

MEETING MINUTES

April 16, 2010

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

The meeting was called to order by Chairperson Penney Hall at 9:00 a.m. April 16, 2010 at the F. Ray Power Building, located at the West Virginia Division of Rehabilitation Services' office in Institute, West Virginia.

ATTENDANCE:

Committee: Penney Hall (Chairperson); Everette Sullivan; Brenda Bates; LuAnn Summers; Jan Smith; Phillip Mason; Jan Lilly-Stewart; Carol Jarrett, Recording Secretary.

WVARF Staff: Greg Raber, Sherry Briggs, Leona Hoffmann

Guest: Steve Thompson, Legislative Analyst for the House of Delegates Committee for the House of Delegates Committee for Government Organization.

MOTION #1

Mr. Sullivan moved to accept the minutes as presented. Mr. Mason seconded. Motion passed.

COMMITTEE CHAIR REPORT:

Ms. Hall reported the new website is now up; however, she is still working on getting all the past minutes posted.

Ms. Hall said David Tincher, Director of the Division of Purchasing, was not able to meet with the Committee as requested. She said Cabinet Secretary Ferguson was planning to attend unless an emergency came up to prevent his attendance.

EXECUTIVE SECRETARY REPORT:

Ms. Jarrett reported in place of Mr. Price:

\$3,600.97 – Annual Allocation
 97.55 – Total Expenses
\$3,503.42 – Balance Remaining FY10

EXECUTIVE DIRECTOR'S REPORT:

Mr. Raber reported he has been working on the commodities contract pricing. He said the two contract managers have been out in the field meeting with customers which has shown positive results.

He said desktop reviews will be sent out next week asking the CRPs for their supporting documentation.

He reported the CNA Committee meeting will be meeting next week regarding the budget.

Mr. Raber reported that Precision Services in Gassaway will be celebrating their 30th anniversary on Thursday, April 22. Jack Holcomb, Executive Director, asked him to extend an invitation to the Committee members to attend. Also, in May Gateway Industries in Lewisburg is having Derby Days.

CONTRACT PRESENTATIONS:

Ms. Hoffmann presented one new contract and one renewal contract:

New Contract: General Services wanted a 'Day Maid' for the main Capitol building to work during regular business hours. This person is in addition to the eight (8) that were requested a couple of months ago. The contract is for 8 hours a day, 5 days a week from April 19, 2010 – April 30, 2011. The recommended Fair Market Price (FMP) is \$26,840.33.

Renewal: The Division of Natural Resources in Beckley janitorial services, he recommended FMP is \$2,737.92 for April 19, 2010 – June 30, 2010.

MOTION #2

Mr. Sullivan moved to approve the FMP for these two contracts. Mr. Mason seconded. Motion passed.

CONTRACT COMPLAINTS:

Ms. Hoffman provided a follow-up report on the Department of Highways (DOH) - Dry Branch which was experiencing problems with water being left on the floor from mopping and employees leaving early. Goodwill Industries has replaced the two people who were leaving early because of transportation problems and they have provided additional training on cleaning the floors. The two workers who were replaced were placed in positions where transportation is not an issue. She will follow-up with DOH and report to the committee again next month on this situation.

Mr. Raber provided a follow-up report on the Department of Education complaint about not receiving bottled water. The driver was stopping there and they were never out of water.

Ms. Briggs reported the DOH Upshur County Headquarters filed a complaint because the janitor was bringing friends in while she cleaned. In addition, when the CRP fired her they did not provide a replacement. Also, the duties outlined on the statement of work were not being done. DOH requested a price adjustment for the month of March which they received. Ms. Briggs requested a plan-of-correction from the Lee Dixon, Director of the Buckhannon-Upshur Work Adjustment Center by April 15.

Ms. Hall expressed concern because there have been similar types of issues with janitorial contracts that this CRP has. And while it has been two or three years since these problems were last reported there seems to be a pattern.

The Committee discussed this matter at length and the following action was taken:

MOTION # 3

Ms. Bates moved that a letter on behalf of the Committee go to Mr. Dixon giving him 30 days to make corrections, if not, he will lose this contract. Mr. Mason seconded. Motion passed.

The Committee agreed that a formal complaint process needs to be established which addresses what actions will be taken in the future if a pattern of complaints is established.

Ms. Hall recognized Department of Administration Cabinet Secretary Robert Ferguson. Secretary Ferguson addressed the Committees concern regarding the length of time involved in getting the commodities contract approved by the Purchasing Division. He asked the Committee to give him another 20 to 30 days to come up with a methodology for determining the fair market price that everyone could work with. He asked the Committee to understand the constraints the Purchasing Division has because they are charged with getting the best price possible for items purchased by the State. He said they have to have good evidence of why they have determined a price to be a fair price when the Legislative auditors come in to look at their procedures. There was general discussion of how fair market price might be determined.

The Committee expressed their appreciation to Secretary Ferguson for meeting with them.

Contract Complaints

Ms. Briggs reported while she was in Keyser she had a complaint from the DHHR in Berkeley Springs. The complaint involved inappropriate behavior and lack of performance on the part of the custodian. She investigated the matter and found the building was dirty and the employees stated it had been in that state for some time. She met with the director of East Ridge and gave him two weeks to bring the building to acceptable standards. She also asked the director for a plan-of-correction within two weeks.

MOTION #4

Ms. Lilly-Stewart moved to write a letter to East Ridge asking for a plan-of-correction within the next 30 days. Mr. Sullivan seconded. Motion passed.

FINANCIAL REPORT:

Mr. Raber reported the over 60 day's accounts receivables were \$71,982 or 3.88% of the total receivables as of March 31, 2010.

OLD BUSINESS:

Ms. Hall reported the Quality Assurance Committee will meet on April 30, 2010 at 9:30 a.m.

Goodwill Industries had provided a plan-of-correction for following below the 75% ratio in the 2nd quarter of the year.

NEW BUSINESS:

The third quarter activity report was distributed to members. There were five CRPs which did not have their reports turned in – Green Acres, Hancock County Sheltered Workshop, Prestera Center, Preston County Sheltered Workshop, and Nicholas County. Mr. Raber said there is a lot of confusion from the CRPs on how the reports need to be done he said he would like to do some training on this at a future meeting of the CRPs. They are also reviewing the forms to see if they need to be redesigned so they are less confusing.

Ms. Lilly-Stewart said she had noticed there was a legislative interim committee looking at something to do with purchasing and asked if that is something which might impact the program.

Mr. Raber said the Government Organization Committee is looking at vender preference in the Purchasing Legislation.

PUBLIC COMMENT:

There was no public comment.

MOTION #5

Mr. Sullivan moved to adjourn.