

MEETING MINUTES

April 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. April 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, Interim Executive Director; Everette Sullivan; Brenda Bates; Jan Smith; Phillip Mason; Mike Sheets, Executive Secretary; Carol Jarrett, Recording Secretary.

WVARF Staff: Marsha Allman, Sherrie Briggs, Leona Hoffmann

Absent: Phillip Mason, Mike Sheets.
Jan Smith attended by conference call

Guests: Mark Crockett, Jackson County Developmental Center, Inc.
Elizabeth Sampson, Clay County Services
Cheri Bever, Goodwill President/CEO
Joyce Birley, Goodwill Industries

COMMITTEE CHAIR REPORT:

Mr. Greene, Ms. Briggs and Ms. Hoffmann are here today. I am not signing any contract unless here at this meeting. We will get started with the contract presentations.

CONTRACT PRESENTATIONS:

Ms. Briggs, a new contract for the Office of the Attorney General, Martinsburg, WV. CRP is Developmental Center and Workshop. Performance period: May 1, 2012 – April 30, 2013. Total period amount of \$4,973.52. An RFI went out and we had only the one response.

MOTION #1

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

Ms. Briggs, DHHR, Region 3, Robert C. Byrd Industrial Park, Moorefield, WV. Developmental Center and Workshop is the CRP. Performance period: April 24, 2012 – June 30, 2012. New location Hardy County, DHHR Moorefield Developmental Center, start date of April 24, 2012. They moved from downtown with 8,000 sq. ft. to the new Robert C. Byrd Industrial Park with 10,000 sq. ft. No change in the monthly price. A cost of \$4,441.97 to finish out this year. This is a change order for extra floor care as they wanted more detailed cleaning.

MOTION #2

Ms. Smith moved to approve. Mr. Sullivan seconded. Motion passed.

NOTHERN DISTRICT

Buckhannon, Upshur is on your list. Six renewal contracts and they started the same and they wanted to renew at the same price. No issues.

DEP, Phillipi
DHHR, Region 3, Weston
DOH, District 7, Buckhannon Equipment
DOH, District 7 – Upshur County Offices
DOH, District 7, US-33 Office
DRS, Weston

MOTION #3

Mr. Sullivan made a motion to approve. Ms. Bates seconded. Motion passed.

Ms. Briggs, Harrison County Sheltered Workshop - no changes. This is a renewal.

MOTION #4

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

Ms. Briggs, General Services in Weirton. They asked to add a janitor's cart for the second floor for a total cost of \$165.12. They are fine with doing that.

MOTION #5

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

Ms. Briggs, renewal for the Rest Area I-68 in Hazleton, no increases at this time.

MOTION #6

Ms. Bates made a motion to approve. Mr. Sullivan seconded. Motion passed.

Ms. Briggs, a renewal for I-70 Rest Area, Triadelphia effective July 1, 2012, an increase of \$16,243.95. They needed to add an 8 hour day for a supervisor. Originally the supervisor was there for only 4 hours and they have said they need a supervisor for 8 hours. They oversee attendance, ordering supplies for the rest area and deal with any and all issues twenty four/seven (24/7). They do this with all other facilities. This increases four (4) hours for supervisors for 7 days a week. I have met with Mr. Hash at DOH and they feel this is necessary.

MOTION #7

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

Ms. Briggs, the third Rest Area in Morgantown has no increase. This Committee did approve their increase last year and they needed it 8 hours. They are fine with the bigger facility.

Ms. Briggs, BEP in Morgantown, \$57.48 for Workers Unemployment.

Ms. Briggs, DOH, District four (4) Monongalia County, this is a one-time fee of \$46.32.

Ms. Briggs, WV State Treasurer's office in Morgantown, this is a one-time fee of \$16.44 for workers compensation and unemployment.

MOTION #8

Ms. Smith moved to approve. Mr. Sullivan seconded. Motion passed.

Ms. Briggs, the Op Shop, 4 DHHRs, Region 1, Call Center in Fairmont, \$1,263.60 for floor care.

DOH Headquarters, District four (4) Bridgeport. This increase is \$296.40 which is a one-time fee for floor care.

MOTION #9

Mr. Sullivan moved to accept. Ms. Bates seconded. Motion passed.

Ms. Bates, Jan you really can't vote on this since it involves the Op Shop.

Jan abstained from voting for the Op Shop.

Ms. Briggs, Goodwill SWPA, from 2011/12 at \$2,679.82 to 2012/13 at \$3,023.16, you are looking at a full year, a difference of \$343.34. This is a renewal for Miners Health & Safety and I have been in touch with them.

Everyone that I went to is happy with their service.

DRS in Morgantown had no increase. This is a renewal.

MOTION #10

Mr. Sullivan moved to approve. Ms. Bates seconded. Motion passed.

SOUTHERN DISTRICT

Ms. Hoffmann, Rest Area I-64 in Hurricane. Goodwill KV is the CRP. No change in this contract and it is \$273,961.16 for the year.

MOTION #11

Mr. Sullivan moved to approve. Ms. Bates seconded. Motion passed.

Ms. Hoffmann, Courthouse Authority in Charleston, WV. Goodwill KV is the CRP. This was changed due to the square footage from \$1,441.20 to an annual cost of \$1,592.28. This is an increase of \$151.08.

MOTION #12

Mr. Sullivan moved to approve. Ms. Bates seconded. Motion passed.

Ms. Hoffmann, no change in the Parkway Authority I-77 Welcome Center in Princeton, \$150,405.66 annually Mercer County is the CRP.

MOTION #13

Ms. Bates moved to accept. Mr. Sullivan seconded. Motion passed.

Ms. Hoffmann, no change in DOH Rest Area in Huntington. Goodwill KYOWVA is the CRP at an annual cost of \$155,752.22.

MOTION #14

Ms. Bates moved to approve. Ms. Smith seconded. Motion passed.

Ms. Hoffmann, DHHR, Region 2, Danville/Boone. Integrated Resources is the CRP. This is an increase from \$25,135.80 to \$25,324.56, a difference of \$188.76.

MOTION #15

Mr. Sullivan moved to approve. Ms. Smith seconded. Motion passed.

Ms. Hoffmann, the last one is RA Parkway, Mile Marker 69. Integrated Resources is the CRP. No change for this one at a yearly cost of \$124,753.00.

MOTION #16

Ms. Bates moved to approve. Ms. Smith seconded. Motion passed.

Mr. Greene, do I have a motion to approve the minutes.

Ms. Allman, correction on the March 21st minutes on Page 7, second paragraph. Mr. Sheets said "I am glad to see waivers". Should read, I am glad to see "**fewer**" waivers.

Ms. Allman, the law states it is what's available through the open market. This is not considered open market.

MOTION #17

Mr. Sullivan, I move to accept the change in the minutes. Ms. Bates seconded. Motion passed.

MOTION#18

Ms. Bates, I move to accept the minutes as they are now. Mr. Sullivan seconded. Motion passed.

EXECUTIVE SECRETARY'S REPORT:

(Committee Account Report)

\$5,055.00 – Annual Allocation
0.00 – A/P Amount
1,248.99 – Disbursement
131.05 – Transfer Out
\$3,674.96 – Balance Remaining

MOTION #19

Mr. Sullivan moved to accept the report. Ms. Bates seconded. Motion passed.

CONTRACT COMPLAINTS:

Ms. Hoffmann, a letter was received from James Calvert regarding janitorial at the Department of Environmental (DEP) building. A copy of the letter was handed out to all members. The complaint was that a bag of 10 unopened rolls of toilet paper and three packages of paper towels were found and they were dug out of their dumpster. This is the first complaint they have had.

Ms. Birley, Goodwill takes allegations of theft very seriously and we will investigate and monitor the situation. Team cleaning was recommended by Mr. Calvert and starting at the top of the building and moving down. We made that change with the understanding that the floor person running the floor machine would be working independently. After examining the building on a routine basis, since our last meeting, productivity in the building appears to be improved.

We have had two appointments set up and he did not show up for either one of them.

This bag of paper products was laid between two bathrooms while cleaning was going on and they thought it was trash. We have started the process of logging in and out and locking the rooms also. The building is clean, it is not an issue of them not doing their work at all. We have had two appointments. The state provides all disposables.

Mr. Greene, I can see where that would be an accident.

Ms. Birley, during the investigation they had been recently asked to remove partial rolls of toilet paper and recently they have been instructed to discard those rather than using them.

Ms. Hoffmann, I have not received anything on this.

Mr. Greene, I would suggest when someone uses a word that isn't factual ...be careful of receiving an email like this. This looks like they complain about this all the time. He is saying he constantly has to deal with a lack of supervision and I think he is laying the groundwork to ask for a waiver and you need to go back and say something like, I see in your email about dealing with these situations but have you had other complaints?

Ms. Hoffmann, no

Ms. Bates, I would take theft personally. I would follow-up on that. Do you think someone was coming back to get it or what?

Mr. Greene, this guy is laying the groundwork. I would ask for more elaboration. Just be very careful about these emails that go to General Services. The contract is not with DEP it is with General Services. We appreciate your diligence in this matter and looking into it. We appreciate it.

Ms. Allman, we are switching from Peachtree to Quick Books which will make our accounting even better.

Mr. Greene, it doesn't allow the employees to manipulate the accounts.

Ms. Allman, only the ones with approval.

Ms. Sampson, our accounting advises us not to leave Peachtree.

Mr. Crockett, our accounting says Peachtree is obsolete. We are going to use Quick Books at the recommendation of our accountants.

Ms. Allman, our Board approved that. Some extra work needs to be done.

Ms. Allman, we have cut down on the number of waivers. We don't have a CRP in an area where we don't have the delivery established. We have very good reasons for the waivers. A copy of the Waiver Report was handed out to all members present.

Ms. Allman, the next item on the agenda is the CNA Report.

Ms. Bates, I want that to be on the agenda. We need to discuss the 4.1% and what the excess is going to be used for. We need to discuss that and be placed on the agenda for next month.

Mr. Greene, how much is in that account?

Ms. Bates, year-to-date, how much is there. We need to know how the excess is going to be used. We may need to lower the 4.1%.

Mr. Sullivan, I don't know why we would go back to arguing about the 4.1% we liked to never got that 4.1% to start with.

Ms. Bates, it is in the Rule that we have to discuss that. I am not saying it needs to be changed; we just need to know how much excess it is going to be and what that will be used for. The Committee has to discuss that annually. You have to do it every year and talk about it. WVARF has come up with a plan and how to use that money. We are responsible for FMP and consider the percentage every year. All the money has to go to State Use. WVARF needs to come up with a way as to how that money is to be spent.

Ms. Allman, since I have been working with the budget, I think a lot of things have been neglected in the budget. Next year's budget is going to be quite different. There is no plan for employment with the state. I have come across a few other things. We should put something aside to cover unemployment expenses. Put into the budget that the \$350,000.00, that money could be paid back. If we have to put up so much money, you put so much into it a year.

Ms. Sampson, did you get a complete report, an opinion from the Auditor. I asked for a report that was delivered to WVARF and I asked that we be provided a copy of that.

Ms. Bever, he gave us a full report and a letter.

Ms. Allman, if you could send that out that would be great.

Mr. Greene, the Master Agreement that has to be approved by the Governor's Committee.

Ms. Allman, in order to participate in State Use they have to agree, (CRPs). It has to be approved by this Committee.

Ms. Allman, after receiving all the documents the Executive Director has to sign off. This has to be done by July. We can start requesting the documents. Nothing in it has changed. We were not allowed to change anything and nothing has been changed in the legislation. This is referred to as the desk audit.

Ms. Sampson, it includes going through the files, etc. Documentations of disability, workers compensation coverage and a number of other things we have to go through.

Ms. Green, who would do that?

Ms. Allman, normally, contract managers.

Ms. Bates, Craig Greening did that while here.

Ms. Allman, I have that in the budget for next year, travel expenses and field audits.

Mr. Greene, it seems to me Sherrie and Leona would do that when they go out. I can see where they could do that. It seems like they could drive five more miles to the left or right and they could do that.

Ms. Allman, I think that was contracted out the last time we did that.

Mr. Greene, what is your concern, that we haven't done it.

Ms. Bates, yes

Ms. Allman, it does say a desk audit needs to be done.

Ms. Bates, there was an issue with what people were being paid versus what was on the contract. I have some real concerns, without having done these, if that is done/occurring. Were they being paid the correct wage based on the contract that we approved? There is so much for us to look at as a Committee to assume that WVARF as CNA will do things according to the Code. It concerns me greatly.

Ms. Allman, in defense of WVARF I do have it in the budget to get done next year. On the contracts CRPs will be given it says workers given the wages as presented in the contract. WVARF had to assume if it is in the contract we were doing that.

Ms. Bates, this contract we are looking at here, then put it back in there. It should also be in the agreement. I don't have the time to look at the Code; everything in the Code should be addressed in that agreement.

Mr. Sullivan, I am concerned about the minimum wage. We need to make sure, say an individual gets an increase and that person quits and that doesn't get increased, then that needs to be adjusted. We spend two hours every month and we depend on you guys to look at the Code. You may have to have Cedric and an attorney look at the Code and make sure they are doing what they are required to do.

Mr. Greene, if there is a requirement in the Code to do it then we need to have an attorney and have them look at the Code and make sure we do the field audits.

Mr. Greene, I would think these young ladies could do the audits while in the field.

Ms. Bates, that is what has been done based on Executive Directors report that will be on the agenda next month, it is part of the master contract. This was your report from last month, see page 6.

Ms. Allman, it stated something to the effect if a CRP sends an invoice for \$10,000 we add our 4.1% and we send this to the state agency. After we do the invoices we pay them the 4.1%.

Ms. Sampson, in this letter you dispute that.

Ms. Bever, the Board is trying to decide if that is the Master Agreement.

Ms. Allman, that was a letter from CNA to the CRPs. We can't pay for more than what we get from the state.

Ms. Bates, the master agreement has not been changed.

Mr. Greene, in regards to that, we will look at what is in the minutes. It looks like an issue between WVARF and CRPs.

Ms. Sampson, we have to follow the statute.

Mr. Greene, we will look at that and see.

Ms. Allman, we will look at the audit and have our lawyer look at the Master Agreement and I will look at the last Director's report.

Ms. Bates, it seems reasonable as it has always been done in the past, when Leona and Sherrie are in the area dealing with CRPs, they would do the field audits. Somehow we need to get these field audits done.

Ms. Allman, they have about 120 contracts.

Mr. Greene, it seems odd these young ladies, I feel sure would cheerfully do these tasks.

Ms. Allman, it is time consuming. It would require overnight stay.

Mr. Greene, I just think they would be the ones doing it.

Ms. Bates, it just needs to be done.

Mr. Crockett is with us from Jackson County Developmental Center, Inc., (JCDC) Millwood, WV. A letter was handed out by Mr. Crockett from Craig Greening, Executive Director with the JCDC. Mr. Crockett read aloud the letter to all present regarding a price increase for wiping cloths.

Mr. Crockett, we would like to have you or the Committee, or a conversation with Purchasing to see if we can come to a conclusion on this.

Mr. Green, the cotton increases, I can go back in the minutes and we approved that in May and October.

Ms. Allman, we supplied documentation and still it has not been approved. That documentation has already been submitted and has been addressed.

Mr. Crockett, we are paying that wage.

Ms. Allman, Mike said he couldn't remember that being approved.

Ms. Allman, increase for cotton it showed that in the document but not approved by Purchasing. They couldn't remember the wage being approved but we don't understand why it has not been approved. It said it has to be on approved forms. It is the same form.

Mr. Crockett, it said it had to be an approved form or not actually approved.

Ms. Allman, you used the same format that you used four years ago and that was approved.

Mr. Crockett, the wage \$8.01 an hour is a commensurate wage, prevailing wage. WVARF10 was approved with that wage. Prices were approved, now a year later it wasn't approved. Because of the wage issue we don't know why it was approved with WVARF10.

Ms. Allman, Mr. Sheets is not here to answer.

Mr. Crockett, we would just like to know, what do we do now? We used the approved forms.

Mr. Greene, I will get with Purchasing. There are clearly some issues with PACE the shredding contract. It is a whole page but I am not going to read it.

Mr. Crockett, we are willing to get with anyone and to provide any documentation that may be needed.

Mr. Greene, the Director is out-of-town and I think he will be back tomorrow.

Mr. Greene, I will get with Mike Sheets and see what's going on here. I am not suggesting it is Purchasing's responsibility, I am just saying we need to be "workable" as a state agency to be successful. I will take the shredding issue and the flagging issue to them. I will get with them.

Mr. Greene, thank you Mr. Crockett for your time. Your issue is with the Purchasing Division and not with this Committee as the Committee approved this. I will give you a courtesy call after I talk with them.

Ms. Bever, during the March meeting we had a discussion regarding WV Enterprise Resource Planning Board (ERP). ERP approved and it did go out.

Ms. Birley, from two days a week to five days a week. See matrix in your packet, 100 points for CRP #1 and 75 points for CRP #2.

Mr. Greene, do I have a motion to accept the matrix and award this to CRP #1?

MOTION #20

Mr. Sullivan moved to accept CRP #1. Ms. Bates seconded. Motion passed.

Ms. Allman, what you have in this packet goes out to the customer. It will be with a service agreement and if they accept it then they sign the service agreement then send back to us.

OLD BUSINESS:

None

NEW BUSINESS:

None

MOTION #21

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