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Same Trucking Company for 20 Years, Predetermined List of Caterers: V.I. Election System Criticized for Procurement Practices

Lawmakers question Elections Supervisor Caroline Fawkes about the lack of competitive bidding in vendor selection, emphasizing the need for transparency and equal opportunities in the procurement process

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Election System of the Virgin Islands' St. Croix headquarters. By. V.I. CONSORTIUM

The Election System of the Virgin Islands came under fire by the Committee on Budget, Appropriations, and Finance for their apparent lack of acceptable procurement standards for vendors during election cycles.

Elections Supervisor, Caroline Fawkes, spent much of Thursday's budget hearing lamenting insufficient funding available to the ESVI for the hosting of primary and general elections. She explained that with close to \$300,000 needed to host primaries and another \$350,000 for general elections, her office was forced to dip into other pots - even the Board of Elections funds - for additional resources.

When pressed by Senator Donna Frett-Gregory to delineate the high-spend categories during an election cycle, Ms. Fawkes highlighted ballots, paying poll workers, building rentals, security, trucking services and catering as "very expensive." In an effort to understand why services like transportation and catering continue to cost the ESVI so much, Frett-Gregory queried whether the requests were put out for a public bid. She, and other legislators, were bewildered to learn that the answer was no.

Instead, the ESVI has been utilizing the services of the same two trucking services, with the company on St. Croix in use for as many as 20 years. "We do not change companies every election cycle because of what we're dealing with," Ms. Fawkes sought to explain. "We need persons that know what we're doing, [and] trust what we're doing." In St. Thomas, a bidding process was initiated in 2022 after the Department of Property and Procurement could no longer offer transportation services as they previously did. The same trucking company that was successful in that bid expected to be used again this year.



Supervisor of Elections, Caroline Fawkes (Credit: V.I. Legislature)

Frett-Gregory was visibly concerned following these revelations. Despite the amounts spent on these services not exceeding the procurement threshold set by the Department of Property and Procurement, she told the Elections Supervisor that "it's not about the exceeding. It's more about whether or not we are conducting the necessary procurement...I think that everybody needs an opportunity...If we are utilizing the government dollars, there is a responsibility for a procurement [process]."

The budget committee chair explained to Ms. Fawkes that it is acceptable for a contract executed through procurement to last for an extended period. The chair then asked the ESVI to devise and execute a procurement process quickly. Ms. Fawkes expressed concerns, noting that there were not many trucking services in the territory capable of meeting their requirements. "We have to be very secure, we have to be transparent, and we can't have any and every trucking company dealing with us every election cycle," the elections supervisor argued. However, as Frett-Gregory

rebutted, “each procurement has to lay out what you're looking for. If they ain’t meeting your needs, then they don't qualify.”?

Lawmakers learned that a similarly concerning process was used for the selection of caterers. “We have a list of caterers that we utilize,” explained Ms. Fawkes. The number of caterers on the list, or how they were added to the list in the first place, was not disclosed. “Most of the caterers stated they don't have the transportation to take the food. They don't have this, they don't have that. So they can't compete,” she noted.

According to Ms. Fawkes, that system of picking caterers off a predetermined list preceded her now 11-year tenure at the ESVI. “That's the practice that works,” she argued, to the consternation of lawmakers including Senators Frett-Gregory and Franklin Johnson, who found the status quo unacceptable.?

Frett-Gregory informed Ms. Fawkes that complaints have been lodged — presumably by would-be service providers — based on the observance that the ESVI continues to use the same “people [to provide] the same services.” “Everybody in the Virgin Islands needs an opportunity...I just know that if individuals are interested, they should submit a bid for the work. They should just not be chosen off the cuff.”?

“Based on what you're representing, y’all are not inside of the procurement regulations of the government,” was Frett-Gregory’s final warning. The ESVI has promised to consider the request.