

From: Jeremiah P. LeRoy <Jeremiah.LeRoy@buncombecounty.org>
Subject: FW: Blue Horizons Project RFP/RFQ
To: Bridget Herring (bherring@ashevillenc.gov) <bherring@ashevillenc.gov>; Kiera Bulan <kbulan@ashevillenc.gov>; Jackie Hamstead <Jackie.Hamstead@buncombecounty.org>
Sent: May 22, 2023 10:55 AM (UTC-04:00)

FYI



Jeremiah LeRoy

he/his

Sustainability Officer

(828) 250-4976

200 College St., Asheville, NC 28801

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From: DEROTHEA WILLIAMS <derotheawilliams@att.net>

Sent: Monday, May 22, 2023 10:50 AM

To: purchasing@ashevillenc.gov

Cc: Debra Campbell <dcampbell@ashevillenc.gov>; Avril Pinder <Avril.Pinder@buncombecounty.org>; Ron Venturella <Ron.Venturella@buncombecounty.org>; Dwight Mullen <dbmullen@unca.edu>; Bennie Miller <mudface313@charter.net>; Damain Poole <damainpoole@gmail.com>; JV Farr <farr77331@gmail.com>; Sam Ruark-Eastes <sam@greenbuilt.org>; Jeremiah P. LeRoy <Jeremiah.LeRoy@buncombecounty.org>

Subject: Blue Horizons Project RFP/RFQ

Good Morning:

A client firm, United Community Development of North Carolina (UCD) was a subcontractor on the City/County contract which is executed by both to the Green Built Alliance to implement the Blue Horizon Project. We were notified of the cancellation of our contract as of 5/15/23 or "business convenience reasons" as stated to us. UCD provided weatherization services to this vendor. UCD was a participant in the meetings which Green Built facilitated via the Energy Savers Network "banner".

As the Project Manager for UCD, I request the following:

1. A copy of the City of Asheville line item contract (executed) contract for approximately \$100K (City portion). We have the executed from Sam Venturella of Buncombe County.
2. A copy of the non-discrimination ordinance of the City of Asheville - since as Project Manager, I had to enforce non-discrimination measures when they were enacted by the prime contractor's personnel with our UCD's crew which is a Black-led non-profit and both crew members were the members of a "protected class" as defined by federal, state, and perhaps, local ordinance(s).
3. Please state whether this contract, as let was issued as "sole source", since the terms of the RFQ/RFP were written to describe the duties which Energy Savers/Greenbuilt performed under the "Blue Horizons" banner when they convened to stop the construction of fossil powered facilities (storage or active) at the CPL/Duke Power Plant at Lake Julian.
4. Is there a contract which is ancillary to the City and County contracts which are included in this project, such as one from a private corporation like Duke Power, etc.? If so, please provide a copy of that document, or if not a contract, then an MOU, or other document from any other private/public entity.

5. Please explain the BIPOC/membership requirement which is a line item on the specified contract.

I request that the " letting" of this contract be delayed. I further request that this contract be segmented to facilitate MBE participation, since it seems it was written to comport with the capabilities of the apparent successful bidder and lead agency on the Blue Horizons Project. .

This subcontract with UCD was for less than \$19,000 out of an aggregate of \$200K from City and County governments. It is the principle which is involved. Further, I have copies of documents/emails in which I had to repetitively ask your Prime contractor to " stop invoking racial comments and actions which harmed and demoralized our crew."

I have nothing against the Prime contracting agency or its personnel, but I do know that our quality of work was excellent which they themselves even state in correspondence. I believe that rather than deal with Personnel issues, and to provide adequate training, UCD is punitively being removed from this contract because UCD responded to these acts of outright and implicit bias.

I have requested delay of the letting of this contract from the County, as well. I have also requested contract segmentation to allow for greater MBE participation, since the requirement was written to conform to Energy Savers Network as a " convenor" and meeting facilitator of the Blue Horizons Project. I also want elaboration on the " sole sourcing nature" of the way this contract was written without the benefit of the administrative process which is necessary to " sole source" a contract (public), based on the way that it was written and the process which led up to the Project.

"Stop the Harm" has become a rallying point for both City and County governments during the Reparations process. The " Harms" are alive, well, and being fueled by taxpayer dollars.

Thank you in advance for your cooperation. I also look forward also to focus group participation for the consultant for the City of Asheville Disparity Study on 5/31/23, as this is a specific example of the " Harms" and arbitrary and capricious actions which are perpetrated against MBE/DBE firms.

Respectfully,

Dee

Dee Williams, President

Dee Williams and Company, Inc.

136 Wyoming Rd.

Asheville, NC 28803

Phone: 828-275-6217

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Joshua Smith, CEO, the Maxim Corporation

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