



CITY OF CHARLESTON West Virginia



Council Member – 12th WARD

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Finance Committee, Chair
Parking Committee, Chair
Public Safety Committee

AGENDA **FINANCE COMMITTEE MEETING** **Monday, November 18, 2019** **6:15 PM**

I. DISCUSSION:

- a. Approval of Previous Minutes – November 4, 2019.
- b. City Collector's Report – Successful partnership with DataMax.

II. RESOLUTIONS:

- a. Resolution No. 260-19 - Authorizing the City Manager to enter into one or more agreements for the purchase of E-10 Gasoline and Diesel Fuel.
- b. Resolution No. 261-19 - Authorizing the Mayor or City Manager to enter into an agreement with Urban Design Ventures for Community Development Planning Consulting Services.
- c. Resolution No. 262-19 - Authorizing the Finance Director to amend the 2019 Community Development Block Grant budget.
- d. Resolution No. 263-19 - A Resolution authorizing the Mayor or City Manager to purchase of fifteen 2020 Ford Police Interceptor Utility Vehicles with All Wheel Drive.
- e. Resolution No. 264-19 - Authorizing the Mayor or City Manager to purchase 133 Dell computers.
- f. Resolution No. 265-19 – Authorizing “Citizen Appreciation Parking” during certain Saturdays in November, December, and January.
- g. Resolution No. 266-19 - Authorizing the Chairperson of the Coliseum & Convention Center / Municipal Auditorium Board or the City Manager to enter into an agreement with SearchWide Global to conduct a national search for a new General Manager of the Coliseum & Convention Center / Municipal Auditorium.

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**

MINUTES
FINANCE COMMITTEE MEETING
6:00 P.M., NOVEMBER 4, 2019
A/V CONFERENCE ROOM

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:00 p.m., November 4, 2019, in the Audio/Visual Room in City Hall.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Brent Burton
Mary Beth Hoover
Will Laird
Shannon Snodgrass
Keeley Steele

I. DISCUSSION:

a. Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the October 21, 2019 meeting and that they be approved as distributed. There was no objection and the minutes were approved.

b. Report from Subcommittee on Local Vendor Preference.
Councilmember Laird reported that the Sub Committee met on three occasions. After consulting with various members of the Administration as well as evaluating similar policies across the nation, they arrived at their recommendation at the ceiling of \$5,000 that would apply to purchases over \$25,000, a 4% local vendor preference up to \$25,000, and a max of \$5,000 for purchases over \$125,000. Also of note, the definition of "local vendor" will include any business that pays B&O taxes to the City of Charleston.

II. RESOLUTIONS:

- a. Resolution No. 255-19 - Authorizing the Mayor or City Manager to sign Change Order No. 1 with Garcie R. Marker & Sons, Inc., in the amount of \$100,000.00, to repair approximately 4,500 square feet of additional concrete pavement on Court Street. The work includes approximately 115 cubic yards of Class K Portland Cement Concrete Pavement at \$815 per cubic yard and approximately 95 tons of aggregate base at \$65 per ton. The additional costs will increase the contract price from \$619,225.00 to \$719,225.00.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is hereby authorized to sign Change Order No. 1 with Garcie R. Marker & Sons, Inc., in the amount of \$100,000.00, to repair approximately 4,500 square feet of additional concrete pavement on Court Street. The work includes approximately 115 cubic yards of Class K Portland Cement Concrete Pavement at \$815 per cubic yard and approximately 95 tons of aggregate base at \$65 per ton. The additional costs will increase the contract price from \$619,225.00 to \$719,225.00.

City Engineer, Chris Knox, added that this addition will complete the block of area in front of the mall. Holiday traffic will not be impacted.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution 255-19 approved.



CHANGE ORDER NO.1

Council Approval of Contract:

July 1, 2019

Contractor:

Garcie R. Marker & Sons Inc.
1119 Jefferson Road
South Charleston, WV 25309

Description:

This change order will allow Garcie R. Marker & Sons, Inc. to repair approximately 4,500 ft² of additional concrete pavement on Court Street. The work includes approximately 115 yd³ of Class K Portland Cement Concrete Pavement at \$815/yd³ and approximately 95 TON of aggregate base at \$65/TON. The total amount of this change order is \$100,000.

Original Contract Price:	\$619,225.00
Total of this Change Order:	\$100,000.00
Total of previously approved Change Orders	\$ 0.00
Contract Price with all Approved Change Orders	\$719,225.00

Approved by:

Accepted by:

City of Charleston

Garcie R. Marker & Sons Inc.

Date

Date

- b. Resolution No. 256-19 - Authorizing the Finance Director to establish Agency Fund 902, *Coliseum & Convention Center Ticket Fund*, a custodial account that accounts for revenues received from ticket sales for events held at the Coliseum & Convention.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Finance Director is hereby authorized to establish Agency Fund 902, *Coliseum & Convention Center Ticket Fund*, a custodial account that accounts for revenues received from ticket sales for events held at the Coliseum & Convention.

City Manager, Jonathan Storage, added that for many years, Civic Center management has maintained a separate account at United Bank, known as the Ticket Account, which holds in trust the proceeds from ticketed events until after events are over. The account serves as a safekeeping location in case an event is unexpectedly canceled, and refunds must be issued. Once an event is over, funds from this account are used to pay promoters. The account does not run through the City's central accounting system and is generally un-trackable by the City Auditor's Office. Also, the account is not interest-bearing, losing out on an estimated \$25,000 a year in interest. He requested the Coliseum & Convention Center Board work with the City Treasurer to reevaluate the management of this account. The Treasurer, on the Board's behalf, determined that WesBanco provided the best option for the account. The account will be both interest-bearing and will run through the City's accounting system. The Board of Directors approve of the account switch during its October meeting.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution 256-19 approved.

- c. Resolution No. 257-19 - Authorizing the Finance Director to establish Agency Fund 903, *Coliseum & Convention Promotions Fund*, a custodial account that accounts for revenues received from customers for Coliseum & Convention Center sponsored and run events, and are subsequently dispersed and deposited to the *Coliseum & Convention Center Revenue Fund* after the events are over.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Finance Director is hereby authorized to establish Agency Fund 903, Coliseum & Convention Promotions Fund, a custodial account that accounts for revenues received from customers for Coliseum & Convention Center sponsored and run events, and are subsequently dispersed and deposited to the Coliseum & Convention Center Revenue Fund after the events are over.

Storage added that the promotions account deals with those events that are City/ Convention Center promoted, as opposed to a musical event or conference. This would include the Wedding Show, Home Show and Hunting and Fishing Show. The Board of Directors approve of the account switch during its October meeting.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution 257-19 approved.

- d. Resolution No. 259-19 - Authorizing the Finance Director to establish Agency Fund 903, *Coliseum & Convention Promotions Fund*, a custodial account that accounts for revenues received from customers for Coliseum & Convention Center sponsored and run events, and are subsequently dispersed and deposited to the *Coliseum & Convention Center Revenue Fund* after the events are over.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Finance Director is hereby authorized to establish Agency Fund 903, Coliseum & Convention Promotions Fund, a custodial account that accounts for revenues received from customers for Coliseum & Convention Center sponsored and run events, and are subsequently dispersed and deposited to the Coliseum & Convention Center Revenue Fund after the events are over.

Storage added the proposed budget amendment creates a new departmental budgetary unit to be known as the Office of Continent Services. The office will have two employees and will operate under the supervision of the Director of Strategy Management. The purpose of this office is to provide high-quality, responsive customer service to the many constituents and interested parties who interact with the City every day. This office will use a sophisticated computer system that will allow City staff to submit and track inquiries to appropriate departments for response and to follow-up when further responses are necessary. The budget amendment document shows the expected costs for the office only through the remainder of the current fiscal year, which ends June 30th. The funds to set up the office are proposed to come from the Mayor's Discretionary Fund. The Administration will provide for ongoing operating expenses in the Administration's budget proposal in March.

Mayor Goodwin added that there is currently no system in place to track complaints/problems received by any office. This will also help the Administration better plan the budget around the needs of the City.

Councilmember Steele confirmed that there will be an app associated with this, and that Councilmembers will be alerted when appropriate.

Councilmembers Snodgrass confirmed that citizens will be also to place calls.

Councilmember Jenkins confirmed Councilmembers would be able to log the calls/requests that they receive directly.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution 259-19 approved.

General Fund FY 2019-2020 Budget Amendment No. 4 - November 4, 2019

Account No.	Department	Account Description	Amount
001 409 00 000 5 568	Mayor's Office	Other Contributions	(80,000)
001 442 01 000 1 103	Constituent Services	Wages & Salaries	51,500
001 442 01 000 1 104	Constituent Services	FICA	3,940
001 442 01 000 1 105	Constituent Services	Medical & Life Insurance	18,180
001 442 01 001 1 106	Constituent Services	Retirement - PERS	5,150
001 442 01 000 1 111	Constituent Services	Dental & Vision	621
001 442 01 000 1 112	Constituent Services	Insurance - Payroll Deduction	(2,683)
001 442 01 000 2 219	Constituent Services	Building & Equipment Rents	1,000
001 442 01 001 2 221	Constituent Services	Training	500
001 442 01 000 2 226	Constituent Services	Insurance - WC & UC	1,292
001 442 01 000 3 341	Constituent Services	Material & Supplies	500

To establish a separate budget unit for the Constituent Services Office, including 2 positions (pay grade 109).

- e. Bill No. 7847 Committee Substitute - A BILL to amend the Municipal Code of the City of Charleston, as amended, by adding thereto two new sections in Chapter 2, Article VI, Division 4, Subdivision I, designated Sections 2-459 and 2-460 previously reserved for Division 3 of said Article VI; to amend and reenact Section 2-461; to repeal Section 2-462; to amend and reenact Sections 2-471 and 2-472; to repeal Section 2-473; to amend and reenact Sections 2-474, 2-475, 2-476, 2-479, and 2-480; and to amend said Code by adding thereto a new Subdivision III containing eight new sections in said Division 4, designated Sections 2-481, 2-482, 2-483, 2-484, 2-485, 2-486, 2-487, and 2-488, all relating to modernizing and clarifying the City of Charleston purchasing policies; defining terms; clarifying the policy of the City to attempt to procure commodities and services locally; authorizing the use of a robust solicitation process instead of newspaper advertisement; clarifying the handling of tie bids; explicitly requiring contracts for commodities and services to be in writing; updating the requirements for bid notices, bid submissions, deposits by bidders, the process for handling deposit forfeitures, and rejection of bids; creating and detailing a local vendor preference under certain conditions; specifying that contracts are not to be awarded to a bidder that is delinquent in a financial obligation to the city; detailing the time period during which city employees may not communicate with vendors; creating new policies related to change orders, contract cancellation, bid protests, use of other competitively-procured government contracts, and direct purchases; adopting the West Virginia Purchasing Division's impossible to bid list; and creating grounds and procedures related to debarment of potential bidders on city contracts.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, be amended by adding thereto two new sections in Chapter 2, Article VI, Division 4, Subdivision I, designated Sections 2-459 and 2-460 previously reserved for Division 3 of said Article VI; that Section 2-461 of said code be amended and reenacted; that Section 2-462 of said code be repealed; that Sections 2-471 and 2-472 of said code be amended and reenacted; that Section 2-473 of said code be repealed; that Sections 2-474, 2-475, 2-476, 2-479, and 2-480 of said code be amended and reenacted; and that said Code be amended by adding thereto a new Subdivision III containing eight new sections in said Division 4, designated Sections 2-481, 2-482, 2-483, 2-484, 2-485, 2-486, 2-487, and 2-488, all to read as follows.

Chapter 2. – ADMINISTRATION.

ARTICLE VI. – FINANCE.

DIVISION 4. – CONTRACTS AND PURCHASES.

Subdivision I. – In General.

Sec. 2- 459 – Definitions.

As used in this division, unless the context clearly requires a different meaning:

- (1) "City manager" means the City Manager of the City of Charleston or his or her designee, such as the city's purchasing director.
- (2) "Commodities" means supplies, material, equipment and any other articles or things used by or furnished to the city.
- (3) "Contract" means an agreement between the city and a vendor relating to the procurement of commodities or services, or both.
- (4) "Debarment" means the exclusion of a vendor from the right to bid on contracts to sell goods or supply services to the city for a specified period of time.
- (5) "Debarred Vendor" means any vendor debarred by the West Virginia Purchasing Division pursuant to W. Va. Code § 5A-3-33e or debarred by the city, which results in the city's inability to solicit offers from, award contract to, or consent to subcontract with the vendor during the debarment period.
- (6) "Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval and reproduction of information by the recipient.
- (7) "Final offer" means a tie-breaking bid submitted subsequent to a bid opening where the apparent lowest bidder and apparent second-lowest bidder submit tied initial bids.
- (8) "Impossible to Bid List" means a list adopted by the city of commodities or services that are not possible to submit for competitive bid.
- (9) "Local Vendor" means a responsible vendor who has an active and current business and occupation tax account on file with the city collector for the duration of a period of one year preceding the date on which an applicable bid opening occurs.
- (10) "Lowest responsible bidder" means a responsible bidder who has submitted the lowest priced bid and who did not materially deviate from the mandatory terms and conditions contained in the solicitation.
- (11) "Responsible bidder" means a bidder who has the capability to fully perform the contract requirements and the integrity and reliability which will assure good-faith performance.
- (12) "Non-responsible bid" means a bid that fails to conform to the solicitation in all material respects.
- (13) "Non-responsible bidder" means a bidder not having the capability to fully perform the contract requirements and lacking the integrity and reliability which will assure good-faith performance.
- (14) "Services" means the furnishing of labor, time, expertise or effort, not involving the delivery of a specific end commodity or product other than one that may be incidental to the required performance.
- (15) "Vendor" means any person or entity that may, through contract or other means, supply the city with commodities or services.

Sec. 2-460. - City manager to purchase all commodities and services.

It shall be the duty of the city manager to supervise the purchase of all commodities and services necessary for the city or for the departments of city government.

Sec. 2-461. – Purchase of ~~supplies and materials~~ commodities and services.

(a) All ~~supplies and materials~~ commodities and services for the various departments of the city government, not exceeding at any one time the sum of \$25,000.00, shall be purchased by the city manager, and every reasonable precaution shall be taken to procure the ~~supplies and materials~~ commodities and services at the very lowest price possible consistent with good service and quality. The city manager is encouraged to first attempt to procure commodities and services from responsible vendors within city limits before contracting with vendors principally operating outside of city limits. All such purchases shall be made upon requisition signed by the officer in charge of the department for which the ~~supplies and materials~~ commodities or services are needed and filed with the city manager. City department employees who receive deliveries from vendors are responsible for inspecting the commodities and services upon delivery to ensure that purchases meet contractual requirements and are responsible for maintaining records of receipt. ~~who shall thereupon direct his/her order to the person from whom it is proposed to purchase the supplies or materials, requiring him/her to deliver the supplies to the person in charge of the department for which ordered, and the supplier shall make out his bill at the contract price, on a blank form attached to order and furnished therewith by the manager, and shall send the bill with the goods to the officer in charge of the department for which they were ordered; and it shall be the duty of the officer to examine the goods delivered and the quantity thereof; and if he/she finds the quantity to be as stated in the order and the quality first class or of the grade ordered, he/she shall endorse the bill with a statement that the goods have been received and the quantity and quality found to be correct and shall return the bill and the order upon which it was furnished to the merchant or person making the same, who shall file it with the city manager for approval and authorization for payment. If found incorrect, or if the quality be found below the standard and grade ordered, the officer in charge shall refuse to accept the goods and shall notify the manager to that effect, and the person furnishing the goods shall be notified by the officer in charge of the department that the goods can only remain where delivered at the risk of the person delivering.~~

(b) The purchase of ~~supplies and materials~~ commodities and services for the various departments of the city government exceeding at any one time the sum of \$25,000.00 shall be approved by the city council, and thereupon the provisions of subsection (a) of this section shall become applicable.

(c) Nothing in this article shall be construed to preclude the purchase by the city of ~~materials, supplies and equipment~~ commodities and services by agreement between the city and state director of the ~~division of purchases of the department of finance and administration~~ West Virginia Purchasing Division, as provided in West Virginia Code § 8-12-10(a).

(d) Nothing in this article shall preclude the city manager from purchasing ~~supplies and materials~~ commodities and services without receiving approval from city council where, in the judgment of the city manager, the failure to immediately purchase ~~supplies and materials~~ the commodities or services, prior to securing council approval, would result

in a condition of extreme peril resulting in substantial damages or injury to persons or property within this city, whether such occurrence is caused by an act of God, nature or man, including an enemy of the United States.

(e) No contract may be authorized to any business or individual that is delinquent in any financial obligation to the city or is not operating with all required licenses and permits.

~~Sec. 2-462. City manager to purchase all supplies and materials.~~

~~It shall be the duty of the city manager to supervise the purchase of all supplies and materials necessary for the use of the city or for any and all departments of the city government.~~

Subdivision II. - Bids

Sec. 2-471. - When advertising for bids required; publication of advertisement, time for opening of bids; ~~letting of contracts~~ breaking of ties; contracts to be in writing.

(a) Whenever any contract is proposed to be entered into by the city involving the expenditure of more than \$25,000.00, except where such contract involves the rendering of professional services or where such contract is for ~~materials and supplies commodities and services~~ as referenced in Section 2-461, the city manager shall publish ~~an advertisement~~ a solicitation calling for bids ~~for this work~~, unless it is decided to do this work with city personnel or others employed by the city for such purposes. The time for opening such bids shall not be less than ten days from the date of the first publication of the advertisement solicitation. The advertisement solicitation shall be advertised through city websites and may also be advertised in newspapers, newsletters, trade journals, mass emailing, or any other media the city manager considers advisable. ~~shall be printed once a week for two successive weeks in two newspapers of opposite politics, and of general circulation and published in the city, preceding the time of opening the bids.~~

(b) ~~The council shall reserve the right to reject any and all bids, but the contract, if let, must be let to the lowest responsible bidder. When tie bids are received, the city manager may break the tie by allowing the vendors to make a final offer according to procedures adopted by the city manager.~~

(c) All contracts for the purchase of commodities and services must be in writing.

(d) ~~No contract shall be awarded to any bidder that is delinquent in any financial obligation to the city or is not operating with all required licenses and permits; Provided, that nothing herein~~ Nothing in this article is to affect effect the procurement procedures for design build projects ~~which are governed by West Virginia Code §5-22A-1 et seq. and Section 3-16 of this code~~, the procurement procedures for construction contracts governed by West Virginia Code §5-22-1 et seq., or the procurement procedures for architectural or engineering services ~~which are governed by West Virginia Code § 5G-1-1 et seq. and Section 3-15 of this code.~~

~~(b)~~ (e) Nothing in this article shall preclude the city manager from entering into

contracts without first advertising for bids and receiving council approval where, in the judgment of the city manager, the failure to immediately enter into a contract, would result in a condition of extreme peril resulting in substantial damages or injury to persons or property within this city, whether such occurrence is caused by an act of God, nature or man, including an enemy of the United States.

Sec. 2-472. - Contents of ~~advertisements~~ solicitation for bids.

Notice to bidders shall state:

- (1) The nature of the work;
- (2) The place where the plans and specifications and forms of contract may be seen;
- (3) The amount of cash or bond to be deposited with the city treasurer or city manager, as may be required;
- (4) The city's local vendor preference guidelines;
- ~~(4)~~ (5) The time up to which the bids shall be received and the hour and place of ~~opening the bids~~ bid opening; and
- ~~(5)~~ (6) The right of the city council or the city manager to reject any and all bids;
- (7) That debarred vendors may not submit bids or be awarded contracts;
- (8) That bidders have a right to file a bid protest; and
- (9) That the city is exempt from state and local taxes.

~~Sec. 2-473. - Additional invitations and advertising soliciting bids.~~

~~Nothing in section 2-471 shall preclude the city council from directing that invitations to bid shall also be given to contractors in other localities believed to be qualified to perform the work sought to be performed, or from causing additional advertisements from being published in other localities; however, all such invitations and advertisements shall conform to the requirements of section 2-472, and no prospective bidder shall be given any information not given to all other prospective bidders.~~

Sec. 2-474. - Submission of bids.

Bids must be submitted in accordance with the procedures established by the city manager. The city manager is authorized, but is not required, to accept bids by electronic transmission with the use of suitable computer software programs or systems approved by the city manager.

~~Each bid for work under this division shall be made upon a blank form to be furnished by the city manager and shall be placed in a sealed envelope addressed to the manager and endorsed "Proposals for _____." Each bid shall be signed by the bidder or by an authorized officer or agent where the bid is by a firm or corporation. The bid shall not be opened before the time and hour fixed in the notice.~~

Sec. 2-475. - Deposits by bidders.

The city manager shall determine the applicability and amount of bonds or deposits required of a vendor at any time, if, it is judged that security is necessary to safeguard the city from undue risk. The city manager may require the vendor to submit a certified check, certificate of deposit, performance bond, litigation bond, or any other security acceptable to the city manager, payable to the City of Charleston. Neither personal checks nor company checks are acceptable. Vendors can request that bonds or other security be returned after the purpose for which the bond was provided has been fulfilled. Upon confirmation from the city department or other relevant party that the bond or security in question has fully served its purpose, the city manager may return the bond or security.

~~(a) The amount of the cash or bond deposited shall be equal to five percent of the total cost of the work as estimated by the city manager; however, no deposit shall be less than \$25.00.~~

~~(b) The deposit so made shall be conditioned that the successful bidder shall enter into a written contract to do the work bid for according to the terms of his bid and shall furnish approved security within ten days after the award has been made and the successful bidder notified.~~

Sec. 2-476. - When bidder's deposit forfeited.

If any bidder to whom a contract shall have been awarded fails to enter into a contract and to furnish approved security within the time specified, his deposit shall be forfeited to the city. and the The city manager may advertise for new bids or may contract with the next lowest responsible bidder, so long as such vendor honors the price submitted in its bid.

Sec. 2-479. - Rejection of bids.

The city manager must reject a bid that is found to be non-responsible. The city manager may waive minor irregularities in bids or specifications when the city manager determines such action to be appropriate.

~~If in any bid blanks are not properly filled up so as to make the bid complete and without an ambiguity as to its intent and meaning, or if a bid has any alteration or erasure upon it, or if it is not properly signed, or if the certificate of deposit has not been enclosed with the bid as provided, the bid shall be rejected.~~

Sec. 2-480. - Action upon bids; bid evaluation; local vendor preference; award of contract; authority to reject all bids.

(a) Upon the opening and consideration of all bids by the city manager, he shall submit them to the city council, together with his calculations and recommendations, to the

city council for appropriate action with respect to awarding the contract.

(b) A local vendor may qualify for a competitive advantage applied to its bid when the following conditions are met:

(1) The vendor has marked on its bid submission that it is requesting to be considered a local vendor for bid evaluation purposes;

(2) The vendor provides documentation evidencing that it has the right to conduct business in the State of West Virginia; and

(3) The vendor submits an affidavit confirming that it has paid all applicable business taxes to the city or has a non-delinquent payment plan with the city and has had an active and current business and occupation tax account with the city collector during the entire preceding one-year period.

(c) Competitive advantages shall be applied in the following manner:

(1) A competitive advantage of 4% shall be applied to the local vendor's bid when, prior to applying the competitive advantage, the apparent lowest responsible bidder submits a bid that is greater than \$25,000 but does not exceed \$125,000.

(2) The competitive advantage of \$5,000 shall be applied to the local vendor's bid when, prior to applying the competitive advantage, the apparent lowest responsible bidder submits a bid that is greater than \$125,000.

(d) In evaluating bids, the city manager shall apply the applicable competitive advantage to a qualifying local vendor by deducting the value of the competitive advantage from the local vendor's net total bid amount. The resulting amount will be used in evaluating the bids to determine the lowest responsible bidder.

(e) The contract, if awarded, must be awarded to the lowest responsible bidder. Provided; that no contract shall be awarded to any bidder that is delinquent in any financial obligation to the city or is not operating with all required licenses and permits.

(f) From the time a solicitation is advertised until an award is made, no city employee may communicate with vendors about a solicitation or any component thereof without prior approval from the city manager. All communication regarding a solicitation must be directed to the city manager until an award has been made. Nothing in this subsection, however, shall prevent city employees from communicating with a vendor about existing contracts or other matters unrelated to a pending solicitation.

(g) The council or the city manager shall have the authority to reject all bids.

Subdivision III. - Administrative.

Sec. 2-481. – Change Orders.

The city manager has the authority and responsibility to review contract change orders just as he or she has authority and responsibility for review and approval of the original contract. Any city department desiring to make a change to a contract must submit a request for the contract change to the city manager for review. City departments must not permit vendors to perform work that is the subject of a change order request until the change order has been approved by the city manager.

Sec. 2-482. – Contract Cancellation.

(a) The city manager may cancel a purchase or contract immediately under any one of the following conditions including, but not limited to:

(1) The vendor agrees to the cancellation;

(2) The vendor has obtained the contract by fraud, collusion, conspiracy, or is in conflict with any statutory or constitutional provision of the State of West Virginia;

(3) Failure to honor any contractual term or condition or to honor standard commercial practices;

(4) The existence of an organizational conflict of interest is identified;

(5) Funds are not appropriated or an appropriation is discontinued by the council for the acquisition;

(6) Violation of any federal, state, or local law, regulation, or ordinance, and

(7) The contract was awarded in error.

(b) The city manager may cancel a purchase or contract for any reason or no reason, upon providing the vendor with 30 days' notice of the cancellation.

Sec. 2-483 – Protests.

(a) Protest of a purchase or contract award may be submitted no later than seven calendar days after the council approves of the award following a formal solicitation and bid opening process administered by the city. When the due date for the protest submission falls on a legal holiday, the protest must be received during the next business day. The vendor is responsible for knowing the bid opening and award dates. Protests received late may be rejected at the option of the city manager.

(b) All protests must be submitted in writing to the city manager and contain the following information:

(1) The name and address of the protestor;

(2) The solicitation number;

(3) A statement of the grounds of protest;

(4) Supporting documentation, if necessary; and

(5) The resolution or relief sought.

(c) Failure to submit this information shall be grounds for rejection of the protest by the city manager.

(d) The city manager shall review the matter of protest and issue a written decision. A hearing may be conducted at the option of the city manager. Continuation or delay of a contract award is at the discretion of the city manager.

(e) The decision of the city manager is final and is not appealable.

(f) The city manager may refuse to review any protests when the matter involved is the subject of litigation before a court of competent jurisdiction; if the merits have previously been decided by a court of competent jurisdiction; or if it has been decided by the city manager in a previous protest.

Sec. 2-484 – Use of Other Competitively-Procured Government Contracts.

Notwithstanding any provision of this code to the contrary, the city manager may purchase commodities or services without advertising a city solicitation and receiving bids when a responsible vendor has been awarded a contract with a federal or State of West Virginia governmental entity through a competitive selection process. Provided; that for purchases of commodities or services exceeding \$25,000 in value, the purchase must be approved by council.

Sec. 2-485 – Impossible to Bid List.

Notwithstanding any provision of this code to the contrary, the city adopts the West Virginia Purchasing Division's list of commodities and services that are not possible to submit for competitive bid, as identified in the agency's Procedures Handbook, which may be amended from time to time. The city manager may contract directly with a responsible vendor who supplies commodities or services identified on the Impossible to Bid List. Council approval is required when the contract will exceed \$25,000. Provided; that the city attorney, with the consent of the city manager, may contract directly with an attorney, law firm, expert witness, or legal consultant considered necessary and suitable in pursuing and defending the city's interests without first seeking council approval.

Sec. 2-486 – Direct Purchases.

Notwithstanding any provision of this code to the contrary, the council may approve by resolution to forego these bidding requirements and contract directly with a responsible vendor when, in the council's sound judgment, it is in the city's best interest to procure certain commodities or services directly from the identified responsible vendor: Provided, That this section does not apply to the procurement of construction contracts, which are governed by W. Va. Code § 5-22-1, or contracts for architectural or engineering services, which are governed by W. Va. Code § 5G-1-1 et seq. and Section 3-15 of this code. Provided further; that this section does not apply when federal statutes or regulations require the city to follow a competitive selection process to apply for or administer federal grants or aid.

Sec. 2-487 – Grounds for Debarment.

(a) Grounds for debarment are:

- (1) Conviction of an offense involving fraud or a felony offense related to obtaining or attempting to obtain a public contract or subcontract;
- (2) Conviction of any federal or state antitrust statute relating to the submission of offers; such as price fixing, bid rigging, and market allocation schemes;
- (3) Conviction of an offense involving embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property related to the performance of a contract;

(4) Conviction of a felony offense demonstrating a lack of business integrity or business honesty that affects the present responsibility of the vendor or subcontractor;

(5) Violation of the terms of a public contract or subcontract for:

(A) Willful failure to substantially perform in accordance with the terms of one or more public contracts;

(B) Performance in violation of standards established by law or generally accepted standards of the trade or profession amounting to intentionally deficient or grossly negligent performance on one or more public contracts;

(C) Use of substandard materials on one or more public contracts or defects in construction in one or more public construction projects amounting to intentionally deficient or grossly negligent performance, even if discovery of the defect is subsequent to acceptance of a construction project and expiration of any warranty thereunder; or

(D) A repeated pattern or practice of failure to perform so serious and compelling as to justify debarment; or

(6) Any other cause of a serious and compelling nature amounting to knowing and willful misconduct of the vendor that demonstrates a wanton indifference to the interests of the public and that caused, or that had a substantial likelihood of causing, serious harm to the public.

(b) For the purposes of this section, the term "conviction" includes, but may not be limited to, the entering of a deferred prosecution agreement or a plea of guilty or nolo contendere, including pleading to a lesser or related offense in exchange for some form of prosecutorial leniency.

(c) Pursuant to W. Va. Code § 5A-3-33f, vendors debarred by the West Virginia Purchasing Division are automatically debarred by the city and may not be awarded contracts.

Sec. 2-488. - Debarment Procedures.

(a) The city manager shall notify the vendor by certified mail of the following:

(1) The reasons for the proposed debarment in sufficient detail to put the vendor on notice of the conduct or transactions upon which the proposed debarment is based;

(2) The causes relied upon for the proposed debarment;

(3) That within thirty calendar days after receipt of the notice, the vendor may submit in writing information and argument in opposition to the proposed debarment;

(4) The procedures governing debarment decision-making; and

(5) The potential effect of the proposed debarment.

(b) The city manager may hold a hearing if the vendor contests the debarment. In any debarment decision, the city manager shall make a specific finding, based on the substantial record, whether the public interest requires that the debarment decision extend to all commodities and services of the vendor, or whether the public interest allows the debarment decision to be limited to specific commodities or services.

(c) In any debarment decision, the city manager shall specify the length of the debarment period. The debarment period must be for the period of time that the city manager finds necessary and proper to protect the public from a non-responsible

vendor.

(d) Proof of grounds for debarment must be clear and convincing.

(e) The debarment decision of the city manager is appealable to the Circuit Court of Kanawha County, West Virginia, within 30 calendar days of receiving the decision, and the appeal will be governed by the procedure established in W. Va. Code § 29A-5-4.

Storage added that the bill is intended to both modernize the purchasing ordinance while also filling in procedural gaps that are currently not addressed in City Code. The spending thresholds stay the same as it relates to Council approval. It clarifies that the code does apply to services, not just materials and supplies, and encourages the City Manager to first attempt to procure commodities and services from responsible vendors within city limits when the \$25,000 threshold does not apply. It includes the authorization to advertise and receive bids electronically. Advertising must be done through City Website, but may also be done through: Newspapers, newsletters, trade journals, mass emailing or any other media considered advisable. The bill addresses tied bid scenarios, what happens with a bid bond is forfeited and allows the City Manager to contract with the second-lowest responsible bidder. It also specifically addresses waiver of minor irregularities in bid submissions. The bill establishes local preference based on taxpayer status/account status;

- Must indicate that vendor is seeking consideration as a local vendor
- Evidence vendor is registered with WV Secretary of State
- Affidavit confirming all applicable taxes to the city have been paid or has a non-delinquent payment plan set up with the City Collector.
- Must have had an active and current B&O tax account for entire one-year period preceding the bid opening.
- 4% advantage for greater than \$25,000 to \$125,000
- \$5,000 for anything over \$125,000

There is a blackout period during which city employees cannot communicate with vendors about a solicitation and bid evaluation process. It codifies the City's right to cancel contracts, the bid protest procedure and the ability to piggyback off of all federal and state governmental entity contracts when they are sourced through competitive bid selection. Additionally, it codifies the debarment process.

Councilmember Jenkins added that the Committee Substitute adds language in Sec. 471 saying construction contracts are governed by State code.

City Treasurer, Vic Grigoraci, in reference to lines 278-281, stated that those lines modified other sections relating to the competitive advantage of local bidders. He added that it should be clear it covers City Service Fees, Municipal Fees, etc. Storage responded that because the definition of a local vendor is tied to B&O taxes. The bill also states in at least two other sections that a contract cannot go to a delinquent bidder in any financial obligation to the City.

Grigoraci also suggested that “city” be added before “manger” to line 293 to be cohesive with the rest of the document.

Councilmember Reishman moved to approve the Resolution with the added amendment on line 293. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Bill No. 7847 Committee Substitute approved.

Councilmember Reishman motioned to adjourn the meeting.

Meeting adjourned.

Resolution No. 260-19

Introduced in Council

Passed by Council

November 18, 2019

Introduced by
Joseph Jenkins

Referred to:
Finance

1 Resolution No. 260-19 - Authorizing the Mayor or City Manager to enter into one or
2 more agreements for the purchase of E-10 Gasoline and Diesel Fuel through bids to be
3 received by the Kanawha Valley Regional Transportation Authority on November 20,
4 2019. The bid prices for E-10 Gasoline and Diesel Fuel shall remain in effect for a 24-
5 hour period following the bid opening; therefore, the Mayor or City Manager is
6 authorized to exercise discretion in accepting or rejecting such bid proposals as he or
7 she determine to be in the best interest of the City and to report same to the Finance
8 Committee and Council at the next scheduled meeting.

9

10 Be it Resolved by the Council of the City of Charleston, West Virginia:

11

12 The Mayor or City Manager is authorized to enter into one or more agreements for the
13 purchase of E-10 Gasoline and Diesel Fuel through bids to be received by the Kanawha
14 Valley Regional Transportation Authority on November 20, 2019. The bid prices for E-10
15 Gasoline and Diesel Fuel shall remain in effect for a 24-hour period following the bid
16 opening; therefore, the Mayor or City Manager is authorized to exercise discretion in
17 accepting or rejecting such bid proposals as he or she determine to be in the best
18 interest of the City and to report same to the Finance Committee and Council at the
19 next scheduled meeting.

Resolution No. 261-19

Introduced in Council

Passed by Council

November 18, 2019

Introduced by
Joseph Jenkins

Referred to:
Finance

1 Resolution No. 261-19 - Authorizing the Mayor or City Manager to enter into an
2 agreement with Urban Design Ventures for Community Development Planning
3 Consulting Services in the amount of \$31,900.00. The consultant was selected through a
4 competitive bidding process. The consultant will provide planning and implementation
5 services for the Preparation of the Fiscal Year 2020 Annual Action Plan and the Fiscal
6 Year 2020-2024 Five-Year Consolidated Plan and Strategy for the CDBG and HOME
7 Programs

8

9 Be it Resolved by the Council of the City of Charleston, West Virginia:

10

11 The Mayor or City Manager is hereby authorized to enter into an agreement with Urban
12 Design Ventures for Community Development Planning Consulting Services in the
13 amount of \$31,900.00. The consultant was selected through a competitive bidding
14 process. The consultant will provide planning and implementation services for the
15 Preparation of the Fiscal Year 2020 Annual Action Plan and the Fiscal Year 2020-2024
16 Five-Year Consolidated Plan and Strategy for the CDBG and HOME Programs.

17

Community Development Planning Consulting Services - MOECD
 Bid Opening - November 1, 2019 @ 11:00am

		Urban Design Ventures 212 East 7th Avenue Homestead, PA 15120 (412) 461-6916 karl@urbandesignventures.com	TDA Constulting, Inc. 131 Atkinson Street, Suite B Laurinburg, NC 28352 (910) 277-1275 Droberts@tdainc.org
Consulting Services Total		\$31,900.00	\$57,447.87
Project Completion		June 2020	May 2020
Total Bid		\$31,900.00	\$57,447.87

The selection process was based on a scoring system ranked by 4 evaluators, see below for the Rubric.

		Urban Design Ventures	TDA
Experience of Consultant and project team with similar projects	0 - 160 points	160	130
Total project cost, rate schedule and appropriateness of cost allocation among tasks	0 - 100 points	95	50
Completeness of the proposal and work plan and the extent that the objectives meet the project's requirements and outcomes	0-100 points	100	100
Previous experience with work in the City of Charleston	0-20 points	20	0
Minority/women participation	0-20 points	0	20
Total Points	400 maxium points	375	300
Average score		93.75%	75%

Resolution No. 262-19

Introduced in Council:

November 18, 2019

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 262-19 - Authorizing the Finance Director to amend the 2019 Community Development Block Grant budget as indicated on the accounts listed below.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Finance Director is hereby authorized and directed to amend the 2019 Community Development Block Grant budget as indicated on the accounts listed below:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/(DECREASE)</u>
009-019-00-199-0-999	Unprogrammed Funds	\$14,000.00 Decrease
009-019-00-011-0-999	Kanawha Valley Collective Outreach	\$14,000.00 Increase

MOECD proposes to allocate CDBG funds to the Kanawha Valley Collective for outreach expenses (Birth certificates, ID's and bus tickets for those experiencing homelessness.) The funds will come from unprogrammed funds.

Resolution No. 263-19

Introduced in Council:

Adopted by Council:

November 18, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 263-19 - A Resolution authorizing the Mayor or City Manager to purchase
2 fifteen 2020 Ford Police Interceptor Utility Vehicles with All Wheel Drive from Thornhill Ford
3 Lincoln, 119 North 500 Ford Fairlane, Chapmanville, WV, which has been awarded a state
4 contract for law enforcement vehicles through a competitive agency procurement with the
5 West Virginia State Police. Thornhill Ford Lincoln has agreed to honor the state contract pricing
6 for the City of Charleston. The price per vehicle is \$35,903, and the total purchase price is
7 \$538,545.00. The purchased vehicles will replace current vehicles in the police fleet according
8 to a standard replacement cycle. The expense will be charged to Account No. 001-976-00-700-
9 4-459, Public Safety Capital Outlay.

10

11 Be it Resolved by the Council of the City of Charleston, West Virginia:

12

13 The Mayor or City Manager is authorized to purchase fifteen 2020 Ford Police Interceptor
14 Utility Vehicles with All Wheel Drive from Thornhill Ford Lincoln, 119 North 500 Ford Fairlane,
15 Chapmanville, WV, which has been awarded a state contract for law enforcement vehicles
16 through a competitive agency procurement with the West Virginia State Police. Thornhill Ford
17 Lincoln has agreed to honor the state contract pricing for the City of Charleston. The price per
18 vehicle is \$35,903, and the total purchase price is \$538,545.00. The purchased vehicles will
19 replace current vehicles in the police fleet according to a standard replacement cycle. The
20 expense will be charged to Account No. 001-976-00-700-4-459, Public Safety Capital Outlay.

21

Resolution No. 264-19

Introduced in Council:

Adopted by Council:

November 18, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 264-19 – Authorizing the Mayor or City Manager to purchase 133 Dell computers for a total cost of \$107,961.84, with 115 computers to be purchased for various executive departments, 3 computers to be purchased for the Coliseum & Convention Center, 11 computers to be purchased for the Metropolitan Drug Enforcement Network, and 4 computers to be purchased for the Parking System. The computer purchases will be made pursuant to a competitively procured state-wide contract in place with the West Virginia Purchasing Division and available for use by municipalities.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager are authorized to purchase 133 Dell computers for a total cost of \$107,961.84, with 115 computers to be purchased for various executive departments, 3 computers to be purchased for the Coliseum & Convention Center, 11 computers to be purchased for the Metropolitan Drug Enforcement Network, and 4 computers to be purchased for the Parking System. The computer purchases will be made through to a competitively procured state-wide contract in place with the West Virginia Purchasing Division and available for use by municipalities.

Resolution No. 265-19

Introduced in Council:

Adopted by Council:

November 18, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 265-19 – Authorizing “Citizen Appreciation Parking” for November 30, 2019,
2 December 7, 2019, December 14, 2019, December 21, 2019, December 28, 2019, and January
3 4, 2020. “Citizen Appreciation Parking” shall include the waiving of hourly parking fees at all
4 metered on-street parking spaces. The parking revenue losses will amount to approximately
5 \$1,700 per Saturday.

6

7 Be it Resolved by the Council of the City of Charleston, West Virginia:

8

9 That “Citizen Appreciation Parking” is authorized for November 30, 2019, December 7, 2019,
10 December 14, 2019, December 21, 2019, December 28, 2019, and January 4, 2020. “Citizen
11 Appreciation Parking” shall include the waiving of hourly parking fees at all metered on-street
12 parking spaces. The parking revenue losses will amount to approximately \$1,700 per Saturday.

13

Resolution No. 266-19

Introduced in Council:

Adopted by Council:

November 18, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 266-19 – Authorizing the Chairperson of the Coliseum & Convention Center /
2 Municipal Auditorium Board or the City Manager to enter into an agreement with SearchWide
3 Global to conduct a national search for high-quality candidates to fill the position of General
4 Manager of the Coliseum & Convention Center / Municipal Auditorium. The Board of Directors
5 for the Coliseum & Convention Center / Municipal Auditorium voted to recommend the
6 proposed agreement with SearchWide Global to City Council after seeking service and cost
7 information from numerous companies operating within the executive search industry. The
8 Board found that the overall service, expertise, and experience of SearchWide Global was
9 superior to its competitors. The company's professional fee is \$37,500, excluding costs for
10 candidate travel, lodging, and meals.

11
12 Be it Resolved by the Council of the City of Charleston, West Virginia:

13
14 The Chairperson of the Coliseum & Convention Center / Municipal Auditorium Board or the
15 City Manager is authorized to enter into an agreement with SearchWide Global to conduct a
16 national search for high-quality candidates to fill the position of General Manager of the
17 Coliseum & Convention Center / Municipal Auditorium. The Board of Directors for the
18 Coliseum & Convention Center / Municipal Auditorium voted to recommend the proposed
19 agreement with SearchWide Global to City Council after seeking service and cost information
20 from numerous companies operating within the executive search industry. The Board found
21 that the overall service, expertise, and experience of SearchWide Global was superior to its
22 competitors. The approved fee is \$37,500, and SearchWide Global is entitled to reasonable
23 out-of-pocket travel, lodging, and meal costs for prospective candidates after receiving pre-
24 approval from the Chairperson of the Board or the City Manager. The total cost of this
25 agreement shall not exceed \$45,000. The expenses for this agreement will be charged to
26 Account No. 001-412-00-000-2-223.

Charleston Coliseum & Convention Center

EXECUTIVE DIRECTOR

Executive Search Proposal

November 12, 2019



SearchWide Global

SearchWideGlobal.com

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Contact

Recruiter:

Mark Gnatovic
Executive Vice President
817-251-9118 Office
817-789-9879 Mobile

[Email](#)

Office Locations:

Phoenix, Arizona
Washington, DC
St. Paul, Minnesota
New York, New York
Cincinnati, Ohio
Dallas, Texas

Years in Business: 20

ABOUT SEARCHWIDE GLOBAL

Dear Carrie,

Thank you for allowing us to submit our information as a solution for the Charleston Coliseum and Convention Center to complete the search for your next Executive Director.

SearchWide Global is a full-service executive search firm primarily for companies in the convention, tradeshow and greater hospitality industry. We specialize in C-Level and Director level executive searches for companies ranging in size from Fortune 500 corporations to mid-sized public and private companies and associations. We have placed several positions similar to this including the Cam-Plex Complex in Wyoming to the Orlando Convention Center (OCCC) and the Fox Theater Atlanta to the Tacoma Dome and many in-between.

Our team is comprised of the best and the brightest in the industry. The tenure of our associates and depth of our credentials, experiences, and relationships enables us to deliver excellent results in a timely manner. Our focus is to deliver exceptional service, with flexibility, at a pace set by the companies we serve.

SearchWide Global values workplace diversity and focuses on the differences and similarities that people can bring to an organization or culture within that organization. Diversity has many dimensions which influence the identities and perspectives that people bring, such as profession, education, parental status, geographic location, disability, ethnicity, race, and gender. We strive to be inclusive of everyone throughout our prospecting phase.

Founded in 1999, we have remained focused on our core values for more than two decades: INTEGRITY, ETHICS, PASSION and RESPECT. By combining the best search practices and adapting to the needs and culture of your company, we are able to focus on adding value to the team and the community. Our proven ability to connect clients with exceptional candidates is the trademark of our work. We are able to serve our clients effectively and efficiently by staying closely connected to the most talented people in the hospitality industry.

Carrie, we're looking forward to working with you!

Mark Gnatovic
Executive Vice President

Core Values

Integrity



Ethics



Passion



Respect



OUR SIGNATURE PROCESS

We are committed to provide extraordinary services every step of the way by offering unique deliverables tailored to fit your needs while creating bench strength within your organization. Additional details about our approach and the [search process](#) is as follows:

NEEDS ASSESSMENT INTERVIEWS

WEEK 1

Prior to beginning the search, we will complete a detailed needs assessment in order to fully understand the role that the new executive will be expected to play. This includes phone and/or face-to-face meetings with key stakeholders and staff, a detailed list to be established by the committee and SearchWide Global.

DEVELOP POSITION DESCRIPTION AND MARKETING PLAN

WEEK 1

After the Needs Assessment, we will create a detailed position description / organization overview, incorporating your current job description and building it out some to a total revision. This position description will also act as an important sales and marketing tool. This will require final approval by the search committee.

PROSPECTING AND QUALIFYING CANDIDATES

WEEK 2 - WEEK 6

SearchWide Global takes a targeted approach to marketing the position and sourcing candidates. We use our strong relationships (inside and outside the industry), solid processes, a robust database, and industry expertise to provide your organization with only the best and brightest candidates. Weekly updates will be provided on candidate activity.

REVIEW CANDIDATE LIST WITH SEARCH COMMITTEE

WEEK 7

A summary of the top 5 to 7 candidates will be available to review on our secure web portal. We will review this list with the committee, face to face, in order to select the top 4 to 5 candidates for the committee to interview.

BACKGROUND AND REFERENCE CHECKS AND DISC TESTING

WEEK 8 - WEEK 9

Once we have all agreed on the 4 to 5 finalists and they have been thoroughly interviewed by SearchWide Global, we will complete the following steps:

1. Check references. We will talk to two previous supervisors, two previous direct reports, and two additional professional references.
2. Conduct a background check that covers federal, county and state criminal history, pre-employment credit, and driving and education verification.
3. Have candidates complete the DiSC profile assessment.

Core Values

Integrity



Ethics



Passion



Respect



OUR SIGNATURE PROCESS *CONTINUED*

FINAL CANDIDATE INFORMATION DELIVERED

WEEK 9

To prepare for the final interviews, the collected background data, references, resume, and DiSC profile for each finalist will be available to review on our secure web portal using your own computer, mobile phone, or tablet. As a secondary option, we will provide an iPad to those who prefer an alternative device to review the candidate information.

SEARCH COMMITTEE INTERVIEWS

WEEK 10

SearchWide Global will coordinate and facilitate all of the logistics for these face to face interviews. If five candidates will be interviewed, a suggested format might be as follows:

Day 1:

11:00am - 12:00pm	Lunch and Pre-Meeting
12:00pm - 1:30pm	Candidate 1
1:45pm - 3:15pm	Candidate 2
3:30pm - 5:00pm	Candidate 3

Day 2:

8:00am - 9:30am	Candidate 4
9:45am - 11:15am	Candidate 5
11:30am	Wrap up Meeting

SECOND INTERVIEWS

This will be for the finalist(s) and should include a meal with the committee. We would recommend inviting significant others for this second interview. This is also an appropriate time to include other stakeholders in the process.

OFFER AND NEGOTIATION

SearchWide Global has extensive experience handling the hiring, negotiating and turn down process, in a way that protects the reputation and integrity of everyone involved.

SELECTION AND APPOINTMENT

Our interaction with your organization and the placed candidate does not stop when the search is closed. We stay in close contact on a quarterly basis to ensure that all parties remain satisfied and productive.

Your team of experts dedicated to handling this search include:



Mark Gnatovic

EXECUTIVE VICE PRESIDENT
DALLAS, TX OFFICE

Mark leads our venue search practice (convention centers, stadiums, arenas and performing arts facilities). Additionally, he leads our convention, tradeshow and experiential marketing segments and has conducted search with major Destination Marketing Organizations. Prior to SearchWide Global, Mark spent more than 15 years in the convention industry. Mark currently serves as a Board Trustee with IAVM.



Rachel Tomlin

RESEARCHER & RECRUITER
CHARLOTTE, NC OFFICE

Rachel graduated from Bowling Green State University with a degree in Journalism, focusing on Public Relations. Her experience in recruiting and hotel account sales provides her the skills to research and recognize the best and most qualified candidates as well as deliver thorough references to our clients.



Tracy Smith

PROJECT MANAGER
HEADQUARTERS OFFICE

Tracy manages search logistics across all sectors, ensuring that the process is completed successfully, and assists with daily operations. Prior to joining SearchWide Global, she spent 11 years in the sports and events industry. Tracy holds a communications degree from the University of Wisconsin Eau Claire.



PARTIAL CLIENT LIST

Venues & Facilities

- **Anaheim Convention Center** | Deputy Director
- **Bayfront Convention Center** | General Manager
- **Boston Convention and Exhibition Center** | General Manager
- **CAM-PLEX Multi Event Facilities** | Executive Director
- **Cleveland Convention Center SMG** | General Manager
- **Columbus Convention Center SMG** | Assistant General Manager
- **Dallas Convention Center** | General Executive Manager
- **Emerald Coast Convention Center** | General Manager
- **Empire State Building** | Observatory Director/General Manager
- **Evansville Auditorium & Convention Center SMG** | General Manager
- **Fox Theatre** | Director of Ticketing, Director of Operations
- **Huntington Convention Center of Cleveland SMG** | General Manager
- **Jackson Convention Complex SMG** | General Manager
- **Kentucky International Convention Center** | General Manager
- **Lansing Entertainment & Public Facilities Authority** | President/CEO
- **Massachusetts Convention Center Authority** | General Manager
- **Miami Beach Convention Center Spectra** | General Manager
- **Nashville Music City Center** | General Manager
- **New Orleans Ernest N. Morial Convention Center** | President
- **Raleigh Convention & Performing Arts Center** | Director
- **San Antonio** | Convention & Sports Facilities Director
- **Tacoma** | General Executive Manager/Director of Public Facilities District

"I have had the pleasure of working with SearchWide Global on multiple searches in this location and others. I am pleased to say that in all cases these searches have been completely successful and in all cases the positions remain filled and individuals are performing well."

Michael Krouse

President & CEO

Ontario Convention Center



PARTIAL CLIENT LIST

Destination Marketing Organizations

- **Austin, TX** | President/CEO, Vice President, Senior Vice President of Sales, Vice President of Sales
- **Baltimore, MD** | President/CEO, Chief Operating Officer, Vice President of Marketing
- **Cincinnati, OH** | President/CEO, Vice President of Sales (3)
- **Columbus, OH** | President/CEO, Vice President of Sales
- **Dallas, TX** | Senior Vice President of Sales & Services, Senior Vice President of Marketing
- **Denver, CO** | Senior Vice President, Vice President of Convention Sales & Services
- **Houston, TX** | President/CEO, Chief Operating Officer, Senior Vice President of Marketing, Vice President of Sales
- **Indianapolis, IN** | President/CEO (2), Senior Vice President Sales, Vice President Sales
- **Los Angeles, CA** | Chief Marketing Officer, Senior Vice President of Sales & Client Services, Vice President of Convention Sales
- **Nashville, TN** | Senior Vice President of Sales
- **New Orleans, LA** | Vice President of Sales, Vice President of Convention Sales, Vice President of Communications
- **Orlando, FL** | CEO, Senior Vice President of Convention Sales & Services
- **Philadelphia, PA** | Senior Vice President (2), Vice President of Sales & Marketing
- **Phoenix, AZ** | Senior Vice President
- **San Antonio, TX** | CEO, Executive Director, Assistant Director (3), Vice President of Sales & Services, Vice President of Marketing & Communications
- **Washington, DC** | President/CEO, Vice President of Sales



"The SearchWide team did an outstanding job in developing a plan of action and followed the plan to conclusion. Every part of the plan was executed and we found our ideal candidate. We were very pleased with SearchWide."

Gene McMenamin

General Manager

Omni Austin Hotel

Chair-Elect, Search Committee for
Austin CVB President & CEO Search



REFERENCES

CAM-PLEX MULTI EVENT FACILITIES

Mary Silvernell, Client

Executive Director

307-299-2838 | mary@visitgilettewright.com

INTERNATIONAL ASSOCIATION OF VENUE MANAGERS (IAVM)

Brad Mayne, Client and Placed Executive

President & CEO

972-538-1021 | brad.mayne@iavm.org

MASSACHUSETTS CONVENTION CENTER AUTHORITY

David Gibbons, Client

Executive Director

617-954-2000 | dgibbons@massconvention.com

NEW ORLEANS ERNEST N. MORIAL CONVENTION CENTER

Melvin Rodrigue, Client

President & CEO at Galatoire's Restaurant

Chair of Search Committee for Ernest N. Morial Convention Center President Search

504-335-3930 | mrodrigue@galatoires.com

SAN DIEGO CONVENTION CENTER CORPORATION

Steve Cushman, Client

President & CEO, Cush Enterprises

Search Committee Chair for San Diego Convention Center Corp. President & CEO Search

858-549-2874 | scushman@cushnet.net

"SearchWide Global conducted the search for the San Diego Convention Center and did an outstanding job. Their knowledge of the venue management industry, level of service and consultative approach helped guide the search committee from start to finish. I have used other high profile search firms in the past and SearchWide Global ranks at the very top."

Steve Cushman

President, Cush Enterprises

Search Committee Chair

San Diego Convention Center Corporation



FEES & GUARANTEE

FEES

Our Professional Fee for conducting this search shall be a flat fee of \$37,500. In addition, SearchWide Global will bill any out of pocket expenses incurred related to the search and approved by your company in advance. For example, out of pocket expenses may include candidate and consultant travel, lodging, meals, or other necessary and reasonable expenses. DiSC Assessments and background checks for up to four candidates will be included as part of the Professional Fee.

Charleston Coliseum and Convention Center agrees to pay SearchWide Global an additional Professional Fee if the company hires more than one candidate presented by SearchWide Global within 12 months of the execution of this Agreement. The additional Professional Fee shall be 30% of the annual base salary for any candidate hired within the 12-month period.

Our Professional Fee will be due in three installments as follows:

1. \$12,500 due upon signing this Agreement.
2. \$12,500 due within 30 days of signing this Agreement.
3. \$12,500, plus expenses, due upon completion of the search, such as placement of a candidate, closure of the search by the client for any reason, or the client places the search on hold for more than 60 days.

GUARANTEE

In the event that the referred candidate is hired, and thereafter is discharged or voluntarily terminates employment within 12 months of hiring, SearchWide Global will search for a replacement candidate or search for a candidate for a different position within your company, at no additional Professional Fee.



Our work affects people's lives every single day and what we do is important, rewarding, and fun.

HEADQUARTERS OFFICE

680 Commerce Drive #220
St. Paul, Minnesota 55125

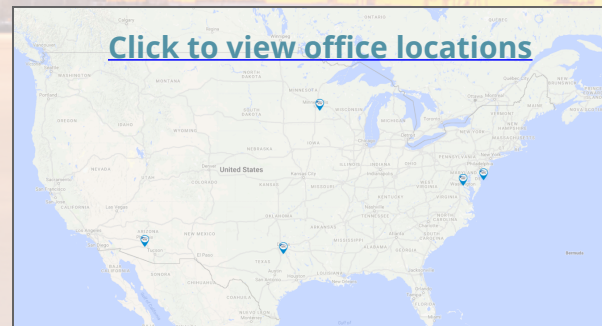
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