

**From:** Whittaker, Frank M  
**Sent:** Monday, August 26, 2019 2:29 PM  
**To:** Morgan, Debra K <[Debra.K.Morgan@wv.gov](mailto:Debra.K.Morgan@wv.gov)>  
**Cc:** Smith, Dusty J <[Dusty.J.Smith@wv.gov](mailto:Dusty.J.Smith@wv.gov)>; Linda Harper ([linda.b.harper@wv.gov](mailto:linda.b.harper@wv.gov)) <[linda.b.harper@wv.gov](mailto:linda.b.harper@wv.gov)>  
**Subject:** FW: Emergency Purchase Order Request  
**Importance:** High

Debbie,

Your correspondence dated 8/26/2019 states that there was an unavoidable delay in the agency's solicitation and award of the banking services for benefits distribution to your clients as mandated by §21A-8 of the State Code, and therefore you are requesting to enter into a 60 day emergency contract for said banking services. Your emergency request is approved.

Please follow the emergency procedures found in the Purchasing Division Procedures Handbook and provide all applicable paperwork including Treasurer's office approval (if required) to the Purchasing Division for processing no later than 30 days from the date of this approval.

Sincerely,

Frank Whittaker, CPPB  
Assistant Director  
West Virginia Purchasing Division  
2019 Washington Street. East  
Charleston, WV 25305  
304-558-2316  
[Frank.m.whittaker@wv.gov](mailto:Frank.m.whittaker@wv.gov)

**From:** Harper, Linda B <[Linda.B.Harper@wv.gov](mailto:Linda.B.Harper@wv.gov)>  
**Sent:** Monday, August 26, 2019 1:02 PM  
**To:** Sheets, Mike - Purchasing <[William.M.Sheets@wv.gov](mailto:William.M.Sheets@wv.gov)>; Whittaker, Frank M <[Frank.M.Whittaker@wv.gov](mailto:Frank.M.Whittaker@wv.gov)>  
**Subject:** Emergency Purchase Order Request  
**Importance:** High

See attached.

**Linda B. Harper, Buyer Supervisor**  
West Virginia Purchasing Division  
2019 Washington Street East  
Capitol Complex Building 15  
Charleston, WV 25305  
304-558-0468  
[Linda.B.Harper@wv.gov](mailto:Linda.B.Harper@wv.gov)

**From:** Morgan, Debra K <[Debra.K.Morgan@wv.gov](mailto:Debra.K.Morgan@wv.gov)>  
**Sent:** Monday, August 26, 2019 12:35 PM  
**To:** Harper, Linda B <[Linda.B.Harper@wv.gov](mailto:Linda.B.Harper@wv.gov)>  
**Subject:** Emergency Purchase Order Request  
**Importance:** High

Please see the attached letter requesting a new emergency purchase order for the banking services. If you need anything further please let me know. Thanks.

Debbie Morgan  
Manager, Procurement Unit  
Fiscal Administration & Management

**WorkForce West Virginia**  
**1321 Plaza East**  
**Charleston, WV 25305**  
**Office: 304-558-0212 X3033**  
**Email: [Debra.K.Morgan@wv.gov](mailto:Debra.K.Morgan@wv.gov)**

August 26, 2019

APPROVED  
8/26/19

Mike Sheets, Director  
West Virginia Purchasing Division  
2019 Washington Street East  
Capitol Complex Building 15  
Charleston, West Virginia 25305

Re: Approval of a Critical Emergency Purchase Order

As you know due to flawed specifications and responses to CRFQ WWV19\*4 the contract awarded to BB&T to provide banking services for the Agency (CMA WWV19\*2) was cancelled. You approved a ninety (90) day emergency purchase order which expires September 6, 2019. (WWV19\*3) The new RFQ is currently out for bid, vendor questions were received and submitted to WorkForce West Virginia for responses. However, the answers to the questions were delayed due to the departure of the Agency's FAM Director. This impediment resulted in a delay of the agency's responses to the vendor questions an addendum was released today with a new bid opening date of September 4, 2019. This new bid opening date will not allow ample time for bid responses, agency review and a recommendation to award the banking services needed for our agency.

Therefore, WorkForce West Virginia (WFWV) is requesting your approval to enter a sixty (60) day emergency open end purchase order not to exceed \$40,000 with BB&T for banking services for benefit distribution to our clients as well as clearing account functions. WFWV distributes benefits to clients who receive checks via Unemployment Compensation Benefit Payment, Trade Readjustment Act, Disaster Unemployment Act, Trade Adjustment Assistance Act, Alternative Trade Adjustment Assistant Act, and other special funds.

Due to the importance of the services and the US Department of Labor requirement to deposit monies into a bank account within three business days, the Agency must have a banking contract in place to deposit monies and process benefit payments.

West Virginia Unemployment Compensation Law mandates in Section 21A-8 that the Agency maintain three (3) separate banking accounts. This banking contract provides the Agency with a critical method and means to transfer benefit payments to claimants' debit card, direct deposit or by check as well as transfer monies to the Trust Fund. Without a banking contract, the Agency would not be able to conduct the business required with several programs such as TRA, TAA, Unemployment Compensation, etc. It is imperative that the WFWV receive an Emergency Purchase Order to not only provide assistance to the citizens of West Virginia which are depending on the Agency's assistance to survive a life changing event, but to abide by the West Virginia Unemployment Compensation Law which states the purpose of unemployment compensation in Section 21A-1-1. According to the Unemployment Compensation Law,

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the purpose for Unemployment Compensation is to “provide reasonable and effective means for the promotion of social and economic security by reducing as far as practicable the hazards of unemployment. In the furtherance of this objective, the Legislature establishes a compulsory system of unemployment reserves in order to:

- (1) Provide a measure of security to the families of unemployed persons.
- (2) Guard against the menace to health, morals and welfare arising from unemployment.
- (3) Maintain as great purchasing power as possible, with a view to sustaining the economic system during periods of economic depression.
- (4) Stimulate stability of employment as a requisite of social and economic security.
- (5) Allay and prevent the debilitating consequences of poor relief assistance.”

As stated above, if WorkForce cannot provide benefits to the unemployed citizens there will be debilitating consequences to those individuals including, but not limited to, potentially no housing, no way to purchase food for the family, no monies available to pay utilities such as water, etc. WorkForce must due to legislative mandate as well as moral responsibility needs to continue to pay benefits to the unemployed citizens of West Virginia.

Sincerely,



Debbie Morgan  
WorkForce West Virginia  
1321 Plaza East  
Charleston, WV 25305