

From: Whittaker, Frank M
Sent: Friday, March 20, 2020 11:30 AM
To: Nowicki, Stacy L <Stacy.L.Nowicki@wv.gov>
Cc: Sheets, Mike - Purchasing <William.M.Sheets@wv.gov>; Meadows, James D <James.D.Meadows@wv.gov>
Subject: FW: Emergency Purchase Authorization

Stacy,

The Purchasing Division lacks authority to approve an emergency purchase for exempted agencies, so to the extent that the purchase will be made by or through an exempted agency, approval from this office is not necessary or appropriate. To the extent that the transaction will be processed through the Governor's Office or another non-exempted agency, the Purchasing Division approves an emergency purchase of the N-95 masks. This approval does not extend to any particular vendor or price charged, but merely authorizes the non-exempted agency to bypass typical bidding procedures in the procurement process. Under normal circumstances, that would require obtaining three bids where possible, but I understand that this is the only source that has been identified. As a cautionary note, the prices quoted appear to be significantly higher than traditional retail prices for these masks. You may want to consult with the Attorney General's office in an effort to preserve any rights the State may have relative to exorbitant pricing in emergency situations.

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

From: Meadows, James D <James.D.Meadows@wv.gov>
Sent: Friday, March 20, 2020 10:46 AM
To: Whittaker, Frank M <Frank.M.Whittaker@wv.gov>
Subject: Fwd: Emergency Purchase Authorization

Sent via the Samsung Galaxy Tab S5e, an AT&T 4G LTE tablet
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From: Nowicki, Stacy L <Stacy.L.Nowicki@wv.gov>
Sent: Friday, March 20, 2020 10:29:21 AM
To: Sheets, Mike - Purchasing <William.M.Sheets@wv.gov>
Cc: Wick, Rhonda C <Rhonda.C.Wick@wv.gov>; Urling, Ann V <Ann.V.Urling@wv.gov>; Kirk, Thomas L

<Thomas.L.Kirk@wv.gov>; Sandy, Jeff <Jeff.Sandy@wv.gov>; Meadows, James D
<James.D.Meadows@wv.gov>

Subject: Emergency Purchase Authorization

Good Morning, Mike. The State has a need for N-95 respirators, based upon the Novel Covid-19 virus. We have been fortunate that, after exhaustive search, the State has found a vendor that can supply the State with 100,000 of these units. We would like approval for an emergency purchase. The need for these devices is urgent. Please let me know what other information is necessary for you to process this request. We anticipate the amount of the purchase to be for 100,000 units, delivered Tuesday and Thursday, with payments remitted to the vendor within 72 hours of delivery of the items, totaling and estimated amount of \$567,000.00, and propose Ballard Safety LLC be awarded the contract. The funds, as explained to me, will be processed through the Governors office, and Ms. Wick. I have copied the relevant parties on this email.

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