

MEETING MINUTES

January 18, 2012

GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

The meeting was called to order by Chairperson Cedric Greene at 10:00 a.m. January 18, 2012 at the WVARF temporary office located in the Goodwill Building, 209 Virginia Street, West, Charleston, West Virginia.

ATTENDANCE:

Committee: Cedric Greene, (Chairperson); Marsha Allman, Acting Executive Director; Everette Sullivan; Brenda Bates; Jan Smith; Phillip Mason; Mike Sheets, Executive Secretary; Carol Jarrett, Recording Secretary.

WVARF Staff: Marsha Allman, Leona Hoffmann, Sherry Briggs

Absent: Sherry Briggs and Leona Hoffmann
Mike Sheets, Purchasing Division
Jan Smith and Phillip Mason attended by conference call

Guests: LuAnn Summers attended for Brenda Bates
Chris Harich, Deputy Counsel, Department of Administration
Greg Morris, Pace Enterprises, Inc.
Michael Hagg, Executive Director, Hancock County Sheltered Workshop
Board President of WVARF

COMMITTEE CHAIR REPORT:

Mr. Greene, everyone should have received the minutes from the December 14th meeting.

MOTION #1

Mr. Sullivan, if no corrections or objections, I make a motion the minutes be approved.
Jan Smith seconded. Motion passed.

EXECUTIVE SECRETARY'S REPORT:

No report

EXECUTIVE DIRECTOR'S REPORT:

Ms. Allman, we have a few contracts we would like to get approved today. This handout is from Leona Hoffmann who is the Southern Contract Manager. A copy was handed out to all members.

CONTRACT PRESENTATIONS:

Marsha, the Lottery Commission has recently remodeled and added a number of floors and they have requested additional janitorial services. The audit was completed last week. This contract is for a total of three (3) months for a total of \$19,592.10. Goodwill Industries of Kanawha Valley is the CRP.

MOTION #2

Mr. Sullivan made a motion to approve the Lottery contract. Ms. Smith seconded. Motion passed.

State Treasurer's office located at 2012 Quarrier Street in Charleston, WV. The cost reflects a different price due to a rate change in Goodwill's Worker Compensation and Unemployment at a cost of \$1,635.00. Performance period, April 1, 2012 through March 31, 2013.
(2012 - \$136.59 per month)
(2013 - \$136.25 per month)

MOTION #3

Ms. Smith made a motion to approve the State Treasurer's rate change. Mr. Sullivan seconded. Motion passed.

Ms. Allman, I received an email from the Board of Barbers and Cosmetologists in Dunbar requesting to end services without a 30-day notice due to their budget, just can't afford to pay it.

Mr. Sullivan, what are they going to do about janitorial services?

Mr. Greene, what are they going to do? They actually go out and inspect for hygiene, how can they do that?

Ms. Allman, I have not had a chance to respond back to them yet as I just received the email before coming to this meeting.

Ms. Smith, is this just a small contract?

Ms. Allman, I don't think it is really a big contract. Goodwill has the contract.

Mr. Sullivan, how much is the contract for?

Ms. Allman, I do not know at this point. They want the end of the contract to be Friday, February 3, 2012. I will contact them to see if they can continue for the 30-days.

Ms. Smith, people are really having to tighten up.

Mr. Sullivan, if they have a contract they should know what the contract says and they should live by it. If they have a 30-day notice then they should give us a 30-day notice.

Mr. Green, you may want to have someone from the Board of Barbers & Cosmetologists at our next meeting.

Mr. Sullivan, there is possibly another side to that story.

Ms. Summers, what happens if you don't have this for 30-days in the future? We should decide what that should be for the future before they all start doing that.

Mr. Greene, I think you should have Legal Counsel to see that doesn't happen, what is their recourse as someone is cleaning this area?

Ms. Smith, if I needed a budget cut, I think I would be cleaning it.

Mr. Greene, we need to make sure something is in the contract that has teeth to be sure you have legal counsel to hold someone accountable.

Ms. Allman, Sherry Briggs is our Northern Contract Manager. Costing for maintenance of DNR Sportsman Stream Access site, District 4 - Kanawha/New River in Clay County. Clay County Services, Kanawha Falls takes care of this. Slight increase in that contract of \$21,586.10 to purchase additional safety equipment. Steam access site, WV Access Facilities for the maintenance. DNR is providing access at 100 sites. WVARF is providing grounds maintenance at over 100 stream access sites for the DNR. Clay County Services takes care of this also at a cost of \$20,710.20. We received a letter from Bret Preston complimenting WVARF for the excellent service we provide to DNR.

MOTION #4

Ms. Smith made a motion to approve the contract. Mr. Mason seconded. Motion passed.

Ms. Allman, we have received several requests for waivers for hand soap. Office Max offers to the state, at a substantial discount, soap items lower than what I can supply it for. We are really up against a big time contractor and some people have figured out how they can access through WVARF but if they can find and buy a similar item at a substantially less price, they can buy that item. We are up against Office Max as they are getting their price based on what they can get based on the sale of a larger order. Other items such as computers and other items they supply are going to affect other contracts. I don't know how we can compete with Office Max.

Mr. Sullivan, the agencies when purchasing through WVARF are helping people who are handicapped. Do they hire people with disabilities? We help people who can't help themselves.

Ms. Allman, that is an issue, but I can understand the state agencies when someone wants to try to get the best price for their agency. With Office Max they have everything. I don't know how we can handle this. It needs to be brought up with the Division of Purchasing. I think we should initiate that.

Mr. Greene, do you not have the latitude to disapprove that?

Ms. Allman read from the code §5A-3-10.

Mr. Greene, I believe that WVARF needs Legal Counsel to interpret that. I think your Legal Counsel is what you should base your waivers off of. I would have Legal Counsel interpret it, and then you could approve or disapprove the waiver. Then, I could get the Attorney General or someone else to check this out further. That is what I would suggest to you. If they didn't have to come through you, they wouldn't. You are running a business.

Mr. Mason, it would seem to me that we are going to need I believe something to the effect that we are competitively priced and we work very hard to find the best commodity for the best cost. Our purpose is to employ West Virginians who couldn't find employment elsewhere, people with disabilities.

Ms. Allman, when we are going up with our price we do not consider rehabilitation at all. When we figure our price to the customer it is based on a time study to know the labor involved, workers compensation, taxes and cost of goods. This committee then approves the small mark up.

Ms. Summers, they are not looking at just West Virginia, they are looking at other states.

Mr. Mason, the essence of what Everette was saying, it is germane to us as this is West Virginia.

Ms. Summers, it is based on West Virginia and we can't add other states in there.

Ms. Smith, I think you should deny the waiver. They may think, ok it is denied then decisions will need to be made.

Mr. Greene, I don't know that we should be doing that.

Ms. Allman, the reason I bring this to the Committee, waivers was one of the agenda items at my very first meeting. It continues to be a problem, but in the state Code it says WVARF was to do the waivers. I will deny the waiver.

Ms. Allman, General Services cancelled four (4) contracts at the Capitol, in hopes of changing three of the four contracts to "performance-based" contracts. The end date was January 10, but then General Services contacted WVARF and said they wanted to extend the contracts for another 45 days to allow WVARF to re-do the contracts. WVARF worked on the building audit last week and is completing it this week. The audit will provide the information needed to do the costing for the new contracts. The grounds maintenance contract was changed to a temporary services contract, allowing General Services to pay for hours worked only. Leona Hoffmann talked to Sue Chapman and we are back to the payment issue as we had previously. We have spent a lot of time involved in this contract and whatever we come up with in the new contract I hope it will alleviate the problems.

Ms. Smith, I am glad to hear we are keeping the contracts. It should be performance based and some of that should be temporary services.

Ms. Allman, I would say you should end up with two contracts with them. One contract would be an hourly rate for a day crew. The other contract would be for a night crew. It will be difficult to maintain with background checks.

Mr. Sullivan, 720 hours in a 12-month period is considered temporary services. Grounds maintenance is temporary services. It is a total 720 hours to ensure they are not double dipping.

Ms. Summers, I can't see putting out a contract to be bid again. We don't want to do it that way. Can we go to a CRP?

Ms. Smith, I think other CRP's would take it under those circumstances.

Ms. Allman, performance based and temporary services. We have two types.

Ms. Smith, we need hourly contracts, we don't want to change after 720 hours.

Ms. Allman, they wanted twelve (12) people a day to show up and they wanted a supervisor over those workers. Then they assigned a state employee to tell them what they would do on that particular day. Ms. Bever said she wasn't accepting those types of contracts.

Mr. Greene, what is going to happen, General Services will go out and get someone in the private sector, then they will be gone?

Ms. Smith, I think she needs to be told if you are not going to do it then we are getting another CRP.

Ms. Allman, the financial audit has not yet been completed. We hope to have a full report in time for the February meeting. Plans are already being made to ensure that the audit process will begin earlier next year so the final report and IRS Form 990 will be available sooner. When we are asked for information, since we are here only temporarily, we have boxes all over the place and we have trouble finding what they need. We are continuing to look for office space. We hope to have something to report to you at our February meeting.

Mr. Greene, what is the deal here, it is so cold in here, are they trying to freeze you all to death?

Ms. Allman, we are looking for other space. We have just been bogged down with problems with the Capitol contracts.

Mr. Greene, I think they are trying to tell you something.

Mr. Hagg, I spoke with Cheri Bever about a week ago and she said WVARF is more than welcome to stay there.

Mr. Greene, you guys need to hire a real estate agency and they will go out and find you a place. From an administrative standpoint, you don't have enough space.

Ms. Allman, we have been here close to one (1) year.

Ms. Allman, WVARF is hosting an evening event to allow CRPs to display goods and services to legislators and State agency representatives. It will be held at the Town Center Marriott on Thursday, February 2, 2012 from 7:00 p.m. to 9:00 p.m. All Committee members are invited to attend.

CONTRACT COMPLAINTS:

- 1) There was a complaint from the Elkins DOH office. Although there was not a direct complaint about the quality of the service, they were concerned about the supervision of the workers. Randolph County Workshop responded by changing the supervisor and improving communication between the Workshop and the DOH. We will make a one stop check without notifying Randolph Country Workshop.
- 2) There was a verbal complaint about the taste of the water at the DHHR office at Meadowbrook Mall in Fairmont. The Sheltered Workshop of Nicholas County was contacted and they are sending someone to clean the water dispenser.
- 3) There was a complaint from a traveler who stopped at the Lewis County northbound rest area. The employee was irate with the traveler. Precision Services was contacted. The employee was terminated and the traveler was contacted by the Director of Precision Services and an apology was made.

Ms. Allman, included in the packet of information is a copy of all the waivers for soap and also water.

Ms. Smith, Marsha I appreciate the way you do business. Mr. Mason agreed.

FINANCIAL REPORT:

Ms. Allman, everyone received a copy of the financial report which ended on November 30th. This is the most up-to-date information we can provide. The bottom line looks like WVARF has a lot of money but we don't get our numbers back from CRP's in time to reflect on this list. We are working with some CRP's to see if they can get their numbers to us any earlier.

Revised State Use Quarterly Report forms were distributed to all CRP's which participate in the State Use Program, along with instructions, explanations and requirements.

Mr. Greene, who does this report?

Ms. Allman, Melinda Tucker with the Accounting firm of Suttle and Stalnaker, if she doesn't do them then I will go in and do the report.

MOTION #5

Mr. Sullivan made a motion to accept the Financial Report. Ms. Smith seconded. Motion passed.

Ms. Allman, the shredding contract that we approved, I think the Purchasing Division has had some correspondence even though it has been approved by this Committee it is still not on the statewide contract list. We want to talk about some of the contracts that we have given to them and why they have not made it to the statewide contract list.

Mr. Greene, would you send me a list of those like PacTec, Flagging, etc.

Mr. Morris with PacTec, Purchasing sent us some forms to fill out that seem to not easily adapt to the process they want us to jump through, I am wondering what is the best way to proceed.

Mr. Greene, I am concerned about it as we approved it a while ago and it seems we are no further ahead than we were previously.

Mr. Morris, I understand that Purchasing does have a process they have to go through.

Mr. Greene, we need to get this out of the station so to speak.

OLD BUSINESS:

None

NEW BUSINESS:

None

MOTION #6

Mr. Sullivan made a motion to adjourn. Ms. Smith seconded. Motion passed.