, prioritize, and make recommendations. The Utah Water Advisory Board should be multi-agency in nature and co-chaired by the Director of Natural Resources and Commissioner of Agriculture & Food. These administrators are to share responsibility in regulation, development, conservation, and meeting water quality standards. The Water Advisory Board should report to the Natural Resources, Environment and Agriculture Committee on issues raised by the Legislature as well as serve as a clearinghouse for issues identified for legislative remedy by the State's far-reaching water interests.

10. Provide stronger support services functions for small agencies

Action Needed: Executive

Support services such as payroll input, financial transaction, and budget support could be administered to small and independent agencies by larger agencies. Such support from large organizations would help to create efficiency in the process. Actual workloads for support services could be increased, due to specialization. Moving general agency support services from small agencies and combining those functions with the same or similar functions in large agencies would allow small agency personnel to concentrate on and contribute to the core mission and function of the agency, instead of simply providing ancillary functions.

Payroll input has begun to be consolidated through The Department of Human Resource's Employment Resources Information Center (ERIC). It is recommended that the program be evaluated one year. If is determined to be an effective provider of payroll systems, further consolidation can occur. Combining all payroll input functions within DHRM will allow these payroll functions to be provided at a substantial savings, both in full time equivalent (FTE) and state funds, and allow agencies to concentrate their appropriated FTE's and funds on their core mission and services. FTE's could either be consolidated, or alternatively, FTE would be more efficient and productive in the small agency core mission and services, reducing the need for future FTE allocations.

11. Consolidate Tax Commission and Department of Technology Service's print services to state mail operations in the Department of Administrative Services.

Action Needed: Executive

Conduct a detailed business case analyzing the proposed consolidation. If the analysis shows that the return on investment is positive and service levels can be maintained, proceed with the consolidation. It is advised that an analysis occur before contracts with outside vendors are renewed in two years.

12. Move Title Insurance under the Division of Real Estate

Action Needed: Executive and Legislative

Combine the functions of title insurance in Department of Insurance with the Department of Commerce, Division of Real Estate (DRE) to decrease inefficiencies. The Department of Insurance is tasked with regulating title insurance, but it is different than the traditional insurance products that it regulates. DRE is specifically set up for the functions needed for regulatory investigations but is limited to only looking at real estate, lending and appraising but not title. Combining all the processes in one department will increase efficiencies.

Recommendations – Areas of Operational Improvement

13. Incentive System to reward stakeholders, agencies, and employees to make cost reductions

Action needed: Governor's Office, Executive and Legislative

Enhance productivity using incentives to increase performance as done in the private sector. This can occur in state government through building trust between state agencies, the Executive Branch and the Legislature. Building trust will allow the Executive Branch to have operational latitude to allow incentive programs to exist as a mechanism of operational excellence.

In the environment of state government, success can only be achieved if more can be done with less while maintaining the level of quality that the customer expects. Those best to bring about continued success as defined in the previous sentence are those that know the most about the operational and mission challenges of each state agency. Thus, a well-conceived incentive plan with near unanimous support from the Legislature and Executive Branch is critical to achieve further savings. Savings must be distributed to the state, the agency, and the employees. Savings shared with the state will lower the cost of the services. Savings shared with the agency permits funding for one-time and long term investments that will yield immediate and ongoing savings to the agency and the state. Savings shared with the employee would reward the contribution of the front-line worker achieving defined goals and outcomes.

The committee is encouraged by best practices efforts of the Department of Transportation (UDOT) and Department of Workforces Services (DWS). UDOT over a number of years has gained extraordinary levels of trust and transparency with the Legislature. DWS has been implementing a pay for performance system on a pilot project basis. Processes and outcomes from UDOT and DWS should be looked at further within the Governor's Office to increase trust and achieve potential productivity increases across the Executive Branch.

14. Systemized auditing and review process

Action Needed: Governor's Office and Legislative

Coordinating and combining reviews and other oversight functions of state agencies by the Governor's Office and Legislature is recommended to reduce the administrative costs of performing the oversight functions and provide information to those charged with oversight. Most agencies' support personnel have been reduced due to budget reductions and internal reallocation, and resultantly incur a significant administrative burden when requested by many different parties to provide documentation to permit effective oversight. We recommend that those charged with oversight responsibility reevaluate the timing and coordination of the procedures thereby allowing executive directors and support personnel to focus on operations and their missions rather than redundant oversight functions.

15. Consolidation of Department of Community and Culture’s finance, purchasing, and payroll services

Action Needed: Executive

Continue to identify support processes that are duplicative in the Department of Community and Culture to provide ways to cross-train and consolidate across divisions. This recommendation is in support of continuation of the process suggested by the 2010 Utah Advisory Commission to Optimize State Government.

16. Strengthen ties between local governments and the Division of Alcoholic Beverage Control

Action Needed: Executive

Create an outreach program within the program for Division of Alcoholic Beverage Control (DABC) to help local governments provide information to establishments seeking licensure. Since most local governments serve as the initial interface with new market entrants, it would be helpful for the relationship between DABC and these governments to improve. The creation of a basic “how-to” handbook can be used by economic developers when discussing issues with existing and new establishments.

17. Support a pilot program to discover best practices for State Procurement and Purchasing

Action Needed: Governor’s Office and Executive

Conduct a study within a state agency focusing on improving the purchasing process. This will reveal whether the current practice of bids and requests for services conducted by employees in state agencies needs to be changed to bring these employees under the direct management of Department of Administrative Services. The current structure is known to have procurement issues and cause time and duplicative efforts.

The committee supports the current pilot project that is being done with a joint partnership from the Division of Purchasing and the Operational Excellence program. The Governor’s Office should follow up on at the conclusion of the pilot project for possible state-wide realignment potential.

18. Provide additional resources or best practices for Governor’s Economic Incentive Program

Action Needed: Executive

Promotion of the State to recruit companies requires an optimum level of resources critical to achieving economic development goals. Development of operational excellence processes internally with the Governor’s Office of Economic Development (GOED) will find processes that would need internal allocations. After internal resources are exhausted, additional resources may be needed to increase customer feedback processes, relieve wait times, and increase throughput, to support further growth in Utah.

GOED also has the unique opportunity to work with and leverage local resources to expand the impact of economic development activities. It is recommended that further study be done to find ways to involve local economic development offices.

19. Technology Services are to regularly identify savings and increase communication to State clients

Action Needed: Executive

Develop a proactive communication plan that Technology Services (DTS) can use to communicate cost savings, operational outcomes, and strategic vision to executive branch agencies. Plan elements should include a monthly executive performance dashboard, presentations to Cabinet members on DTS vision and strategy, and cost savings information. Quarterly calls from the CIO and COO to agency executive directors, and on-site visits to agency operational units to discuss information technology problems and solutions, including interaction with agency middle management and front line system users, can communicate expectations and focus resources based on need. Roundtable discussions with agency business managers on innovative IT solutions to better support business processes can identify projects that can lead to automation and provide ongoing savings.

20. Identify savings from consolidation of Technology Services through the use of a third party study.

Action Needed: Executive

Executive branch agencies feel the need for DTS to validate savings beyond increased communication. Since the creation and consolidation of DTS, no third party has studied the financial and customer impacts from the time of pre-consolidation to current date. There may be no other way for DTS to have complete trust of self reported financial savings and customer satisfaction unless a third party study is conducted.

21. Develop a comprehensive plan to identify and serve Utah's veterans

Action Needed: Executive

Bring together key stakeholders to build a comprehensive plan around veteran's services. This plan should include all key elements from benefits to employment and training. The plan should include measureable results with key outcomes established and data that can be tracked, shared, and reported. The report and collaborative efforts should be shared with the Governor at least annually, or upon request.

22. Develop a plan B for agencies with potential decreased federal funds

Action Needed: Executive

Federal funding for programs will decrease in Utah's future. A process that discusses the effects of 5 percent and 25 percent decreases within the Executive Branch is currently in process under the direction in the 2011 General Session House Bill 138, *Federal Receipts Reporting Requirements* (Ivory). The council supports the proactive nature of these discussions to mitigate as much of the adverse impact of such a likely scenario.

23. Consolidation of agencies into state-owned buildings

Action Needed: Executive

Increase the percentage of state-owned building office space and lower the percentage of those that are in leases. While leases allows for flexibility, agencies that occupy state-owned space yields long term savings to the State. The Advisory Council supports the work being done within the Division of Facilities and Construction Management, under the direction of the legislature in the 2011 General Session Senate Bill 2, *New Fiscal Year Supplemental Appropriation Act* (Hillyard) to study asset utilization costs and operation and maintenance in state-owned buildings.

24. Combine a portion of Peace Officers Standards and Training (POST) for Public Safety and Corrections.

Action Needed: Executive

Combine the basic training for both peace officers in Public Safety and Corrections that is currently being conducted at the same facility but at different times. Continue to conduct specific training skills unique to each assignment after common training has been completed.

25. Study the relationship of the Utah Association of Conservation Districts with the Department of Agriculture

Action Needed: Executive and Legislative

Evaluate the Utah Association of Conservation Districts for coordination with the Department of Agriculture and accountability of State funds.

Appendix

Appendix A: H.B. 280

H.B. 280

STATE AGENCY REALIGNMENT

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: Stuart C. Reid

LONG TITLE

General Description:

This bill creates an advisory council in the Governor's Programs Code to study and make recommendations on the consolidation of state agencies to achieve efficiencies in state government.

Highlighted Provisions:

This bill:

- establishes the Advisory Council on Optimizing and Streamlining State Government;
- establishes the membership of the advisory council;
- specifies the duties of the advisory council, which include the study of consolidating state agencies, executive directors of state agencies, and functions of state agencies to achieve efficiencies in services of state government; and requires reports to the governor and the Legislature.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-263, as last amended by Laws of Utah 2010, Chapter 224

ENACTS:

63M-12-101, Utah Code Annotated 1953

63M-12-201, Utah Code Annotated 1953

63M-12-202, Utah Code Annotated 1953

63M-12-203, Utah Code Annotated 1953

63M-12-204, Utah Code Annotated 1953

63M-12-301, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63I-2-263** is amended to read:

631-2-263. Repeal dates, Title 63A to Title 63M.

(1) Subsection 63G-1-401(5) is repealed on May 10, 2011.

(2) Title 63M, Chapter 12, Advisory Council on Optimizing and Streamlining State Government Act, is repealed January 1, 2012.

Section 2. Section **63M-12-101** is enacted to read:

**CHAPTER 12. ADVISORY COUNCIL ON OPTIMIZING AND
STREAMLINING STATE GOVERNMENT ACT
Part 1. General Provisions**

63M-12-101. Title.

This chapter is known as the "Advisory Council on Optimizing and Streamlining State Government Act."

Section 3. Section **63M-12-201** is enacted to read:

Part 2. Commission Members

63M-12-201. Creation -- Purpose.

(1) There is established the Advisory Council on Optimizing and Streamlining State Government.

2) (a) The Governor's Office of Planning and Budget shall provide administrative support for the advisory council.

(b) The executive directors of the departments of state government shall provide information to, and services requested by, the advisory council.

Section 4. Section **63M-12-202** is enacted to read:

63M-12-202. Members -- Appointment -- Terms -- Vacancies -- Expenses.

(1) The advisory council shall consist of up to 19 members as follows:

(a) 16 members to be appointed by the governor as follows:

(i) representatives from stakeholders who receive services from state agencies or are regulated by state agencies;

(ii) leaders in the business community; and

(iii) no more than two executive directors of state departments; and

(b) (i) one member from the Senate appointed by the president of the Senate; and

(ii) two members of the House of Representatives appointed by the speaker of the House of Representatives, no more than one of whom may be from the same political party.

(2) When a vacancy occurs in the membership for any reason, the replacement shall be appointed by the governor for the remainder of the unexpired term.

(3) A member may not receive compensation or benefits for the member's service.

Section 5. Section **63M-12-203** is enacted to read:

63M-12-203. Qualifications of members.

(1) Members appointed to the advisory council shall have the following qualifications:

(a) a demonstrated record of leadership and involvement; and

(b) a willingness to make a commitment to the furtherance of the purposes of the advisory council.

(2) The advisory council may make recommendations to the governor concerning appointment of members.

Section 6. Section **63M-12-204** is enacted to read:

63M-12-204. Election of chair -- Meetings.

The governor shall appoint a chair, and the council members may appoint other officers from its membership. The advisory council shall meet in regular meetings and may meet at special meetings at the request of the chair or the governor. The advisory council may form subcommittees and involve stake-holders, industry leaders, and others as it determines is appropriate.

Section 7. Section **63M-12-301** is enacted to read:

Part 3. Duties

63M-12-301. Duties.

The advisory council shall:

(1) consider the consolidation of the departments of state government to:

(a) reduce administrative costs associated with running multiple departments of state government;

(b) incorporate management and best business models for a number of cabinet-level members who report to the governor;

(c) streamline services of state departments in a manner that is in the best interest of the state;

(d) improve the efficiency of government; and

(e) reduce the cost of government;

(2) consider the advantages and disadvantages on consolidating departments, agencies or offices;

(3) consider the implementation of department consolidation and internal organizational changes necessary to complete the re-alignment of responsibilities if a consolidation of departments is recommended, including identifying employees and functions that would transfer to a consolidated department, and the organization of offices, boards, and divisions within a consolidated department;

(4) in accordance with Subsection (3), consider plans and options for reorganization and consolidation of state government, with input from stake holders, legislators, the business community, proposals considered during the Legislature's 2011 General Session, and the 2010 Governor's Commission on Optimizing Government; and

(5) (a) provide a report to the governor on or before October 19, 2011; and

(b) report to the Legislature's Government Operations Interim Committee on or before October 19, 2011; and

(c) report to the Legislative Management Committee on or before December 15, 2011.

Appendix B: Group Assignments

Groupings for Oveson Commission

Group One - Government Services

Name	Affiliation	Expertise
Jenny Wilson*	Moran Eye Center	Government relations
Brent Gardner	Utah Association of Counties	Local government
Stuart Reid	State Senator	Real estate, economic development
Brad Bertoch	Wayne Brown Institute	Finance, venture capital
Carlos Linares	Westminster College	Business, Education
Tyler Ploeger	Tanner Co.	C.P.A., auditing
Jim Grover**	Governor's Office of Planning and Budget Staff	Budget and policy

Group Two - Business and Regulatory Services

Name	Affiliation	Expertise
Tom Bingham*	Utah Manufacturers Association	Business, manufacturing
Wayne Harper	State Representative	Real estate, consulting
Lincoln Shurtz	Utah League of Cities and Towns	Government relations
Tammie Lucero	Uintah County	Economic development
Randy Parker	Utah Farm Bureau	Agriculture & Environmental
Kristen Cox	Department of Workforce Services	State government
Ryan Starks**	Governor's Office of Planning and Budget Staff	Budget and policy

Group Three - Health and Community Services

Name	Affiliation	Expertise
Dave Hart*	BYU Romney Institute of Public Management	Organizational strategy
Patrice Arent	State Representative	Law, small business
Michelle McOmber	Utah Medical Association	Medical industry
Randy Harmsen	Business Community	Engineering, business owner
Taylor Oldroyd	Utah County Association of Realtors	Real estate
Clark Harms	Board of Pardons and Parole	State government
Greg Jeffs**	Governor's Office of Planning and Budget Staff	Budget and policy

* Team Lead / Co-Chair

** Staff

Appendix C: Standardized Questions

Potential Questions for Agency Leadership Interviews

What is the purpose of your agency?

What do your customers/stakeholders want from you?

How do you know you are doing a good job?

What are the roadblocks that hinder the agency?

Who partners with the agency? How do you work together?

Are there any over lapping services or products delivered by other agencies?

Are there any mergers or consolidations that you would recommend?

Are there subsets of your Department that would make more sense in some other Department?

Over the last five years, what efforts have you made to optimize your organization?

How effective have these efforts been?

What is the return on investment?

What obstacles did you encounter in achieving success?