

From: **Whittaker, Frank M** <[frank.m.whittaker@wv.gov](mailto:frank.m.whittaker@wv.gov)>  
Date: Wed, Sep 27, 2023 at 12:13 PM  
Subject: Re: CMA WWV20\*03  
To: Morgan, Debra K <[debra.k.morgan@wv.gov](mailto:debra.k.morgan@wv.gov)>  
Cc: Brandon L Barr <[brandon.l.barr@wv.gov](mailto:brandon.l.barr@wv.gov)>, Atkins, Mark A <[mark.a.atkins@wv.gov](mailto:mark.a.atkins@wv.gov)>

Debbie,

I am approving a 90 day emergency starting 10/15/2023, for the purchase of banking services described in solicitation CRFQ WWV24\*03 should the agency not be able to get to the award of a contract before that time. This approval is not an approval to use any particular product or vendor to meet the emergency need. It also does not waive approval from the Treasurer's Office for the emergency purchase of banking services. Follow the current emergency procedures outlined in the Purchasing Division Procedures Handbook. and return the contract to this office for public posting within 30days of this approval.

Please see below for next steps concerning CRFQ WWV24\*03.

Based on my quick review of CRFQ WWV24\*03 and the supporting emails, it looks like the specifications may be significantly flawed. If so we can cancel the solicitation on your recommendation and rebid quickly with modified specifications and pricing pages.

As for the current evaluation, it looks like bids were opened on 9/5/2023 and the agency suggested award on 9/26, however missed the low bid vendor's exceptions titled Truist Exhibit A: Clarifications which is contained on page 74 of their solicitation response.

Again, On a quick read of their clarification, it appears the low bid vendor may have disqualified themselves by changing the nature of the pricing structure etc. This also may make it impossible to compare bids directly to determine low bid meeting specifications.

We may be able to move to award if the agency can provide a "straight line" match between the vendor's response and the bid requirements as written. We can also do a bid clarification with either of the vendors to confirm compliance with any mandatory requirements.

So, all that said, if the specifications are not flawed, Please fully evaluate both bids and make a recommendation to award the contract to the vendor meeting all mandatory specifications. The memo needs to speak to all exceptions taken by the vendor as well.

Please continue to work with Brandon to move the current solicitation to completion or cancellation as quickly as possible.

As always please let me know if you have any questions or concerns.

**Frank Whittaker, CPPB, NIGP-CPP**  
Assistant Director  
West Virginia Purchasing Division

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On Wed, Sep 27, 2023 at 11:43 AM Morgan, Debra K <[debra.k.morgan@wv.gov](mailto:debra.k.morgan@wv.gov)> wrote:  
Frank the estimated spend would be \$50,000.00. Thank you.

On Wed, Sep 27, 2023 at 11:29 AM Whittaker, Frank M <[frank.m.whittaker@wv.gov](mailto:frank.m.whittaker@wv.gov)> wrote:  
Debbie,

I need the estimated spend for the 90 day emergency request. I'll get a response to you once received.

thank you,

Frank

On Wed, Sep 27, 2023 at 10:56 AM Morgan, Debra K <[debra.k.morgan@wv.gov](mailto:debra.k.morgan@wv.gov)> wrote:  
FYI The current contract is CMA WWV20\*02 instead of 230\*03 as previously stated.

On Wed, Sep 27, 2023 at 9:46 AM Morgan, Debra K <[debra.k.morgan@wv.gov](mailto:debra.k.morgan@wv.gov)> wrote:  
WorkForce West Virginia is requesting approval for an Emergency Purchase valid for a minimum of 90 days with TRUIST Bank. This would allow us to continue the current banking services provided to the agency under CMA WWV20\*03 which will expire on 10-14-23. A new RFQ was released to obtain a new contract, but questions have arose centering around the TRUIST "clairfication" found on page 74 of their bid response. The agency must ensure there will no disruption of services for the claimants of WV during an award to TRUIST, low bid response to the RFQ, or the transition to a new vendor, should that be the case.

Thank you for your consideration of our request, we look forward to hearing from you soon.

Debbie

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