

Chairman:
CRAIG A. GREENING
Members:
Q. J. HUMPHREYS
DENNIS C. MILLER
JOHN L. PARKER
DIANA STOUT
EVERETTE SULLIVAN

**Committee for the
Purchase of Commodities and Services
from the Handicapped**

ROOM E-108
STATE CAPITOL BUILDING
CHARLESTON, WEST VIRGINIA 25305-0139

Ex Officio Members:
DICK ESTILL
Executive Secretary
DANNY MYERS
Executive Director
West Virginia Association
Rehabilitation
Facilities

MINUTES
FEBRUARY 21, 1990
SMALL P&P CONFERENCE ROOM
WEST VIRGINIA REHABILITATION CENTER COMPLEX
INSTITUTE, WEST VIRGINIA

The fourth meeting of the Governor's Committee for the Purchase of Commodities and Services from the Handicapped was called to order at 9:45 a.m. by the Chairman, Craig Greening. Other members in attendance were: Q. J. Humphreys; Dennis C. Miller; John L. Parker; Ex Officio Members Dick Estill and Danny Myers; and invited guest Stephen R. King, Chief, Rehabilitation Facilities Development, Division of Rehabilitation Services.

Dennis Miller motioned, seconded by Q. J. Humphreys, that the minutes of the meeting of January 16, 1990, be approved. There being no additions, deletions, or corrections to the minutes, they were approved unanimously.

The next order of business was a report by its Chairman, Craig Greening. Mr. Greening read from a copy of correspondence from the Governor to the Secretary of State appointing him as the Committee's Chairman. Also in this regard, all seated Committee members' names were forwarded by the Governor's Office to the President of the Senate for confirmation on February 5, 1990.

The next item of business on the agenda was a report on the National Association of Rehabilitation Facilities Second State Use Conference, January 29-30, 1990, attended by John Parker. The State Use Division of the National Association of Rehabilitation Facilities was described as gaining in interest, membership, and overall participation. NARF State Use Division member states account for a total of over \$84 million dollars in sales of services and commodities to their various states. There is another \$20 million in sales reported by states who are not NARF State Use members. Clearly the affiliation with the NARF State Use Division is highly beneficial to those participating states. This conference generated a wealth of new marketing ideas. A two-page trip report is attached to these minutes.

The next item on the agenda was a report of the Executive Secretary, Dick Estill. He briefly discussed House Bill 4457 referred to House Committees on Government Organization and Finance. This bill primarily addresses the authority and responsibilities of the Secretary of Administration and the Director of Purchasing. It is an attempt to draw together all responsibilities falling under the Secretary of Administration and to eliminate redundant and conflicting sections of the code. It also addresses a few changes which are of some concern to sheltered workshops and some Committee members. There is perhaps only one area of real concern and lack of agreement between workshops, the Governor's Committee, and the Purchasing Division. To summarize, this proposed change to the law would replace language to wit: "... the Director (Director of Purchasing) shall employ a person

whose primary responsibility shall be to identify all commodities and printing available for purchase from such nonprofit workshops,..." with language to wit: "... the Director (Director of Purchasing) shall employ a person who in addition to other duties will be responsible for identifying all commodities and printing available for purchase from nonprofit workshops, ..." It is the feeling of workshops that funds for this buyer position were established by the Legislature in the Finance & Administration budget for the primary purpose of assisting workshops with the marketing and sales of services and commodities to the state. Until this law is substantially changed, it is the law and intent of the Legislature. Committee members and workshop executives understand and are sympathetic with the plight of the Director of Purchasing. However, it is felt that the Committee cannot properly discharge its duties unless its executive secretary is able to devote a substantial amount of his time to the rightful interests of the Committee and of sheltered workshops. Accordingly, the Executive Committee of the West Virginia Association of Rehabilitation Facilities developed the following resolution which was unanimously approved by its membership during its January meeting. "The West Virginia Association of Rehabilitation Facilities opposes any changes in the law that would negate the intent of 5A-3-12 and 5A-3A in regard to the preferential treatment for sheltered workshops, specifically the mandatory provision of the law, reduction in the executive secretary's position, and the authority of the Governor's Committee to establish a fair market price."

The next item of business on the agenda was the report of the central nonprofit agency. A summary report of estimated annual sales by sheltered workshops in the State Use Program from March 31, 1990, to January 2, 1991 was presented. Sales for this period are estimated to be approximately \$1 million with slightly over \$14,000 in WVARF administrative fees anticipated for this same period. Mr. Myers also briefed the Committee on the development and history of WVARF's administrative contract fees which were also listed on this handout. Mr. Myers made a verbal presentation of a proposed contract between Shawnee Hills Industries and the Disability Determination Section of the West Virginia Division of Rehabilitation Services. ~~This small presort contract would result in a 4 cents savings on all presorted first class mail. The user agency (DDS) would realize a savings of .0192 cents on each piece of presorted mail and the facility would receive .0208 cents for each piece and a nominal labor charge for pickup and delivery at \$4.50 hourly.~~ A motion was made by Mr. Humphreys and seconded by Mr. Parker to approve these amounts as the fair market price for this service. This motion passed unanimously.

The next item on the agenda under unfinished business was approval of the Committee's bylaws as developed by Diana Stout, reviewed at last month's meeting by the Committee incorporating corrections and suggestions made by the Committee at large. Mr. Miller motioned, seconded by Mr. Humphreys, that the bylaws as proposed by Ms. Stout on January 22 be approved with no further changes. The Committee adopted its bylaws unanimously with all four members in attendance voting in the affirmative. The final item of unfinished business was the approval of Committee letterhead. The Division of Rehabilitation Services will print 1,000 letterheads and 1,000 envelopes with the design chosen by a majority of those in attendance.

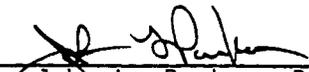
The next item on the agenda under new business dealt with the flow and processing of reports and information from facilities to the Committee. After lengthy discussion of this complex issue and a review of the statutory responsibilities of the CNA, the executive secretary, and the Committee itself, the following motion was made by Mr. Miller and seconded by Mr. Humphreys to wit: "The primary responsibility for collecting and maintaining a data base from periodic reports submitted by facilities to the Committee shall be vested in the executive secretary. This reporting form, Governor's Committee for the Purchase of Commodities and Services from the Handicapped State Business and Contract Reporting Form, approved by the Committee on this date shall be used exclusively by all facilities as the source of this data. This action is taken pursuant to Chapter 5A-3A-3C and Chapter 5A, 3A-4D of the Code of West Virginia." This motion was approved unanimously by the Committee.

The next item on the agenda under new business was a review of procedures for presentation of contracts to the Committee. A need was voiced that some mechanism or procedure needs to be in place for follow up of all final action taken by the Purchasing Department on committee fair market price determinations and awards. Mr. Myers offered to incorporate this feature into his regular reports to the Committee.

The Committee elected to table its final item under new business regarding the election of a vice chair and treasurer.

The final item presented to the Committee under other business was a concern by Mr. Myers that a WVARF member facility (Wyoming County Workshop) was voicing concern to him and other committee members that this facility's sales to the state had decreased markedly from last fiscal year of approximately \$200,000 to virtually no sales in the present fiscal year and no orders in process. Since the Committee has no formalized rules as yet established for resolving grievances, they nevertheless felt that an attempt should be made to informally resolve this situation by inviting a member of this facility to the next regularly scheduled meeting of the Committee on March 12, 1990, at 9:30 a.m., at the Small P&P Conference Room at the West Virginia Rehabilitation Center Complex, Institute, West Virginia. Mr. Greening indicated that he would place this item of business on the agenda for the next meeting and would contact a member of the facility to be present at such time.

Craig A. Greening, Chairman



John L. Parker, Recorder

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

AGENDA

Small P & P Conference Room
West Virginia Division of Rehabilitation Services
Institute, West Virginia

February 21, 1990

- I. 9:30 Roll Call
- II. Approval of Minutes of Previous Meeting
- III. Treasurer's Report
- IV. Report of Chairman
 - A. Report on NARF State Use Conference
- V. Report of Executive Secretary
- VI. Report of CNA
- VII. Unfinished Business
 - A. Approval of Bylaws
 - B. Approval of Letterhead
 - C. Other
- VIII. New Business
 - A. Monthly Report Responsibility
 - B. Contract Review and Presentation Procedure
 - C. Election of Vice Chair and Treasurer
- IX. Other Business
- X. Adjournment