



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation
 34 - Service - Prof

Proc Folder: 445132

Doc Description: Secure an Independent Assessment of the WV NIP

Proc Type: Central Contract - Fixed Amt

Date issued	Solicitation Closes	Solicitation No	Version
2018-08-01	2018-06-14 13:30:00	CRFQ 0307 DEV1800000004	1

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

WV 25305

US

Vendor Name, Address and Telephone Number:

Terrell Ellis & Associates, Inc.

P.O. Box 1925

Charleston, WV 25327

(304) 342-6972

RECEIVED

2018 JUN 13 AM 10:47

WV PURCHASING
 DIVISION

FOR INFORMATION CONTACT THE BUYER

Melissa Pettrey

(304) 558-0094

melissa.k.pettrey@wv.gov

Signature X

Terrell Ellis

FEIN #

55-0719464

DATE

6-11-2018

All offers subject to all terms and conditions contained in this solicitation

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Terrell Ellis, President Jenee Ellis, President
(Name, Title)
Terrell Ellis, President
(Printed Name and Title)
P. O. Box 1925 Charleston, WV 25327
(Address)
(304) 342-6972 (304) 342-1639
(Phone Number) / (Fax Number)
tellis@te-associates.com
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Terrell Ellis : Associates, Inc.
(Company)
Jenee Ellis, President
(Authorized Signature) (Representative Name, Title)
Terrell Ellis, President
(Printed Name and Title of Authorized Representative)
6-11-2018
(Date)
(304) 342-6972 (304) 342-1639
(Phone Number) (Fax Number)

**Exhibit "A" Pricing Page
WV NIP Independent Assessment**

DATE: June 11, 2018

SUBMITTED BY: **Organization Name:** Terrell Ellis & Associates, Inc.
Contact Person: Terrell Ellis
Address: P. O. Box 1925
City: Charleston **State:** WV **Zip:** 25327

SUBMITTED TO: State of West Virginia Purchasing Department
2019 Washington Street, East
Charleston, WV 25305-0311
Attn: Melissa Pettrey, Senior Buyer
E-Mail: Melissa.k.pettrey@wv.gov
Phone: 304-588-0094

Price: \$ 25, 500 or twenty five thousand five-hundred dollars
(The amount of the bid must be shown in both words and numbers. In the event of a difference between the written amount and the numerical amount, the written amount shall prevail.)

BIDDER SIGNATURE:



Date: June 11, 2018

Bidder Name: Terrell Ellis
(Please Print)

State of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Vendor Preference, if applicable.

1. Application is made for 2.5% vendor preference for the reason checked:
Bidder is an individual resident vendor and has resided continuously in West Virginia, or bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia, for four (4) years immediately preceding the date of this certification; or,
 Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; or,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2. Application is made for 2.5% vendor preference for the reason checked:
Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3. Application is made for 2.5% vendor preference for the reason checked:
Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; or,
4. Application is made for 5% vendor preference for the reason checked:
Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. Application is made for 3.5% vendor preference who is a veteran for the reason checked:
Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. Application is made for 3.5% vendor preference who is a veteran for the reason checked:
Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.
Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) rescind the contract or purchase order; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Terrell Ellis - Associates Inc Signed: Terrell Ellis
Date: 6-11-2018 Title: President

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Terrill Ellis & Associates, Inc.

Authorized Signature: Jewell Ellis Date: 6-11-2018

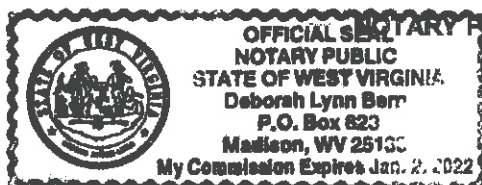
State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 11 day of June, 2018

My Commission expires Jan 2, 2022

AFFIX SEAL HERE



Deborah Lynn Barr
Purchasing Affidavit (Revised 01/19/2018)



GENERAL QUALIFICATIONS

Terrell Ellis & Associates, Inc. (TEA) is a Charleston, West Virginia based consulting firm specializing in planning *and assessment services* for community and economic development, and charitable organizations and government agencies. The firm's principal staff has over thirty years of combined experience in development, assessment, and nonprofit management in West Virginia and nationally. We have achieved certifications from the American Institute of Certified Planners and National Development Council's Certified Economic Development Finance Professional program.

TEA has distinguished itself as a leader in the community economic development field by offering two distinct yet related service divisions:



Community and Economic Development Planning and Implementation: Our planning work has resulted in projects and programs across the state of West Virginia and mid-Atlantic region of the country. Expertise includes:

- Community Strategic Planning and Assessment
- Tourism Planning
- Downtown Revitalization Planning
- Retail Recruitment
- Management of Economic Development Organizations
- Site/Project Development and Financing
- Facilitation of Community Meetings and Visioning

Organizational Capacity Building and Support for Nonprofit Organizations: TEA's work to strengthen the capacity of West Virginia's nonprofit sector has provided the leadership for many groups to transition into high performing, mission driven organizations. Services include:

- Executive Level Management Services
- Strategic Planning
- Organizational and Program Assessment
- Board Development Training
- Resource Development and Grants Management



RELEVANT WORK EXPERIENCE

- **Assessment of the West Virginia Neighborhood Investment Program (NIP):** TEA has performed the assessment for the NIP program since the inception of the program. As such, we are uniquely qualified to analyze its trends and assess the program's impact on communities and nonprofit organizations. We have a thorough understanding of the program, including its strengths and weaknesses.

Client: West Virginia Development Office



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- **Evaluation of the West Virginia Flex-E-Grant Program:** Under two separate contracts, TEA performed an assessment of this leadership and community capacity building program that is sponsored by the WVDO, ARC and the Benedum Foundation.
Client: West Virginia Development Office
- **Needs Assessment for a Regional Child Advocacy Center:** TEA was retained by the Cabell County Family Resource Network to conduct up to 40 interviews and analyze appropriate data in a four county area to determine the level of need for the development of a child advocacy center to serve the region.
Client: Cabell Family Resource Center, Huntington, WV
- **Assessment of the WV State Parks Foundation:** TEA was retained by the WV Department of Natural Resources to assess the effectiveness and organizational structure of the State Parks Foundation which was organized to support the growth and development of the state park system. The resulting recommendations focused on improving the basic organizational structure and development of measurable goals to improve the clarity and purpose of the organization.
Client: Division of Natural Resources, South Charleston, WV

PROGRAM UNDERSTANDING

TEA has performed the evaluation for the Neighborhood Investment Program (NIP) since its inception giving us an incredibly strong background and understanding of the program. Awarding credits has never been an issue for this program. Achieving full utilization of the credits, however, was a challenge for the program up until 2001 when credit utilization finally exceeded 50% and by 2008, participants were achieving 97% utilization and requests were far outpacing the allocation available. After several years of documenting the increasing demand and utilization of credits, the legislature's increase of the credit ceiling up to \$2.5 and then \$3 million was a welcome change to the program. Since 1997, and as of the most recent assessment for Fiscal Years 2013 and 2014, the following statistics demonstrate the demand for the program:

- The number of applications submitted to the NIP for credit request has continually increased, with more than double the amount of applications received in 2014 vs. 1997.
- In 2013, the total amount of credits requested reached an all-time high of \$10,157,595, increasing by \$1,424,774 from the previous year. However, in 2014 the credits requested dropped by \$1,693,331; additionally, the average amount of credits requested in 2014 was the lowest it has been since 2008. This was due to a change in the allocation formula; as applicants were only encouraged to apply for what they could use based on issuance rates from previous years and the amount of total donations.
- In 2014, a total of 217 applicants applied for credits averaging \$39,005 per request. There were 201 applicants approved for credits during that year at an average of \$14,925.
- The amount of reported donations received from 1997 to 2014 has increased from \$408,507 to over \$6 million, demonstrating the continued success and growth of utilizing NIP credits.



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& ASSOCIATES**

- The percentage of credits issued to donors reached an all-time high in 2014 with 98%, compared to the previous year at 97%. From its inception, the program has grown its capacity to issue nearly all the available credits, indicating the high level of demand for the program.

This continuing demand validates the increased popularity and importance of the NIP to West Virginia's non-profit organizations. While the program continues to grow in both credits allocated and number of participating organizations, so does the administrative responsibilities on WVDO personnel. While the program is governed with input from an Advisory Board, the WVDO staff is responsible for the day to day management of the program. In 2014, the WVDO staff processed over 6,000 charitable contributions that were donated to participating nonprofit charities and subject to the NIP credit. As the administrative burden to manage this program continues to grow, the WVDO relies heavily on the payment of a certification fee to support the management of the program.

METHODOLOGY

TEA proposes to undertake the assessment for Fiscal Years 2015, 2016, and 2017 using the following methodology:

Task 1 Selection of sample programs: TEA will select 20% of the program files for review. We estimate that there are approximately 600 files and that we will be sampling 20% or approximately 120 files that span the assessment period. Of those files selected, we will select a proportional number of applicants that were new to the NIP program, with the balance being proportionally selected based on their tenure in the program with a breakdown of those who have over 5 years of experience with NIP and those with 1-5 years of experience.

Task 2 Determine Compliance with Enabling Legislation and NIP Policies and Procedures: TEA will examine the implementation of the program to determine if the West Virginia Development Office complied with the intent of the law in the administration of the NIP as set forth in enabling legislation. We will review applications, staff evaluations, intended outcomes, and reports to verify that procedures for awarding the credits and types of projects selected were in compliance with program regulations. In the last assessment year of 2014, 10% of the sampled services related to neighborhood assistance, 42% to community service, 0% to crime prevention, 26% to job training and education, and 10% to other services outside of these categories. We will assess the breakdown for the assessment period and note any inconsistencies with the legislative intent. TEA will assess the completeness of each sample organization's file for their final reports and other required materials. The final reports will be used to determine if participating organizations used funds as stated in their applications, and whether these projects primarily benefited low-income individuals or distressed neighborhoods.

Task 3 Review the composition and actions of the Advisory Board: We will evaluate whether the Board's role has been compatible with legislative intent. In doing so, we will analyze the membership of the board to determine if it meets the legislative requirements for composition including: affiliation with nonprofit charities, geographic distribution according to congressional districts; diversity of political party affiliation; length of terms; and economically disadvantaged individuals. We will request copies of all



meeting minutes and review the number of annual meetings and actions taken to ensure they comply with program guidelines. And we will document the required annual program report to the governor and the legislature.

Task 4 Create a matrix of compliance findings: We will create a matrix that compiles information gleaned from the sample files describing the organizations' projects, targeted beneficiaries, intended and actual outcomes, and noting any deficiencies in the contents of the file. This information will be summarized in the final assessment report.

WVDO Participation

For tasks 1-4, the WVDO staff will be asked to make the files available to TEA staff in an appropriate setting (conference room) for review. In addition, it may be necessary for the WVDO to copy or email the sample files and board materials so that they may be taken off site.

Mid-Project Report: TEA will prepare a mid-project report summarizing and presenting the findings of tasks 1-4.

WVDO Participation

This report will be sent to the WVDO for review. TEA will request a meeting with WVDO staff, approximately one week later, to review the findings of the report and seek approval to move forward with the next series of tasks.

Task 5 Assessment of NIP tax credit impacts on participating organizations: TEA will develop a survey that will be distributed electronically to the sample organizations to assess the impact that available tax credits have on their capacity to fundraise and the delivery of their services. We will also focus some questions on identifying challenges that organizations have in applying for and issuing credits to donors. Finally, question(s) will be developed to quantify the impact of not renewing the program in 2021. We will attempt to analyze the losses to the nonprofit donor base and reduction of services that may occur. The survey questions will be tailored to both new recipients and those who have participated in the program for a period of five years and longer. The results of the survey will be summarized in the final report.

Task 6 Assessment of NIP tax credit on communities: TEA will conduct telephone interviews with up to 10 organizations that will be selected from the sample. Organizations will be selected based on their geographic locations (we will seek statewide geographic representation), and the type of program or services delivered. These organizations will be identified in partnership with the WVDO. The intent of these interviews is to document the human impact that the program has had in areas around the state. We will write up short narratives for each interview that describe how the NIP program has had real impacts on people in communities. In addition, provided that we can secure the data from the WVDO, we will analyze the economic impacts of the NIP program by compiling data from all approved organizations by county location. We will document the total number of credits awarded by county, the amount of leveraged donations, and numbers of people served by service component.



WVDO Participation

For tasks 5-6, TEA will seek input and approval from the WVDO staff on the content of the electronic survey and telephone interviews. To document the economic impacts, we will also ask WVDO to compile the program information by county including the total number of organizations funded per county, total amount of awarded credits and what was leveraged, and total number of people served.

Draft Report: TEA will prepare a draft report summarizing all findings and recommendations.

WVDO Participation

The report will be provided to WVDO staff for review and comment. TEA will request a meeting approximately two weeks after sending the report to review comments and input. Client comments will be incorporated into the final plan document.

Final Report: TEA will prepare a final report that takes the WVDO's comments into consideration. TEA will provide one bound copy as well as one electronic version.

COST QUOTATION AND TIMELINE

We propose to provide professional services for all tasks outlined for a not to exceed cost of \$25,500. This cost estimate includes labor, overhead, and all direct expenses.

All work will be completed within 180 calendar days from receipt of the Notice to Proceed.