



JOHN A. MYERS  
CABINET SECRETARY

STATE OF WEST VIRGINIA  
DEPARTMENT OF ADMINISTRATION  
PURCHASING DIVISION  
2019 WASHINGTON STREET, EAST  
CHARLESTON, WEST VIRGINIA 25305-0130

W. MICHAEL SHEETS  
DIRECTOR

April 4, 2018

Sheila Hannah  
Procurement Officer  
West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305

**Re: Horne LLP – Contract Change Order**

Dear Ms. Hannah,

As you know, you recently provided the Purchasing Division with a packet of papers that you represented as a change order request to the emergency contract between the Development Office and Horne LLP for services related to the flood recovery. It is worth noting that the contract change order was not presented in wvOASIS so there is no official action to be taken by the Purchasing Division at this point. If, however, this change order was submitted officially to the Purchasing Division in wvOASIS, it would be rejected.

The facts as I understand them are as follows:

On November 2, 2016, the WV Development Office requested emergency approval under the authority granted the Purchasing Division by W. Va. Code § 5A-3-15, and W. Va. CSR § 148-1-7.6, to obtain a contract for a consultant to assist with federal funding for flood recovery. The emergency request was approved by former Director David Tincher in an email dated November 2, 2016.

Emergency approval allowed the WV Development Office to begin working with a vendor immediately after selection and before the formal written contract was finalized and approved on June 5, 2017. The WV Development Office conducted its own request for proposal (RFP) process utilizing the emergency approval. At the time Horne submitted its proposal, the WV Development Office and Horne expressly anticipated only \$17,000,000 in recovery funds. At present, the State anticipates, or has received, closer to \$150,000,000 in recovery funds.

The WV Development Office ultimately awarded a contract to Horne LLP on June 5, 2017, in the amount of \$900,000. That \$900,000 was tied to Phases 1 and 2 of the contract by the RFP and was specifically included in the initial contract documents as Task Order 1 and Task Order 2. If the request for proposal followed the Purchasing Division's process, any cost evaluation that occurred would have been based only on the \$900,000 included in the RFP. The contract had an effective date of December 12, 2016.

The contract contained express language requiring that any additional work after Phases 1 and 2 be submitted to the Purchasing Division for review and processing as a change order. The contract language states as follows:

"Should any additional Task Orders as referenced in the Disaster Recovery and Project Management Agreement; (Item 3.b) become necessary it will be initiated by the Agency, agreed to by the Vendor and the Agency will submit the Change Order request to the West Virginia Purchasing Division for review and processing prior to commencing additional work."

On February 28, 2018, you presented the Purchasing Division with documentation that you represented was intended to be a change order request. The change order documentation contained Task Orders 3 through 8 (Task Order 7 was not included) with detailed cost information not included in the original proposal and completion dates that had already elapsed. The Purchasing Division is not clear on whether the work in Task Orders 3 through 8 has been completed, but the dates suggest that completion has occurred. Task Orders 3 through 8 were not reviewed by the Purchasing Division or the Attorney General's office prior to the elapsed completion dates.

The WV Development Office has noted that the change would increase the contract value (amounts owed to Horne) in wvOASIS from \$900,000 to more than \$17,000,000. As justification for the substantial increase, the WV Development Office asserted that all work associated with the change order was included in the initial contract, in a very generic sense, under Phase 3. The Development Office contends that the inclusion of a chart on page 72 of the vendor's proposal listing tiered percentages is the pricing for phase 3.

#### **1. Work Already Completed Cannot Be Added After the Fact by Change Order**

Any work associated with Task Orders 3 through 8 that has already been completed cannot be approved now by the Purchasing Division. The contract itself mandated that the additional task orders be processed as change orders through the Purchasing Division. The Code of State Rules prohibits the approval of work via change order if that work has already been completed. It states:

Spending units must not permit vendors to perform work that the spending unit anticipates will be added to a contract through a change order until such time as the

change order has been formally approved by the Purchasing Division and the Attorney General's office, encumbered by the Purchasing Division, and mailed to the vendor. W. Va. Code R. § 148-1-6.8.f.

This rule was a direct result of the conclusions in a report issued by the Legislative Auditor's Performance Evaluation and Research Division ("PERD") dated January 2015 and identified as PE 14-11-565. That report plainly states that under current law, approval of monetary change orders after-the-fact is illegal. More specifically, the audit states that:

"the [Purchasing] Division should uphold and enforce West Virginia Code in processing and approving change orders. In order to do so, the Division should stop accepting and approving change-orders after the fact that have monetary repercussions for the State."

**2. The Pricing and Scope of the Work for Phase Three was Not Sufficiently Defined to Allow the Contemplated Work to Continue Under the Existing Contract.**

The Development Office has attempted to justify this change order by explaining that Task Orders 3 through 8 were included in the original contract pricing and scope contained in Phase 3. The Purchasing Division does not agree and finds that Phase 3 alone was not detailed enough to allow for continued contractual activity. Consider the funding chart on page 72 of Horne's proposal that WVDO relied upon as the pricing for Phase 3. The Proposal describes that chart as an example and indicates immediately below the chart that pricing could be significantly lower based upon the programs to be implemented.

Similarly, Horne's proposal addressing Phase 3 states that "The WVDO's complete vision for recovery is yet to be defined. The type and scope of recovery projects, as well as ultimate amount of funding, directly affect the cost to implement them." Most telling however, is that Horne makes the pricing for Phase 3 contingent on program selection. Horne states on page 72 of its proposal that "[o]nce WVDO has established a framework for their recovery programs, HORNE will provide comprehensive pricing [sic] to deliver full implementation for those programs."

Given this high degree of uncertainty in pricing and scope of work associated with Phase 3, the Purchasing Division does not believe that Phase 3 was sufficiently detailed to create a contractual obligation. Accordingly, any uncompleted work associated with Task Orders 3 through 8 will not be approved.

**3. The State Would be Best Served by Competitive Bidding to Obtain the Best Pricing/Value for Implementation Services That Are Now More Sufficiently Defined.**

The original emergency request that received approval was to "assist the West Virginia Development Office in developing a strategy on how to best effectively utilize these funds in the designated areas, as well as to set up processes to track and expend the funds . . . ." This approval

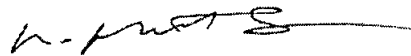
would seem to support the activities that were undertaken in Phases 1 and 2 of the contract. Those two phases were also more concretely defined and priced out in the solicitation. Phase 3 on the other hand, exceeds that emergency approval by going beyond strategy development and setting up processes and moving into full project oversight and implementation. As noted above, Phase 3 was very vague in the solicitation and proposal documents.

The lack of detail in the contract surrounding the activities associated with Phase 3 is also the most likely reason that Phase 3 pricing was not included in the request for proposal's pricing page. That pricing page forms the basis for evaluating costs in the request for proposal process. Without entries on the pricing page associated with Phase 3, the WV Development Office could not have evaluated those costs as part of its award decision.

Similarly, the original submission from Horne was based upon the assumption that \$17,000,000 of recovery funds would be involved. Now that the number has increased close to 9 times, a rebidding of the now more detailed Phase 3 activities could yield significant economies of scale and savings for the State.

For the reasons stated herein, the Purchasing Division will not approve the change order containing Task Orders 3 through 8 if it is submitted. The Purchasing Division will, however, work diligently with the WV Development Office to quickly obtain any needed services through proper procurement methods.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Michael Sheets", followed by a horizontal line.

W. Michael Sheets, CPPO, Director  
West Virginia Purchasing Division

## Pettrey, Melissa K

---

**From:** Pettrey, Melissa K  
**Sent:** Tuesday, March 27, 2018 1:53 PM  
**To:** Hannah, Sheila L (Sheila.L.Hannah@wv.gov)  
**Cc:** Nisbet, Guy L  
**Subject:** FW: CCT DEV17\*2-Horne

Sheila,

See Director Sheets comment below.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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---

**From:** Sheets, Mike - Purch  
**Sent:** Tuesday, March 27, 2018 1:50 PM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Whittaker, Frank M <Frank.M.Whittaker@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** RE: CCT DEV17\*2-Horne

Melissa,

Thank you for forwarding.

The Horne contract is under review by the Governor's Office. We have been asked not to take any action until their review is complete.

Regards,  
Mike

---

**From:** Pettrey, Melissa K  
**Sent:** Tuesday, March 27, 2018 11:37 AM  
**To:** Sheets, Mike - Purch <[William.M.Sheets@wv.gov](mailto:William.M.Sheets@wv.gov)>  
**Cc:** Whittaker, Frank M <[Frank.M.Whittaker@wv.gov](mailto:Frank.M.Whittaker@wv.gov)>; Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>  
**Subject:** FW: CCT DEV17\*2-Horne

*Sincerely,*

*Melissa K. Pettrey  
Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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---

**From:** Hannah, Sheila L  
**Sent:** Tuesday, March 27, 2018 11:31 AM

**To:** Pettrey, Melissa K <[Melissa.K.Pettrey@wv.gov](mailto:Melissa.K.Pettrey@wv.gov)>

**Cc:** Miller, Kimberly L <[Kimberly.L.Miller@wv.gov](mailto:Kimberly.L.Miller@wv.gov)>; Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>; Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>

**Subject:** FW: CCT DEV17\*2

**Importance:** High

Melissa,

This was sent the 19<sup>th</sup> and we still do not have a response.

**SHEILA HANNAH | Procurement Officer**

West Virginia Development Office

1900 Kanawha Boulevard East

Building 3, Suite 800

Charleston, WV 25305

[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

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**From:** Miller, Kimberly L

**Sent:** Monday, March 19, 2018 10:31 AM

**To:** Pettrey, Melissa K <[Melissa.K.Pettrey@wv.gov](mailto:Melissa.K.Pettrey@wv.gov)>; Sheets, Mike - Purch <[William.M.Sheets@wv.gov](mailto:William.M.Sheets@wv.gov)>

**Cc:** Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>; Tarry, Russell W <[Russell.W.Tarry@wv.gov](mailto:Russell.W.Tarry@wv.gov)>; Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>

**Subject:** RE: CCT DEV17\*2

Melissa,

You have indicated that you need a letter from Horne. However, the original RFP signed by Horne was for 17% of the total federal award. The \$900,000 contract CCT DEV17\*2 was never done correctly on our end. It should not have been capped at \$900,000 which was just the first two task orders of many task orders. Is it absolutely necessary to have a letter from Horne when they are not asking for anything beyond what their original bid was? We know of additional task orders 3 through 8 at this point and there could be more but those are within the scope of the original RFP and the original bid of 17% of the federal award. Shouldn't Horne's signature on the task orders be sufficient? Again, they are not asking for anything outside of the scope or bid of their original response to the RFP.

We understand that you need a letter from us and perhaps it should also explain that due to an error on our part this CCT was capped at \$900,000 when it should never have been.

Thanks,

Kim

---

**From:** Pettrey, Melissa K

**Sent:** Friday, March 02, 2018 1:45 PM

**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>

**Cc:** Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>

**Subject:** CCT DEV17\*2

Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

1. What is Horne requesting and you the Agency agreeing to: In general terms, each Task Order outlines various services necessary to develop and implement the CDBG & CDBG-DR programs.
2. What justification is there to support any additional changes: The CDBG & CDBG-DR programs and the technical assistance provided evolves as the programs progress. All tasks and costs are not known at the beginning of the contract execution. Part of the contract is to develop the various programs of the CDBG-DR funds (Task Order 1), and what services that are needed for implementation; applicable cost, would depend on what programs are developed. Section 3.b of the contract states: "Additional Task Orders with corresponding compensation provisions may be developed and incorporated as necessary" Also please refer to Section 4.c-d.
3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.: Programs were developed through Task Order 1 & 2 (the initial contract) and therefore, implementation is now required based on what programs/services were identified.
4. Who ok'd the work and based upon what criteria: Deputy Secretary/General Counsel of the Department of Commerce, Josh Jarrell executed the contracts and Task Orders on behalf of the WV Department of Commerce based the original RFP, the original contract specifically Section 3.b and Section 4.c-d, and with the understanding that the program progresses and as such, there are additional services identified that cannot be identified at the initial execution.
5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses as part of your change order request and justification documents.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)





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## Nisbet, Guy L

---

**From:** Nisbet, Guy L  
**Sent:** Friday, March 16, 2018 7:25 AM  
**To:** Sheets, Mike - Purch  
**Subject:** FW: Horne CCT DEV 17\*2

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506  
304.558.3970 (fax)  
WV. Purchasing Division - Supervisor

---

**From:** Nisbet, Guy L  
**Sent:** Wednesday, December 20, 2017 2:53 PM  
**To:** Hannah, Sheila L <Sheila.L.Hannah@wv.gov>; Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>  
**Subject:** RE: Horne CCT DEV 17\*2

Shelia, this had to be rejected to correct errors. This is Change Order No.01 not Change Order No.02. The commodity line date needed to be changed to 2018. Please review and resubmit.

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506  
304.558.3970 (fax)  
WV. Purchasing Division - Supervisor




---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 11:02 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** FW: Horne CCT DEV 17\*2

Melissa are we waiting on something?

### **SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

---

**From:** Fisher, Lisa J  
**Sent:** Wednesday, December 20, 2017 11:01 AM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Subject:** Horne CCT DEV 17\*2

Hi Sheila! The Horne CCT changes have not been finalized in Oasis by purchasing. Do you have any idea how long it will take? We have several invoices to pay but can't process until the CCT is finalized.

Thanks.

Lisa J. Fisher  
Administrative Services Unit  
1900 Kanawha Blvd East  
Building 3 Suite 800  
Charleston, WV 25305  
304-957-2053



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## Nisbet, Guy L

---

**From:** Nisbet, Guy L  
**Sent:** Wednesday, March 07, 2018 12:29 PM  
**To:** Pettrey, Melissa K  
**Subject:** FW: CCT DEV17\*2

Shelia, the responses are not in depth enough nor are they captured so that it is understood, this was just a road map to help you develop responses that can be evaluated. I do not see the Change Order in wvOASIS and I do not see the requested documentation.

1. What is Horne requesting and you the Agency agreeing to: In general terms, each Task Order outlines various services necessary to develop and implement the CDBG & CDBG-DR programs.

***( Where is the requested documentation. A Letter from Horne as to what they are requesting and where in the documentation supports what they are asking for both in contract and in dollar amount. Where is the letter from the Agency requesting the Change Order supporting Horne's request including amount and documenting the approval of each of Horne's request and why it is justifiable.***

2. What justification is there to support any additional changes: The CDBG & CDBG-DR programs and the technical assistance provided evolves as the programs progress. All tasks and costs are not known at the beginning of the contract execution. Part of the contract is to develop the various programs of the CDBG-DR funds (Task Order 1), and what services that are needed for implementation; applicable cost, would depend on what programs are developed. Section 3.b of the contract states: "Additional Task Orders with corresponding compensation provisions may be developed and incorporated as necessary" Also please refer to Section 4.c-d.

***(This information needs to be captured in the parties documentation referenced above).***

3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.: Programs were developed through Task Order 1 & 2 (the initial contract) and therefore, implementation is now required based on what programs/services were identified.

***(This information needs to be captured in the parties documentation referenced above).***

4. Who ok'd the work and based upon what criteria: Deputy Secretary/General Counsel of the Department of Commerce, Josh Jarrell executed the contracts and Task Orders on behalf of the WV Department of Commerce based the original RFP, the original contract specifically Section 3.b and Section 4.c-d, and with the understanding that the program progresses and as such, there are additional services identified that cannot be identified at the initial execution.

***Per the awarded documentation; "Should any additional Task Orders as referenced in the Disaster Recovery and Project Management Agreement become necessary it will be initiated by the Agency, agreed to by the Vendor and the Agency will submit change Order request to the West Virginia Purchasing Division for review and processing prior to commencing additional work."***

5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.

***responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.***

6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

***Do not see this within the system.***

**From:** Pettrey, Melissa K  
**Sent:** Wednesday, March 07, 2018 11:00 AM  
**To:** Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

Horne.....  
Near the bottom.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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**From:** Hannah, Sheila L  
**Sent:** Wednesday, March 7, 2018 10:35 AM  
**To:** Pettrey, Melissa K <[Melissa.K.Pettrey@wv.gov](mailto:Melissa.K.Pettrey@wv.gov)>  
**Cc:** Miller, Kimberly L <[Kimberly.L.Miller@wv.gov](mailto:Kimberly.L.Miller@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

Melissa,  
I thought they had sent these to you. I am sorry they sent the to Steve. Here is part of what they had done. I told them it was in-depth enough. We will see what the come up with next in answer wise.

**From:** Miller, Kimberly L  
**Sent:** Monday, March 05, 2018 8:56 AM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

**From:** Meester, Steve  
**Sent:** Friday, March 02, 2018 2:40 PM  
**To:** Tarry, Russell W <[Russell.W.Tarry@wv.gov](mailto:Russell.W.Tarry@wv.gov)>; Miller, Kimberly L <[Kimberly.L.Miller@wv.gov](mailto:Kimberly.L.Miller@wv.gov)>  
**Cc:** Mihallik, Andrew G <[Andrew.G.Mihallik@wv.gov](mailto:Andrew.G.Mihallik@wv.gov)>  
**Subject:** RE: CCT DEV17\*2

Thanks. I'm adding Kim so that she has these responses. I think its fine to include Josh too.

Thank you,  
**STEVE MEESTER** | Director  
Commerce Administrative Services Division  
CFO West Virginia Department of Commerce  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
(304) 957-2073 | [Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

[WestVirginia.gov](http://WestVirginia.gov)   

**From:** Tarry, Russell W  
**Sent:** Friday, March 02, 2018 2:34 PM  
**To:** Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>  
**Cc:** Mihallik, Andrew G <[Andrew.G.Mihallik@wv.gov](mailto:Andrew.G.Mihallik@wv.gov)>  
**Subject:** RE: CCT DEV17\*2

Steve,

Andrew forwarded me the email below. I provided explanation below in red. I think they will have more questions, so please let me know what other information I can provide. We may want to include Josh at some point as well.



Thanks,  
Russ

**From:** Mihallik, Andrew G  
**Sent:** Friday, March 2, 2018 1:56 PM  
**To:** Tarry, Russell W <[Russell.W.Tarry@wv.gov](mailto:Russell.W.Tarry@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

Russell,

I just got this email and just got a call from Steve asking us to try and answer the questions that Melissa has about the contract. He said that he hasn't checked yet but he's pretty sure that Kim is out of the office this afternoon

Thanks,

**Andrew Mihallik** | Program Specialist  
Community Advancement and Development  
*A Division of the West Virginia Development Office*  
1900 Kanawha Boulevard East  
Building 3, Suite 700  
Charleston, WV 25305  
(304) 558-2234 | [wvcad.org](http://wvcad.org)  



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**From:** Hannah, Sheila L  
**Sent:** Friday, March 02, 2018 1:47 PM  
**To:** Miller, Kimberly L <[Kimberly.L.Miller@wv.gov](mailto:Kimberly.L.Miller@wv.gov)>; Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>  
**Cc:** Fisher, Lisa J <[Lisa.J.Fisher@wv.gov](mailto:Lisa.J.Fisher@wv.gov)>; Mihallik, Andrew G <[Andrew.G.Mihallik@wv.gov](mailto:Andrew.G.Mihallik@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

**From:** Pettrey, Melissa K  
**Sent:** Friday, March 02, 2018 1:45 PM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Cc:** Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>  
**Subject:** CCT DEV17\*2

Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

1. What is Horne requesting and you the Agency agreeing to: In general terms, each Task Order outlines various services necessary to develop and implement the CDBG & CDBG-DR programs.
  2. What justification is there to support any additional changes: The CDBG & CDBG-DR programs and the technical assistance provided evolves as the programs progress. All tasks and costs are not known at the beginning of the contract execution. Part of the contract is to develop the various programs of the CDBG-DR funds (Task Order 1), and what services that are needed for implementation; applicable cost, would depend on what programs are developed. Section 3.b of the contract states: "Additional Task Orders with corresponding compensation provisions may be developed and incorporated as necessary" Also please refer to Section 4.c-d.
  3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.: Programs were developed through Task Order 1 & 2 (the initial contract) and therefore, implementation is now required based on what programs/services were identified.
  4. Who ok'd the work and based upon what criteria: Deputy Secretary/General Counsel of the Department of Commerce, Josh Jarrell executed the contracts and Task Orders on behalf of the WV Department of Commerce based the original RFP, the original contract specifically Section 3.b and Section 4.c-d, and with the understanding that the program progresses and as such, there are additional services identified that cannot be identified at the initial execution.
  5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
  6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
  7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses as part of your change order request and justification documents.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)





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## Pettrey, Melissa K

---

**From:** Pettrey, Melissa K  
**Sent:** Wednesday, March 7, 2018 10:02 AM  
**To:** Hannah, Sheila L  
**Subject:** RE: email

The last email that I am aware of is the one I sent to you on 03/02/18.

I have had no responses to anything from anyone.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, March 7, 2018 10:00 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Subject:** email

I see I got left out of an email about Horne. Did they answer your questions, or do I need to do something? This place is a very unique place.

**SHEILA HANNAH | Procurement Officer**




West Virginia Development Office

1900 Kanawha Boulevard East

Building 3, Suite 800

Charleston, WV 25305

[Sheila.I.Hannah@wv.gov](mailto:Sheila.I.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## Pettrey, Melissa K

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, March 7, 2018 10:00 AM  
**To:** Pettrey, Melissa K  
**Subject:** email

I see I got left out of an email about Horne. Did they answer your questions, or do I need to do something? This place is a very unique place.

### **SHEILA HANNAH** | Procurement Officer




West Virginia Development Office

1900 Kanawha Boulevard East

Building 3, Suite 800

Charleston, WV 25305

Sheila.L.Hannah@wv.gov

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## Pettrey, Melissa K

---

**From:** Pettrey, Melissa K  
**Sent:** Friday, March 2, 2018 1:45 PM  
**To:** Hannah, Sheila L (Sheila.L.Hannah@wv.gov)  
**Cc:** Nisbet, Guy L  
**Subject:** CCT DEV17\*2

Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

1. What is Horne requesting and you the Agency agreeing to
2. What justification is there to support any additional changes
3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.
4. Who ok'd the work and based upon what criteria
5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses as part of your change order request and justification documents.

*Sincerely,*

*Melissa K. Pettrey  
Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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## Nisbet, Guy L

---

**From:** Nisbet, Guy L  
**Sent:** Friday, March 02, 2018 1:40 PM  
**To:** Pettrey, Melissa K  
**Subject:** RE: task orders

Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

1. What is Horne requesting and you the Agency agreeing to
2. What justification is there to support any additional changes
3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.
4. Who ok'd the work and based upon what criteria
5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses.

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506  
304.558.3970 (fax)  
WV. Purchasing Division - Supervisor

---

**From:** Hannah, Sheila L  
**Sent:** Friday, March 02, 2018 11:09 AM  
**To:** Nisbet, Guy L <Guy.L.Nisbet@wv.gov>; Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Meester, Steve <Steve.Meester@wv.gov>  
**Subject:** task orders




Guy/Melissa,

Have you had a chance to look over the task orders I brought over for you to look at yet? I have had several inquiries about them. Thanks

**SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305

[Sheila.I.Hannah@wv.gov](mailto:Sheila.I.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## **Pettrey, Melissa K**

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 3:12 PM  
**To:** Pettrey, Melissa K  
**Subject:** Memo  
**Attachments:** Memo Horne.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Melissa,  
I guessed that since I had this back I would send this to you.

Thanks,

**SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
Sheila.L.Hannah@wv.gov

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE





**WEST VIRGINIA DEVELOPMENT OFFICE**

1900 Kanawha Boulevard East • Charleston, WV 25305-0311  
(304) 558-2234 • (800) 982-3386 • WVDO.org

December 13, 2017

To: Melissa Pettrey, Senior Buyer  
WV Purchasing Department

From: Sheila Hannah, Procurement Officer  
WV Development Office

Reference: CCT DEV1700000002

We would like to renew this contract for one year. This contract is to benefit the residence of West Virginia flood victims of June 2016.

Sincerely,

Sheila L. Hannah, Procurement Officer  
WV Development Office  
Building 3 Suite 800  
1900 Kanawha Blvd. E  
Charleston, WV 25305  
304-957-2076  
Sheila.l.hannah@wv.gov

## Pettrey, Melissa K

---

**From:** Nisbet, Guy L  
**Sent:** Wednesday, December 20, 2017 2:53 PM  
**To:** Hannah, Sheila L; Pettrey, Melissa K  
**Cc:** Miller, Kimberly L  
**Subject:** RE: Horne CCT DEV 17\*2

Shelia, this had to be rejected to correct errors. This is Change Order No.01 not Change Order No.02. The commodity line date needed to be changed to 2018. Please review and resubmit.

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506

304.558.3970 (fax)

WV. Purchasing Division - Supervisor

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 11:02 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** FW: Horne CCT DEV 17\*2

Melissa are we waiting on something?

### **SHEILA HANNAH** | Procurement Officer

West Virginia Development Office

1900 Kanawha Boulevard East

Building 3, Suite 800

Charleston, WV 25305

[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

---

**From:** Fisher, Lisa J  
**Sent:** Wednesday, December 20, 2017 11:01 AM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Subject:** Horne CCT DEV 17\*2

Hi Sheila! The Horne CCT changes have not been finalized in Oasis by purchasing. Do you have any idea how long it will take? We have several invoices to pay but can't process until the CCT is finalized.

Thanks.

Lisa J. Fisher

Administrative Services Unit

1900 Kanawha Blvd East

Building 3 Suite 800

Charleston, WV 25305

304-957-2053



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## **Pettrey, Melissa K**

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 2:52 PM  
**To:** Pettrey, Melissa K  
**Subject:** RE: Horne CCT DEV 17\*2

Melissa,  
Now what's wrong with this one I see it is in my bucket?

---

**From:** Pettrey, Melissa K  
**Sent:** Wednesday, December 20, 2017 12:06 PM  
**To:** Hannah, Sheila L <Sheila.L.Hannah@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** RE: Horne CCT DEV 17\*2

The memo from you should have your signature, but I will process this as it is. However, going forward, please include your signature on all memo's and/or letters.

Also, remind your agencies to not wait until the last minute to submit change orders, especially renewals.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 11:02 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** FW: Horne CCT DEV 17\*2

Melissa are we waiting on something?

**SHEILA HANNAH | Procurement Officer**

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

**From:** Fisher, Lisa J  
**Sent:** Wednesday, December 20, 2017 11:01 AM  
**To:** Hannah, Sheila L <Sheila.L.Hannah@wv.gov>  
**Subject:** Horne CCT DEV 17\*2

Hi Sheila! The Horne CCT changes have not been finalized in Oasis by purchasing. Do you have any idea how long it will take? We have several invoices to pay but can't process until the CCT is finalized.

Thanks.

Lisa J. Fisher  
Administrative Services Unit  
1900 Kanawha Blvd East  
Building 3 Suite 800  
Charleston, WV 25305  
304-957-2053



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## **Pettrey, Melissa K**

---

**From:** Pettrey, Melissa K  
**Sent:** Wednesday, December 20, 2017 12:06 PM  
**To:** Hannah, Sheila L  
**Cc:** Miller, Kimberly L; Nisbet, Guy L  
**Subject:** RE: Horne CCT DEV 17\*2

The memo from you should have your signature, but I will process this as it is. However, going forward, please include your signature on all memo's and/or letters.

Also, remind your agencies to not wait until the last minute to submit change orders, especially renewals.

*Sincerely,*

*Melissa K. Pettrey  
Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 11:02 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** FW: Horne CCT DEV 17\*2

Melissa are we waiting on something?

**SHEILA HANNAH | Procurement Officer**

West Virginia Development Office

1900 Kanawha Boulevard East

Building 3, Suite 800

Charleston, WV 25305

[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

**From:** Fisher, Lisa J

**Sent:** Wednesday, December 20, 2017 11:01 AM

**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>

**Subject:** Horne CCT DEV 17\*2

Hi Sheila! The Horne CCT changes have not been finalized in Oasis by purchasing. Do you have any idea how long it will take? We have several invoices to pay but can't process until the CCT is finalized.

Thanks.

Lisa J. Fisher

Administrative Services Unit

1900 Kanawha Blvd East

Building 3 Suite 800

Charleston, WV 25305

304-957-2053



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## Whittaker, Frank M

---

**From:** Sheets, Mike - Purch  
**Sent:** Tuesday, March 27, 2018 1:50 PM  
**To:** Pettrey, Melissa K  
**Cc:** Whittaker, Frank M; Nisbet, Guy L  
**Subject:** RE: CCT DEV17\*2-Horne

Melissa,

Thank you for forwarding.

The Horne contract is under review by the Governor's Office. We have been asked not to take any action until their review is complete.

Regards,  
Mike

**From:** Pettrey, Melissa K  
**Sent:** Tuesday, March 27, 2018 11:37 AM  
**To:** Sheets, Mike - Purch <William.M.Sheets@wv.gov>  
**Cc:** Whittaker, Frank M <Frank.M.Whittaker@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** FW: CCT DEV17\*2-Horne

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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**From:** Hannah, Sheila L  
**Sent:** Tuesday, March 27, 2018 11:31 AM  
**To:** Pettrey, Melissa K <[Melissa.K.Pettrey@wv.gov](mailto:Melissa.K.Pettrey@wv.gov)>  
**Cc:** Miller, Kimberly L <[Kimberly.L.Miller@wv.gov](mailto:Kimberly.L.Miller@wv.gov)>; Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>; Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>  
**Subject:** FW: CCT DEV17\*2  
**Importance:** High

Melissa,  
This was sent the 19<sup>th</sup> and we still do not have a response.

**SHEILA HANNAH | Procurement Officer**

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

**From:** Miller, Kimberly L  
**Sent:** Monday, March 19, 2018 10:31 AM  
**To:** Pettrey, Melissa K <[Melissa.K.Pettrey@wv.gov](mailto:Melissa.K.Pettrey@wv.gov)>; Sheets, Mike - Purch <[William.M.Sheets@wv.gov](mailto:William.M.Sheets@wv.gov)>  
**Cc:** Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>; Tarry, Russell W <[Russell.W.Tarry@wv.gov](mailto:Russell.W.Tarry@wv.gov)>; Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Subject:** RE: CCT DEV17\*2

Melissa,

You have indicated that you need a letter from Horne. However, the original RFP signed by Horne was for 17% of the total federal award. The \$900,000 contract CCT DEV17\*2 was never done correctly on our end. It should not have been capped at \$900,000 which was just the first two task orders of many task orders. Is it absolutely necessary to have a letter from Horne when they are not asking for anything beyond what their original bid was? We know of additional task orders 3 through 8 at this point and there could be more but those are within the scope of the original RFP and the original bid of 17% of the federal award. Shouldn't Horne's signature on the task orders be sufficient? Again, they are not asking for anything outside of the scope or bid of their original response to the RFP.

We understand that you need a letter from us and perhaps it should also explain that due to an error on our part this CCT was capped at \$900,000 when it should never have been.

Thanks,

Kim

**From:** Pettrey, Melissa K  
**Sent:** Friday, March 02, 2018 1:45 PM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Cc:** Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>  
**Subject:** CCT DEV17\*2

Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

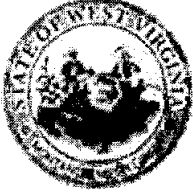
1. What is Horne requesting and you the Agency agreeing to: In general terms, each Task Order outlines various services necessary to develop and implement the CDBG & CDBG-DR programs.
2. What justification is there to support any additional changes: The CDBG & CDBG-DR programs and the technical assistance provided evolves as the programs progress. All tasks and costs are not known at the beginning of the contract execution. Part of the contract is to develop the various programs of the CDBG-DR funds (Task Order 1), and what services that are needed for implementation; applicable cost, would depend on what programs are developed. Section 3.b of the contract states: "Additional Task Orders with corresponding compensation provisions may be developed and incorporated as necessary" Also please refer to Section 4.c-d.
3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.: Programs were developed through Task Order 1 & 2 (the initial contract) and therefore, implementation is now required based on what programs/services were identified.
4. Who ok'd the work and based upon what criteria: Deputy Secretary/General Counsel of the Department of Commerce, Josh Jarrell executed the contracts and Task Orders on behalf of the WV Department of Commerce based the original RFP, the original contract specifically Section 3.b and Section 4.c-d, and with the understanding that the program progresses and as such, there are additional services identified that cannot be identified at the initial execution.
5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses as part of your change order request and justification documents.

*Sincerely,*

*Melissa K. Pettrey  
Senior Buyer*

WV Department of Administration  
Purchasing Division  
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304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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## Whittaker, Frank M

---

**From:** Sheets, Mike - Purch  
**Sent:** Friday, March 9, 2018 3:32 PM  
**To:** Whittaker, Frank M  
**Subject:** Re: Meeting Monday

Thanks.

Sent via the Samsung Galaxy Tab S2, an AT&T 4G LTE tablet

----- Original message -----

**From:** "Whittaker, Frank M" <Frank.M.Whittaker@wv.gov>  
**Date:** 3/9/18 3:06 PM (GMT-05:00)  
**To:** "Sheets, Mike - Purch" <William.M.Sheets@wv.gov>  
**Subject:** RE: Meeting Monday

Guy and Melissa went back to Sheila with questions concerning the intent of the change request. To date Sheila has not submitted anything through Oasis. Jimmy is looking at the file now. Jimmy is concerned that it looks like we are being unhelpful.

Frank

**From:** Sheets, Mike - Purch  
**Sent:** Friday, March 9, 2018 3:02 PM  
**To:** Whittaker, Frank M <Frank.M.Whittaker@wv.gov>  
**Subject:** Fwd: Meeting Monday

Where does this change order stand?

Sent via the Samsung Galaxy Tab S2, an AT&T 4G LTE tablet

----- Original message -----

**From:** "Myers, John A" <John.A.Myers@wv.gov>  
**Date:** 3/9/18 1:15 PM (GMT-05:00)  
**To:** "Sheets, Mike - Purch" <William.M.Sheets@wv.gov>, "Meadows, James D" <James.D.Meadows@wv.gov>  
**Subject:** Meeting Monday

You should have received a calendar entry for Monday at 1:00 for a meeting with commerce. This is in reference to a \$146 million contract with Horne Associates. I understand they have something to do with flood relief. I wanted to give you the opportunity to prepare as I know nothing about the contract or their concerns.

John A. Myers  
Cabinet Secretary  
State of West Virginia  
Department of Administration  
304-558-4331 ext. 57001

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## **Mann, Millicent M**

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 11:02 AM  
**To:** Pettrey, Melissa K  
**Cc:** Miller, Kimberly L; Nisbet, Guy L  
**Subject:** FW: Horne CCT DEV 17\*2

Melissa are we waiting on something?

### **SHEILA HANNAH | Procurement Officer**

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
Sheila.L.Hannah@wv.gov  
(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

---

**From:** Fisher, Lisa J  
**Sent:** Wednesday, December 20, 2017 11:01 AM  
**To:** Hannah, Sheila L <Sheila.L.Hannah@wv.gov>  
**Subject:** Horne CCT DEV 17\*2

Hi Sheila! The Horne CCT changes have not been finalized in Oasis by purchasing. Do you have any idea how long it will take? We have several invoices to pay but can't process until the CCT is finalized.

Thanks.

Lisa J. Fisher  
Administrative Services Unit  
1900 Kanawha Blvd East  
Building 3 Suite 800  
Charleston, WV 25305  
304-957-2053



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## Mann, Millicent M

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 3:12 PM  
**To:** Pettrey, Melissa K  
**Subject:** Memo  
**Attachments:** Memo Horne.pdf


**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Melissa,  
I guessed that since I had this back I would send this to you.

Thanks,

**SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
Sheila.L.Hannah@wv.gov

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE



WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311  
(304) 558-2234 • (800) 982-3386 • WVDO.org

December 13, 2017

To: Melissa Pettrey, Senior Buyer  
WV Purchasing Department

From: Sheila Hannah, Procurement Officer  
WV Development Office

Reference: CCT DEV1700000002

We would like to renew this contract for one year. This contract is to benefit the residence of West Virginia flood victims of June 2016.

Sincerely,

A handwritten signature in cursive script that reads "Sheila Hannah".

Sheila L. Hannah, Procurement Officer  
WV Development Office  
Building 3 Suite 800  
1900 Kanawha Blvd. E  
Charleston, WV 25305  
304-957-2076  
Sheila.l.hannah@wv.gov



## Mann, Millicent M

---

**From:** Hannah, Sheila L  
**Sent:** Friday, March 02, 2018 11:09 AM  
**To:** Nisbet, Guy L; Pettrey, Melissa K  
**Cc:** Miller, Kimberly L; Meester, Steve  
**Subject:** task orders




**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Guy/Melissa,

Have you had a chance to look over the task orders I brought over for you to look at yet? I have had several inquiries about them. Thanks

**SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
Sheila.L.Hannah@wv.gov

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## **Mann, Millicent M**

---

**From:** Nisbet, Guy L  
**Sent:** Friday, March 02, 2018 1:40 PM  
**To:** Pettrey, Melissa K  
**Subject:** RE: task orders

Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

1. What is Horne requesting and you the Agency agreeing to
2. What justification is there to support any additional changes
3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.
4. Who ok'd the work and based upon what criteria
5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses.

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506  
304.558.3970 (fax)  
WV. Purchasing Division - Supervisor

---

**From:** Hannah, Sheila L  
**Sent:** Friday, March 02, 2018 11:09 AM  
**To:** Nisbet, Guy L <Guy.L.Nisbet@wv.gov>; Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Meester, Steve <Steve.Meester@wv.gov>  
**Subject:** task orders

Guy/Melissa,  
Have you had a chance to look over the task orders I brought over for you to look at yet? I have had several inquiries about them. Thanks

**SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305

[Sheila.I.Hannah@wv.gov](mailto:Sheila.I.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT *of* COMMERCE

## Mann, Millicent M




---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, March 07, 2018 10:00 AM  
**To:** Pettrey, Melissa K  
**Subject:** email

I see I got left out of an email about Horne. Did they answer your questions, or do I need to do something? This place is a very unique place.

### **SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
Sheila.L.Hannah@wv.gov

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

## Mann, Millicent M

---

**From:** Pettrey, Melissa K  
**Sent:** Wednesday, March 07, 2018 10:02 AM  
**To:** Hannah, Sheila L  
**Subject:** RE: email

The last email that I am aware of is the one I sent to you on 03/02/18.

I have had no responses to anything from anyone.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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**From:** Hannah, Sheila L  
**Sent:** Wednesday, March 7, 2018 10:00 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Subject:** email

I see I got left out of an email about Horne. Did they answer your questions, or do I need to do something? This place is a very unique place.

**SHEILA HANNAH** | Procurement Officer




West Virginia Development Office

1900 Kanawha Boulevard East

Building 3, Suite 800

Charleston, WV 25305

[Sheila.I.Hannah@wv.gov](mailto:Sheila.I.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT *of* COMMERCE

## Mann, Millicent M

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, March 07, 2018 10:35 AM  
**To:** Pettrey, Melissa K  
**Cc:** Miller, Kimberly L  
**Subject:** FW: CCT DEV17\*2

Melissa,  
I thought they had sent these to you. I am sorry they sent the to Steve. Here is part of what they had done. I told them it was in-depth enough. We will see what the come up with next in answer wise.

---

**From:** Miller, Kimberly L  
**Sent:** Monday, March 05, 2018 8:56 AM  
**To:** Hannah, Sheila L <Sheila.L.Hannah@wv.gov>  
**Subject:** FW: CCT DEV17\*2

---

**From:** Meester, Steve  
**Sent:** Friday, March 02, 2018 2:40 PM  
**To:** Tarry, Russell W <Russell.W.Tarry@wv.gov>; Miller, Kimberly L <Kimberly.L.Miller@wv.gov>  
**Cc:** Mihallik, Andrew G <Andrew.G.Mihallik@wv.gov>  
**Subject:** RE: CCT DEV17\*2

Thanks. I'm adding Kim so that she has these responses. I think its fine to include Josh too.

Thank you,  
**STEVE MEESTER** | Director  
Commerce Administrative Services Division  
CFO West Virginia Department of Commerce  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
(304) 957-2073 | [Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

[WestVirginia.gov](http://WestVirginia.gov)   

---

**From:** Tarry, Russell W  
**Sent:** Friday, March 02, 2018 2:34 PM  
**To:** Meester, Steve <Steve.Meester@wv.gov>  
**Cc:** Mihallik, Andrew G <Andrew.G.Mihallik@wv.gov>  
**Subject:** RE: CCT DEV17\*2

Steve,

Andrew forwarded me the email below. I provided explanation below in red. I think they will have more questions, so please let me know what other information I can provide. We may want to include Josh at some point as well.

Thanks,  
Russ

**From:** Mihallik, Andrew G  
**Sent:** Friday, March 2, 2018 1:56 PM  
**To:** Tarry, Russell W <[Russell.W.Tarry@wv.gov](mailto:Russell.W.Tarry@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

Russell,

I just go this email and just got a call from Steve asking us to try and answer the questions that Melissa has about the contract. He said that he hasn't checked yet but he's pretty sure that Kim is out of the office this afternoon

Thanks,

**Andrew Mihallik** | Program Specialist  
Community Advancement and Development  
*A Division of the West Virginia Development Office*  
1900 Kanawha Boulevard East  
Building 3, Suite 700  
Charleston, WV 25305  
(304) 558-2234 | [wvcad.org](http://wvcad.org)  



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**From:** Hannah, Sheila L  
**Sent:** Friday, March 02, 2018 1:47 PM  
**To:** Miller, Kimberly L <[Kimberly.L.Miller@wv.gov](mailto:Kimberly.L.Miller@wv.gov)>; Meester, Steve <[Steve.Meester@wv.gov](mailto:Steve.Meester@wv.gov)>  
**Cc:** Fisher, Lisa J <[Lisa.J.Fisher@wv.gov](mailto:Lisa.J.Fisher@wv.gov)>; Mihallik, Andrew G <[Andrew.G.Mihallik@wv.gov](mailto:Andrew.G.Mihallik@wv.gov)>  
**Subject:** FW: CCT DEV17\*2

**From:** Pettrey, Melissa K  
**Sent:** Friday, March 02, 2018 1:45 PM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Cc:** Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>  
**Subject:** CCT DEV17\*2



Shelia, we have tried to review the documentation that you gave us to review. We are not able to determine at this time;

1. What is Horne requesting and you the Agency agreeing to: In general terms, each Task Order outlines various services necessary to develop and implement the CDBG & CDBG-DR programs.
2. What justification is there to support any additional changes: The CDBG & CDBG-DR programs and the technical assistance provided evolves as the programs progress. All tasks and costs are not known at the beginning of the contract execution. Part of the contract is to develop the various programs of the CDBG-DR funds (Task Order 1), and what services that are needed for implementation; applicable cost, would depend on what programs are developed. Section 3.b of the contract states: "Additional Task Orders with corresponding compensation provisions may be developed and incorporated as necessary" Also please refer to Section 4.c-d.
3. What has transpired since the award of the contract that moves the vendor to provide service/work outside what was captured during the award.: Programs were developed through Task Order 1 & 2 (the initial contract) and therefore, implementation is now required based on what programs/services were identified.
4. Who ok'd the work and based upon what criteria: Deputy Secretary/General Counsel of the Department of Commerce, Josh Jarrell executed the contracts and Task Orders on behalf of the WV Department of Commerce based the original RFP, the original contract specifically Section 3.b and Section 4.c-d, and with the understanding that the program progresses and as such, there are additional services identified that cannot be identified at the initial execution.
5. The responses to these items must be in detail and reference the part of the original contract that has changed while connecting to the documentation and clarification of the documents that you presented.
6. This is a really quick review and the provided responses most likely will develop additional questions depending upon the responses and clarity.
7. This was awarded as a fixed contract with renewals, therefore any additional funds spent will require an additional commodity line within OASIS so that encumbrance is possible.

Again this is a starting point of questions and will require further review once we are able to review the above responses as part of your change order request and justification documents.

*Sincerely,*

*Melissa K. Pettrey*  
*Senior Buyer*

WV Department of Administration  
Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
Charleston, WV 25305-0130  
304-558-0094  
[melissa.k.pettrey@wv.gov](mailto:melissa.k.pettrey@wv.gov)



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## Mann, Millicent M

---

**From:** Nisbet, Guy L  
**Sent:** Friday, March 16, 2018 7:25 AM  
**To:** Sheets, Mike - Purch  
**Subject:** FW: Horne CCT DEV 17\*2

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506  
304.558.3970 (fax)  
WV. Purchasing Division - Supervisor

---

**From:** Nisbet, Guy L  
**Sent:** Wednesday, December 20, 2017 2:53 PM  
**To:** Hannah, Sheila L <Sheila.L.Hannah@wv.gov>; Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>  
**Subject:** RE: Horne CCT DEV 17\*2

Shelia, this had to be rejected to correct errors. This is Change Order No.01 not Change Order No.02. The commodity line date needed to be changed to 2018. Please review and resubmit.

Sincerely,

*Guy L. Nisbet*

304.558.2596 (office) CISCO - 57506  
304.558.3970 (fax)  
WV. Purchasing Division - Supervisor

---

**From:** Hannah, Sheila L  
**Sent:** Wednesday, December 20, 2017 11:02 AM  
**To:** Pettrey, Melissa K <Melissa.K.Pettrey@wv.gov>  
**Cc:** Miller, Kimberly L <Kimberly.L.Miller@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>  
**Subject:** FW: Horne CCT DEV 17\*2

Melissa are we waiting on something?

### **SHEILA HANNAH** | Procurement Officer

West Virginia Development Office  
1900 Kanawha Boulevard East  
Building 3, Suite 800  
Charleston, WV 25305  
[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)

(304) 957-2076 | [WestVirginia.gov](http://WestVirginia.gov)   



**WEST VIRGINIA**  
DEPARTMENT of COMMERCE

**From:** Fisher, Lisa J  
**Sent:** Wednesday, December 20, 2017 11:01 AM  
**To:** Hannah, Sheila L <[Sheila.L.Hannah@wv.gov](mailto:Sheila.L.Hannah@wv.gov)>  
**Subject:** Horne CCT DEV 17\*2

Hi Sheila! The Horne CCT changes have not been finalized in Oasis by purchasing. Do you have any idea how long it will take? We have several invoices to pay but can't process until the CCT is finalized.

Thanks.

Lisa J. Fisher  
Administrative Services Unit  
1900 Kanawha Blvd East  
Building 3 Suite 800  
Charleston, WV 25305  
304-957-2053



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