

From: **Lyle, Tara L** <tara.l.lyle@wv.gov>
Date: Fri, Apr 21, 2023 at 3:32 PM
Subject: Re: Emergency Uniform Contract
To: James, Kristy E <kristy.e.james@wv.gov>
Cc: Dusty J Smith <dusty.j.smith@wv.gov>

Kristy and Dusty,

Your emergency request for a uniform rental contract for a six-month period is approved.

Please follow all emergency procedures outlined in the Purchasing Division Procedures Handbook and submit all supporting documentation to this office within 30 days of this approval for processing.

Please feel free to contact me if you have any further questions or concerns.

Thanks,
Tara

On Tue, Apr 18, 2023 at 2:17 PM James, Kristy E <kristy.e.james@wv.gov> wrote:
Tara,

Attached a request for an emergency procurement for a uniform rental contract for approximately 6 months. We are anticipating the emergency contract will cost around \$600,000. We believe that we will need an additional 6 months to conduct our pre-spec meeting, rewrite the specifications, rebid the contract and allow sufficient time to transition the existing uniforms out and order new uniforms.

Please let me know if you have any questions.

Thank you

Kristy James
WV DOT
Procurement Officer
304/414-7104

Procurement Requests should be directed to: DOTProcurement@wv.gov



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Gregory L. Bailey, P.E.
Interim
State Highway Engineer

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

April 5, 2023

MEMORANDUM

TO: Kristy E. James
Assistant Director
Budget and Procurement Division

Handwritten signature of Kristy E. James in black ink.

FROM: Jimmy Wriston, P.E.
Secretary/Commissioner

Handwritten signature of Jimmy Wriston, P.E. in black ink.

THRU: Gregory L. Bailey, P.E.
Interim State Highway Engineer

Handwritten signature of Gregory L. Bailey, P.E. in black ink.

SUBJECT: Uniform Rental Services Contract
Emergency Master Agreement 6623C041

The West Virginia Division of Highways Uniform Rental Services contract is scheduled to expire on April 30, 2023. All renewals of this contract have been previously exhausted. The West Virginia Division of Highways is requesting an emergency contract to continue the Uniform Rental Services Program for an additional period of six (6) months, from May 1, 2023, through October 31, 2023, due to complications with the solicitation and award of CRFQ DOT2300000079 Uniform Rental Services which resulted in the cancellation of the solicitation. Each of the three bidding vendors had submitted bids with their own Terms and Conditions for consideration. The Purchasing Division determined that no vendor's Terms and Conditions could remove our Liquidated Damages requirement, which led to the disqualification of two vendors. The third vendor was disqualified due to their Terms & Conditions reserving the ability to impose liquidated damages against the State, which is not allowed. Due to the disqualification of every vendor, we have no choice but to revise our Contract Specifications and rebid the solicitation.

The Uniform Rental Services contract was created and implemented in an effort to protect our employees in maintenance related work areas. Per the Federal Highway Administration, the leading cause of highway worker injuries and fatalities is contact with construction vehicles, objects, and equipment. Providing a more visible and reflective work uniform protects our employees who spend the majority of their work hours in traffic related areas or equipment repair shop facilities, creating a safer work environment. It is imperative to our employee's safety that we continue to provide them with high visibility and reflective work uniforms while we solicit for a new contract.

A six (6) month emergency contract is being requested as this timeline would allow for the time needed to have a Pre-Spec Meeting with the vendors, revise the Contract Specifications accordingly, to rebid the solicitation and award the contract, and account for any delays relating to

Kristy E. James
April 3, 2023
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the change of the fiscal year. The uniform industry has experienced many backorders over the last two (2) years. This timeframe would help alleviate some of that burden from the awarded vendor and allow them the time necessary to outfit, order, and deliver all Contract Items for 2800 Division of Highways employees. If the new contract can be awarded and executed before the six (6) month contract expires, we will cancel the emergency master agreement to allow the new contract to take effect sooner.

Should you have any questions, please contact Ms. Heather Huffman, Assistant Director, Administrative Resources, at (304) 414-8946.

JW:Hn

Attachments