

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

Minutes

November 19, 2003

F. Ray Power Bldg., Institute, WV

Attendance: Lee Dixon, Chair; Linda Maniak, Donna Lipscomb, Dennis Miller, Everett Sullivan, Brenda King, DRS; Elaine Slater, DRS

Absent: Karen Byrd

WVARF Staff: Steve King, Craig Greening, Chris Miller, Ken Kennedy,

Visitors Present: Jan Smith, Marsha Allman, Tim Morris, Gloria Cox

Approval of Minutes: Motion made by Everette Sullivan that minutes from October 29, 2003 meeting be approved. The motion was seconded by Donna Lipscomb. Minutes were approved.

Report of Chair - Lee Dixon

Letter was received from Pretera proposing an alliance with Green Acres to provide transportation services for the delivery of bottled water. Not sure if it is a matter for the Committee to deal with. Not necessarily going to be a statewide contract. Feels we should proceed with restoring responsibility. Hopefully will not become a long-term problem.

Received two letters from SW Resources. Asking for exclusive rights to different products (signs, ad specialties) that might qualify for statewide contracts. He asked if this committee was going to have to approve everything that is added to the contract? Change orders? A lot of people don't even know about the state program

Some of these items are now being provided by more than one approved program. It is not the intent of the CNA to harm any program already providing customer service. Can more than one CRP be approved to provide service? For example bottled water. Bottled water done by territory. Want to make sure CRP is in their geographic area. Don't draw the line where they would have to go elsewhere.

Report of WVARF Exec. Director

The Committee's Annual Report is ready for the printer and should be available for the Committee at the next meeting.

King informed the Committee that during a well attended special meeting of the WVARF membership on 11/12/03, the staff was asked to prepare a position paper that would

address the relationship and structure of WVARF as association and CNA, and would detail the relationships between the association, CNA, DRS CRP5 and other stakeholders such as Purchasing and the Committee.

King invited the members of the Committee to attend a luncheon that would be held following the December 11th meeting of the WVARF Executive Committee. Invitations will be sent.

Complaint Resolution Report.

Ken Kennedy presented a working draft of a plan to govern customer complaint resolution in general and in regard to Green Acres in specific. The initiation of a routine customer service plan will hopefully identify customer expectations and the understanding of the vendor as to what is to be delivered. May take us a year to get this working well. At this point things look pretty good. Hopefully within the next month we will be able to have a written draft for you to look at.

Contract Presentation-New.

Non-recurring Report (Handout): Greening indicated that almost all of the reported items are dwindling due to the initiation of the master statewide contract and the exclusion of items not contained in it. In order to keep some of the reported sales in place, the agencies are being referred directly to a CRP for a bid. Screen printing, remanufactured printer cartridges, are, just two items that will be looked at for conversion into the statewide contract.

Bureau of Employment Programs (handout): about a year ago they moved and now they have moved back. Picking up an old contract -with everything the same. Building has been empty for about a year.

Administration is trying to get WC a new building. We need to get in on the ground floor for janitorial services. Looking at brand new building.

Contract Presentation-Renewals (Handouts):

Other three contracts (DEP-New Creek, Grievance Board-Chas. and Emergency Service-Chas are all renewing at their current prices.

Brenda King moved for approval of contracts. Seconded by Everett Sullivan. Motion approved.

WVARF Accounts Receivables Report-(handout):

Chris Miller presented the report. Year to date total sales -3.1 million beginning July 1, 2003 through October 2003.

October is typically worst month for outstanding receivables since most contracts renew in July. If there are problems with renewals, October is when they will start to show up.

Update Committee Handbooks Greening:

Changes for Committee Handbook were discussed. If there are any problems with new material, let Craig know. Old pages can be taken out and new pages put in to replace those. Will send schedule of meetings for next half year.

Procedural Rules on CNA Lipscomb:

Rules are essentially ready to go. Have already been approved, just need to get signatures. Not many changes made following last meeting. Has a list of all the Rehab programs in state which was sent to her by Brenda King and will mail to everybody. Wants to send to anyone who would have any interest. Any comments will go to Donna. She will share with committee.

Presort Grievances-Dixon:

Dixon indicated the need to reschedule the Committee's special meeting due to attendance problems at the last one. The members indicated they would attempt to get it scheduled during the first week in December if possible. Dixon informed the Committee about the withdrawal of Karen Byrd from the grievance process at the direction of the Director of Purchasing. Several committee members stated their concern or puzzlement over this development due to her previous input and direction as to the process being followed, her special background and knowledge of such matters, and the fact that she did not vote on the outcome.

DHHR Warehouse/fulfillment Contract Craig Greening:

He reported that he had been told that SW Resources will be stepping up their activities to provide the information on this contract that had been requested by Purchasing.

Presort Surplus Distribution Update- King

At WVARF's membership meeting mentioned earlier, this Committee's previous motions to: (1) make a fair and equitable distribution of presort revenue that went out to WVARF members to participating non-members, and (2) that we secure info from all the entities who received that money as to how they were going to use and account for the funds to further their state use activity were discussed. King indicated that the letter requesting feedback on the use of the funds had been sent but results weren't back. Hopefully will have information to report at the December meeting.

King indicated that in addition to the two CRPs mentioned in the Committee's motion to receive a like amount from the presort revenue, the membership voted to also make revenue distributions to three additional programs who were affiliate or full members who were approved for participation in state use, but have not produced under the program as yet.

The Committee indicated that their intent was for the money to be used to create the capability or promote or expand the CRPs' ability to provide products or services under the state use program. Brenda King asked if this action was going to provide funding to more programs that don't have state use work. She also indicated the Committee and the CNA must have documentation for accountability for spending of public funds. Donna Lipscomb indicated that she is very uncomfortable with what happened. May need to check with counsel. Money should have been kept separate. Integrity of State Use is at risk. Money was transferred without knowledge of Committee to people who do not have State Use. Can't expect people to send money back because they have very tight budgets.

WVARF can use 4.1% administrative fee as they choose, but the revenue from operating the interim contract should have been kept separate. King indicated that a separate accounting department was created and all revenues and expenses for the department were recorded and reported. Lipscomb stated she believed the presort funds should not have been distributed to their own members without coming to the Committee. Lipscomb expressed concern that if a legislator sought an audit, this program conceivably could be abolished. If the program is audited and it is decided the money that was sent out would have to be paid back, the Association would have to do that. Procedural rules should take care of this type of problem in the future.

Committee wants to express its concern about distributing any more public funds to entities that don't have State Use work. Can't tell Association what should be done, but the Committee wants to express their concerns and WVARF needs to go back to the Association and figure out what to do. All letters relevant to the use of the funds need to be retained in case of an audit of the program.

Ratio Report - Craig Greening (handout):

An update ratio report as requested last month was provided. Miller asked how long do we give them to improve? Greening reported it can depend on if there are any disabled people available to do the work. The law requires that 75% of all the work performed under the program by all CRPs be performed by people with disabilities. That is the way it is calculated for the Annual Report.

Plans of correction- Greening (handout):

Preston County could not count supervisors as direct labor and so this made their ratio lower. They did not resubmit quarterly report without supervisors. This may really help their numbers if they would do that. This should be followed up on. Send letter to them asking them to resubmit without supervisors. They may meet criteria if this is done. If not, they need to submit a correction plan.

The Committee needs to revisit this in a few months to see if any progress has been made as percentage of work done by people with disabilities is crucial to this program. Motion

made by Brenda King to approve correction plans. Seconded by Donna Lipscomb. Motion was approved.

State Use Program Budget (handout) –Steve King:

King explained the WVARF operating budget document for the current fiscal year that was provided.

Public Comment Period

1. A guest asked how the Committee’s expenses were budgeted. Funds for the Committee are budgeted through the Department of Administration.

2. A guest asked if the minutes could be provided to the WVARF members as they had in the past. It was suggested that the Committees Agenda and minutes could be posted on the WVARF website under development. During the interim, they can be emailed. Since the minutes will not have been approved, a disclaimer should be done reflecting their being subjects to the correctness of minutes.

There being no further business the meeting was adjourned.