

Steve

Minutes

Purchasing From People with Disabilities Board Meeting

Held on December 10, 2014

at 1:00 p.m.

Office of Rehabilitation Conference room.

Attendees: Steve Richards, Kent Beers, Russell Thelin, Linda Crawford (Purchasing), Jared Jaynes (East Birch Creek), Neil Allred (East Birch Creek), Cory Crabb (East Birch Creek), Frank Borunda (Utah Works), Gary Knapp (Columbus Community Center), Lin Sorenson (Columbus Community Center)

1. A request was made to continue the "State of Utah Cooperative Contract" number PA204 with Columbus Community Center for On-Site Drug & Alcohol Screening Devices. A motion was made by Russell Thelin to approve the request; it was seconded and passed for the 1st and 2nd reading.
2. A request was made to continue with the MOU between Columbus Community Center and Tourism for collating materials. An explanation was made by Kent Beers that this MOU worked more as a contract. Gary Knapp stated that the amount of work varied greatly. A motion was made by Kent Beers to approve the request; it was seconded and passed for the 1st and 2nd reading.
3. A proposal was submitted by East Birch Creek to "set aside" the State Cooperative contract for linen services. Kent Beers explained that the current contracts were highly used by more than the State of Utah Executive Branch agencies. State Purchasing cannot make it mandatory for the State contracts to be used by Cities, Counties, Higher Education or Special Service Districts. They would be voluntary user. Kent Beers talked about the administrative fees that State Purchasing collects and asked if their proposed costs covered them as well as the Utah Works fees. East Birch Creek said that they were aware of the fees and had included them in their cost proposal. Columbus Community Center will work with East Birch Creek on getting customers that are not State Executive Branch Agencies. It was agreed that State Purchasing will send out notification of the change to a "set aside" and receive feedback from the agencies. East Birch Creek explained that they can provide the same services and they would be able to meet the April 1, 2015 deadline. They talked about their Lehi facility. Their only concern is the lead time on equipment. Kent Beers stated that a solicitation will go out for additional Vendors to be put on State Cooperative Contract for use by entities other than State Executive Branch agencies and coverage in areas in the lower part of the state not covered by East Birch Creek. The board would review any concerns that a State agency that would have in using East Birch Creek and make decisions as they came. Russell Thelin addressed wages for employees and the new ACT. It is anticipated that this contract will create up to 100 new jobs. A motion was made by Kent Beers accept as a 1st and 2nd reading, add to the State Co-operative contacts for State Agency required use, with an Administrative fee of .25 of 1%. East Birch Creek will have to compete with other Vendors for non-State Agency use and will have an appropriate work out period for change. The motion was seconded and passed.

Next meeting will be scheduled as needed and meeting was adjourned at 1:45 p.m.

Meeting Minutes
Utah Purchasing from People with Disabilities Advisory Board

November 30, 2010 2:00 p.m.; Utah State Office of Education; 250 E. 500 So; SLC, UT

Members Attending:

Steve Richards, Don Uchida, Paul Mash for Kent Beers

Visitors

Steve Mascaro – Utah Works, Dean Hoffman & Colin Schrock – Columbus Community Center, Alan Bachman AG's Office

Welcome and Introductions and Approval of Minutes

Steve Richards conducted. Don Uchida moved to approve the minutes from the October 26, 2010 meeting. Paul Mash seconded. The Board voted unanimously to approve the minutes.

Special Pricing on Recycling for Dept. of Environmental Quality Only on Contract PA376, Due to Large Number of Recycling Containers at DEQ Sight

- Columbus Community Center has worked out an arrangement with Environmental Quality due to a large amount of recycling barrels.
- They agreed on a price of \$19.00 a pick up if they staged the containers in the hallway every Thursday. They pick up paper, plastic and metal. Original contract is paper only.
- Don Uchida made a motion to approve the changes to this contract. Paul Mash seconded his motion and it was unanimously approved.

Renew Current Contract 086166, Utah National Guard, (UNG) Fort Douglas Museum, With New Pricing Already Agreed to by UNG, Fort Douglas

- This contract is expiring this month and UNG has made some additions with more square footage and another set of bathrooms.
- The cost is going up from \$380.00 to \$541.00 per month with double the square footage. The contract was \$4,560.00 per year and is now \$6,500.00 per year.
- Don Uchida made a motion that the contract be approved. Paul Mash seconded his motion and it was unanimously approved.

Alan Bachman and Steve Mascaro will meet to create language on making contract adjustments and when it is necessary to call a meeting. It will be presented at the next meeting.

Next Meeting

February 1, 2010 at 2:00. Utah State Office of Education 250 East 500 South Room 156 (Tentatively)

Meeting Minutes
Utah Purchasing from People with Disabilities Advisory Board

October 26, 2010 2:00 p.m.; Utah State Office of Education; 250 E. 500 So; SLC, UT

Members Attending:

Steve Richards, Don Uchida, Paul Mash for Kent Beers

Visitors

Alan Bachman – AG’s Office, Steve Mascaro & Arden Lubeck – Utah Works, Kate McConaughy – Work Activity Center, Jake Jacobsen – DFCM, Renae Sturdevant – Enable Industries

Welcome and Introductions and Approval of Minutes

Steve Richards conducted. Don Uchida moved to approve the minutes from the September 21, 2010 meeting. Paul Mash seconded. The Board voted unanimously to approve the minutes.

Janitorial Service Contract Proposal from Work Activity Center for DHS/DYC Courts Building, 3522 South 700 West, Salt Lake City, Utah – 1st and 2nd Reading

- Steve Mascaro gave the board a brief overview of this contract. It starts on January 1, 2011. The annual contract amount is \$13,400.00
- Don Uchida made a motion that we accept this contract and that it has been read for the 1st and 2nd time. Paul Mash seconded his motion and it was unanimously approved.

Next Meeting

November 30, 2010 at 2:00. Utah State Office of Education 250 East 500 South Room 156 (Tentatively)

Meeting Minutes
Utah Purchasing from People with Disabilities Advisory Board

September 21, 2010 2:00 p.m., Utah State Office of Education, 250 E. 500 So. SLC, UT

Members Attending:

Steve Richards, Don Uchida, Paul Mash representing Kent Beers

Visitors

Jim Crosby – PARC, Dean Hoffman – Columbus, Arden Lubeck – Utah Works, Steven Mascaro – Utah Works, Alan Bachman – Attorney General’s Office

Welcome and Introductions and Approval of Minutes

Steve Richards conducted. Don Uchida moved to approve the minutes from the August 24, 2010 meeting. Paul Mash seconded. The Board voted unanimously to approve the minutes.

State of Utah National Guard Ground Maintenance Contract

- Steve Mascaro of Utah Works recommended 1st and 2nd reading approval for Columbus Community Center’s proposal for grounds maintenance and landscaping for six National Guard facilities on an as need basis.
- Steve Mascaro asked what type of contract would be the best since the weather and other factors may contribute to an increase or decrease in the frequency of work and that the National Guard may request and increase or decrease.
- Paul Mash stated that a requirements contract would be the best suited and he will inform the purchasing agent responsible for this type of work to coordinate the effort.
- Don Uchida made a motion to approve proceeding with the contract. Paul Mash seconded the motion and it was unanimously approved.

Next Meeting

October 26, 2010 at 2:00. Utah State Office of Education 250 East 500 South Room 156

Meeting Minutes
Utah Purchasing from People with Disabilities Advisory Board
August 24, 2010 2:00 p.m.; Utah State Office of Education; 250 E. 500 So; SLC, UT

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Jake Jacobsen – DFCM, Gary Knapp – PARC, Dean Hoffman – Columbus, Jeremy Christensen – Valley Services, Christene Jones – UACS, Dawn Russell JUSE, Arden Lubeck – Utah Works, Steven Mascaro – Utah Works, Nancy Orton – State Purchasing

Welcome and Introductions and Approval of Minutes

Steve Richards conducted. Kent Beers moved to approve the minutes from the July 27, 2010 meeting - Don Uchida seconded – The Board voted unanimously to approve the minutes.

Jordan Valley Supported Employment Custodial Contract for Rio Grande Building

- Steve Mascaro mentioned that a first reading had been done for Jordan Valley. DFCM reviewed it, followed up on references to the proposal and found some anomalies that he will let Jake Jacobsen discuss.
- Jake Jacobsen discussed how the references they received were very limited responses and were average to less than average scores. Without having the experience DFCM could not recommend Jordan Valley for this contract.
- Steve Mascaro said that after the findings a meeting was set up with Dawn Russell, Jake Jacobsen and Steve Mascaro as to why he would be making the recommendation to the board and what Jordan Valley could do in the future to submit contracts with positive references.
- Dawn Russell stated she felt Jordan Valley could do the job but she realizes she does not deal with the owners of the businesses and is small and understands she needs references from people at the top.
- Kent Beers would be interested in having a discussion at a later time for firms to have an opportunity to obtain experience and for the CRP's to have a strategy to get opportunities so all groups have an opportunity to bid on contracts.
- Don Uchida made a motion that we approve to remove Jordan Valley from consideration of this contract. Kent Beers seconded his motion and it was unanimously approved.

Valley Services Custodial Proposal for Rio Grande Building 1st and 2nd Reading

- Steve Mascaro explained that Valley Services prepared a proposal and presented it to DFCM for consideration. They have already gone through the reference process. DFCM said they are willing to accept this contract.
- Don Uchida made a motion that this contract be read for the first and second time. Kent Beers seconded his motion and it was unanimously approved.

Next Meeting

September 21, 2010 at 2:00. Utah State Office of Education 250 East 500 South Room 156 (Tentatively)

Meeting Minutes
Utah Purchasing from People with Disabilities Advisory Board
July 27, 2010 2:00 p.m.; Utah State Office of Education; 250 E. 500 So; SLC, UT

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Steve Mascaro – Utah Works, Dean Hoffman – Columbus Community Center, Dawn Russell – JUSE, Jeremy Christensen – Valley Services, Paul Tonks and Ed Lombard – Attorney General’s Office, Rene Sturdevant – Enable Industries, Jake Jacobsen - DFCM

Welcome and Introductions and Approval of Minutes

Steve Richards conducted. Kent Beers moved to approve the minutes from the June 14, 2010 meeting - Don Uchida seconded – The Board voted unanimously to approve the minutes.

2nd Reading, Final Approval of Custodial Contract Proposals

- Steve Mascaro reviewed the custodial contract for Columbus Community Center at the Department of Workforce Services Metro Bldg.
- Jake Jacobsen noted that DFCM agrees with awarding the contract to Columbus.
- Kent Beers moved to approve the contract - Don Uchida seconded – The Board voted unanimously to approve the contract.

2nd Reading, Final Approval Contract for Valley Services as CRP at Heber Wells Bldg

- Steve Richards asked Steve Mascaro if it was accurate that this contract was a five year contract at the same price every year. Steve Mascaro said yes.
- Jake Jacobsen discussed why costs at the Heber Wells Building are higher than normal. Jake noted that DFCM agrees with awarding the contract to Valley.
- Don Uchida moved to approve the contract - Kent Beers seconded – The Board voted unanimously to approve the contract.

Utah Works Quarterly Report

Steve Mascaro distributed a Quarterly Report summarizing Utah Works’ performance.

Columbus Community Center Given Approval to Start Custodial Contract on Utah National Guard Readiness Center – (Received Board Approval April 27, 2010)

This contract was previously approved by the Board. The Guard held off on the start date. The contract went into effect in April and Columbus started work in July.

The Appropriateness of “Other Business” as an Agenda Item

Paul Tonks (Attorney General’s Office) discussed the “Open Meetings Act” pertaining to listing “Other Business” as an agenda item. He recommended against using “Other Business” and instead recommended listing “Public Comment” as an agenda item to provide the public with an opportunity to raise issues and concerns to be placed on the next meeting’s agenda for discussion.

Next Meeting

August 24, 2010 at 2:00. Utah State Office of Education, 250 E. 500 So., SLC, UT. Rm 156.

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities
Advisory Board
June 14, 2010 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Paul Mash – State Purchasing, Alan Bachman – Attorney General’s Office, Richard Bennion – Enable Utah, Gary Knapp – PARC, Jeremy Christensen – Valley Services, Dawn Russell – Jordan Valley Supp. Employment, Dean Hoffman – Columbus Community Center, John Felt – Enable Industries, Phil Shummway – TURN

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. With two corrections to the minutes Don Uchida made a motion that we approve the minutes from the April 27, 2010 meeting. Kent Beers seconded his motion and the minutes were unanimously approved.

Custodial Contract Proposals:

Utah Works Recommends 1st Reading for Columbus Community Center as CRP to Perform Contract at Department of Workforce Services Metro and 1st reading for Valley Services as CRP to perform Contract at Heber Wells Building

Steve Richards: Jake Jacobsen was not able to be here but sent an email to the board saying he approves these proposals for a first reading.

Steve Mascaro: There is a bundle of buildings that are under one contract we talked about previously in downtown Salt Lake. Heber Wells Building, Workforce Services Metro Building and also the Rio Grande Building and some of the agencies within the Rio Grande Building. They were under one contract and in visiting with DFCM earlier in the year we talked about breaking up those building into multiple contracts. Jake had said he even contemplated doing that himself and thought it was a good idea. We have been working on it and we have three different CRP’s that are working on those buildings. Valley Services is working on the Heber Wells Building as a custodial contract. Columbus Community Center is working on the Workforce Services Metro Building. Supportive Employment is working on the Rio Grande Archives Building.

We have contracts, information, pricing and scopes of work defined well enough with Valley Services and Columbus Community Center in our meetings with Jake that he was favorable in moving forward with the first reading recommendation. The only reason he

wanted to hold off on the second reading was because his department was still working on the scope of work and they were thinking of changing it from what it used to be but they had not really decided on what it was yet. But because of the pricing from Valley and from Columbus was where they wanted it to be and the hours were they saw this as minor changes so they were ok with accepting a first reading on it and then they would work out the scope of work issues that he and his department were working on. They will be prepared next month for a second reading on it.

With regards to the Rio Grande Building we are just a little slow in getting some of the information to Jake to be able to analyze that contract well enough to make a first reading on it but we hopefully we will have the contract proposals for the Rio Grand Building which will also include Archives for next months meeting. Jake had indicated as he said in his email that he wasn't able to be but he would be here but he would send an email indicating that was his position on the first readings. Holding off until next month was just a conversation that he and I had with regards to the Rio Grand Building.

That was our recommendation from Utah Works and is on both of these proposals is to adopt a first reading, a favorable motion so that we can continue on with the scope of work and finish putting these proposals together and have them ready for next month. The contracts effective date once they are approved is December 1st. So they are far enough down the road that it has given DFCM and the CRP's sufficient time to do all of the homework and preparation to either be accepted or denied and in the event that they are denied it still gives DFCM time to do a public RFP.

Don Uchida made a motion that these proposals be read for the first time. Kent Beers seconded his motion and it was unanimously approved.

Utah Works Quarterly Reports

Steve Mascaro: The quarterly reports I was not aware of until Terri O'Toole sent me an email was that with the RFP that was granted Utah Works which was granted while I was in the Legislature so I never got to see the RFP. There is in small print on item 20 that say quarterly reports are to be made. It was not part of the scope of work. Terri sent me an email reminding me that they needed to be done. So what I have done and she asked that I get the one done from January until March of this year. So I went back and put together all the quarterly reports for all of last year that were under the RFP and also the first quarter that she requested.

Steve Mascaro handed out two documents that provided this information. One is the four quarters for 2009 calendar year and the second one is first quarter calendar 2010 reports that are required. Now that I know that it's a requirement of that RFP I'll see that we get these in on a quarterly basis. What the report will show you is that from the beginning of January of last year until the end of the first quarter of this year we have increased the dollar volume that has been done by the CRP's from \$154,600.00 per quarter up to over a little over \$215,000.00 per quarter.

This was the depth and breath of the report. I have made reports to this committee as requested over the last three years. But they have considerably more detail. This was one to be compliant that was asked for from the department.

Kent Beers: Good it looks like we are growing in our number of contracts out there.

Steve Mascaro: Just by way of information too the number of people that are employed has grown from, actually our first year from one contract and 8 people. We currently have approximately 215 people with disabilities employed so in that three year period we have gone from 8 to 215 people. The growth in employment tracks pretty closely with the dollar revenue here on the CRP's. This dollar amount here represents the amount the state paid the CRP's for the contracts that the CRP's have with the state for their services. This does not represent revenue that is going through Utah Works or that I am receiving. It represents the amount of dollars the CRP's were paid by the State of Utah in their contracts. This report quarterly report is a little bit different than the normal definition of quarterly reports.

I think with these two reports what I would like to do if I could take the prerogative of this item on the agenda to also maybe in the capacity of both the Director of Utah Works and maybe also in the capacity as a state legislator working on people with disability issues give my appreciation to this committee for the growth that it has seen and the number of people with disabilities that it has been able to successfully employ through the cooperation of all of the CRP's in the state and this board and making this program work. The legislative side of my responsibility is tomorrow the governor will be signing a house bill 17 I believe it is which is a bill that Governor Huntsman had initiated through a task force assignment three years ago and I was assigned to be on. And the purpose of the task force was to make the State of Utah a model employer of people with disabilities.

Through a year of research and work with various people from the Department of Vocational Rehabilitation we worked on trying to find a process to make it easier for the State of Utah to employ people with disabilities not having such and acrimonious employment process so it made it easier for people with disabilities to apply for jobs for the State of Utah. That program was put together after a year of work and was called the ASAP Program. Alternative Selection Application Process and was put into the form of a bill in 2009. It passed in the House and was on the Senate calendar number three when the Senate decided to adjourn an hour early so we didn't get it all the way through the process in 2009. In 2010 we brought it forward again. It again passed the House, it passed the Senate and Governor Herbert now who was the Lt. Governor when the task force was created will sign that bill tomorrow at 2:00 in the Capitol in the Gold Room. Several representatives from the Department of Vocational Rehab and other departments in the state that worked on this ASAP Program will be there. That will again add to the number of people with disabilities who will get an opportunity to get employment with the State of Utah. So all in all with the set aside program and this new ASAP Program I think Utah has made a giant step in making it possible to employ people with disabilities. I am very appreciative of that support.

Steve Richards: Thank you Steve I appreciate you letting us know and hopefully that will make our job a little easier in this committee so you are to be commended on your work. Do you have anything else for us?

Steve Mascaro: When I submitted the draft agenda it had item number five as other items. We had this discussion here on other items and our legal staff from the Attorney General's Office has given their position about it. Well sitting in my legislative committee meetings other items is always on the agenda and so I sought clarification about other items being on the agenda. I have spent the last month doing some homework on this trying to find out about having other as a part of the items of the agenda. Actually for opportunities that we just got through recognizing the committee or doing things that we do not have to vote on.

What I have come to find out is that as a matter of general practice the legislature has always had other items on their agenda but it is an item that would not require or not be allowed to have a vote on it. It is simply a matter for discussion or information. It has statutory precedence and the statute comes from the public notice meetings statute and I made a copy for the board to have. The practice as I was told by legal council in the Office of Legislative Research comes 52-4-202 sub paragraph (6) and at the bottom of the page (6)(a) you will see on there that it indicates things are supposed to be on the agenda notice. But then it says on (6)(b) subject to the provisions of Subsection (6)(c) dealing with some emergency issues that the presiding member of a public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting. And what the council has told me that is the reason they have other on the agenda is in case there is a topic that comes up that the presiding member of the public body decides that he wants to have a discussion on that he has the authority or the ability to do it.

They went on to say that there is nowhere in the state statutes that it prohibits other being on an agenda. But this is the statutory authority.

Alan Bachman: Lets read (c)

Steve Mascaro: (c) deals with emergencies relating to emergencies except as provided in (5)

Alan Bachman: It says Except as provided in Subsection (5), relating to emergency meeting, a public body may not take final action on a topic in an open meeting unless the topic is: (i) listed under an agenda item as required by Subsection (6)(a); and (ii) included with the advance public notice required by this section. See that is what I am concerned for is that yes you can say you know what it is your birthday today. Would everyone like to say happy birthday to so and so. We can do things like that. What I was trying to prevent was the dangerous practice of bringing up items that you were then going to vote on unless it was an emergency. That is why the Attorney General's Office has taken a strict approach with the boards saying hey avoid other items because a lot of times the secretaries and the people who put that on the agenda for all the various boards meant that as well I am not sure what all the agenda items are right now so at the meeting we will come up with the other three or four. That is why that got restricted back. But you are right you could talk about things that you are not going to act on now but you have to be careful.

Steve Mascaro: The point about in (6)(a) you may not take final action as you have just said is exactly the point and what they decided in our business and labor committee was,

Senator Valentine was chairman of the committee and he to is an attorney appreciated the discussion and because he said he thought some clarification was good. What he had suggested to staff was under the other items when they did it on the agenda that in the future what they would do was put other items and them specifically so you don't have that oops go on say something like votes on these discussions will not take place. They were going to have some kind of a statement after other items that says after it action will not be voted on.

Alan Bachman: Who was the person that told you this the Attorney Generals Office or LRGC?

Steve Mascaro: LRGC.

Alan Bachman: We would have to straighten this out with the Attorney Generals Office because I am not the Public Meeting Notice person in the Attorney Generals Office and it would be nice to get everyone on the same page.

Steve Mascaro: I absolutely understand the relationships between the Legislative Executive Branch with the Attorney General's Office and I expressed that and they said well we will make sure that we communicate with them so we are on the same page. I told them I am in one committee where we have been instructed by the Attorney General's Office not to do it and I am sitting in another committee where we are instructed that we can. We need clarification and that is when they said we will be glad to do that.

Alan Bachman: I hope they do that because I have been in seminars where they have said don't do it because a lot of complaint letters come into the Attorney General's Office. Generally not because of states but because of little cities and towns where things happen like this and so they complain to the Attorney General's Office so they clamped down hard on this and so clarification on this would be really helpful.

Steve Mascaro: What brought it up was Steve and I were talking and he said you know I would really like to make sure we recognize Don today for his work but how do you do that if you don't have that on the agenda?

Alan Bachman: You can do that whether other is listed or not.

Steve Richards: I guess really the thing is you could have other or next scheduled meeting but if someone wants to talk about something that they want obviously we can talk about it as long as we don't vote about it. Say Dean has some burr under his saddle and he wants to get it on the agenda next week can he say look I have this problem and explain it and say I would like it on the agenda there is nothing wrong with that is there?

Alan Bachman: It happens all the time. Someone can say I have a problem with this can we put it on the agenda for the next meeting and you can say yes we will put it on the agenda for the next meeting. What you have to be careful about this discussing it too much I mean the law represents the minimum standards of human conduct. Let's say one of the board members was absent at one of the meetings you would not necessarily have a full discussion about let's terminate that board member and what do you think about it

and then at the next meeting we will finalize it. It is unfair to do things behind peoples back like that and it creates problems. The intent of public meeting laws is to try to give people reasonable notice of what really is going to go on in the meeting. There is sort of a quandary there. Why have things be reasonably specified on the agenda if you can then just talk about anything. I would say just proceed with some caution and use common sense. If someone brings up a hot topic that would really concern people who are not at the meeting it is wise to continue with putting it on the agenda for the next meeting. I think that is just common sense. But if it is something that is not pertaining to the regular business of the board like you want to say happy birthday to someone, thank someone, or recognize someone who just got an award you know what are we going to get sued by someone who said you gave an award without it being on the agenda? I think it is highly unlikely.

Steve Richards: Well if you get around to it before next meeting and see what you can find that would be interesting.

Alan Bachman: Unfortunately I am not the decider on this there are several other people in the office so I am going to bring this up with them and say please resolve this for me.

Steve Mascaro: Eric Weeks. He is the one who gave us the definitive statement on it.

Alan Bachman: Yes that explains a lot a things and I notice a difference between the legislative and executive branches and how they treat that item.

Steve Mascaro: It is hard to believe there is a misunderstanding there between the attorney's but that actually happens on occasion.

Alan Bachman: That is why they have three levels of courts.

Kent Beers: But just as a general practice I would like to see things listed on the agenda so I have time to prepare for them and research them and I would hate to ever see that we come here blind and then enter into a discussion. I like to prepare for the topics.

Steve Richards: I agree with you Kent I think also at the end of the meeting I will probably ask if there are any problems that you have or any items for the next meeting and I will do it that way. You are absolutely right. If we need to talk about something we ought to be prepared.

Alan Bachman: That sounds like an excellent agenda item.

Don Uchida moved to close the meeting. Kent Beers seconded his motion and it was unanimously approved.

Next Meeting

The next meeting is scheduled for Tuesday, July 27, 2010 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

Minutes of the Meeting of the Utah Purchasing with People with Disabilities

Advisory Board

Tuesday April 27, 2010 2:00 p.m.

Utah State Office of Education

250 East 500 South

Salt Lake City, Utah

Members Attending:

Steve Richards, Russell Thelin for Don Uchida, Kent Beers

Visitors

Jake Jacobsen – DFCM, Paul Tonks AG's Office, Jeremy Christensen – Valley Services, Dean Hoffman – Columbus Community Center, Steve Mascaro – Utah Works, Paul Mash – State Purchasing, Gary Knapp - PARC

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Kent Beers made a motion that we approve the minutes from the January 11, 2010 meeting. Russell Thelin seconded his motion and the minutes were unanimously approved.

Custodial Contract – Utah National Guard Armory

Steve Mascaro: Columbus Community Center has a custodial contract with Utah National Guard and they want to expand that to another building. It is a new contract on a new building. The Guard has approved the contract. They are targeted to open July 1st. Russell Thelin made a motion to approve this contract. Kent Beers seconded his motion it was unanimously approved.

Update on E-Surplus 1st Reading – Utah Works to Report

Steve Mascaro: The board had given a first reading on the E-Surplus recycling contract. Columbus Community Center and some of the other CRP's that have been working on it as I get looking at this and the sophistication involved and meeting with members of the people who are involved with the state recycling committee, Columbus and the others decided they wanted to take an approach like they did with the shred business. They want to set up business, they want to get their E-Scrap business in place but they want to do it with other contractors than the state customers. They have some other customers they can work with under their current structure and so they are putting together their E-Scrap business and once they get it operational and they have all the kinks ironed out. Like with the shred business they have been dealing with the IRS and private industry. They would then bring it back to the board with a more clearly defined and operational business model rather than a proposed business model. We will just continue to work with them as they are putting together their E-Scrap business as they get that operation going and have some concrete information to bring to the board and also to the various state agencies that might be involved with it. We will put further presentations of the E-Surplus business off until a later date.

Update on Reassignment of Brigham Regional Center Custodial Contract to PARC

Steve Mascaro: Utah Works had made a reassignment for a couple of reasons. Number one, just the process of having the board move a contract from one CRP to another CRP is an important step in the genesis of this program because the way that DFCM has historically worked with these contracts, the custodial contracts. If there is a problem with a contractor and they can't get it resolved they will remove that contractor from that contract and they will go and find someone else to do the job. With these set aside contracts the concept is if you have a CRP who cant work out their differences in getting problems corrected we have had previous discussions saying that contract needs to come back to the board and there will be reassigned to another CRP so that we can keep it as a set aside contract for this program. In the case of the Brigham Regional Center it was originally a contract that was being done by Enable Industries and there were quality problems. It was moved from the board to Davis Behavioral Health. They did the work and were always told they had done a good job on the project, but for Davis Behavioral Health their marketing area according to their board of directors has to be in Davis County. This was outside of Davis County so they wanted them to release the contract. In this case we reassigned it to PARC who is a well experienced custodial contractor. We met and talked with Jake about this transfer and he was ok with it. Prices terms and such remained the same but in this case it was also important that the contract, DFCM was involved in the process, they had an opportunity to put input on who it was being assigned to. They were comfortable with it and it has now gone to Brigham Regional Center and their first report on an inspection there was a 90 plus so they are doing a good job and that seems to be moving forward.

This sets the model of where the program is supposed to be, a contract set aside to be done by CRP's that should stay on a set aside contract as long as we have CRP's that are capable of performing in a manner to meet the agencies that they are serving. In this case with two assignments we have been able to accomplish that so the Brigham Regional Center is being done by PARC and that seems to be doing well.

Kent Beers: I am ok with this concept as long as DFCM or another user agency feels that one of our CRP's is capable of doing the work. Jake are you with this.

Jake Jacobsen: Yes they met with PARC we felt they were capable of doing it, the cost stayed the same.

Kent Beers: I can envision a situation where maybe we initially thought that a CRP could do work at a certain project or building and then it turns out the performance wasn't there. Then it may be your assessment that no, this one is so difficult that it is a proper set aside so then we would just have to re-evaluate the whole thing.

Jake Jacobsen: In this case PARC has done very well. A positive email was passed out from Rick Nauta on the great services that were being performed.

Utah Works Request of DFCM spreadsheet on 3rd District Court House Custodial RFP from January Minutes

Steve Mascaro: We had requested in the January meeting because we were not able to get a proposal that would be acceptable on the 3rd District Courthouse and we reported that to the board and also made the recommendation that DFCM put that back out to public bid. We had requested at the time the score sheet that DFCM used in evaluating these proposals. It was offered once before as information that would be helpful to Utah Works in trying to make sure that when we are out looking at custodial contracts that we are using pricing that is going to be in the market range. I can go on to a lot of different websites with Workforce resources to get this pricing information but those score sheets have some real current information and so we were told that we could get that information from Purchasing and have not received any yet. I would like to request from the board to have that score sheet on the courthouse sent down to them so they could have it as a tool to use in evaluating future contracts as we have discussed previously. It makes it a lot easier to work with DFCM when we know where the ball park is where we need to be on some of these things. That way we can save a lot of their time and everyone else's if it is a contract that isn't going to be in the price range.

Jake Jacobsen: On this particular one they are doing the interviews today so he cannot share that information until it becomes public. He is willing to give Steve Mascaro any score sheets that he needs.

Update on UTA Correspondence fro PPDAB and Results and Discussion

Steve Richards: The letter that was sent to UTA did not do any good. I was wondering if Gary Knapp or Dean Hoffman could comment on how it was affecting the people at their facilities.

Steve Mascaro passed out emails that Don Uchida had requested as regards to people who were being impacted.

Dean Hoffman: They didn't have any change at this point. May 1st was a big change all indication are they only had one person that had problems. Everyone that they serve is in the area. I am not really sure because most of their folks ride the regular bus and not the Paratransit. I am not so sure that with the changing routs that they will have problems. There is one individual that the bus changes will affect so the parent is going to bring that person. The real kicker comes from those that are on supported employment that are working in jobs other than the two places that operate our in house programs at. Those are hard to tell because we have really dropped down on that number but a lot of those folks if the hour's change we don't know until we see what is going to happen. We do the custodial work for the state we make sure we have buses at our spot so their staff can get there.

Gary Knap: On our developmental disability program we have three or four that will probably feel the impact of the change of the route. Of those we think we can come up with an alternative for three of them. One is old enough that he will probably just retire. We lost service up on the bench and Bountiful. Our supported employment program has really been growing they are up over 200. He has not heard that there has been any specific impact there. Once again we take into consideration what transportation is available and

find jobs appropriately based on that. Finally a number of agencies, counties and cities are getting together to create what is called a Regional Coordinating Committee. It is kind of an adjunct to the Wasatch Council of Governments. They will be looking at perhaps re-creating Paratransit services to those who have lost it. Its sole purpose right now is that. It doesn't have any funding yet but there are a number of entities that are involved. Dean and Gary have people from their staff that are attending. But it has a long way to go before it can be up and offered to people who have lost transportation services.

Jeremy Christensen: Our people were not affected.

Steve Mascaro: Some legislators are looking into the UTA issue.

Next Meeting

The next meeting is scheduled for Tuesday, May 18, 2010 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

Sue Hoskins - Re: Brigham city custodial

From: Rick Nauta II
To: Jacobson, Jake
Date: 4/21/2010 5:17 PM
Subject: Re: Brigham city custodial
CC: Crawford, Linda

HI Jake,

I met with Parc, Dr. Lee, and Jim Earl last month Jim said they had noticed a positive increase in the services. After the meeting Susan and I did an inspection throughout the entire facility. Over all the building looked better than I have seen it in a long time. Their score on the inspection was in the high 90's. Linda Has a copy of the inspection if you need it. So far the tenants and I are very happy with the services and the transition has been very smooth.

>>> Jake Jacobson 4/21/2010 4:39 PM >>>

Rick can you give me an update of the custodial and how PARC is doing at Brigham city. I have a board mtg next week and would like to have any information that you have on this transition.

Thanks
Jake

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities**

Advisory Board

Monday January 11, 2010 3:00 p.m.

Utah State Office of Education

250 East 500 South

Salt Lake City, Utah

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Paul Tonks – AG’s Office, Richard Bennion & Renae Sturdevant – Enable Industries, Dawn Russell – JUSE, Christene Jones – UACS, Dean Hoffman – Columbus Community Center, Jake Jacobson – DFCM, Steve Mascaro – Utah Works, Paul Mash – State Purchasing, Richard Chamberlain - Visitor

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. With one correction Kent Beers made a motion that we approve the minutes from the December 1, 2009 meeting. Don Uchida seconded his motion and the minutes were unanimously approved.

Reassigning the Brigham Regional Center Contract for Davis Behavioral (DEO) to PARC, Effective March 1, 2010 – Steve Mascaro

The contract for custodial services for Brigham Regional Center is being handled by Davis Behavioral. To help make that contract efficient the people that work on that contract live around the Brigham Regional Center. As a result of that the board of directors at Davis Behavioral say their job is serving clients in their region or marketing area in Davis County. None of these Clients in Brigham Regional Center that are doing that contract are clients of Davis Behavioral so they see that as not being a contract that makes sense for them to have. They asked if they could forward a recommendation to the board to have it assigned to another CRP because it doesn’t serve any of their clients at Davis Behavioral. At a previous meeting we brought this up with Jake and indicated that there would be this change would be going on there. PARC would like to do this contract. Jack Jacobson said he was ok with it but it would have to be a new contract and if there were new people brought in that did not have background checks they would have to go through the same process as everyone else. March 1, 2010 will be the date of the transition. The current employees will be terminated but they would be interviewed for the new contract.

Don Uchida made a motion that the board approve this transfer pending all requirements from Jake Jacobson. Kent Beers seconded his motion and it was unanimously approved.

Update of E-Surplus 1st Reading Due Diligence – Steve Mascaro

Brad Collings from Columbus Community Center is working on the business model for E-Surplus. Brad Collings and Dean Hoffman met with David Gill and had a good discussion about the parameters etc. David Gill suggested they talk to Eric Jorgensen from Utah State University. Mr. Jorgensen came and took a tour of Columbus Community Center. He thought it would make sense to have a second contract with the State of Utah. He could see where we had CRP's such as TURN, Enable and Columbus currently going out to the different cities and state agencies to pick up shred they could also pick up electronic equipment and that the manpower costs that the CRP's may perform at the sites may also be a benefit. He though it was very worthwhile in doing a due diligence also. The CRP's are looking into his suggestions. Some of the members in this meeting are traveling to different states to look at their operations of electronic disposal to get ideas. In the minutes it stated that the CRP's would come back in March with a proposal but that may be pushed back thirty to sixty days. During the meeting with Eric Jorgensen it was mentioned that the state is paying METECH to go out and pick up and surplus electronics. Mr. Mascaro thought of a recommendation that maybe we could treat this like we do when you purchase tires. When you go and buy a new set of tires you pay a dollar a tire for a recycling fee. He suggested that when someone buys a computer that maybe they pay a nominal fee that was charged at the retail location and then it was sent to the state and they could use it to contract with vendors to do the recycling so they could be assured that the electronic components and some of the hazardous material are handled in a safe manner. Eric Jorgensen thought this was a great idea. Mr. Mascaro then went to Legislative Research and opened a bill file to look into this.

Dean Hoffman said that all four CRP's will be involved in this in some manner. They will have to invest in a plastic grinder which can cost up to \$60,000.00.

Upcoming 3rd District Court House Custodial Contract Review by CRP's Results

Steve Mascaro said that they approached DFCM about a custodial contract with the 3rd District Courthouse. Jake Jacobson was very accommodating in letting the CRP's go out and look at it. The contract amount could not exceed the price of the last contract which was \$519,000.00. After looking at the scope of work on this contract and recognizing that this contract price was put into place five years ago before the new minimum wage price that has now become law. We took the amount of hours which was given on this job which was 46 hours a day and we multiplied it by the minimum wage with social security and it was more than the \$519,000.00. If the CRP's took on this contract it would be something they would fail at. Jake Jacobson and Linda Crawford were notified of this so they could put this building out for bid.

Steve Mascaro asked if when DFCM does an RFP for a building when the RFP is complete he could get the spreadsheet with the square footage and bidders pricing etc. He said it would be extremely helpful to the CRP's when they go look at jobs to see if they even fall into a range of where they will meet DFCM's requirements. Jake Jacobson said that this was public information and he would be happy to give Steve Mascaro the spreadsheets.

Discussion Regarding SL Tribune Article Regarding Columbus Community Center

Dick Chamberlain called Kent Beers when he saw this article. He said he had some concerns with some of the issues raised in this article regarding Columbus Community Center and their use of felons. Kent Beers said he was not 100% sure that these felons were actually doing shredding. Dick Chamberlain said that this article came to him from their District Attorney's Office because they were concerned about this article.

Subsequently Dick Chamberlain had some of his representatives go out and visit with Columbus Community Center. They were shown the audits and are comfortable with the findings. Kent Beers was wondering if the Board was aware of this situation where Columbus was using those with criminal backgrounds. Kent Beers also wanted to make sure that the 75% ratio didn't include the folks with the criminal background.

Dean Hoffman wanted to set the record straight. He said all four felons were disabled with a criminal record. Columbus Community Center's ratio is 99% of their people have disabilities and this is documented through the U. S. Department of Labor. Dean Hoffman said we are a very diversified organization. Columbus Community Center serves over 400 people per year with all types of disabilities and come from every walk of life. We have different business divisions which are document destruction, custodial division, temporary services, warehousing and training programs. We get referrals from agencies like Vocational Rehab and LDS Employment. Three of these four people came to Columbus through Vocational Rehabilitation. We do not get all the information because of confidentiality. Those folks were there for fork lift training. They were in a separate building that has nothing to do with shredding. One other person was referred to them from what they call temporary employment programs where they go in and take employees and put them into private businesses. They had a contract with a company that was out towards the airport and their company didn't have any security screening so we screen everyone. Two of their businesses secure document destruction and custodial people have to go through security clearances. It is required by state contracts and by their certification of the National Association of Information Destruction.

Don Uchida said Columbus employees are Salt Lake City School District employees and this has nothing to do with Columbus. This whole thing started with the rash of the sexual involvement of school teachers with their students. The Salt Lake Tribune went out and started doing background checks on school district employees and it just so happened that those four names came up. The only reason Columbus got dinged is because Columbus' employees and even the people with disabilities and the people that they employ are Salt Lake City School District employees. So the Tribune just went there and did this big screening and this had nothing to do with the secure shredding people. They were more looking for sexual predators that had access to school kids and there was no differentiation between the Columbus staff and say Emerson Elementary.

Steve Mascaro said that the editor of the article stated Columbus Community Center does not run background checks and this is an absolute falsehood.

Steve Richards asked Kent Beers if he was satisfied with these comments.

Kent Beers said he spoke with Alan Bachman and he said that if these felons were included in the 75% ratio then they have to be disabled and of course we could not verify from the article exactly which contracts they were working in so we thought they may be working in other areas. So it sounds like a combination of all that is the case so he is satisfied.

Richard Chamberlain was satisfied with the comments also.

Draft Letter to UTA, John English

Steve Mascaro presented the board with the draft letter to John English. Paul Tonks suggested that Alan Bachman review the letter before it is sent out. The letter will only be signed by Steve Richards, Chair. Don Uchida asked that Steve Mascaro make the few corrections that were suggested and forward the letter to Alan Bachman for review and carbon copy the rest of the board. The letter will be sent to John English, a carbon copy will be sent to the Governor. It will also be sent to the senate and legislators as an email attachment.

Next Meeting

The next meeting is scheduled for Tuesday, March 30, 2010 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

Minutes of the Meeting of the Utah Purchasing with People with Disabilities

Advisory Board

Tuesday, December 1, 2009 2:00 p.m.

Utah State Office of Education

250 East 500 South

Salt Lake City, Utah

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Jake Jacobsen – DFCM, David Gill – State Purchasing, Jim Crosby – PARC, Kate McConaughy – Work Activity Center, Paul Tonks - AG's Office, Christene Jones – UACS, Dean Hoffman and Bradley Collings – Columbus Community Center, Steve Mascaro – Utah Works, Jeremy Christensen – Valley Services

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. With one correction Kent Beers made a motion that we approve the minutes from the October 20, 2009 meeting. Don Uchida seconded his motion and the minutes were unanimously approved.

1st Reading on “Computer & Electronic Recycling” Contract Number PD-1964

Steve Mascaro, Dave Gill and Bradley Collings had a meeting to discuss CRP's picking up computers, monitors etc. while picking up items to be shred. This would also put a lot of people with disabilities to work breaking down computers and recycling them.

Steve Mascaro made a recommendation that we allow a first reading on this contract so Columbus Community Center, TURN, PARC and Enable Industries can go through a due process and review all the responsibilities and in March and come back with a proposal for the board to review.

Dean Hoffman mentioned that the CRP's are certified by the National Association of Information Destruction and they are willing to move forward and get their E-Waste Certification

Don Uchida made a motion that the Computer & Electronic Recycling contract be read for the first time. Kent Beers seconded his motion and it was unanimously approved.

Discussion Regarding Notice to PPDAB when State Custodial Contracts May Be Cancelled Prior to Expiration Dates

Steve Mascaro said that there are times when a contractor is not doing a good job and they get cancelled prior to the expiration date. He thought it would be a great opportunity if Utah Works and this board when there is a problem with these contracts maybe stepped in and filled the obligations of the contract until it was decided whether they would go out to

bid again or becomes an opportunity to become a set aside contract. Steve Mascaro feels at this point the CRP's would be able to do this.

Kent Beers made a motion to authorize Utah Works where practicable to enter into cooperative arrangements with state agencies who have contracts with CRP's to arrange for a notice when contracts may be cancelled prior to expiration date. Don Uchida seconded his motion and it was unanimously approved.

The Unified Lab Custodial Contract

Jake Jacobsen said that the CRP's were not interested in this contract and it would be going out for bid.

UTA's Decision to Drop Services

Don Uchida said that UTA's decision to drop services is going to cost more money. The CRP's and state agencies have to find alternate transportation for people with disabilities. Kent Beers made a motion that the representatives from the CRP's and other associations work with Steve Mascaro to develop a letter to express the concern of the board over the decision to drop services that are vital to the clients that are served by these agencies and that the letter go out with Steve Mascaro's signature to represent the feelings of the board. This letter will go out to John English, Governor Herbert, and any legislators that would be appropriate. Don Uchida seconded his motion and it was unanimously approved.

Next Meeting

The next meeting is scheduled for Monday, January 11, 2010 at 3:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

Minutes of the Meeting of the Utah Purchasing with People with Disabilities

Advisory Board

Tuesday, October 20, 2009 2:00 p.m.

Utah State Office of Education

250 East 500 South

Salt Lake City, Utah

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Jim Crosby – PARC, Dean Hoffman – Columbus Community Center – Linda Crawford – DFCM, Claire Mantoya – Utah DD Council, Steve Mascaro – Utah Works, Steve Richards, RSM, Paul Mash – State Purchasing, Gary Knapp – Enable Industries, Kate McConaughy – Work Activity Center

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Don Uchida made a motion that we approve the minutes from the September 22, 2009 meeting. Kent Beers seconded his motion and the minutes were unanimously approved.

DHS/DEQ Building Janitorial Contract – Linda Crawford

Linda Crawford said this building went out for competitive bid. She passed out the score sheet from the evaluation process. This contract was awarded to Dawes Janitorial and they will start Nov. 1, 2009.

Steve Mascaro said in the last board meeting Bruce Whittington mentioned some extraordinary circumstances or situations with the building because it was a new building. Mr. Mascaro did the walkthrough with the other applicants. He also sat in on the interviews. He found nothing either extraordinary or different than other contracts that they have had. The dollar amount that was budgeted for this building was based on the square footage of the building and it was 89 cents a square foot which is easily within ranges of contracts that they have been doing in the past. In fact the Tax Commission building which is right across the street which is 60,000 square feet bigger than the initial size of this building is being done by the Work Activity Center at 59 cents a square foot. Mr. Mascaro feels like there was a decision to move this out of the realm of the Purchasing Board under the context that there were some extraordinary circumstances with this building. Mr. Mascaro feels they had a sufficient number of months to see all the opportunities of there being anything unique about it and addressing it with the CRP's that have a considerable amount of experience of doing custodial work and would have been easily able to handle this. It was turned over to the RFP process and pulled off the satisfied which was a recommendation that he brought before the committee under information that he doesn't think turned out to be accurate. He feels that they would not have gotten anything different or detailed that we could have provided from our CRP's. Two of our CRP's submitted

proposals, Work Activity Center and Valley Services submitted a bid. Valley Services was dropped from the process because it was determined by DFCM that their file was not complete. What was not complete was this letter that requires that the CRP must submit information to show that they are capable of being bonded for ½ the amount of the bid. This meeting was scheduled at the Tax Commission and they put the letter they had from the previous Tax Commission bid for submittal from their bonding company which was a larger bond and it says they would be able to provide a bond for the project if they were to get it. Because it was referenced to the Tax Commission Building not the Salt Lake Building the bid was dropped. Their bid came in at 81 cents a square foot which is only 4 cents a square foot different than what Dawes is. Mr. Mascaro doesn't know if 4 cents a square foot is outside of the realm of reasonably competitive as we find in the statute. He thinks the awarding of the contract to Dawes versus what might have been an award of the contract to Valley Services.

Mr. Mascaro mentioned that Bruce Whittington said in a previous meeting that this was a new building and would be harder to clean. In the interviewing process, one of the three gentlemen that was there doing the interviewing made a comment to an RFP applicant saying that this building would be a lot easier to do because it's a new building and the contractor will turn it over to us clean. Mr. Mascaro feels the information given was not totally accurate and he feels the CRP's could have performed the services on this building.

Linda Crawford stated she was not here for that meeting but from what she understood is the reason DFCM wanted to go out for competitive bid was because it was a new building with a different scope of work for them to look at. First of all it was a LEED Certified Building which means there are different requirements. The janitorial specifications have to be under that level of energy efficiency and cleanliness level. It was a different scope of work and if you look at our request for proposal the types of cleaning products and types of equipment is new and different to what DFCM has required in the past. Not saying that any of these janitorial companies are not already using that type of equipment. For a requirement for DFCM in this building was unique and different. We had no idea how that financial cost would affect the bids that were coming in therefore we didn't feel like we could do a really accurate budget amount on that in order to determine a set aside proposal.

Steve Richards said DFCM budgeted 90 cents a square foot. He asked if these people knew that before they bid.

Linda Crawford answered that DFCM did give them a budget amount with all of our RFP's.

Steve Richards then asked if we would have known that we could have set this thing aside to see if they would have come in somewhere in the neighborhood correct.

Linda Crawford answered that the problem was that the budget that was set we were not sure of. That was one that was pulled out in a comparison. We anticipated them to come in higher or lower. We didn't have a current contract that gave us any real accuracy to that budget amount. We were doing that budget amount by our basic comparison from the other buildings. This building being LEED Certified was unique. What we bid and what this

contract went out for is only part of the building. There will be another portion of this building that will be added on to this contract in six months.

Steve Richards asked what the difference was between cleaning a LEED Certified building and other buildings.

Linda Crawford answered that with a LEED building they have to come in and check it on a regular basis as far as dirt particles in the air, different chemical solutions that are found in the building, found in the ventilation system, there is a lot that is involved with being LEED Certified as far as maintaining a LEED Certified Building.

Steve Richards asked what this has to do with cleaning.

Linda Crawford answered that janitorial has a lot to do with this. The water is tested the run off water is tested and chemicals from janitorial is a big part of that. The vacuuming system has a lot to do with the air quality in the building and it has a lot to do with their LEED Certification. It is a much more intense process of cleaning that we have never required before. I am not saying that the CRP's can't do that it was just different scope of work for DFCM. That is why we wanted to see different proposals.

Kent Beers asked if the requirements to clean and how DFCM was going to approach the cleaning for a LEED Building was reflected in their scores for the plan.

Linda Crawford said most definitely and she could show the board the differences in all of the plans that were proposed.

Kent Beers said that as he recalled in the other meeting when Bruce Whittington was here one of his issues was that he had to have a janitorial contract in place by November 1, 2009. There was a question whether we could go through the process of the first submittal and then the second submittal and the whole approval of the board in time. Then if there wasn't an award made by this board or the firm didn't demonstrate that they could not do the work then he would have been left without janitorial services for the building. So there was a question two fold, one was the timing, the timing of our process. If going through the normal process we could have had a firm in place by November 1st. Secondly if we could not determine that a firm could do it we would have really put him behind and then he didn't have an existing contract to extend. So on a building that we may have janitorial work services in place right now we can go through our process and we can extend the contract if we can so the building is not left without cleaning service.

Linda Crawford said that is why she put together a timeline because it is a good three months process or more to get a janitorial contract in place when it goes out for a RFP competitive bid. This building has been completed two months earlier than anticipated. When it is done and they are ready to move in janitorial has to be ready. She also does not remember in the interview a comment that the new building would be easier to clean. That is usually not the case with new construction. DFCM's janitorial services usually have to go in and do ceiling and floors, there are some sub-contractor clean up. All of this needs to be done prior to the opening of the building. We are finding it true with this building as well.

Steve Richards asked if these people were moving from one building to another.

Linda Crawford's answer was yes they are and they are moving in one floor at a time per week. They are going to open for business on November 2nd.

Steve Mascaro said that this goes with the point about this program. First off our CRP's have been cleaning and doing custodial work for thirty years. One of our custodial CRP's has been doing OS1 standard certified cleaning at Hill Air Force Base in three hundred buildings before the State of Utah decided that this was a new cleaning process that they would like to adopt. He would like to suggest that he thinks these CRP's are ahead of even what DFCM's knowledge and experience is and he thinks the lack of confidence in the CRP's ability to perform on these things is part of what took us down that path. This is unfortunate because there is a considerable amount of experience with the work that these companies are doing. The gentleman that made that comment is the gentleman who is going to be the superintendant over that building. If he is the one who is telling the applicant at the interviewing process that this is going to be easier then I would take his word for it. Steve Mascaro doesn't think that there is anything in this bidding process that is new or something that could not have been done by CRP's who are doing this work. He would have hoped that DFCM would have respected the experience the CRP's have and not brought a contrary opinion about the ability of the CRP's to this board especially when they have one CRP that had been performing for two years and now subsequently are going to terminate that contract and yet this contract is with the same customer. Human Services as been happy with the job Work Activity Center has been doing. Now this contract has been terminated contrary to the whole concept of the set aside program and they are going to put these ten to twelve people out of work at Christmas time. It is something that is not necessary or given due process for the CRP's to address DFCM's concerns about their capabilities but the decision is made. He would hope that there is a little bit more confidence in the capabilities in these CRP's and what they can do.

Don Uchida asked why the current contractor could not help during the interim as one floor moves from one building to another. When will the new contract be in place and the other cut off? Is there any overlap?

Linda Crawford answered that there is an overlap of one month. So the same contractors will be staying at Human Services and cleaning that building for a whole month. The new contractor will be cleaning the new building for a month and they will overlap during that move time and one company can't cover both buildings during that time. Linda Crawford told Steve Mascaro that she understood where he was coming from. Linda doesn't believe that the competency of the CRP's was ever a part of the decision to put this building out for competitive bid. The purpose of putting this contract out for competitive bid was first of all DFCM's budget establishment and second of all the timing. There was the different scope in cleaning that was involved, the LEED Certification and having enough time to set aside this contract and put it out for bid. It had nothing to do with the capabilities of the CRP companies. We have them in our buildings they are doing a beautiful job.

Steve Richard felt he made a wrong decision in going along with Bruce Whittington not setting this aside he thinks his reasoning is now that we had a CRP, obviously it is two

different buildings but they have been doing it for the same customer and the customer is happy and we are trying to create jobs not take them away. He didn't know if the board could but his recommendation to the other board members was to delay this decision and look at it again. He thought a CRP should be doing this job.

Don Uchida agreed with him as that was the spirit and the intent of the law. If the current customer is satisfied which they are he cannot see why they cannot transition as each floor moves in. They were taking care of the whole building before. He doesn't see why as each floor moves in that they could not move with them. Maybe they don't have the manpower and maybe they do.

Kent Beers mentioned that the new building will be more than twice the size as the current building.

Linda Crawford said that she questioned this whole thing right now. She feels like once the committee made the determination to not set it aside initially and now it is no longer the board's decision. It has gone out to an RFP and these companies spent the time to submit proposals it has to be honored that way. It has been awarded. She doesn't know how you could pull it off of an award status.

Steve Richards said first of all according to the way he reads the law the board can pull one of these things off in mid contract if they want. He feels this board has gone above and beyond to go along with what DFCM wants to do but he feels they got a little blind sided on this. He asked Kent Beers if he wanted to make a motion that we set this contract aside.

Don Uchida mentioned that Linda Crawford said the board made that determination based on what he thinks was inaccurate information because at the time he remembers DFCM kept saying they didn't know what the budget would be yet somebody set out a dollar figure. He figured that is what DFCM gets paid for because they are the experts. They knew what it was.

Linda Crawford answered that was the problem. DFCM didn't know what it was. The budget amount that was put out there DFCM was not sure of or not very confident in. You have to do some type of a budget in order to do a RFP so you have to include some sort of amount under state law. You have to include a basic budget amount in order to lay it against what the proposals come in as. The proposals don't come in at budget amount sometimes below sometimes way above and with the scope of work difference we were not sure of the amount. That is part of the reason we wanted it to go to competitive bid. The other part of that was the timing. This has been an issue with her personally all along asking for set aside status too late to have a contract and services in place.

Don Uchida feels that if when we had the first discussion about this contract and set it aside we would have had plenty of time.

Linda Crawford said there might have been plenty of time if the proposal had gone through that the CRP's gave DFCM. If it had to go out to an RFP then there was not enough time.

We only had three months at that point. When the committee decided not to set it aside there was less than three months to do a competitive bid.

Steve Mascaro asked what DFCM felt the CRP's would not be capable of doing.

Linda Crawford said that there was not question on whether the CRP's were capable of doing the work. It had to do with the budget and the timing, to have a contract in place in time for the opening of the building.

Steve Mascaro said they have submitted proposals in much shorter time than what they had for a lead time on this one so that part he doesn't understand. As far as capabilities again looking at the scope of work on the RFP and the submittals and he doesn't see that there is not something that doesn't match up. He feels that when he brought this job to the board that there was a three to four month lead which is more than they have had on any job in two years.

Linda Crawford said that has been her problem all along. There should be a six month lead time because there have been many contracts extended in order to accommodate the CRP's. There have been many set aside proposals that have taken three or four months to get in place without doing a competitive bid. July to November is only four months. If it takes me three months to do a competitive bid we could not have had a set aside reviewed, worked on, a determination and still have had three months to put it out for request for proposal if that's what happened.

Steve Mascaro said the concern he has about the competitive bid is the statute is clear and it says this is not to be a competitive bid. It is to be reasonably competitive and based on submittals from Valley Services and Work Activity Center they are within the range of what was submitted as DFCM's perspective of what the price ought to be so in their mind it was reasonable but clearly in that three months it would have been sufficient time to review it by this committee to see that the price was not an unreasonable price because it turned out that their submittals were.

Linda Crawford said that there was a \$100,000 difference between the two that had complete proposals and the one that was awarded. \$100,000 is a significant amount as far as DFCM is concerned.

Steve Mascaro said as he looks at it there is not \$100,000 between Work Activity Center and Dawes and Valley services was a lower price than Work Activity Centers.

Linda Crawford said the thing with valley services is when I get a bond letter that says they can be bonded for the Tax Commission Building I don't feel like that bond would be sufficient to cover us and the new building.

Steve Mascaro said it was a typo.

Linda Crawford said it was the exact same letter that they submitted for Tax.

Steve Mascaro said that in the RFP submitted by DFCM it says they want a janitorial plan on page thirteen of their RFP it says, "Contractor's will be required to develop and submit a janitorial plan to clean the Provo Workforce Service Building. Even DFCM is not giving the information 100% accurate. He thinks to throw the entire Utah Valley Services out because of one page that is from the last bid is a little onerous in the process.

Linda Crawford asked Steve Mascaro to look at the date on the bond letter. The bond letter was dated and was written for the Tax Commission bid. There is no dollar amount included in that telling us they can't be bonded.

Steve Mascaro said it was an inadvertent mistake of grabbing referral letters from their bonding company but they have a bonding company that will bond a building of 60,000 square feet bigger surely you can at least make a phone call and say hey I have this bond on tax commission did you get the wrong one in there instead of your out. It is an onerous process because it's clear that even DFCM can make some inadvertent entries into this process.

Steve Richards said that unfortunately in the construction business when you bid for the state if there is one little thing missing your gone.

Don Uchida made a motion to set this building aside.

Kent Beers wanted further discussion.

Linda Crawford felt that Jake Jacobsen and Bruce Whittington needed to be here for the discussion.

Kent Beers asked if you have to have a janitorial contract in place in less than two weeks then how are we going to accomplish that under this program.

Linda Crawford asked if the board thought it was fair to have all of these companies submit competitive bids and to have several employees go through this complete process and then reverse it?

Don Uchida asked if we could just extend the current set aside contract and just amend it to include the additional square feet in the new building.

Kent Beers said that here is not a contract in place for the new building so we are talking about a whole different contract.

Linda Crawford said that there is nothing in the existing contract that can be transferred to a new building or amended to a new building. That is against the purchasing guidelines.

Steve Richards asked Steve Mascaro if a CRP would be ready to roll on November 1st.

Steve Mascaro said right now Work Activity Center has two crews doing the Human Services Building but the current crew is going to be laid off if this occurs. They have another crew that is working right across the street at the Tax Commission Building. It

would seem that the proximity of those two buildings Work Activity Center would be able to accomplish that.

Kent Beers asked how we were going to accomplish that through our process here where Steve is to go out and gather the proposals from the CRP's bring them back to this board where we are to review them and then we are to award the winning contract.

Steve Mascaro said we already have two proposals.

Steve Richards asked if we could postpone this decision for a couple of days and see if Steve Mascaro can come up with what he needs to do it.

Don Uchida said that if they bid on it then obviously they will be able to hit the ground running. His suggestion was that if we set it aside and give it to the existing contract for Human Services, let them expand it and just keep them working even though there is nothing in it that says that there were any provisions he would imagine any contract could be amended.

Paul Mash said that in a contract if you exceed scope of what was originally bid you cannot expand it beyond the original scope.

Kent Beers said he doesn't see how you could transfer this contract to that site.

Steve Mascaro said it is not a question of transferring the contract. It is a question of do you set aside the new contract or do you want to do it temporarily until this is settled. This board clearly has authority as you have said to intervene even in the middle of contracts. You clearly have a contract submitted the expectation of Work Activity Center is if they got it they were going to go to work on November 1st so they must have the capability.

Don Uchida asked if we could just set it aside and bypass because they bid did and it did come in with a reasonable scope of work instead of going through our regular process. Is it allowable by statute that we just set it aside and give it to them?

Steve Mascaro said sure it is, that is what the statute says. It says you have the authority to identify contracts for the procurement list. The problem is we started down the path three months ago that we probably should have thought about and looked at again back then. As the process moved on we saw that is was not so uniquely different and an unattainable scope of work as it was perceived to be.

Steve Richard asked Kate McConaughy if by some chance they were awarded this contract today could she do what needed to be done on the contract by November 1st.

Kate McConaughy said they could but her only hesitation is we do have an awarded contract out there with Dawes, she has already alerted her crew, we have already started the job placement process with them we knew what was going to happen once we go out to competitive bid once we didn't get it. She could probably stop that but her concern is we are going to anger a ton of people and she has to go in and man that building under an angry group of people and that gives her pause.

Steve Richards asked if she was trying to get Dawes to hire these ten or twelve people.

Kate McConaughy said she is trying to outplace them or give them other opportunities in her organization.

Steve Mascaro said he did not want to force Kate to do something she didn't want to do. He is only suggesting the process here.

Linda Crawford said her view of this is the contract has been awarded to Dawes; therefore a contract is already in place, if we follow the guidelines of the contract, we have to give Dawes a ninety day notice in order to cancel this contract which means Dawes has a legal right to claim this building for ninety days. Once a contract, unless there are performance issues we cannot cancel that contract according to state terms and conditions without giving a cancellation notice ninety days in advance or we will have a legal law suit.

Don Uchida didn't want to set DFCM for any kind of failure so he withdrew his motion.

Kent Beers concern is if we go this route is that we made a decision as a board right or wrong we made the decision. He wants this program to succeed so he feels if we just start putting contracts out to bid, and this one is a little unusual, but then a private vendor has it and they have staffed up for it and geared up for it, now you pull it back right out of their hands you are going to hear a lot of complaints going back to the legislature about this program taking food off the table of private employers out there and destroying private business and he doesn't want to run that risk. So if we made a mistake then we made it. We made a decision to put this out to competitive bid and he hates to start pulling things back once they have been awarded to the private businessmen so he is not going to make that recommendation.

Steve Richard said unless anyone wants to continue this discussion we will go on with the agenda.

Ecotraction, 2nd Reading for this Product that helps Preventing Slipping on Walkways with Ice During the Winter Months

Don Uchida made a motion that this product be approved for the second reading. Kent Beers seconded his motion and it was unanimously approved.

Steve Richards asked that we put UTA's decision to drop services to people with disabilities on the next agenda.

Next Meeting

The next meeting is scheduled for Tuesday, December 1, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities**

Advisory Board

Tuesday, September 22, 2009 2:00 p.m.

Utah State Office of Education

250 East 500 South

Salt Lake City, Utah

Members Attending:

Steve Richards, Don Uchida

Excused:

Kent Beers

Visitors

Steve Mascaro – Utah Works, Gary Knapp – Enable Industries, Dave Nicholson – Utah State Hospital, Dawn Russell – Jordan Valley Services, Jim Crosby – PARC, Jared Jaynes & Cory Crabb – East Birch Creek, Alan Bachman – Attorney General's Office

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Don Uchida made a motion that we approve the minutes from the July 27, 2009 meeting. Steve Richards seconded his motion and the minutes were unanimously approved.

East Birch Creek – Laundry Services for Utah State Hospital, Bid # TS9029

After several meetings East Birch Creek and the State Hospital came to an amicable agreement. The current contract expires December 31, 2009. The only concern the State Hospital has is if East Birch Creek can get the equipment on time and having the capacity to do the work. It is important that we expedite that because they would like to have a period of time where some loads of laundry could be done so they could see if any changes need to be made. East Birch Creek will have their equipment two months from today at the latest and will be ready to go. Don Uchida made a motion that this proposal has been read for the second time and that East Birch Creek will be awarded the contract to do laundry services for the Utah State Hospital. Steve Richard seconded his motion and it was unanimously approved. Contract term will be three years. The pricing will be sixty one cents per pound for the initial six months and fifty one cents per pound for the remaining period of the contract.

Enable Industries – Ecotraction – This is a product to put on the sidewalks and Parking lots to prevent slipping when you have ice or snow.

Ecotraction is a wonderful product that you put on ice and snow and it causes traction so there will be less slip and falls. Steve Mascaro brought this product before the board asking for a first reading on this product. From there he can go to the different agencies that would have a need for this product such as DFCM, Highway Patrol and other

agencies that would use this around their buildings and sidewalks. If any of them would like to have the product he would come back before the board and ask for a second reading. From there we could just simply put it in the product list for ice melt and then those who want to purchase this product can. Currently the state only has two ice melt products. Both of these products have chemicals that cause problems for cement, grass and flowers.

Alan Bachman asked how this product involves people with disabilities. Gary Knapp showed Mr. Bachman a photo of ten people with disabilities working on a line packaging Ecotraction. Don Uchida made a motion that Ecotraction be read for the first time. Steve Richards seconded his motion and it was unanimously approved.

Next Meeting

The next meeting is scheduled for Tuesday, October 20, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities
Advisory Board
Tuesday, July 27, 2009 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Paul Mash – State Purchasing, Alan Bachman – Attorney Generals Office, Lee Gifford – Davis Behavioral Health, Christene Jones – UACS, Jared Sanford – WAC, Garry Knapp – Enable Industries, Steve Mascaro – Utah Works, Bruce Whittington – DFCM, Norm Chesler – Valley Services

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Don Uchida made a motion that we approve the minutes from the June 23, 2009 meeting. Kent Beers seconded his motion and the minutes were unanimously approved.

A Motion for a First and Second Reading and Awarding of the Tax Commission Building Janitorial Contract to the Work Activity Center

Don Uchida made a motion that this proposal has been read for the first and second time and that when the CRP's are receiving a contract that they send an electronic copy of their signed agreement with DFCM or the agency to Utah Works. Kent Beers seconded his motion and it was unanimously approved.

A Motion to put the new Human Service / Environmental Quality Building on the Procurement List

Bruce Whittington stated that DFCM would see this as a brand new building under construction. Human Services is targeted to move into this building in November or December. Then DEQ would follow a few months later. We would like to put this out for public bid for a couple of reasons. First the bidding climate has changed recently. The bids we have been receiving from the private sector have dropped dramatically in the last year. Second this is a brand new location where we don't have a history. We don't know what janitorial costs are. We would like the market to establish that beginning rate. We need to put this out as an RFP within three or four weeks so we can get this up and ready for November. It is going to be put out as one contract and then we would amend it when DEQ entered the building.

Kent Beers made a motion that for the Human Services / DEQ Building that we not put it on a set aside procurement list but that Utah Works work with the CRP's in assisting them in developing proposal's that will be evaluated on a competitive basis with the private

sector firms and that the contract be awarded to the firm that is selected through DFCM's selection RFP process. I would also like to make a recommendation that Steve Mascaro from Utah Works attend as an observer in the selection process for DFCM. Don Uchida seconded his motion and it was unanimously approved.

Information Update on Valley Services Janitorial Contract Awarded Last Month with Stipulations Regarding Scope of Work – Steve Mascaro

In our last meeting there was a motion made to award Valley Services a contract to do the janitorial work in the Agricultural Building with the stipulation that the scope of work issues that were in discrepancy with what DFCM was requesting be met and satisfied. We have had meetings again covering the scope of work and what items need to be included, got a concurrence that those items be included, price has not changed or hours. Steve Mascaro asked Jake Jacobsen if they were ok with the proposal as it was now constituted with the changes and he said that they were ok with moving ahead with the proposal. A contract will be issued. Steve Mascaro asked the board to make a motion that when Valley Services gets a signed contract that they send an electronic copy to Steve Mascaro so he has a copy to report back to this board with.

Don Uchida made the motion that when Valley Services gets a signed contract they send an electronic copy to Steve Mascaro and Kent Beers seconded his motion and it was unanimously approved.

Next Meeting

The next meeting is tentatively scheduled for Tuesday, August 25, 2009 at 2:00 and if not on that date then September 22, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities
Advisory Board
Tuesday, June 23, 2009 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Paul Tonks – AG’s Office, Jake Jacobson – DFCM, Steve Mascaro – Utah Works, Gary Knapp – Enable Industries, Jared Sanford – Work Activity Center, Dawn Russell – Jordan Valley S. E., Christine Jones – UACS, Lana Stohl – Valley Services, Jim Crosby – PARC, Lee Gifford – DBH, Paul Mash – State Purchasing

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Kent Beers made a motion that we approve the minutes from the May 26, 2009 meeting. Don Uchida seconded his motion and the minutes were unanimously approved.

Utah Works Policy and Procedure Manual Discussion

Don Uchida made a motion that we accept the Utah Works Policy and Procedure Manual as amended as the policy to be used by Utah Works to implement the State Use Program created by Senate Bill 59 in 2006 so far as it does not conflict with Utah State Law, in which case Utah State Law will supersede. Kent Beers seconded his motion and it was unanimously approved. The timeline will be discussed in a future meeting.

State Agricultural Building Janitorial Contract Recommendation

Kent Beers made a motion that we accept this contract award it to Valley Services contingent on DFCM’s review and approval of the cleaning specifications and that if there is a problem the contract will not be awarded it will be brought back to this board at the next meeting. Don Uchida seconded his motion and it was unanimously approved.

State Tax Commission Building Janitorial Contract Recommendation

Kent Beers made a motion that we postpone the Tax Commission Janitorial Contract to Work Activity Center for further review and analysis between Utah Works and DFCM. Don Uchida seconded his motion and it was unanimously approved.

Next Meeting

The next meeting is scheduled for Monday, July 27, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities
Advisory Board
Tuesday, May 26, 2009 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Paul Tonks – AG’s Office, Jim Crosby – PARC, Kate McConaughy & Jared Sanford – Work Activity Center, Cory Crabb & Jared Jaynes – East Birch Creek, Paul Mash – State Purchasing, Lee Gifford – Davis Behavioral Health Center, Gary Knapp – Enable Industries, Linda Crawford – DFCM, Norm Chesler – Valley Services

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Kent Beers made a motion that we approve the minutes from the April 28, 2009 meeting. Don Uchida seconded his motion and the minutes were unanimously approved.

CRP Report to the Board – Steve Mascaro

Steve Mascaro gave us a handout of the CRP Report. He went over the report with the board. Included with the report was a power point presentation entitled “Utah Legislature & Utah Works Creating Successful Public Private Partnership.” Steve Mascaro has sent this report to the leadership of the Senate and the leadership of the House of Representatives. The report will also be sent to Gary Herbert. Kent Beers made a motion that we accept the semi-annual report from Utah Works. Don Uchida seconded his motion and it was unanimously approved.

Tax Commission Custodial Contract - #056010 two CRP’s

Linda Crawford has made arrangement for Valley Services and Work Activity Center to do a walk through on Thursday. Columbus Community Center may go to the walkthrough also. The reason Steve Mascaro brought this up is because in the beginning only one CRP would be interested in a project. Now more than one CRP has become interested in different projects. Paul Mash brought up the confidentiality of the information at the Tax Commission and Linda Crawford assured him that there are Bureau of Criminal Investigation checks for people to get security clearance to work in the building.

Agricultural Building, Custodial Contract – Walk Through Results

Columbus Community Center made some arrangements to go through this building and requested an assignment to this building. Dean Hoffman said that they have a lot on their plate right now and they are not sure they can clean this building. Steve Mascaro put out a notice to the other CRP’s. Work Activity Center and Valley Services both went on a

walkthrough with Columbus Community Center. Steve Mascaro spent some time with Valley Services going over the preliminary requirements and he knows they have the capability to do the Agricultural Building. Because of the time sensitivity on this particular building we are going to go over the requirements and proposals and then at the June meeting make a recommendation as to which CRP Utah Works will want to do this contract. Steve Mascaro said after reviewing the information we have on file as to the CRP's work histories he would recommend that both Work Activity Center and Valley Services be given a first reading approval to proceed with this contract. Don Uchida made a motion that this proposal be read for the first time. Kent Beers seconded his motion and it was unanimously approved.

CNA Policy and Procedure Discussion

Steve Mascaro mentioned that there were a few things in this manual that he would like to get a little direction from the board on. When the Policy and Procedures Manual was approved it was a draft so there are some things that are not absolutely clear. What Steve Mascaro would like to do is when there are some discrepancies or incongruities as we move forward is to at least alert the board that even though they have been adopted there are some anomalies in there and that the board would be able to make some policy decisions or some recommendations for Steve Mascaro to do with this policy that he is supposed to be working under. We want to talk about some of the issues that deal with the price schedule in there. It has some extraordinary impacts in terms of cost and we will want to talk about them as the different contracts come up. We will have a discussion at the next meeting on the timeline.

Updates on State Hospital Laundry Contract

In the past month Steve Mascaro has met with Mark Payne, Dave Nichols and Dallas Earnshaw. Everyone from Mark Payne's position on down wants to do this contract. The whole issue comes down to if there is enough money in their budget. The State Hospital is willing to take money from other contracts to be able to accommodate the laundry contract. Steve Mascaro was told to give the State Hospital a few more months so they could figure out a way to make this work. Steve Mascaro told Dallas Earnshaw that he would ask to board if they could wait until next meeting to discuss this issue as to give the Hospital more time to come up with the money. Kent Beers asked Steve Mascaro if he could have Dallas Earnshaw come to the next meeting or send a letter with Steve to the meeting.

Next Meeting

The next meeting is scheduled for Tuesday, June 23, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah in Room 156.

**Minutes of the Meeting of the Utah Purchasing with People with
Disabilities
Advisory Board
Tuesday, April 28, 2009 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Christine Jones – UACS, Dean Hoffman – Columbus Community Center, Jim Crosby & Merri Ann Perkins – PARC, Lee Gifford – DEO, Matt Jenkins & Paul Mash – State Purchasing, Steve Mascaro – Utah Works, Lana Stohl – Valley Services, Jared Sanford & Kate McConaughy – Work Activity Center, Alan Bachman – AG’s Office, Jared Jaynes – East Birtch Creek, Jake Jacobson - DFCM

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Kent Beers made a motion that we approve the minutes from the March 17, 2009 meeting with a note at the bottom of the page that the 72 hour kit ended up being a two year contract instead of a one year contract. Don Uchida seconded his motion and the minutes were unanimously approved.

Utah Works Policy and Procedure Review and Comment

Steve Richards said that in review of state laws this was put out for bid and this policy was put in the RFP. So the Utah Works Policy and Procedure Manual is how we are going to run things.

Utah State Hospital Laundry Bid First Reading

Steve Mascaro gave us an update on this bid. The reason that the hospital wanted to re-bid was that the quality was really bad. The price for the laundry was 38 cents a pound but it turns out the contract provider was not able to sustain and filed bankruptcy in the last 30 days or so. Looking at reasonable market price is the important ingredient. In the case the lowest price has put the State Hospital in a precarious situation. After doing research on the pricing for doing laundry Steve Mascaro found that the pricing was somewhere in the 40 cents per pound range. The CRP is going to be spending about \$100,000 in new equipment. In order to recoup for some of the cost their per poundage rate was somewhere in the low to mid 50 cent range so there is about a 10 cent per pound range difference. Mr. Mascaro didn’t want to bring all the price discussion to the board unless it was a reasonable range to proceed on. This board reviewed a bid for American Fork Developmental Center for a grounds maintenance contract that had been done for the previous contractor for about \$120,000 per year our CRP went in and put in a proposal for about \$116,000 per year so it was less than the current provider had been charging for the last five years. That provider then came up with a bid for about \$90,000. Dr. Kilner looked

at this and asked why they were paying \$20,000 more per year and the answer was that they were paying for their equipment and now that it was paid for they could do it for a lot less. So in that context I ask the same question in regards to this laundry. If it is within the budget guidelines that the hospital can meet in the low 50 cent price range, is that an acceptable range for us to move forward and bring pricing information to the board and have discussions knowing that the big laundry people here in Salt Lake would not be exclusive to the facility and not be in proximity geographically to the hospital but because they have other clients and because they have hundreds of thousands of dollars already invested in the equipment they can do it for this 10 cents a pound spread difference is that a reasonable market price that you would like me to pursue?

Don Uchida asked if there was any way they could put an amortization equipment schedule into the contract so that after X number of years the cost would drop. Paul Mash said that if an amortization schedule was presented to the board showing that at a certain point the equipment appreciates and is paid for that the price should reflect that then the board could entertain that as being a market price. Steve Mascaro said that if the board would like he would pursue the State Hospital to what their pricing might be with amortization and if their budget has the capability for the pricing Mr. Mascaro would present it to them. Don Uchida made a motion that Steve Mascaro pursue the State Hospital to what their pricing might be with amortization and to find out if their budget has the capability for the pricing. Kent Beers seconded his motion and it was unanimously approved.

Steve Richards asked Steve Mascaro to either have someone from the State Hospital come to the next meeting or have them present something in writing saying they would like the CRP to do the work.

Janitorial Contract for Price Office of Rehabilitation

The CRP in Castle Valley is interested in this bid. Jake Jacobson alerted Steve Mascaro about this bid. Matt Jenkins said this was put out as a public bid and closed last week. There has not been an award because Steve Mascaro contacted State Purchasing just before it was going to be awarded. The agency has extended the current contract for a month to give them time to receive proposals.

Kent Beers moved that we extend this contract for two months and that he would propose today that Steve Mascaro move forward with investigating the possibility of the CRP taking this as a contract and coming back to us in two months. Don Uchida seconded his motion and it was unanimously approved.

Natural Resources Building Custodial Contract Returned to Public RFP Process

Steve Mascaro said that there was communication between Columbus Community Center and DFCM in regards to the anomalies and what the contract really was and they decided that the price and scope of work just was not going to work and so both agreed to let it go out to bid. Don Uchida made a motion to retract this set aside between Columbus Community Center and Natural Resources. Kent Beers seconded his motion and it was unanimously approved.

10 Day Notice Sent to Enable Industries for Performance Issues at the Ogden 2nd District Juvenile Courts Building. This was Set Aside by the Board on Nov. 6, 2008

Steve Mascaro said that Enable received a ten day notice. There is a re-inspection occurring today. The requirements of the ten day notice is to make the proper corrections which Mr. Knapp said they were going to do. They have a requirement to stay compliant for the next six months. Jake Jacobson had a copy of the re-inspection and he said that it was brought up to an acceptable rating.

Steve Mascaro then shared with us some good notices for Columbus Community Center and Diversified Employment

Status of Accessing State Contracts on Purchasing Website

State Purchasing is going to try to figure out a way to have information on agency contracts more accessible to the CRP's

It was decided to add a new agenda item to future meetings. "Value Added Services"

Next Meeting

The next meeting is scheduled for Tuesday May 26, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Tuesday, March 17, 2009 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Kent Beers

Visitors

Cory Crabb & Jared Jaynes - East Birch Creek, Randy Cox – Community & Culture, Jim Crosby – PARC, Tracey Stevens & Paul Mash – State Purchasing, Linda Crawford & Bruce Whittington – DFCM, Merri Ann Perkins & Bob Daniels – PARC, Norm Chesler – Valley Services, Lana Stohl – Valley Mental Health, Steve Mascaro – Utah Works, Sonia Hutchings, Romona Zellers & Dave Nicholson – USH, Don McKinnon & Lee Gifford – Davis Behavioral Health, Gary Knapp – Enable Industries

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. With one correction Don Uchida motioned for approval of the minutes of the board meeting held on October 30, 2008. Kent Beers seconded his motion. The minutes were approved unanimously.

Second Reading, Department of Community and Culture Digitization Proposal

Proposal from PARC and Enable Industries Inc. to provide digitization services for Department of Community and Culture.

Kent Beers made a motion that this proposal has been read for the second time and that we accept this contract and award it to Enable Industries and PARC. Don Uchida seconded his motion and it was unanimously approved.

First Reading, Utah State Purchasing 72 Hour Kits

Kent Beers wants to have a discussion with the low bidder and indicate that Enable Industries has been identified as a potential candidate for this program and at the end of the year we would evaluate whether to award before entering into a contract with them. Then if they chose not to we would have to move through the list to see if maybe nobody is interested in just a one year contract. Don Uchida made a motion that we turn this proposal down and do as Kent Beers just suggested and talk to the low bidder and know that within four months of the next year the company could be a candidate for Senate Bill 59 as a set aside. Kent Beers seconded his motion and it was unanimously approved.

First and Second Reading, Natural Resources and Wildlife Resources Building Custodial Contract

Don Uchida made a motion that this proposal has been read it for the first and second time and that we award the contract to Columbus Community Center. Kent Beers seconded his motion and it was unanimously approved.

First and Second Reading, Office of Rehabilitation Building Custodial Contract

Kent Beers made a motion that this contract has been read for the first and second time and that we award this contract to Columbus Community Center. Don Uchida seconded his motion and it was unanimously approved.

First Reading, UDOT Legacy Trail Litter Pickup

Don Uchida made a motion that this proposal has been read for the first time. Kent Beers seconded his motion and it was unanimously approved.

First Reading, DSPD Laundry Service Utah State Hospital Provo, Utah

Don Uchida made a motion that there should be a walkthrough before the second reading and report back to the board for the second reading and that this proposal has been read for the first time. Kent Beers thought it would be good for a more thorough examination of the facility and that the State Hospital and East Birch Creek to get together so they more fully understand the requirements of the State Hospital and then moving forward establishing a market price. Kent Beers seconded his motion and it was unanimously approved.

Update on 10 Day Notice to Davis Behavioral Health

Linda Crawford gave us an update on the 10 day notice that was sent to Davis Behavioral Health. The main problem is that doors are not being locked and there is a security issue there. She received a letter from Davis Behavioral Health stating that they were addressing the issues. A re-inspection is going to be done at the building to see if these issues have been resolved.

Other Items

Kent Beers in a future meeting would like to have a general discussion and establish a policy as to what we will consider to be a fair, acceptable and a competitive price in terms of when the CRP's are going to compete directly in a procurement process. He would like to see a set standard as to what would be a competitive price so that we could still move forward with an award. He would also like to see a copy of a market rate analysis in every proposal.

Kent Beers checked with the procurement officer and the 72 hour contract is a 2 year contract, not a 1 year contract. We have notified the low bidder that this contract has been identified as a potential candidate for this program and he has elected to enter into the contract.

Next Meeting

The next meeting is scheduled for Tuesday, April 28, 2009 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Thursday October 30, 2008 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida

Visitors

Bob Daniels – Utah Works, Linda Crawford and Jake Jacobsen – DFCM, Don McKinnon – DEO, Christine Jones – UACS, Dean Hoffman – Columbus Community Center, Gary Knapp – Enable Industries, Steve Mascaro – Utah Works, Alan Bachman – Attorney General’s Office, Norm Chesler, Matt Jenkins and Terri O’Toole – State Purchasing, Phil Shumway – TURN

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on June 17, 2008. Terri O’Toole seconded that motion. The minutes were approved unanimously.

First Reading, Digitization Contract with Department of Community and Culture

Proposal for PARC and Enable Industries Inc. to provide digitization services for Department of Community and Culture.

If awarded this contract would employ 40 people. Don Uchida made a motion that this proposal be read for the first time. Terri O’Toole seconded his motion and it was unanimously approved.

Utah Works – Presentation of First Year Report of State Use Program

Steve Mascaro presented the board with a handout of the Annual Report and then gave us an oral presentation on the report. Mr. Mascaro informed the board of the positive effects of employing the handicapped has had for the economy. Mr. Mascaro is going to create a list of legislators and others to send the report to and then it will be sent to Steve Richards. He will then forward the report onto the proper people. The report will also be placed in the Purchasing Update and there will be a link to the report on the Purchasing Website.

Don Uchida made a motion that board accept the Annual Report, send the cover letter, put it on the Purchasing Website and send the report by email to the specific legislators who were directly involved in getting the legislation passed. Terri O’Toole seconded his motion and it was unanimously approved.

Dean Hoffman is going to generate a report that tracks 10 or 12 people with disabilities and shows how they were taken of public assistance, put to work and tracks their income and the taxes they pay. This information will be on the next Annual Report. Don Uchida thought this would be a great idea.

Discussion of Current Process of how Awarded Contracts are Cancelled and or Transferred to Other CRP's. Review Contract Moved from Enable to Diversified Employment Opportunities

Alan Bachman is going to go back and discuss this issue with the other attorneys in his office. Mr. Bachman said that there are several possibilities. One could be that any determination should go before the board. The other possibility that the statute doesn't address is that the statute would be interpreted in such a way that the board has such a power that the board would say. "We don't want this contract terminated without coming back to us". That is a legal question that will have to be looked at. There was a healthy discussion on this subject. Steve Mascaro stated that the statute is clear on how to award the contracts but not clear on what to do if there is a problem with the contracts. Don Uchida mentioned that Sheila Page had looked over the statute and found all the shortcomings in it. Mr. Uchida felt it would be good to identify these grey areas and have Sheila Page work with DFCM and whoever needs to be involved and then take it to Senator Kilpack so he can go back and amend the legislation. It was decided to discuss this at our next meeting.

Update on State Shredding Contract Expansion to Cedar City with TURN Community

Phil Shumway stated that they have found a plant in Cedar City and they have hired a plant manager who will be getting some training at Columbus Community Center on November 17, 2008. They have interviewed ten people with disabilities who would like to work for them in Cedar City and St. George. They are hoping to get the equipment set up by December 1st and starting to shred paper on December 16, 2008.

Update on Contract Opportunities of Repairing Braille Library Books at State Library

Dean Hoffman shared his ideas with the board on how he planned to repair these Braille library books. The books binding companies wanted to charge the State Library lots of money to repair these books and Mr. Hoffman feels he can do it for a fraction of the cost to save them money.

DFCM Needs Board Approval to put the Ogden Courts Janitorial Contract out to Bid After Canceling the Set Aside Contract With Enable Industries

Terri O'Toole made a motion that the Ogden Courts Janitorial Contract go out to bid. Don Uchida seconded her motion and it was unanimously approved.

Next Meeting

The next meeting is scheduled for Thursday November 20, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Tuesday June 17, 2008 11:00 a.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Alan Bachman – Attorney General’s Office, Paul Tonks – Attorney General’s Office, Terri O’Toole – State Purchasing, Gary Knapp – Enable Industries, Christene Jones – UACS, Dean Hoffman – Columbus Community Center, Don McKinnon & Lee Gifford – Davis Behavioral Health, Jake Jacobson – Facilities & Construction Management, Steve Mascaro – Utah Works.

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on April 15, 2008. Douglas Richins seconded that motion. The minutes were approved unanimously.

Brigham City Regional Building Janitorial Services – Reassign to Another CRP or Allow a Normal RFP Process

Following discussion and agreement from DFCM, Douglas Richins made a motion that the contract for the Brigham City Regional Building, which was previously set aside for Enable Industries be reassigned to Diversified Employment Opportunities, a division of Davis Behavioral Health based on their proposal, which offered the same cost as Enable. Don Uchida seconded that motion and it was unanimously approved. This contract change will become effective July 1, 2008.

First and Second Reading – Janitorial Services at the Cannon Health Building – Columbus Community Center

Columbus had previously submitted a proposal to DFCM to provide janitorial services at the Cannon Health Building. Jake Jacobson indicated DFCM’s approval of the proposed set-aside. Don Uchida made a motion that the set aside of this contract be considered read for the first and second time. Douglas Richins seconded that motion and it was unanimously approved. This will employ XXX disabled individuals. The annual contract value is 150K annually?? XXX(Steve was going to provide this). The contract with Columbus will begin October 1, 2008.

Consider the “Utah State Use Program for People with Disabilities” Policies and Procedures Manual’s as a document for the Purchasing Board to use in Administering the State Use Program

Steve Mascaro presented a handout entitled “Utah State Use Program for People with Disabilities”. Steve indicated that the Utah Works Board had modified this manual from the state of West Virginia, which also has a set-aside law similar to ours. He said that the Utah Works Board thought that the manual may be useful in responding to questions such as:

- The Purchasing from People with Disabilities Advisory Board's (PPDAB) role in the administration of set-aside contracts.
- The role of the Community Non-Profit Agency.
- What guidance the PPDAB provides to agencies should a contract be canceled by either party?
- Should the board consider exceptions to the policy of CRPs submitting proposals 6 months prior to the start of the new contract?

The Board agreed to look over this document, decide if it can be used as a guideline and discuss it at the next meeting.

Free Shred Day Sponsored by Columbus Community Center

Dean Hoffman and Columbus Community Center would like to offer a free shred day to State Employees. He proposed bringing to the Capitol the shedding truck so that employees could bring from home their sensitive data to be shred. Douglas Richins thought it would be a better idea if the service could be offered it at a bank or other offsite facility on a Saturday as not to interfere with State Business, and to not create the impression that it was OK for employees to bring personal data to work for shredding.

Executive Director – Utah Works First Annual Report to Board

Steve Mascaro presented the Board with the first annual report. Currently Utah Works has 11 contracts in place. Their goal was to have at least 30 people employed. There are now 66 people with disabilities employed. (See attached annual report)

Next Meeting

The next meeting was scheduled for Tuesday August 19, 2008 at 2:00. Due to the subject matter this will be a two hour meeting. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

UTAH WORKS

First Annual Report To

The Purchasing From People With Disabilities Advisory Board

June 18, 2008

Utah Works

To: Purchasing From People With Disabilities Advisory Board

June 18, 2008

Utah Works held its first Annual Conference on May 29, 2008. Thanks to the support of UACS Executive Director, Christene Jones, and the Utah Works Management Committee, Chaired by Dean Hoffman, CEO of Columbus Community Center, a successful Conference was held in Springdale, Utah.

The First Annual Report given at the Conference by Utah Works Executive Director, Steven Mascaro showed better than expected growth in the Utah Works First Year Plan. First year goals for Utah Works were exceeded in the number of State Contracts set-a-side for CRPS. Five (5) to seven (7) contract awards were projected for the first year; 13 were awarded and 11 remained in place. It was project to have 30 people with disabilities employed by new contract awards in the first year; **66 people with disabilities were employed** as a result of the new contracts. First year total new contract revenue paid to CRPs was projected at \$300,000; over \$725,000 was awarded to be paid to CRPs in the first year contract awards.

At the Conference, the **Mission** and **Vision** of Utah Works was refined. In a work session led by Bob Danials, CEO at PARC and National SUPRA Director Debra Ignatz, the direction for Utah Works was refined for the next year. The newly refined direction for Utah Works, approved by the Utah Works Management Committee includes:

Vision Statement: *"A future where it is usual and customary to hire people with disabilities."*

Mission Statement: *"Creating meaningful jobs for people with disabilities through business partnerships."*

CORE VALUES:

- **Quality**- *Utah Works is committed to meeting or exceeding expectations.*
- **Integrity** – *We believe we will earn your trust and respect through our job performance.*
- **Collaborations** – *We are always developing partnerships to create new jobs for people with disabilities.*
- **Growth** – *Utah Works is increasing jobs for people with disabilities through profitable business ventures.*

GOALS:

- *Increase the number of people with disabilities to 300*
- *Broader diversity of Jobs for people with disabilities across the State*
- *Create new lines of business with new Job Opportunities.*
- *Increase the capacity and number of producing Community Rehabilitation Programs (CRPs)*

Currently, Executive Director Mascaro is working with Utah State Director of Community and Culture in an effort to secure State Digitization Contracts. Additionally, he is working with Traci Montano at Utah Dept of Transportation to find new contract opportunities at UDOT. It is expected that with time will come more opportunities to achieve a more new benchmarks. Because of the ongoing support of the Utah Works Management Committee, UACS Executive Director, Christene Jones, and the hard working CRP employees with disabilities and their staffs, Utah Works will continue to be successful.

Steven Mascaro
Executive Director
Utah Works

Utah Works Exceed Contract Awarded

Goal for First Year

- First Year Goal5 to 7 Contracts Awarded
- First Year Results.....13 Contracts Awarded
 - One (1) was rejected by CRP
 - One (1) was terminated by mutual Agreement with DFCM, CRP, and Purchasing Board.

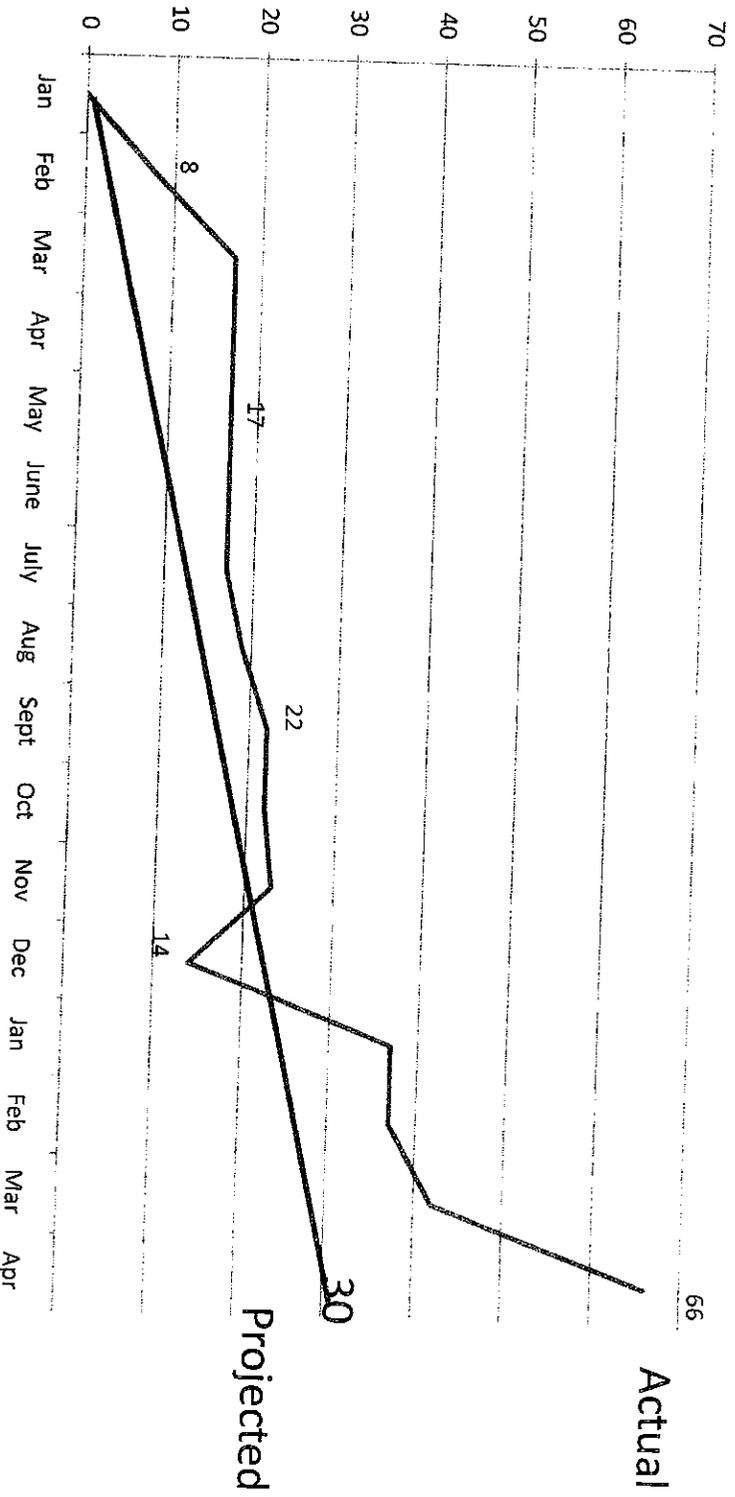
–Eleven (11) are currently in place.

Utah Works Exceed Employment Goals **For First Year**

- First year Goal.....30 People w/Disabilities
- First Year Results.....66 People w/Disabilities
 - 42 Employed in Custodial
 - 24 Employed in Document Destruction

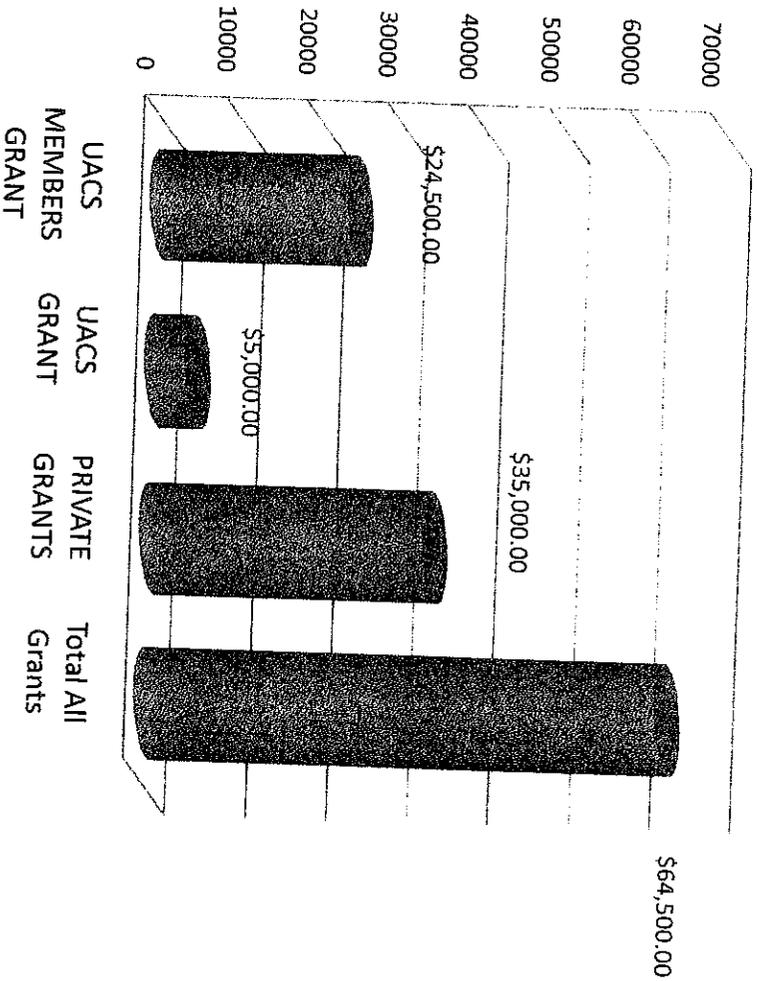
Number of People with Disabilities Employed
January 1, 2007 to April 1, 2008

Number of Employees



Utah Works Grant Summary

January 2006 to April 2008



**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Tuesday April 15, 2008 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Sheila Page – Attorney General’s Office, Alan Bachman – Attorney General’s Office, Jake Jacobson – DFCM, Kate McConaughy – Work Activity Center, Gary Knapp – Enable Inc., Charlee Wallace – Columbus Community Center, Dean Hoffman – Columbus Community Center, Terri O’Toole – State Purchasing, Steve Mascaro – Utah Works, Don Uchida – Utah State Office of Rehabilitation, Christine Jones - UACS

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on January 14, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

Discussion of the Boards Role in the Administration of State Set Aside Contracts

Douglas Richins opened the discussion to determine what the board’s role is relative to the administration of contracts awarded by the board and if necessary the cancellation of a contract. He had invited legal counsel to assist in determining the board’s role. Assistant Attorney General Sheila Page said that after reviewing our statute it seems short and unfortunately doesn’t address these specific issues. She said that while the board does have a vital role in awarding these contracts, the statute is pretty silent in what to do after those contracts are awarded. She suggested that at a future date the legislature may want to clarify those issues. She said that currently, it falls to the state’s chief procurement officer to deal with contract problems, including cancellation. If a contract that was set aside is subsequently cancelled, then the process would then come back to this board where the contract process starts all over again. Ms. Page also stated that you would believe that if you awarded a contract that you would also be able to terminate a contract but that is not the statutory scheme in the State of Utah. She suggested if the board decides to propose legislative changes to clarify these issues then Felise Thorp Moll in the Attorney General’s office would be the attorney the board needs approach to help suggest the revisions. Ms. Page suggested that the board is established as an advisory board and to set policy the board needs to be given rulemaking authority. Steve Mascaro said he would be more than willing to take these recommendations to Senator Killpack so he can follow up on some amendments to the Board’s Statute. Ms. Page reminded that under the current law the chief procurement officer’s determinations (including contract cancellation) are subject to appeal to either the Procurement Appeals Board, or into district court. There was a healthy discussion on this subject.

Discussion by the Board Delineating the Role of the Community Non-Profit Agency (CNA)

Steve Mascaro presented a handout entitled “Duties Assigned to be Performed by Appointed Community Not-For-Profit (CNA)” Mr. Mascaro invited the board to review the handout and then our next meeting agenda will include an agenda item to review, amend and formalize an agreement on the duties. It was suggested that the CNA be more involved in quality assurance and mediating disagreements between the contracting parties. Mr. Richins suggested that the CNA could assist in insuring the contracts are signed timely citing an example where a CRP was performing a contract months before the contract was presented to him for signature. Generally agencies are told not to all the start of a service until the contract is signed.

Charlee Wallace from Columbus Community Center provided an update on the document shredding and recycling program that is now being rolled out under state contract PA376.

Next Meeting

The next meeting was scheduled for Tuesday June 3, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Monday January 14, 2008 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Steve Mascaro – Utah Works, Robert Daniels – PARC, Charles Goodman and Bob Hunt – Utah State Development Center, Don McKinnon and Lee Gifford – Davis Behavioral Health, Jake Jacobsen – DFCM, Dean Hoffman & Bradley Collings – Columbus Community Center, Gavin Gill & Dallas Whitney – Eckardt & Company, Kathy Burton and Helen Shreve – Department of Corrections

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on December 10, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

Second Reading Items

Utah State Development Center Grounds Maintenance Contract – East Birch Creek
East Birch Creek withdrew their proposal. Douglas Richins will work with Terri O’Toole and the contract will be awarded to the low bidder in the procurement process, Eyre Landscaping.

Other Items

Follow Up Discussion on the Farmington Adult Probation and Parole Custodial Contract

Helen Shreve expressed her concerns with the higher bid from Diversified Employment even though the CRP lowered their bid from \$1,064.64 to \$893.26 (per month). This is still 25% higher than the lowest bidder, Eckardt & Company. She performed the due diligence that the board requested in the last meeting and reported that Eckardt is a responsible and reliable company. Douglas Richins moved that this contract not be set aside to a CRP due to the fact that it is not a reasonably competitive price and will be awarded through the competitive bid process (to Eckardt & Company). Don Uchida seconded his motion and it was unanimously approved.

Discussion on How CRP’s Can Learn About Procurement Opportunities Not Currently Listed on the Board’s Website of Current Contracts

There was a discussion on how the CRP’s could find other potential contracts that they could bid on. Douglas Richins suggested that the CRP’s (or a representative) could come to the Division of Purchasing and look through the state’s contract files and see if there were any contracts that they might be interested in bidding on in the future. He also stated that the same could be done to access opportunities in school districts, colleges & universities, city governments and county

governments. Mr. Richins also suggested that the CRP's go to RFP Depot and review the History of bids the State of Utah has issued in the past two years to identify the contracts that they may be interested in.

A Report on the State Shredding and Recycling Contract from Columbus Community Center

Jake Jacobsen reported that things are going very well so far with the recycling aspect as it is being rolled out on Capitol Hill. Recycle bins have been placed in many areas in the Capitol and more placements will be made on Capitol Hill as other bins to come in. They are still working out the collection process and procedures.

Next Meeting

The next meeting will be on Monday March 10, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Monday December 10, 2007 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Larry Hall – Utah Air National Guard, Arden Lubeck – Columbus Community Center, Kate McConaughy – Work Activity Center, Gary Knapp – Enable Industries, Lee Gifford – DEO, Bob Daniels – PARC, Christene Jones – UACS, Janet Autrey – Tri-Connections, Dean Hoffman – Columbus Community Center, Jared Janes – East Birch Creek, Helen Shreve – Department of Corrections, Terri O’Toole – State Purchasing, Brad Collings – Columbus Community Center, Steven Mascaro – Utah Works, Linda Crawford – DFCM, Charles Goodman – USDC

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on November 6, 2007. Douglas Richins seconded that motion. The minutes were approved unanimously.

Second Reading Items

State Shredding and Recycling Contract – Columbus Community Center and Enable Industries

An overview of the proposal for shredding and recycling services was presented. Following discussion, the potential supplier offered a clarification on the pricing of recycling on page five of the proposal. It will read as “The charge is \$30.00 per pickup or 4 cents per pound whichever is greater.” Douglas Richins made a motion that this contract be set aside and awarded to Columbus Community Center and Enable Industries. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approximately \$200,000. This contract will employ about 20 to 30 individuals and will be in place on April 1, 2008.

Utah State Development Center Grounds Maintenance Contract – East Birch Creek

Charles Goodman from the Development Center expressed his concerns with disabled people using lawn equipment around the very fragile clients that stay at the Utah State Development Center. He also expressed concern with the price proposed by East Birch Creek which was significantly above the price bid by the current contractor, Eyre Landscaping. He also stated that he was very happy with the services and cost of the current vendor. Christene Jones suggested that Dr. Kelner, the director of the Utah Division of Services for People with Disabilities might want to have input into the contract because of the positive impact on employing people with disabilities. Douglas Richins made a motion that we table this item and put it on the next month’s agenda and invite Dr. Kelner from Utah State Development Center to come and express his perspective at the next meeting. It was unanimously approved.

First Reading Items

Air National Guard Janitorial Services – Columbus Community Center (Second Reading also) Utah Correctional Industries is no longer able to clean this building. Columbus Community Center has been meeting with the Air National Guard. Larry Hall stated that they are just waiting on the Wing Commander's approval. Douglas Richins made a motion that this proposal be read for the first and second time and that we set the janitorial contract for this facility aside to Columbus Community Center pending the approval of the Wing Commander. Don Uchida seconded that motion and it was unanimously approved. Total annual contract amount \$68,918.00 and will employ 3 full time equivalent (FTE) disabled persons.

Other Items

Briefing on Potential of Roadside Litter Pick-Up Contracts with UDOT – Steve Mascaro

Utah Correctional Industries is no longer able to do this contract with UDOT. Steve Mascaro has been meeting with Tracy Montano, UDOT's Procurement Director. Debra Boulton from UDOT is getting the scope of work together so that a proposal can be prepared by CRPs. This could potentially employ around 60 to 70 people. Mr. Mascaro is optimistic about this potential project.

Discussion on Janitorial Services at the Adult Probation and Parole Building in Farmington

This project went out for bid and we received 8 Proposals. An amendment was sent out informing potential bidders that this project could be a potential set aside. Diversified Employment came in 3rd place, at a fairly significant increase over the low bidder. Corrections would prefer to take the low bidder in this case. Steve Mascaro presented his concerns that the low bidder might not be able to fulfill the contract at the price bid. Douglas Richins moved that we put this item on the agenda for the first and second reading at our next meeting in January, and asked Terri O'Toole and Helen Shreeve to do more research on the viability of the low bidder. It was unanimously approved.

Next Meeting

The next meeting will be on Monday January 14, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board**

Tuesday November 6, 2007 2:00 p.m.

Utah State Office of Education

250 East 500 South

Salt Lake City, Utah

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Ephraim Dickson – Fort Douglas Museum, Christene Jones – UACS, Jim Crosby – PARC, Gary Knapp – Enable Industries, Jake Jacobsen – DFCM, Linda Crawford – DFCM, Terri O’Toole – State Purchasing, Lee Gifford – Diversified Employment, Don McKinnon – Diversified Employment, Brad Collings – Columbus Community Center, Dean Hoffman – Columbus Community Center, Jared Jaynes – East Birch Creek, Gary Crebbs – East Birch Creek, Kate McConaughy – Work Activity Center, Janet Autrey – Tri-Connections Inc., Maria Stahla – OLAG, Claire Gee - Ft. Douglas National Guard, Todd Valline – Ft. Douglas National Guard

Welcome and Introductions and Approval of Minutes

Steve Richards conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on September 18, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

Second Reading Items

Ogden Regional Center Janitorial Services – Diversified Employment – Douglas Richins made a motion that this facility be set aside to Diversified Employment. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$99,000 and will employ 4 full time equil. (FTE) disabled persons.

Ogden 2nd District Court Janitorial Contract – Enable Industries – Douglas Richins made a motion that this facility be set aside to Enable Industries. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$89,500 and will employ 3 full time equil. (FTE) disabled persons.

Ogden 2nd District Juvenal Court Janitorial Contract – Enable Industries – Douglas Richins made a motion that this facility be set aside to Enable Industries. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$31,200 and will employ 1 full time equil. (FTE) disabled person.

First Reading Items

State Shredding and Recycling Contract – Columbus Community Center and Enable Industries – Douglas Richins made a motion that this proposal has been read for the first time and that it will be brought up in January’s meeting. Don Uchida seconded that motion and it was unanimously approved.

Utah State Development Center Grounds Maintenance Contract – East Birch Creek – After a brief discussion Douglas Richins recommended that we put an amendment out on this RFP letting other bidders know that other CRP’s have expressed an interest in servicing this facility and through the reference of the law this project may be set aside. Don Uchida made a motion that we consider this proposal read for the first time and that we put the second reading on the December agenda. It was unanimously approved.

First and Second Reading for Fort Douglas Museum Janitorial Contract – Columbus Community Center – Douglas Richins made a motion that this proposal be read for the first and second time and that this facility be set aside to Columbus Community Center. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$4,600 and will employ .2 full time equil. (FTE) disabled persons.

Confirming Enable Industries Assignment of the Brigham City Regional Center Janitorial Contract

There was a brief discussion confirming this assignment. The annual contract amount is approx. \$113,200 and will employ 5 full time equil. (FTE) disabled persons.

Status Report from Jake Jacobsen on the Open Bids on Farmington Public Safety Building that Affected Diversified Employment Services and the Capitol Complex Bids that Affected PARC

Farmington Public Safety Building – This project was bid out with the competitive bid process. Diversified Employment Services was the only bidder on this project and so it was awarded to them. The annual contract amount is approx. \$8,700 and will employ .2 full time equil. (FTE) disabled persons.

Capitol Complex Building – DFCM indicated that this project was bid out through the competitive RFP process. The proposals came in within budget. The awarded contractor is Dawes Janitorial because they had the best proposal taking into consideration price and the other evaluation factors. The contract is approximately \$536,000 per year. This compared with the set aside proposal from PARC which was \$1.9 million annually. (The board decided in the October meeting to not set-aside the Capitol Complex.)

Next Meeting

The next meeting will be on Monday December 10th at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Tuesday October 2, 2007 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Don Uchida, Douglas Richins

Excused

Steve Richards

Visitors

Alan Bachman – Attorney Generals Office, Terri O’Toole – State Purchasing, Janet Autrey Tri-Connections Inc., Dean Hoffman – Columbus Community Center, Steve Mascaro – Utah Works, Robert Daniels – Utah Works, Jake Jacobson – DFCM, Linda Crawford – DFCM, Don McKinnon – Diversified Employment, Lee Gifford – Diversified Employment, Jim Crosby – PARC, Gary Knapp – Enable Industries

Welcome and Introductions and Approval of Minutes

Don Uchida conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on September 18, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

Second Reading Items

Farmington Public Safety Building Janitorial Services – Proposal from Diversified Employment Opportunities – Due to lack of information Douglas Richins made a motion that we allow DFCM to put this job out for bid and that the vendors would be notified that this bid may be a set aside. Don Uchida seconded that motion and it was unanimously approved.

Brigham City Regional Janitorial Services – Proposal from Enable Industries – Gary Knapp agreed to do the complete scope of work for the price submitted. Douglas Richins made a motion that this facility be set aside to Enable Industries. Don Uchida seconded that motion and it was unanimously approved.

Ogden 2nd District Court Janitorial Services – Proposal from Enable Industries – Jake Jacobsen suggested that we move this proposal to the next meeting. Douglas Richins made a motion that we move this proposal to the next meeting. Don Uchida seconded that motion and it was unanimously approved.

Ogden Juvenile Court Janitorial Services – Proposal from Enable Industries – Jake Jacobsen suggested that we also move this proposal to the next meeting. Douglas Richins made a motion that we move this proposal to the next meeting. Don Uchida seconded that motion and it was unanimously approved.

First Reading Items

Ogden Regional Center Janitorial Services – Douglas Richins made a motion that this proposal has been read for the first time. Don Uchida seconded that motion and it was unanimously approved.

State Capitol Complex – Proposal from PARC – Douglas Richins made a motion that we allow DFCM to put this job out for bid and that the vendors will also be notified that this bid may be a set aside. Don Uchida seconded that motion and it was unanimously approved.

Finalize Process Time Flowchart

Douglas Richins made a motion that the final version of the time flowchart be approved. It was unanimously approved.

Next Meetings

The next meeting will be on Tuesday November 6th at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board
Tuesday September 18, 2007 2:00 p.m.
Utah State Office of Education
250 East 500 South
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Alan Bachman – Attorney Generals Office, Terri O’Toole – State Purchasing, Janet Autrey Tri-Connections Inc., Dean Hoffman – Columbus Community Center, Christene Jones – UACS, Steve Mascaro – Utah Works, Robert Daniels – Utah Works, Jake Jacobson – DFCM, Linda Crawford – DFCM, Kate McConaughy, Work Activity Center.

Welcome and Introductions and Approval of Minutes

Steve Richards, the board chair conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on August 20, 2007. Douglas Richins seconded that motion. The minutes were approved unanimously.

Second Reading

None

First Reading

Farmington Public Safety Building Janitorial Services - Douglas Richins made a motion and Don Uchida seconded the motion that this bid will be considered read for the first time if it is sent to the proper people within 24 hours.

Brigham City Regional Janitorial Services - Don Uchida made a motion and Douglas Richins seconded the motion that this bid be moved to the second reading.

Ogden 2nd District Court Janitorial Services – Douglas Richins made a motion and Don Uchida seconded the motion that this bid be moved to the second reading.

Ogden Regional Center Janitorial Services – Steve Mascaro asked if we could hold off on this bid until the next meeting.

Ogden Juvenile Court Janitorial Services – Don Uchida made a motion and Douglas seconded the motion that this bid be moved to the second reading.

Discussion on the Content and Format for Proposals on Janitorial Services and Process for Submission – Linda Crawford

Linda Crawford handed out a CRP Proposal Check-Off List. After a healthy discussion and a few changes Don Uchida made a motion and Douglas Richins seconded the motion to approve the changes that were made.

Review and Finalize Process Time Flowchart

Don Uchida made a motion that we finalize the flowchart during the next meeting.

Next Meetings

The next meeting will be on Tuesday October 2nd at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board Meeting
Tuesday May 1, 2007 2:00 p.m.
Columbus Community Center
3495 South West Temple
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Shaun Davis – RB Davis & Company, Ramon Herrers – RB Davis & Company, Janet Autrey Tri-Connections Inc., Ben Crosby – Work Activity Center, Gary Knapp – Enable Industries, Dean Hoffman – Columbus Community Center, Christene Jones – UACS, Steve Mascaro – Utah Works, Jake Jacobson – DFCM, Linda Crawford – DFCM, Andy Turrubiardez – Lasting Impressions, Sheri Shields – ESG, Terri O’Toole – State Purchasing, Brett Maglery – Certified Shred, Diane Maglery – Certified Shred

Welcome and Introductions and Approval of Minutes

Steve Richards, the board chair conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on April 3, 2007. The motion was approved unanimously.

Steve Mascaro is the new Director of Utah Works

Certified Shred has provided services for the State of Utah for four years. Currently they have \$85,000 in container costs. If they loose the contract four employees will have to be laid off. Certified Shred uses people with disabilities to sort paper from Life Skills. About 1/3 of their business is through state contracts. A percentage of the current contract is on site shredding. It was decided to discuss this topic in the next meeting.

Mr. Davis stated that 50% of their business is with the State and that their business had adversely been affected by set asides.. RB Davis has a current annual loss of over \$100,000. They previously serviced Department of Human Services Administration and the UDOT Building in Orem. Now the state is looking at setting aside the Provo Regional Building.

Mr. Turrubiardez from Lasting Impressions provides janitorial services. Their company lost the contract with Department of Workforce Services in Logan. Mr. Turrubiardez also expressed a concern with the states set asides.

Mr. Jacobsen expressed concern with Tri-Connections receiving a set aside for Provo Regional Building. Tri-Connections have not performed any services on a building of this size. DFCM would like to see a year of their performance evaluations before recommending a set aside for the Provo Regional Building. It was decided to extend the current contract with RB Davis for an additional year.

There was a discussion on the \$5 million set aside amount.

First Reading

Proposal from TURN to Provide Janitorial Services at the Department of Workforce Services Building in St. George

Mr. Richins made a motion to have this proposal read for the first and second reading. TURN is to provide janitorial services at Department of Workforce Services in St. George. DFCM recommended setting aside \$11,873 per year

Other Business

At the next meeting Mr. Jacobsen would like to discuss potential percent? set aside of Janitorial contracts. Mr. Mascaro will meet with Mr. Jacobsen and Mrs. Crawford in the interim. Mr. Jacobsen wondered why the CRP Proposals come in at 3% more than the current contract.

Next Meeting

The next meeting is scheduled for Monday, June 4, 2007 at 2:00 p.m. The meeting will be held at the USOE Rehabilitation Center. (Note – this meeting was subsequently canceled.)

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board Meeting
Tuesday April 3, 2007 2:00 p.m.
Enable Industries
2640 South Industrial Drive
Ogden, Utah 84401**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Linda Crawford - DFCM, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Robert Daniels - PARC, Gary Knapp - Enable Industries, Janet Autry – Tri Connections, Inc., Kate McConaughy – Work Activity Center

Welcome and Introductions and Approval of Minutes

Steve Richards, the board chair conducted the meeting. With one change Don Uchida motioned for approval of the minutes of the board meeting held on February 6, 2007. The motion was approved unanimously.

There was a discussion on the intent of legislation relative to what happens at the end of a 5 year set aside. The discussion clarified that at the end of the contract period the board would review and determine if the set aside should continue. It was emphasized that the law allows for preference but does not allow for sub-standard performance.

Second Reading

Columbus Community Center Proposal for Janitorial Services at the Adult Parole and Probation Building on Fremont Ave. Salt Lake City (DFCM)

Linda Crawford indicated that DFCM had met with Columbus regarding this project and felt comfortable with having this set aside. There was a motion made to consider the Columbus Community Center Proposal read for the first and second time.

Mr. Richins motioned to set aside the subject Adult Probation and Parole Building for this contract period and award the contract to Columbus. The annual amount of this contract is \$23,299.

Update on Performance Bonding or Irrevocable Letter of Credit Requirements for Janitorial Contracts with DFCM

Douglas Richins and Linda Crawford reported on a meeting that was held with DFCM management regarding performance security for janitorial contracts. DFCM requires performance bonds for contracts exceeding \$100,000. The bond only needs to be written for the one year contract amount. DFCM will accept Performance Bonds or Irrevocable Letters of Credit for contracts less than \$ 100,000. The bond or letter of credit needs to be written for the one year contract amount. Mr. Richins briefed the board that it would be acceptable for a bondable CRP to submit a proposal naming one of the smaller CRP's as a sub-contractor as long as the contract was written in the name of the bondable CRP and they ultimately retained responsibility for the

contract. DFCM wants to know of the contractor/subcontractor relationship upfront in the proposal. Mr. Uchida motioned that a letter from the bonding company or bank indicating that the vendor is able to provide a bond or letter of credit should be submitted with the proposal for the first reading.

New Business (First Reading)

Utah Works and Tri-Connections have been reviewing the janitorial services requirement at the Provo Regional Building. Tri-Connections indicated their interest in submitting a detailed proposal to provide janitorial services for the soon to expire DFCM contract at the Provo Regional Center. Mr. Richins motioned to consider this the first reading on Tri-Connections proposal to have the Provo Regional Building set aside. A detailed proposal will be submitted to DFCM and the board members. Mr. Richins authorized DFCM to extend the current contract until August 30, 2007.

A joint proposal was received from Columbus Community Center and Enable Industries to provide office paper destruction services (shredding, recycling) to replace the current State Cooperative Contract PD1718 which will expire August 31, 2007. Mr. Uchida motioned to consider this as the first reading of the potential set aside of this contract. The information will be referred to the Division of Purchasing for their review. The current contract is with Certified Shred.

Christine Jones mentioned that Turn is interested in providing janitorial services at a Department of Workforce Services building in St. George. Mrs. Jones will bring the proposal to the May meeting.

A Janitorial University for CRP's will be held May 30 and 31st and June 1st at PARC. They invited the board members to stop by during the seminar.

Following the meeting the board had a tour of Enable Industries. Mr. Richins and others also then accompanied Mr. Knapp to the IRS Building to review their janitorial services at that large complex.

Next Meeting

The next meeting was scheduled for May 1, 2007 at 2:00 p.m. The meeting will be held at the Columbus Community Center 3495 South West Temple Salt Lake City, Utah

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board Meeting
Monday February 6, 2007 2:00 p.m.
State Office of Education
250 East 500 South Room 156
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Robert Daniels - PARC, Gary Knapp - Enable Industries, Janet Autry – Tri Connections, Inc. Don McKinnon – Diversified Employment, Kate McConaughy – Work Activity Center

Welcome and Introductions and Approval of Minutes

Steve Richards, the board chair conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on January 8, 2007. The motion was approved unanimously.

Linda Crawford from DFCM distributed a document titled “DFCM Janitorial Contract Management” She and Jake Jacobsen discussed the process of inspection and contract compliance review for DFCM Janitorial contracts.

Updated Process Flowchart from Utah Works

Gary Knapp distributed a revised flowchart with changes made from the January 8, 2007 meeting.

(Second Reading)

Proposal for the Logan Department of Workforce Services Building with Cache Employment
This proposal is only 2% more than current contractor (Jennco). It is within DFCM’s budget. Annual cost is \$21,012 and the 5 year cost is \$111,555. Douglas Richins motioned, and Don Uchida seconded to set aside this contract. This contract is to start April 1, 2007

Proposal for the Clearfield Department of Workforce Services Building with Diversified
DFCM requested not setting aside this contract due to the 51% increase in Diversified’s proposal over the current contract. Douglas Richins moved and Don Uchida seconded to decline the set aside to Diversified and release this requirement to a competitive RFP. Linda Crawford will report back.

Proposal for the Orem UDOT Building with TRI Connections Inc.

DFCM recommends an annual amount of \$34,240 This is lower than budget and the current contract. Don Uchida motioned to set aside this contract. Douglas Richins seconded that motion. This contract is to start May 1, 2007.

Gary Knapp said that the projects set aside so far by the board are equal to 12 full time jobs and will employ 24 disabled individuals.

Dean Hoffman will call Douglas Richins regarding contract usage on trash bags and document shredding. Mr. Richins said he would be happy to provide that information to him.

Jake Jacobsen recommended that the board not consider setting aside Courts buildings to CRPs. Following discussion, it was decided to table a decision on this issue for six months.

Next Meeting

The next meeting was scheduled for March 13, 2007 at 2:00 p.m. The meeting will be held at the Work Activity Center, 1275 West 2320 South, West Valley, UT 84119.

(Note due to a lack of a quorum, the March 13, 2007 meeting was not held).

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board Meeting
Monday January 8, 2007 2:00 p.m.
Room 3150, State Office Building
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Clayton Thomas - Valley Services, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Robert Daniels - PARC, Gary Knapp - Enable Industries, Kate McConaughy – Work Activity Center, Ben Crosby – Work Activity Center, Janet Autry – Tri Connections, Inc. Don McKennon – Diversified Employment, Terri O’Toole – Division of Purchasing.

Welcome and Introductions and Approval of Minutes

Steve Richards, the board chair conducted the meeting. Mr. Richins moved for approval of the minutes of the board meeting held on November 29, 2006. The motion was approved unanimously.

(Second Reading)

- Decision Regarding the Work Activity Center Proposal to Provide Janitorial Services at the Dept. of Human Services Administration Building in Salt Lake City

Mrs. Crawford indicated that following DFCM’s review, they supported awarding this contract to the Work Activity Center. Mr. Richins made a motion that the Department of Human Services Administration Building janitorial services contract be the first project that the Purchasing from People with Disabilities Advisory Board set aside. Mr. Uchida seconded that motion and the motion was unanimously approved. The contract will be written so that the work begins on April 1, 2007.

(First Reading)

- Proposal from Cache Employment & Training to Provide Janitorial Services at the Dept. of Workforce Service (DWS) Building in Logan.
- Proposal from Diversified to provide Janitorial Services at the Clearfield DWS Building
- Proposal from Tri- Connections to provide Janitorial Services at the Orem UDOT Building

Mrs. Crawford said that DFCM would review the proposals and be prepared to make recommendations to the board at the next meeting. Mr. Richins moved that the board consider these proposals read for the first time, and up for final decision at the February meeting.

Presentation from Utah Works (The CNA) on a Proposed Process and Timeline to Consider CRP's Interest in Expiring Contracts

Mr. Knapp distributed a handout and gave a presentation on a flowchart mapping out a proposed process to review and set aside contracts. Following discussion from the board, they asked Mr. Knapp to make the agreed changes and bring the revised flowchart to the next meeting.

Update on Web Availability of Copies of Current State Contracts for Janitorial and Grounds Keeping Services – Douglas Richins

Mr. Richins demonstrated the new link to the Purchasing from People with Disability Advisory Board web page. Currently it only includes janitorial Contracts. The maintenance contracts will be included soon. It can be found at this link.

[State DFCM Janitorial and Grounds Maintenance Contracts as of November 15, 2006](#)

Next Meeting

The next meeting was scheduled for February 6, 2007 at 2:00 p.m. The meeting will be held at the offices of the Division of Rehabilitation at the State Office of Education – 250 East 500 South in Room 156. Parking is in the back.

The February 2007 agenda will include the following items:

(Second Reading) of the proposals for the Logan DWS building with Cache Employment, Clearfield DWS building with Diversified, and the Orem UDOT building with TRI Connections Inc.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board Meeting
Monday November 29, 2006 2:00 p.m.
Room 3150, State Office Building
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Steven Mascaro - Valley Services, Clayton Thomas - Valley Services, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Bob Daniels - PARC, Gary Knapp - Enable Industries, Kate McConaughy – Work Activity Center, Terri O’Toole – Division of Purchasing.

Welcome and Introductions and Approval of Minutes

Steve Richards, the board chair conducted the meeting. He provided an opportunity for all to introduce themselves. Mr. Richins moved for approval of the minutes of the board meeting held on October 23, 2006. The motion was approved unanimously.

Adoption of Central Non-Profit Agency

The board statute at 63-56-425(3)(a) allows the board to designate a central not-for-profit association (CNA) and assign certain duties to the CNA. Following discussion, Mr. Uchida moved that “Utah Works” be designated as the CNA with the duties to be determined at a future time. The motion was unanimously approved. Christene Jones is the point of contact for the CNA.

Contract Set-Aside Process

It was discussed that it would be prudent that contracts to be set-aside be considered in one board meeting (a first reading), and approved or disapproved at a subsequent meeting (a second reading). This process would provide time for appropriate consideration and input from the appropriate contracting state or local government agency, the public, the community rehabilitation programs (CRP) and the CNA. It was discussed that it would be prudent to establish a process and time line for CRPs to indicate interest in submitting a proposal and requesting that a contract be set aside. It was suggested that a first reading happen at least four months prior to the current contract expiration. The CNA was asked to prepare and present a proposed process and time line at the next board meeting.

Contracts to be Set-Aside (First Reading)

Several CRPs met with Linda Crawford from DFCM and were provided a walk-through of the headquarters building of the Utah Department of Human Services (DHS) Building at 120 North 200 West, SLC, during the past month. Board members (and DFCM) were given a proposal at the board meeting from the Work Activity Center to provide contract janitorial services at the DHS building. Consideration of setting aside this contract will be on the agenda for the next board meeting. To provide for proper consideration and a potential transition, Mr. Richins

authorized DFCM to negotiate a contract extension with the incumbent contractor until April 1, 2007.

Website

Mr. Richins demonstrated a website that has been created for use by the board and those interested in the board's activities. The website includes links to:

- [Statute](#)
- [Board Members](#)
- [Board Meeting Agenda](#)
- [Board Meeting Minutes](#)
- [List of Community Rehabilitation Programs](#)
- [Services & Products Available from Community Rehabilitations Programs](#)
- [State Janitorial and Grounds Maintenance Contracts as of November 15, 2006](#) (non DFCM)
- State DFCM Janitorial and Grounds Maintenance Contracts as of November 15, 2006
- Contracts Awarded to Community Rehabilitation Programs

The website may be found at this URL:

<http://www.purchasing.utah.gov/main/index.php?module=Pagesetter&func=viewpub&tid=1&pid=43>

Mr. Richins said that the staff of the Division of Purchasing and the staff of DFCM would endeavor to scan and link copies of all state janitorial and grounds maintenance contracts and have them available on this website within the next few weeks. This will create the opportunity for CRPs to review the existing contracts.

Next Meeting

The next meeting was scheduled for January 8, 2007 at 2:00 p.m. The meeting will be held at the offices of the Division of Purchasing – 3150 State Office Building, Capitol Hill, SLC. Mr. Uchida suggested that meetings held during the time of the legislative session be moved off Capitol Hill due to congestion. He volunteered to host the meetings at the Division of Rehabilitation at the State Office of Education.

The January 2007 agenda will include the following items:

- Review and decision regarding the Work Activity Center proposal to provide janitorial services at the DHS administration building;
- Presentation from the CNA on a proposed process and timeline to consider CRPs interest in expiring contracts.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities
Advisory Board Meeting
Monday October 23, 2006 2:00 p.m.
Room 3150, State Office Building
Salt Lake City, Utah**

Members Attending:

Steve Richards, Don Uchida, Douglas Richins

Visitors

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Steven Mascaro - Valley Services, Clayton Thomas - Valley Services, Dean Hoffman - Utah Works – Columbus Community Center, Christene Jones - UACS

Welcome and Introductions

Since a chair had not been selected, Mr. Richins conducted this initial meeting. An opportunity was provided for all present to introduce themselves. Mr. Don Uchida is the director of the Utah State Office of Rehabilitation; Mr. Douglas Richins is the director of the Utah Division of Purchasing; and Mr. Steve Richards is the president of Richards Sheet Metal Works, Inc. and was appointed by Governor Huntsman to serve as the third member of the board.

Review of Legislation Creating the Board and the Board's Responsibilities

(Section 63-56-425 Utah Code Annotated)

Mr. Richins provided a background explanation about the law governing public procurements in Utah. Section 63-56 of the laws of the state of Utah comprises the Utah Procurement Code. It applies to all public entities in the state, with the exception of cities and counties and creations of cities and counties under the interlocal cooperation act. Only certain sections of the Procurement Code apply to "local public procurement units (colleges, universities and school districts). Historically the Procurement Code has included a provision that provided a 5% preference to products and services from community rehabilitation programs. SB59 of the 2006 legislature amended the statute (63-56-425) establishing the Purchasing with People with Disabilities Advisory Board and empowers the board to facilitate the procurement of goods and services from community rehabilitation programs by: 1- identifying goods and services that are available from community rehabilitation programs; 2- approving prices; 3 – developing and maintaining a preferred procurement contract list of identified goods and services; 4- reviewing bids from community rehabilitation programs (CRP); and 5- awarding and renewing specified contracts without competitive bidding. Mr. Uchida pointed out that the statute requires qualified CRP's to be a supported employment program approved by the Utah State Office of Rehabilitation. Supported employment means a person who is working in an environment that is in the community 20 hours per week or more at minimum wage and having a job coach. Supported employment is designed for those with the most significant disabilities.

Mr. Hoffman stated that his program is not a social program but a pure business model. They provide quality work at a fair price and have on time delivery. Their mission is to get people with disabilities employed. This will reduce their use of public funds. They provide all of the training and certifications that individuals need and want to create a business partnership with the state. Mr. Hoffman also stated that a problem with the previous preference law was that after a CRP received a contract, at the end of the contract it went out for bid again.

Mr. Richins pointed out that the statute provides the opportunity for the board to designate a central not-for-profit association to assist the board in several areas. It was decided to table the decision about designating such an association at this point. There was a discussion on the federal NISH program.

Mrs. Jones suggested that maybe there could be a way to flag or give a 6 month notice to the heads of CRPs on expiring contracts so that they have plenty of time to evaluate, prepare and ensure that they can provide quality service.

Mr. Richins distributed a List of Utah Non-Profit, VR Qualified Agencies, which was reviewed and discussed. The list also provided information on the areas the CRPs currently are interested in providing. Mr. Richins suggested that the board identify the most likely areas of contracts that are candidates to be set aside. He suggested that copies of the current contracts in those areas be made available to the CRPs. The CRPs could then evaluate, prepare and submit to the board proposals to fulfill certain contracts.

Janitorial and grounds keeping services were identified as a potential area to evaluate contracts for set aside. The DFCM representatives provided a current list of their upcoming grounds keeping and janitorial contracts. Mr. Richins would like to work with DFCM and the Division of Purchasing's agent who is over janitorial and grounds keeping services to provide copies of the current contracts.

Action Items

It was discussed that one immediate potential set aside contract is for janitorial services at the Dept. of Human Services Administration Building. The DFCM representatives indicated that they would provide Christene Jones with a copy of the current contract to distribute to the CRPs. Mr. Richins said that the current contract for that building would be extended for a few months. This will allow CRPs the opportunity to submit a proposal to perform this service for consideration at the board's next meeting, and a transition time to a CRP, if decided by the board, or if not an appropriate procurement process to be conducted.

Next Meeting

The next meeting will be on November 20, 2006 at 2:00 p.m.