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Election System "Won't Fix What's Not Broken," Fawkes Says in Response to Senate Rebuke on Procurement Practices

Elections Supervisor Caroline Fawkes defends current practices, emphasizing the need for reliable service providers and adherence to established standards to ensure smooth election operations

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Elections Supervisor Caroline Fawkes By. V.I. LEGISLATURE

Elections Supervisor Caroline Fawkes is continuing to defend the agency's procurement practices after legislators questioned the manner in which contractors were being selected.

Last Thursday, senators on the Budget, Appropriations and Finance committee questioned Ms. Fawkes on why services like transportation and trucking cost the Elections Systems of the Virgin Islands so much money. [They were bewildered](#) to learn that ESVI does not put these services out to tender.

As Ms. Fawkes explained, “We do not change companies every election cycle because of what we're dealing with....We need persons that know what we're doing, [and] trust what we're doing.” Trucking and catering services, she said, were essential to the proper functioning of the elections system. Picking caterers off a predetermined list was “the practice that works,” she told lawmakers, and a practice that preceded her tenure as Elections Supervisor.

This week, Ms. Fawkes is continuing her advocacy, albeit outside of the legislative chamber. In a statement issued to the Consortium on Tuesday, the Elections Supervisor declared that “we are, have been, and will continue operating within the authority of the law.” Included in her statement were the established procedures from the Department of Property & Procurement guiding purchases and acquisitions, showing that a formal bidding process is not required for purchases under \$10,000. Also attached were trucking and catering invoices from suppliers.

Ms. Fawkes outlined the services that need to be provided by a trucking company selected by the ESVI: customs brokerage, freight forwarding, moving, and storage. “ESVI need[s] a trucking company with a responsive and accountable back office,” she wrote, noting the importance of punctuality, reliability, safety of trucks, and maintenance standards among other key attributes. “Trusting our freight with a trucking company is like leaving your children with a new babysitter for the first time. In order to be comfortable with the arrangements during the election cycle, we should and must have every assurance that the delivery will be completed safely,” Ms. Fawkes stated.

When it comes to catering, a similar focus is placed on the smooth execution of service delivery for harried poll workers, board members and staff, some of whom are on duty for 15 hours on election day. The list of approved caterers that Ms. Fawkes alluded to in her testimony before the Legislature is obtained from Property & Procurement, she explained in her letter to the Consortium. “We then contact them accordingly,” she noted. Rates for the per person/plate cost are set by the Board of Elections and revised “every couple of years,” Ms. Fawkes said. Currently, the rate stands at \$75 per person/plate. “We have ceased using various caterers for many reasons including complaints from the poll workers that the food was not palatable. We need caterers who provide consistency, quality, promptness, and flexibility with a commitment to ensure we continue to maintain excellence standards,” she wrote.

“People are our most important asset for elections, and we will not lower our standards,” Ms. Fawkes declared, noting that good treatment is of paramount importance to ensure that poll workers remain committed and interested in performing their crucial function. Noting that there is only one chance to get things right during any one election, she stated that the ESVI “will not fix what is not broken,” but will always follow the prevailing law while being transparent and accountable.

“Standards of Excellence! No compromise!” Ms. Fawkes concluded.

Last Thursday, Budget committee chair Senator Donna Frett-Gregory admonished the Elections Supervisor that the issue was not necessarily about the value of the services being provided falling under the threshold for putting services out for bidding. “It’s not about the exceeding. It’s more about whether or not we are conducting the necessary procurement,” the lawmaker argued. Frett-

Gregory also noted that the “standards of excellence” required by the ESVI could be captured within procurement requirements contained within an RFP. Bidders could then be evaluated as to whether they are able to meet those requirements. “If they ain’t meeting your needs, then they don’t qualify,” Sen. Frett-Gregory told Ms. Fawkes.

Based on Ms. Fawkes’ follow-up response, it does not appear that the difference of opinion between the Elections System and lawmakers on the proper procurement practice for service providers is heading for a resolution. Ms. Fawkes has said that the issue will be raised during Wednesday’s Board of Elections meeting.

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