

MEETING MINUTES

May 16, 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. May 16, 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, Jan Smith, attended by conference call as well as Michael Hagg, Executive Director of Hancock County Sheltered Workshop and Board President of WVARF

Guests: Greg Morris, Pace Enterprises, Inc.
Mark Crockett, Jackson County Developmental Center, Inc.
Jack Holcomb, Precision Services
Cheri Bever, Goodwill President/CEO
Joyce Birley, Goodwill Industries
Carla Cleek, Rehabilitation Services
Carolyn Hardin, Intern with DOA Cabinet Secretary's Office

COMMITTEE CHAIR REPORT:

Mr. Greene, do I have an approval of the minutes from our last meeting in April?

MOTION #1

Ms. Smith moved to approve the minutes. Mr. Mason seconded. Motion passed.

Mr. Greene, General Services contract whether hourly or performance, we approved as the Committee back in December or January. Even though the Committee approved there is another requirement and it goes to the Purchasing Division and they have to sign off on it. Even if we approved it here, it hasn't been canceled as yet.

Mr. Sheets, we have received Form 35 to cancel it. It is agency driven, procurement people at the agency.

Mr. Greene, what we have done, I have asked General Services to do a performance based and they sent to you Mike at the Purchasing Division two days ago. July will be totally performance based, no requirement for time sheets.

EXECUTIVE SECRETARY'S REPORT:
(Committee Account Report)

\$5,055.00 – Annual Allocation
0.00 – A/P Amount
1,369.45 – Disbursement
136.05 – Transfer Out
\$3,549.50 – Balance Remaining

CONTRACT PRESENTATIONS:

Northern Contracts
Sherri Briggs

DHHR at Clay County, no changes.

DRS at Spencer, no changes.

Rest Area, Burnsville increased from \$298,652.77 to \$310,655.94. An increase of \$12,003.17 which is for workers and Ok'd by DOH.

Rest Area, Servia from \$265,693.54 to \$275,813.66. An increase of \$10,120.12 for workers and Jim Hash has approved.

DOH, District 7, Barbour County Headquarters. Changed from \$3,186.84 to \$4,720.80. An increase of \$1,533.96 for additional services added.

Workforce, Elkins, increase from \$17,683.56 to \$17,732.40, a difference of \$48.84. This is for added supplies.

DMV, Elkins an increase from \$16,777.92 to \$16,983.48 for an increase of \$205.56. CIB.

DMV, Bridgeport from \$15,664.56 to \$15,870.00 for a difference of \$205.44. CIB.

DMV, Parkersburg from \$7,009.00 to 8,506.68. An increase of \$1,497.68 which was for 10 months and went to a 12 month contract with CIB added.

GSA, Parkersburg from \$83,965.44 to \$84,659.28. A difference of \$693.84. Substitute Wage.

DRS, Keyser moved to a new building. Increased from \$6,369.96 to \$10,741.20, a difference of \$4,371.24.

Rest area, Marlow/Bunker Hill, Route 81 is in negotiations. He was unable to get back to get approved. This is one you will not be approving today.

State Attorney General, Martinsburg. This is new for 12 months at \$4,973.52.

DHHR, Region 3 at Petersburg, Grant County from \$15,417.96 to \$16,263.96 an increase of \$846.00 which is for added floor care.

Ms. Smith, what was the increase for at the rest area?

Ms. Briggs, wages. It is an hourly rate increase. Mr. Holcomb has provided all the information needed.

These contracts were placed on hold and to be rechecked and be brought back to the Committee if there were changes. If no changes, we will not go over those.

These were approved:

Mineral Wells Rest Area
Servia Rest Area
Burnsville Rest Area
Williamstown Rest Area
GSA, Parkersburg

MOTION #2

Mr. Mason made a motion to approve the contracts. Mr. Sullivan seconded. Motion passed.

Southern District

Leona Hoffmann

DHHR, Winfield, from \$28,519.32 to \$30,063.12. An increase of \$1,543.80, scope-of-work.

Ms. Bever, I don't see what you are providing to the Committee. We have not seen that. We haven't seen the scope-of-work. I haven't seen this to see if they can do the work.

Mr. Greene, don't submit to approve that one.

Public Service in Charleston. Increase from \$78,956.64 to \$80,018.16. An increase of \$1,061.52, SUBW.

Lottery, 900 Pennsylvania Avenue. Three floors added 3rd, 4th and 5th Floors. This is a new contract and will be for July 1, 2012.

Rest Area at I-64 in White Sulphur Springs. \$150,761.76. Grand opening begins at 4:00 p.m. This has been approved by DOH.

Mr. Greene, this went from zero to \$150,000.00.

Stephens Lake, this is a new contract for 7 hours a day and 7 days a week, for a cost of \$10,956.52

ERP in Charleston. From \$36,429.84 to \$36,676.08. An increase of \$246.24.

DHHR, Region 2, Hamlin/Lincoln for an increase in WC/unemployment and scope-of-work. From \$51,215.16 to \$52,415.16, an increase of \$1,200.00.

DHHR, Region 2, Point Pleasant/Mason. An increase from \$18,357.36 to \$19,174.80. A difference of \$817.44, for WC/Unemployment/SOW.

DHHR, Region 2, Danville/Boone. An increase from \$25,135.80 to \$25,324.56. A difference of \$188.76.

DHHR, Region 2, Williamson/Mingo. An increase from \$33,416.64 to \$33,803.76, an increase of \$387.12.

DHHR, Region 4, Hinton/Summers. An increase from \$13,501.56 to \$13,844.64, a difference of \$343.08.

DHHR, Region 4, Pineville/Wyoming. An increase from \$22,802.28 to \$22,958.40, a difference of \$156.12.

DRS, Logan. An increase from \$6,206.88 to \$6,335.88, an difference of \$129.00.

DRS, Mullens, An increase from \$3,037.68 to \$3,099.12, a difference of \$61.44.

Insurance Commission, Beckley, an increase from \$10,764.36 to \$10,806.60. A difference of \$42.24.

DHHR, Region 4, McDowell/Welch, an increase from \$33,666.24 to \$33,843.36. An increase of \$177.12

Ms. Bates, when we are trying to work through these contracts and if you have an issue with them, then you can discuss that through the public comment period.

Ms. Bever, don't you need this before you vote on it?

Ms. Bates, it would be better, you and WVARF at some point, every CRP is not here to work through these contracts. We have never had CRPs to interject through the comment period.

Mr. Greene, is there any reason why they can't have this information?

Ms. Bates, I think it is the responsibility of WVARF to share this responsibility prior to the meeting and that hasn't been done. We need to know about it and that should be addressed. What appears to the Committee, if Goodwill is here and they are making comments and maybe there are say 29 others are not here to comment.

Mr. Greene, I would think you could go into the computer and get this information.

Ms. Smith, the OP Shop has input on the contracts before they come to the Committee.

Ms. Allman, Contract Managers ask them to review the present contract they have and the new contract is mailed to the CRP and we save emails where people have had a chance to comment on that. That change has been made. CRPs do have a chance to look at the contracts and can make a comment.

Ms. Birley, that information is not always consistent. I had no idea some of these were coming today. I don't know what invoices are to be paid because I don't know about the changes.

Ms. Bates, the only time that a contract is presented is that it is something new. I have concerns now that we hear from the CRPs that are here.

Ms. Birley, we have a lot of contracts.

Mr. Greene, we have got to quit taking ourselves so serious. The only thing that matters is what we sign off on. If it is distributed to me, why wouldn't it be submitted to you? I am with Brenda, this is a concern. I feel sure other CRPs would have questions also. The reality to it is that I won't sign anything if it is not right. Something must be going on as there is no conversation on it. You could change the words at the top and say changed or proposed. When it comes to this Committee if it is not right we will table it. I don't want to go through contracts one by one.

Ms. Bates, if CRPs disagrees they can be put on the agenda. Every CRP needs an equal opportunity. We need to hold off until you see these until it comes here because it isn't that the Committee approves but the CRP needs to approve for that pricing.

Mr. Holcomb, we don't get any paperwork. We do have open communication with Sherrie and I did have input into our contract. We have a good working relationship.

Ms. Bates, the next meeting is going to be a heavy meeting. I am not sure what is wrong or what is happening. Something is breaking down in the process.

Mr. Greene, I think the Committee is assuming a lot of things.

Ms. Birley, I gave three (3) OKs yesterday.

Mr. Green, I don't want to table until next month.

Ms. Bates, is any of them an issue?

Ms. Birley, I am saying that on some of these contracts I made recommendation and I never got anything after that. I don't get the follow-up. What about supervisors' replacement wages. If that documentation is with you I got the last of my contracts that you are providing but I don't know what they are saying. There needs to be more communication. The contracts last month I haven't seen a one.

Mr. Greene, starting with Southern, we are satisfied until next month.

On page 3
Pretera Center
ERP
DHHR, Region 2, Hamlin/Lincoln
DHHR, Region 2, Pt. Pleasant/Mason

On page 5
DHHR, Region 2, Danville/Boone
DHHR, Region 2, Williamson/Mingo
DHHR, Region 4, Hinton/Summers
DHHR, Region 4, Pineville/Wyoming
DRS, Logan
DRS, Mullins
Insurance Commission, Beckley
DHHR, Region 4, McDowell/Welch

White Sulphur Springs Rest Area on I-64.
Stephens Lake

MOTION #3

Mr. Sullivan, I move to approve these specific contracts. Ms. Smith seconded. Motion passed.

Ms. Allman, a document was handed out to all members present which was a costing detail and worksheet for Mr. Morris with Pace Shredding. This is the same form approved that we used at the last meeting. It was approved at the last meeting and then sent to Purchasing Division for review and comment. The Purchasing Division wanted a new application to answer questions and comments. This is similar to the previous form.

Mr. Morris, from single year to three years. The only price related change, we dropped a fuel surcharge. We did away with it all together. I believe this summarizes and I will be glad to answer any questions.

Mr. Sullivan, do we have to approve this?

Mr. Sheets, it has been approved but it was changed. They came down and we had concerns.

Mr. Morris, we had a very productive meeting with the Purchasing Division.

MOTION #4

Mr. Sullivan, I move we approve the recommended change. Ms. Bates seconded. Motion passed.

Mr. Hagg, I want an additional item added to the contract for Hancock County Sheltered Workshop, Laundry contract. This is for Mop Head Micro Fiber 18" for a FMP of \$0.40.

Ms. Smith, this one item, is this to be added to the contract?

Mr. Hagg, yes

MOTION #5

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

Mr. Mason, do we have a Policy & Procedures Manual with regards to when changes can be made.

Mr. Green, I would think that would be in WVARF's lane of traffic.

Ms. Allman, those items are addressed in the Legislative Rules.

Ms. Smith, there has been some changes; at one point we went over every individual contract.

Mr. Greene, we are not going to do that. I think before you bring to the Committee, CRPs need to see and approve. Marsha you and these young ladies need to get together. I think it is for Marsha to figure out what that process is.

Ms. Mason, I think this would avoid having ulcers and it should be just a simple process as to how we are going to do it.

CONTRACT COMPLAINTS:

Ms. Allman, we have no complaints

EXECUTIVE DIRECTOR'S REPORT:

Ms. Allman

- 1) I have completed the annual report of the State Use Program for Fiscal Year 2011. During the past year some CRPs did not send in correct information to give the CNA the figures needed to include in the report. I had to have all CRPs go back and check their figures for July 1, 2010 through June 30, 2011. I have changed the reporting forms and have revised the instructions so that CRPs can complete the information more easily. The annual report should be completed much earlier for this fiscal year since these improvements have been made.
- 2) The CNA Committee continues to meet monthly. They are reviewing the budget and will have it ready for the May 16th meeting.
- 3) I have tried to get price estimates for janitorial supplies and equipment which have not been updated for at least three years. I requested quotes from various janitorial supply companies who reported that they could deliver statewide. I have received quotes from R. D. Wilson, Sons & Co.; Phillip's Supply; and Liberty Distributors. I will work on a comparison chart to present at a future meeting.
- 4) New office space has been secured but renovations need to be done before the office can be moved. No date has been set as to when the move will take place.
- 5) The CNA contract which ends May 31, 2012 has been approved for another year by the Division of Rehabilitation Services. We will be anxious to see the new RFP that will come out this year.
- 6) The Temporary Services contract has also been renewed for another year, May 1, 2012 through April 30, 2013.
- 7) The Statewide Janitorial contract will expire July 30, 2012.
- 8) Training was offered to all State Use Eligible CRPs on April 26th. Joyce Wysong provided training on CRP invoicing to WVARF. George Brown of Ramsey Risk Management provided training on the Family Medical Leave Act and American with Disabilities Act Amendments Act. Attorney Jeff Foster provided information about WV Labor Law. The training session was very well received.

Ms. Allman, reports next year is going to be a lot easier to report.

Ms. Allman gave a report on the Third Quarter Results. This report is from January through May 11th. I have requested Mary Jones to track Temporary Services/Waiver Reports and another lady will track services.

Three came in since our last meeting. Water, we are working with Lillian James Center regarding water.

Ms. Allman, the Statement of Financial Position for March 31, 2012 was handed out to all members present. This report changes from day-to-day. We did not receive billing from a CRP from this week which makes the total different. We want the invoice with last day of the month that the service was provided.

Ms. Allman, a copy of the Aged Receivables was handed out to all members present. One agency we were billing wanted a separate billing then they wanted everything on one bill.

Ms. Allman, Statement of Activities copy was provided to all members present. We are off by six cents year-to-date on the budget.

Ms. Bates, Ms. Allman, the 4.1% and what is your plan?

Ms. Allman, I did go back and look at financials for last year. As of June 30, 2011, CNA part of the budget was actually in a deficit of \$28,000. More for CNA activity.

Ms. Bates, I know that was not what was presented to you. I would need to see. There was an overage of a certain amount of money and Greg Raber had to come up with his plan on how to spend that money. It is a matter of an overage.

Ms. Allman, I will look at that. I assumed the accounting done last year was correct.

Ms. Bates, is there a net so far for this year?

Ms. Allman, it should be on the financials. So far this year it is \$45,600 over. That means we had a copy of new contracts that came in year-to-date. We have a profit for this year \$45,600 for this year. We need to make sure CRPs get their information to us on time.

Ms. Bates, if a profit last year and this year, you have to come up with a plan of how that money is to be spent. It could go back into an investment. Overage money is not to pay back the \$350,000.00. We need to get the minutes and figure out. We need to go back to last year's minutes and build on that. That has to be dealt with because of the way the response was written. The 4.1% goes to State Use.

Ms. Allman, when I went back and looked at the final report last year that was with the adjustments we had with the auditors.

Ms. Bates, he is saying \$40,000 over and you are saying \$20,000 under. We also have an overage at the end of the year.

Mr. Greene, this report is a rough draft.

Ms. Bates, when we vote on 4.1% it should be April or May, if we voted on that today you have a \$45,000 income. Whether it is an auditor or staff, we can only go by what you are presenting. We vote on this April or May and you really need to, for the Committee, know how are you going to spend this excess.

Ms. Allman, Master Agreement has been sent out. CRPs getting a copy.

Ms. Bates, I vaguely remember looking at it. We were talking about desk audits and I wanted to be sure there was a statement related to that before you sign your name.

Ms. Greene, do we think CRPs would have an issue with that – a wage issue?

Ms. Allman, the new janitorial did not include that.

Ms. Briggs, it was stated on DOH spreadsheet, 8 pages. That line was omitted.

Ms. Bates, that line needs to be added in there. That is also Everette's concern is that the minimum wage is added in there.

MOTION #6

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

Ms. Smith, Performance based. We put people in there and work is not being done. It needs to be based on whether the building is clean. We don't need extra people we just need to work the contract. For some of us who have large contracts we have deep cleaning people come in there and do the cleaning. We have to be careful what we are giving other state agencies. It should be based on cleanliness not on how many people they have there.

It is up to the CRPs to educate customers. They want three people in this building and four people in that building, etc. That allows me to decide how many people. It is based on performance rather than the number of people.

Mr. Greene, I think your point is well received to some degree but I think the agency should make the decision of whether performance based or time sheets. For me, I would want time sheets but I think the agency has to come up with what works for them. I get your point; it is up to CRPs to educate their people. It is however the agency wants to do that. The difference between state government and corporate is tax payers money. It would be time sheets as it is a higher standard of transparency.

Ms. Bates, hiring people with disabilities is a priority. Our reason for being here is the number of people with disabilities with the best possible wage. We can't lose sight on why we are here.

Ms. Smith, DOH needs to know how many hours workers are there.

Ms. Bates, state Code is pretty clear. This Committee is set up that things are transparent and this Committee is supposed to get a full packet with the contract. It is clear what we get and what should be sent to the spending units.

Jan, performance based contract; you are making it an hourly contract.

Ms. Allman, Mr. Sheets do you know anything that WVARF needs to supply the agency with costing sheets?

Mr. Sheets, the Committee does have to approve the costing. As far as Purchasing is concerned, however the contract is structured for what it is contracted for. I would say we are somewhat; our main concern is that it is contracted – have what the state agency received so that all parties are treated fairly.

Ms. Bever read aloud from the Code 186CSRI.

Mr. Greene, at one point, would receive monthly pricing, scope-of-work, what services for that monthly fee. At some point-in-time start sending everything out to the agencies and they start to expect it after that.

Ms. Smith, that is absolutely true, that is how it happened. We looked at every contract and all those costing sheets. I have been complaining about it ever since it happened. I am still saying the end result is performance not the number of people in that building.

Mr. Greene, read the Code, comply with it. I don't think this Committee needs to do anything different. Just comply with the Code. Whatever you are required to send, then send. Caution, you all should be very careful of the backlash of the agency. When you start giving them anything, then they expect it. That is the bottom line.

Ms. Bates, with custodial, people want to see people.

Ms. Birley, I have an email from WV Courthouse Authority that we are concerned about regarding mops. She wanted 25 mops on her contract and she uses Swiffer Mops. Her concern should be that the floor is clean.

Mr. Greene, be in compliance with the Code. See what your customer says. Customer is always right, I guess.

NEW BUSINESS:

Ms. Allman, copy of WVARF – CNA Activity FY-2013 Budget with Comparison to Estimated FY-2012 budget. A copy was handed out to all members present. The membership budget and the CNA budget for fiscal year 2013 which is being provided to you today.

Mr. Greene, Jan do you have any questions?

Ms. Smith, no – I am fine with it.

Ms. Bates, I am ok with it.

Mr. Greene, Everette do you have any questions?

Mr. Sullivan, no.

Ms. Allman, we are planning to add additional clerical staff, increase salary of Executive Director. That was the reason for the ten or so changes listed. Also, there will be an increase in the office space since we will be going to a larger space.

MOTION #7

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

Ms. Allman, last item on the agenda is a draft of the Annual Report of the State Use Program. We are required by state Code to present annually to the Association of Rehabilitation Services. It has been sent to the Director of Rehabilitation Services. It has required items that are in the state Code. I was able to go back five years. Ms. Allman handed out copies to all members present.

MOTION #8

Mr. Sullivan, I approve to go smooth on the 2011 report. Ms. Bates seconded. Motion passed.

OLD BUSINESS:

None

PUBLIC COMMENT:

Ms. Birley, Leona and I have run into an issue with a copy of a contract regarding a supervisory wage. We found from years back the replacement wage and lead workers was not being put into the contract. Those wages are going back into the contract. If a supervisor takes a vacation the replacement would allow for another supervisor to be on that. Does the spending unit have the discretion to send someone in on that case?

Mr. Greene, if the supervisor goes on vacation, I believe the state is saying we are only paying for one supervisor if he is on vacation and another one shows up as they won't pay for two people.

Ms. Allman, someone complained for lack of supervision. I don't think it should be an option.

Ms. Briggs, some have it built into the contract and it didn't come up.

Mr. Greene, often employees require supervision so that someone doesn't get hurt or if the job doesn't get done.

Ms. Bever, the contract covers their vacation time but not someone who comes in to replace them. Supervisors are not in there.

Ms. Allman, it wasn't in some contracts. I don't know when it started. It was before I came here.

Mr. Greene, I recall this coming up with General Services and they had issues with it.

Mr. Greene, if the supervisor can't be there, put employees back in there, but not a supervisor. I think that person has to be replaced. They are suggesting the agency/state spending unit pays. If there is a clerical error I think you need to do a letter saying it was a clerical error and let them know that is going to be put back into the contract.

Ms. Bates, I am trying to think about how many will be involved.

Ms. Birley, they are not saying they want that. No complaints because we have been covering that and that is why there have been no complaints.

Ms. Bates, you want us to pay for people who are not there and you are not paying on time sheet but pay double for a supervisor?

Ms. Allman, WVARF changed spreadsheets around 2009 or 2010. Those two lines were dropped. DOH was ok. Finance, Health got dropped.

Mr. Greene, Marsha find out what contracts are affected. The very important part is not included, about paying for two people and they are getting only one.

Ms. Bates, when there is an increase, they want to know why, whenever there is an increase, as it affects someone's budget.

Mr. Greene, if you would put in the letter Marsha and explain why it is important, why it is in the contract and the importance of why the supervisor needs to be there. Lead worker and supervisor.

Ms. Hoffmann, we have to go back into these contracts and take care of that.

Mr. Greene, we cannot send out to the state because they are not accurate.

Ms. Bates, we will hold over until July 1st. I would hold over July 1 contracts and we will go through them all and the ones have to be done this month we will get those through.

Ms. Briggs, I will send out new contract for them to approve to CRPs.

Mr. Greene, from now on the visitors have to have what we have. We have an average of 4-5 people here so they can see the same thing that I see.

Mr. Greene, starting next month you sign them saying what your staff is saying and I will sign for the Committee.

Ms. Bever, is there a way or if there is an issue that I could bring up before I bring to the Committee?

Mr. Greene, just email to Marsha and to me. We are never going through every single contract, but we have to find some way that if there is an issue, that it is brought to the Committee.

Jan Smith had a handout which she read aloud regarding performance based vs. hourly scheduled janitorial contracts. Her reasons for believing we need to change what information is shared with the agency.

MOTION #9

Mr. Sullivan made a motion to adjourn.