

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

**MINUTES**

**August 6, 2003**

**F. Ray Power Bldg, Institute, WV**

**Attendance: Lee Dixon, Chair; Linda Maniak, Everett Sullivan, Donna Prunty, Karen Byrd, Exec. Secretary; Brenda King, DRS.**

**Absent: Dennis Miller**

**WVARF: Steve King, Craig Greening, Chris Miller**

**VISITORS PRESENT: Brandy Zickafoose, Alvin Schafer, Earl Smith, Sandy Poling, Tim Morris, Bob McCoy, Rhonda Hite, Mark Kessler, Gloria Cox, Carl Mayfield, Ed Rose, John Posey and Marsha Allman.**

**Approval of Minutes: Donna Prunty moved that the minutes of the June 18, 2003 meeting of the Committee be approved, seconded by Brenda King. Motion passed.**

**Financial Report: Brenda King: None at this time. Will get report to Committee ASAP.**

**Report of Chair: Lee Dixon. Nothing to report.**

**Report of Executive Secretary: Karen Byrd- The master statewide contract that will take the place of the Procurement List hopefully will be ready to present at the next meeting. Karen and Betty Francisco have been working diligently to get the content of the contract pulled together. Purchasing intends to allow changes to the contract to occur throughout the year as the Committee approves new additions. She is waiting for the final draft of the contract to be finalized before presenting it to Dave Tincher for his review and approval. Effective dates for the contracts covered by the master contract will be October 1, 2003.**

**Report of WVARF Executive Director: In accordance with the Committee's and the CNA's Action Plans, Steve provided an update on the CNA's activities related to meeting the goals and objectives set forth therein. Goal 1--The staff has been working closely with Betty Francisco to develop a new State Use Program Cost Analysis Worksheet that will be followed to determine fair market price recommendations to the Committee. The new process and form will be used for all new proposals to the Committee and should document the information needed by Purchasing for their vendor and contract files. Goal 2—Work has begun on developing a new website that will market the program as well as provide e-**

commerce options. Preliminary discussions with prospective vendors indicate the initial costs may be in the \$7,000-\$10,000 range. Craig and Ken have had a meeting with Karen Byrd, Executive Secretary, to develop marketing strategies and identify state needs.

Goal 4—Complaints—will report monthly on formal and informal complaints-later on agenda. Goal 5: the work on changing the procurement list to the master contract by Purchasing is under way, as is the updating of the statewide contracts that will be a part of it. Goal 6—data related to preparation of the 2003 Annual report is being received and compiled. WVARF plans to report data to the Committee at the October meeting, and issue the report in November.

Steve sought the Committee's opinion in regard to the need for reviewing the janitorial leasing policy approved and issued by Secretary Burton in 2001, with the current Secretary of Administration. Donna Prunty indicated she would help set up a meeting with Secretary Susman to discuss this and other issues with the Committee. She further mentioned that she had attended several of the meetings that had been held recently involving the state's leasing policies and plans for new buildings, and nothing had compromised the use of the State Use program.

**Contract Complaints (Informal):**

1. DMV Martinsburg- an internal personnel matter was addressed by officials representing the DMV and Craig Greening and the matter was resolved.
2. BEP Plaza East- Craig visited the site with staff from Goodwill and found no problems at the location. An issue over stripping and waxing floors had been addressed, as the customer was not aware of it being outside the terms of the contract.

**CONTRACT PRESENTATIONS (new):**

1. Non-reoccurring State Use Projects Reports
2. DOH US-33 Office - Buckhannon
3. DOH Nicholas County - Summersville
4. DEP –Hansford St., Chas. (Donna asked if the moving of the office from Nitro to Kan. City would cause a problem with contract employees.)

**CONTRACT PRESENTATION – Renewals**

1. DOH District 5 Headquarters - Minor issues in Dist. 5
2. DOH Hampshire County – no change
3. DOH District 7 Headquarters – Weston – no change
4. DMV – Beckley
5. Geo. Econ survey – Charleston
6. IS&C Mail Center – Charleston
7. DOH District 2 Warehouse - Huntington

After questions and discussion, Donna Prunty moved for approval of all contracts submitted along with the suggested pricing. Everett Sullivan seconded. Motion passed.

Chris Miller reviewed the Gross Revenues and Aged Receivables Report with the Committee:

1. \$9.7 million for the year (through CNA billing), Estimates total sales to be approximately \$10.8 million.
2. Aged receivables (60+days): \$17,274. (1.97 %)

Donna Prunty updated the Committee on the status of the change in the Legislative Rule and the law. Both went into effect July 1, 2003. Copies of the new language should be posted on the state's web-site.

Karen Byrd again stated that additional changes to the master statewide contract are being worked on, e.g. rubber stamps and wiping cloths. She indicated the information on these items needed to be submitted quickly in order to get them included in the contract by the next meeting. Craig indicated the information would be provided as soon as possible.

Mail Presort contract reassignment: Steve reviewed the process that was followed as outlined in the RFP document approved by the Committee. Five proposals were received for consideration. The proposal review team met on July 31, 2003 and reported their findings. Based on the input received from the review team, Steve indicated he felt that the CNA was prepared to submit a recommendation to the Committee for the contract reassignment.

Donna Prunty moved for an Executive Session not open to the public to consider the details of the proposals and the recommendation, and Everett Sullivan seconded. She indicated that the Review Team is not making decision. The Committee is to make that decision. She further indicated the Committee wants the RFP to go to the program that can do the best job. She asked that Craig and Chris stay for the executive session.

**EXECUTIVE SESSION: (Closed Session)**

Meeting reconvened with guests returning for meeting. Steve informed the Committee that based on the findings and collective information provided through the Review Team and the related information and discussion with the Committee, it was the recommendation of the CNA that the mail presort contract be awarded to Job Squad, effective Oct. 1, 2003.

**Donna Prunty made a motion to accept the CNA's recommendation pending verification and receipt of the signed verification evaluation documentation to be presented at the next meeting, Everett Sullivan seconded, motion passed.**

**Karen said a bid or proposal evaluation should not become public until the award is final. She pointed out that the RFP allowed those parties who have an interest in the Committee's decision the opportunity to review the rating document after the Committee's decision is made.**

**Following the recommendation of the CNA and the motion passed by the Committee a lengthy discussion regarding the fairness of the procedures used and the basis for making the contract award was held with several of the guests in attendance.**

**While this discussion was taking place Donna Prunty mentioned and then distributed a letter she had recently received from Jan Smith and Brenda Hellwig (CRP directors) that indicated, among other things, the monies the CNA had received from the operation of the mail presort contract through June 30, 2003 had been distributed to all CRP members of WVARF as of July 31, 2003. She stated that this development indicated the Committee needed to draft additional rules that would prevent this sort of thing happening again, and should specify that funds derived from state use fees should be used by the CNA to support and develop the state use program.**

**Donna then moved that the Committee immediately start work on drafting procedural rules that would establish greater accountability of the CNA to the Committee including the oversight of revenues generated from state use fees. Everett Sullivan seconded, motion passed.**

**Related to the mentioned distribution of funds from the operation of the presort contract by the CNA, Donna moved that the CRPs be required to account for the use of those funds-they should relate to the CRPs' activities associated with their state use contracts, and if they were not doing any state use the funds should be returned. Motion was seconded by Everett Sullivan, and passed.**

**Following questions related to CRPs that do not have state use contracts and the use of the distributed funds, King asked if a CRP can explain how the funds will enable them to acquire a contract, could the funds be kept for that purpose? Donna stated she would like her motion amended to allow this option.**

**Further discussion of the contract award process to be followed and questions about the use of the distributed funds by CRPs ensued. Brenda King stated that WVARF is the CNA, but the Committee should be, if it isn't already, responsible for oversight and accountability of how the CNA uses the funds from the state**

fees. If the Committee had known that funds from the contract could be arbitrarily distributed, they might have ruled differently. She stated the Committee needs to look at the law and at operational procedures. This contract has raised lots of issues that may need to be addressed in the future.

Donna moved that any earnings received by the CNA from operating the presort contract as of July 1, 2003 be retained by the CNA central office to operate and promote the state use program. Everette Sullivan seconded, motion passed.

Karen Byrd stated the Committee should have been notified about the ruling in the WVARF quarterly meeting in Huntington. The committee was caught off guard that this was taking place.

At the conclusion of the meeting a guest invited Donna to attend a meeting of WVARF's Executive Committee which she agreed to do.

Respectfully submitted by:



**Paula Sparkman**  
**Rehabilitation Services Associate**  
**Program & Policy Unit**  
**WVDRS**