



OFFICE OF THE
STATE AUDITOR

May 8, 2020

Gary R. Herbert
Governor, State of Utah
Utah State Capitol Building
350 North State Street, Suite 200
SLC, Utah 84114

Dear Governor Herbert:

The Office of the State Auditor is reviewing an array of state purchases made in response to the COVID-19 emergency. These purchases circumvented standard procurement procedures as allowed under emergency authorization conditions described in *Utah Code* 63G-6a-803. As such, we will review the approval process, purchase justification, and payment procedures in regards to these purchases.

As we perform our limited procedures, we ask that the various offices and departments under your authority, who were involved in these purchases, make personnel and documents available as necessary for us to complete our review. We will work diligently to avoid any unnecessary burden during our review. If you have any questions please contact me.

Sincerely,

Julie M. Wrigley, CPA, CFE
Special Projects Manager
jwrigley@utah.gov
(801) 808-0194

cc: Spencer Cox, Lt. Governor
Ron Gordon, General Counsel, Governor's Office
Kristen Cox, Executive Director, Governor's Office of Management and Budget
Jefferson Burton, Acting Director, Utah Department of Health
Major Jess Anderson, Commissioner, Department of Public Safety
Kris Hamlet, Division Director, Division of Emergency Management
Jona Whitesides, Bureau Chief, Preparedness Bureau
Tani Downing, Executive Director, Department of Administrative Services
Chris Hughes, Director, Division of State Purchasing and General Services
John Reidhead, Director, Division of Finance
David Damschen, Utah State Treasurer



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Tani Downing, Executive Director, Department of Administrative Services
Chris Hughes, Director, Division of State Purchasing and General Services
John Reidhead, Director, Division of Finance
David Damschen, Utah State Treasurer

Subject: Letter to Auditor



Ron Gordon <rbgordon@utah.gov>
to Julie Wrigley

Tue, Sep 29, 2020, 1'

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Hello Julie,

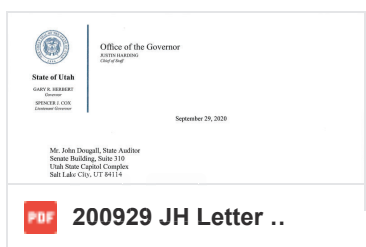
I have attached our response to the limited review.

Thank you,
Ron

Ron Gordon
General Counsel
Office of the Governor
State of Utah
801-538-1504



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Subject: Org Chart 3/20/22



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley

Wed, May 13, 2020, 8

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Here is the org chart we discussed.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

PLEASE forgive any typos. I am currently experiencing a high volume of emails.

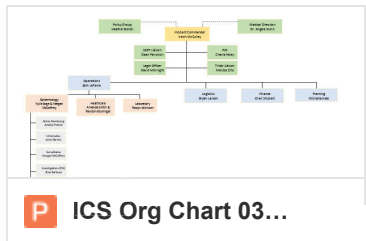
Thank you.

Christopher W. Hughes
Director, State of Utah Division of Purchasing & General Services
NEW phone number is 801-957-7130
Website: www.purchasing.utah.gov

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Subject: Re: Chloroquine purchase



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley

Wed, Apr 29, 2020, 11:40

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I just got these emails.

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PLEASE forgive any typos. I am currently experiencing a high volume of emails.

Thank you.

Christopher W. Hughes
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On Wed, Apr 29, 2020 at 11:35 AM Julie Wrigley <jwrigley@utah.gov> wrote:

thanks!

On Wed, Apr 29, 2020 at 10:33 AM Christopher Hughes <christopherhughes@utah.gov> wrote:

Julie,

Here is a better order of documents that you requested.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

Subject: Re: Chloroquine purchase



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley, Christopher Hughes

Mon, Apr 27, 2020, 11:04

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Here you go on the details.

I have additional emails regarding the wiring instructions and PO information that is internal communications between my office and finance.

The purchase was made under the emergency purchase protocols identified in the Utah Procurement Code.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

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Thank you.

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On Mon, Apr 27, 2020 at 10:51 AM Julie Wrigley <jwrigley@utah.gov> wrote:

Hi Chris,

John Dougall asked me to get the all the documentation related to the procurement of the \$800,000 in meds. I a voicemail for you as well. Please let me know how soon we can get that information.

Subject: Re: Emergency procurements



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley

Fri, May 1, 2020, 4:09

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Julie,

Not all emergency purchases went through my office. Some agencies needed to make emergency purchases to : for their agencies to stay safe.

DOMO and NOMI originated with GOMB.

I am also attaching one of the sheets we used to vet vendors. In total we had nearly 700 vendors offer some sort PPE to the State of Utah. Vendors contacted us as a result of the solicitation for PPE we posted or by cold call.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

PLEASE forgive any typos. I am currently experiencing a high volume of emails.

Thank you.

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On Fri, May 1, 2020 at 2:52 PM Julie Wrigley <jwrigley@utah.gov> wrote:
| Thanks for sending the info.

Subject: Re: Emergency procurements



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley

Thu, Apr 30, 2020, 2:57

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 **COVID 19 GRAMA 4.30.20.zip**

Here you go.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

PLEASE forgive any typos. I am currently experiencing a high volume of emails.

Thank you.

Christopher W. Hughes
Director, State of Utah Division of Purchasing & General Services
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On Thu, Apr 30, 2020 at 11:57 AM Julie Wrigley <jwrigley@utah.gov> wrote:

Would this also include the contracts with DOMO and NOMI?

On Thu, Apr 30, 2020, 11:45 AM Christopher Hughes <christopherhughes@utah.gov> wrote:

Yes. I can get those over to you.

On Thursday, April 30, 2020, Julie Wrigley <jwrigley@utah.gov> wrote:

Hi Chris,

Subject: Re: Emergency Purchases



Janica Gines <jmgines@utah.gov>
to Julie Wrigley

Thu, Apr 30, 2020, 11:45

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So, all of the wires that I have helped with have related to emergency PPE purchases made by State Purchasing. They have been allocated a certain amount of funding for COVID-19 response efforts to purchase PPE. The only way you can get masks and other things in high demand is to wire the money up front. They have done an excellent job tracking those purchases and tracking the items received. So, if that particular subset of emergency purchases is where you want to focus. Chris Hughes and Windy Aphayrath are the best people to speak with. They are both at State Purchasing.

On Thu, Apr 30, 2020 at 11:38 AM Julie Wrigley <jwrigley@utah.gov> wrote:

ok, thx. I know the number of wire pmts has increased dramatically right? I would assume many of those are to purchase emergency supplies but that this would not represent the full population of emergency procurements. Is that a reasonable assumption?

On Thu, Apr 30, 2020 at 11:32 AM Janica Gines <jmgines@utah.gov> wrote:

Yes, I would start there. He certainly knows the purchases they have made, but there are purchases occurring at the agency level that I am not sure he would be aware of, but maybe.

On Thu, Apr 30, 2020 at 11:30 AM Julie Wrigley <jwrigley@utah.gov> wrote:

I would like to identify all purchases that have been made under the emergency declaration (not sure what proper term is). These would be purchases that were exempt from the procurement code under 63G-6a-801. Maybe Chris Hughes be a better source for this info?

On Thu, Apr 30, 2020 at 11:15 AM Janica Gines <jmgines@utah.gov> wrote:

What do you mean by emergency procurements?

On Thu, Apr 30, 2020 at 11:03 AM Julie Wrigley <jwrigley@utah.gov> wrote:

Janica & Jason,

What would be the easiest way for me to get a complete listing of all the emergency procurements that have been made so far?

(Sorry!)

--

Julie Wrigley
Audit Manager

desk: 801-538-1340
cell: 801-808-0194

Office of the State Auditor

Subject: Re: food chain request



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley

Tue, May 12, 2020, 3:04

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I will try and find out. But I was not really involved.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

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Thank you.

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On Tue, May 12, 2020 at 2:01 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Hi Chris,

Just a reminder to send me the org chart of how things were being decided prior to 3/26 when Unified Command took over. Also, I need the name of the Federal guy... Willie?

Thanks!

--

Julie Wrigley

Subject: Re: NOMI payments



Duncan Evans <devans@utah.gov>
to Julie Wrigley

Thu, Aug 13, 2020, 3:11

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Julie,

Here are the documents for the rest of the payments that have been made. The August invoice with Twenty for \$303,101.00 is being processed for payment, but hasn't been paid yet.

Thanks,

Duncan Evans
Budget Manager
Governor's Office of Management and Budget
devans@utah.gov
Office: 801-538-1592
Mobile: 385-224-6703

On Thu, Aug 13, 2020 at 12:41 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Hi Duncan,

Could you please send me the supporting documentation for all payments to Twenty and all payment to NOMI (except for the \$5.62 million pmt on 6/24 since I already have it)?

Thanks!

On Wed, Jul 1, 2020 at 9:23 AM Duncan Evans <devans@utah.gov> wrote:

Julie,

We did another \$5,620,000 wire transfer to Nomi Health Thursday afternoon. It typically takes the Treasurer's Office a few days to enter the JVCO document with the final coding, including the vendor name. I searched the data warehouse this morning and don't see it booked yet. I'm attaching the details for the payment.

The \$1.8 million Qualtrics purchase was made by DTS using the existing state contract with Qualtrics. They bill the Governor's Office using IETs. That keeps the reference to Qualtrics in the line descriptions, but the IETs do not have the vendor name on them. Here are the IET document numbers:

110 IET 2010B1180000221 \$155,000.00
110 IET 2010B1180000223 \$1,245,000.00
110 IET 2010B1180000224 \$400,000.00

Thanks,

Subject: Re: NOMI payments



Duncan Evans <devans@utah.gov>
to Julie Wrigley

Wed, Jul 1, 2020, 9:26

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Julie,

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110 IET 2010B1180000223 \$1,245,000.00
110 IET 2010B1180000224 \$400,000.00

Thanks,

Duncan Evans
Budget Manager
Governor's Office of Management and Budget
devans@utah.gov
Office: 801-538-1592
Mobile: 385-224-6703

On Tue, Jun 30, 2020 at 6:47 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Hi Duncan,

Can you tell me the status of payments to NOMI Health? I've queried the state's data warehouse and can only see two pmts totaling \$4million to them. Have there been additional payments? If so, can you send me the information supporting those payments or the coding so I can query them.

Also, for the piece of the contract that was done by Qualtrics, have they been paid for those services? Do you have any supporting documentation for that?

Thanks!

--

Julie Wrigley
Audit Manager

Subject: Re: Office of the State Auditor Limited Review



Ron Gordon <rbgordon@utah.gov>
to Julie Wrigley

Tue, Sep 15, 2020, 11:54

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- 1 - Justin Harding
- 2 - Ron Gordon
- 3 - Gordon Larsen
- 4 - Rich Saunders
- 5 - Jess Anderson
- 6 - Chris Hughes
- 7 - Phil Dean
- 8 - Kris Hamlet

Ron Gordon
General Counsel
Office of the Governor
State of Utah
801-538-1504

On Mon, Sep 14, 2020 at 3:42 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Ok, I will have the copies delivered shortly. Auditor Dougall asks that you let us know who receives each number copy. Also, we ask that the copies be returned for shredding upon receipt of the responses.

Thank you.

On Mon, Sep 14, 2020 at 3:27 PM Ron Gordon <rbgordon@utah.gov> wrote:

Yes. I am in the office today.

Ron Gordon
General Counsel
Office of the Governor
State of Utah
801-538-1504

On Mon, Sep 14, 2020 at 3:15 PM Julie Wrigley <jwrigley@utah.gov> wrote:

That should be fine. Are you in the office today?

On Mon, Sep 14, 2020 at 2:54 PM Ron Gordon <rbgordon@utah.gov> wrote:

Thank you Julie. It would be good for us to have 8 copies if that is not too much.

Subject: RE: phone call followup



Kristen Cox <kristencox@utah.gov>
to Julie Wrigley

Sun, Aug 30, 2020, 7

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Also—Franchesca from DOH played a role in the contract on Healthy Together

From: Julie Wrigley <jwrigley@utah.gov>
Sent: Thursday, August 27, 2020 12:05 PM
To: Kristen Cox <kristencox@utah.gov>
Subject: phone call followup

Thanks again for your time today. As discussed, please provide the name of the UDOH rep involved in the Data Analytics & Support Team. Mike?

Thanks!

--

Julie Wrigley
Audit Manager

desk: 801-538-1340
cell: 801-808-0194

Office of the State Auditor
State Capitol Complex
East Office Building, E310
Salt Lake City, Utah 84114

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Subject: RE: phone call followup



Kristen Cox <kristencox@utah.gov>
to Julie Wrigley, Phil Dean, Nate Talley, Richard Saunders

Thu, Aug 27, 2020, 11:14

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Julie

Below is additional information on the data team, including the names of those who participated from DOH.

Early in the pandemic response, GOMB recognized that managing in a high uncertainty environment required bringing together the data and experts to gain consensus on how to deploy scarce resources effectively. This included building out data that did not exist (such as hospital capacity across the entire system), and to do so quickly and in a way that all stakeholders could access the data without having to go through a cumbersome process. To that end, the Data Analytics & Decision Support Team was immediately formed to build tools, dashboards, reports and decision frameworks to help decision makers in the COVID-19 response. This was one of the first activities GOMB established. The cross-functional team--composed of members from GOMB, UDOH, the Legislature, Academia and Healthcare providers--helped set-up and/or guide more focused groups. Participants from DOH included Navina Forsythe, Michael Friedrichs, Keegan McCaffrey, and Angela Dunn.

The group met daily for over a month and then twice a week as sub groups were formed and processes were established.

The data team helped to shape the following areas:

Operational Dashboard - An intelligence portal for internal decision makers to understand the live data and information on the core operational measures.

Consensus Modeling - Predictive model submitted weekly with a consensus prediction on the impact on cases and hospital capacity.

HERO Study - Serology testing overseen by the U of U to understand prevalence both across the state and in targeted geographical locations.

Health Together - Connecting people with symptoms to testing resources in order to impact the speed from test to results and through contact tracing.

Topical Research - In depth analysis on relevant topics to understand Utah's risk to the virus in specific population and contexts.

Ongoing Data & Analysis Group - A team and process geared to intake, define, prioritize, and execute internal and external data requests in order to ensure the right data is provided or published to internal requesters or the public quickly.

All these tools and data, initiated by the Data Analytics & Decision Support Team, have culminated into the Unified

Subject: Re: PPE Emergency Purchases



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley, John Dougall

Sat, May 2, 2020, 2:10

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So to follow up on the phone conversation.

Any contracts (Domo, twenty, or nomi health) originated at GOMB.

PPE the team as described in the previous email would vet and review vendors and pass the information on to me would then do a review of the company by calling them or emailing them. And then based in need I would place the order and start the wire process. The wire process included approvals from GOMB, finance, and the treasurer's office. This was to expedite orders. As pricing and availability changed nightly. Often times I would be talking with vendors past midnight to place orders as they talked with their suppliers in China.

Testing supplies originated from the department of health and state labs based on their needs. Some testing supplies came from China.

Purchases from state contracts or other vendors started in my office. And were placed with my approval for critical needs. These needed to be made quickly.

As with anything I am happy to provide you with additional information. I will get the wire confirmations to you on Monday. As these were not included in the other email.

On Saturday, May 2, 2020, Christopher Hughes <christopherhughes@utah.gov> wrote:

John and Julie,

I have enclosed the documents from the Division of Purchasing as they relate to the purchase of PPE and testing materials since March 21, 2020:

- a. Agency Emergency Purchases sent to Christopher Hughes by different agencies
- b. Changed POs
- c. Contracts
- d. Doss
- e. Pcard
- f. POs for PPE coming from Chinese Suppliers
- g. POs for Vendors
- h. Vendor Invoices
- i. Copy of the Ordered and Received Bar Chart – please note that more PPE has been received than this chart currently indicates. Count confirmations take time and are ongoing.
- j. Pictures and Videos of the RSS (receiving, staging, and shipping center) and China delivery video
- k. PPE Articles reviewed by the CPO
- l. PPE Ordered Infographic & Locally Sourced PPE Infographic
- m. Copy of our currently posted "State of Utah Request for PPE" solicitation posted in March 2020
- n. Copy of the Emergency Procurement Declaration from our website www.purchasing.utah.gov

The needs of Utah were established by local hospitals, health departments, FEMA, USDA, cities, counties, and members of the Utah Emergency Operations Center (EOC). Vendors that submitted to provide/source PPE were reviewed and vetted by the Department of Health, the Division of Purchasing, the Department of Administrative Services, the Economic Development Corporation of Utah (EDC Utah), and members of the EOC. In addition to

Subject: Re: PPE Emergency Purchases



Christopher Hughes <christopherhughes@utah.gov>
to Julie Wrigley, John Dougall

Sat, May 2, 2020, 2:34

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Additional follow up.

Here is the folder of wire confirmations.

Would you like me to create a document about the wire transfer process?

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

PLEASE forgive any typos. I am currently experiencing a high volume of emails.

Thank you.

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Website: www.purchasing.utah.gov

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On Sat, May 2, 2020 at 2:10 PM Christopher Hughes <christopherhughes@utah.gov> wrote:

So to follow up on the phone conversation.

Any contracts (Domo, twenty, or nomi health) originated at GOMB.

Subject: Re: queries



Janica Gines <jmgines@utah.gov>
to Julie Wrigley, John Reidhead

Mon, Apr 27, 2020, 2:28

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Here is the wire transfer confirmation. The transaction is recorded in Fund 6080, approp FNC, Dept 100, Unit 111 and BS Account 2501. Please let me know if you need anything else.

On Mon, Apr 27, 2020 at 2:12 PM Julie Wrigley <jwrigley@utah.gov> wrote:

I have the invoice. I'd like to see information on the payment and any other related transactions. I need to find out who was paid, date, etc. I'll take whatever you've got!

On Mon, Apr 27, 2020 at 1:55 PM Janica Gines <jmgines@utah.gov> wrote:

Hi Julie,

I do have some information on that. I have a copy of the invoice and it was paid with a wire transfer. It was coded as inventory as opposed to an expenditure, and that may be why queries are not working out. So, what information do you need?

On Mon, Apr 27, 2020 at 1:44 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Hey Patricia,

I'm trying to track down information on the State's purchase of \$800,000 worth of chloroquine. I'm waiting for some information from Chris Hughes but in the meantime, I've done a few shot in the dark queries on data warehouse to identify the payment with no luck. Do you happen to know anything about the transaction (or who I should ask) that could shed some light on it for me while I'm waiting?

Thanks!

--

Julie Wrigley
Audit Manager

desk: 801-538-1340
cell: 801-808-0194

Office of the State Auditor
State Capitol Complex
East Office Building, E310
Salt Lake City, Utah 84114

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Subject: Re: State Auditor review



Ron Gordon <rbgordon@utah.gov>
to Julie Wrigley, Tyson Plastow, Leslie Larsen

Fri, Aug 7, 2020, 3:31

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Please see the attached responses to your questions.

Best,
Ron

Ron Gordon
General Counsel
Office of the Governor
State of Utah
801-538-1504

On Tue, Aug 4, 2020 at 1:16 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Hello Ron,

Thank you for providing responses to our audit questions on July 7th. I have a series of clarifying questions that I hope you can answer as we are trying to wrap up this review.

1. In response to question # 2, You indicated that the briefings between staff and the governor are private. Perhaps you would be able to answer a more specific question instead?: When the decision was made to pursue a location tracing app, was there discussion about the levels of participation that we would need in order for it to be effective. Was it considered likely that we could reach that threshold? Given our political culture, many citizens strongly resist any government intrusion. Was this considered and debated? Our goal is to gain an understanding of how the decision was made to choose this option as opposed to another option, such as hiring contact tracers, and whether there was concern that the tracing app would not be popular.
2. Also, can you provide an update on the current state of the contract with TWENTY? Was the app ever fully functional? Since the location tracking piece has been turned off, what service does the app actually provide that is not available elsewhere? Is there any value the state has received from this contract? If the value is minimal, does the state have any recourse?
3. To clarify our question about authorization for purchases, can we conclude that the governor specifically authorized GOMB to procure the NOMI testing services, the DOMO dashboard, and the Location tracking app?
4. And likewise, since the Governor indicated that he was not aware of the hydroxychloroquine purchase, could not he have personally authorized the purchase of the drug, correct?
5. In your July 7 response, you indicated that you currently did not have answers for questions 7 & 8 of our request (see below). Will you be able to provide answers to those questions by next week?
7. *How were the following vendors selected, particularly when other possible vendors might have been chosen?*
 - o *DOMO (vs. Google or another vendor or platform)*

Subject: Re: State Auditor review of emergency procurement expenditures



Jeff Mottishaw <jeff@utah.gov>
to Julie Wrigley, Duncan Evans

Mon, May 11, 2020, 9:30

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Julie,

See my answers below in blue.

On Mon, May 11, 2020 at 4:17 PM Julie Wrigley <jwrigley@utah.gov> wrote:

----- Forwarded message -----

From: **Julie Wrigley** <jwrigley@utah.gov>

Date: Fri, May 8, 2020, 5:02 PM

Subject: State Auditor review of emergency procurement expenditures

To: Jeff Mottishaw <jmottishaw@utah.gov>, Duncan Evans <devans@utah.gov>

Hello Jeff and Duncan,

I understand that you and Duncan are to be my main points of contact for GOMB for our review.

I would like to get a better understanding of the state's response to the emergency as well as review the procurement of various goods and services in which GOMB was involved. Specifically:

- Can you help me better understand the role and authority granted to GOMB during the emergency. The section covered in the Procurement Code and my understanding is the emergency procurement section was in force when the Governor declared the State of Emergency on March 6, 2020. I understand this to mean that the Executive Director of each Department has procurement authority and normal procurement code is suspended until the emergency is over. Chris Hughes from State Purchasing can provide more details on the section of code and the delegated authority that comes with it.
- What is/was the chain of command for decision making within GOMB and also between the various agencies involved? Who ultimately had the final decision making authority? My chain of command is Steve Cuthbert, Kris Cox and up. I don't have any information on the other agencies.
- I understand that GOMB was part of the task force. What was the role and authority of the task force prior to creation of the Unified Command, and then what was the role and authority after creation of the Unified Command. I don't have the answer to the question. I know I was working on teleworking to get the agencies not already enrolled in the A New Workplace teleworking to keep the employees safe. I was assigned to the PPE group to help develop the budget and then reassigned to work with Health and the Testing Team.
- Please provide a list of all procurements/contracts in which GOMB played a significant role. MOA # 1 Leavitt Partners (Duncan), MOA # 2 – Goldratt Consulting North America, LLC (already on contract), Contract # 1 Twenty Holdings, Inc. (App - Jeff), Contract # 2 Nomi Health (Survey, Scheduler, Phone Support - Jeff), Contract # 3 DOMO (Dashboard - Dan Frei DTS), Contract # 4 Nomi Health (Mobile Testing sites - Jeff), MOA # 2 – Nomi Health, DOMO, Qualtrics, Twenty, Silicon Slopes (Data sharing agreement)

Subject: Re: State Auditor review of emergency procurement expenditures



Duncan Evans <devans@utah.gov>
to Julie Wrigley, Jeff Mottishaw

Mon, May 11, 2020, 2:11

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Julie,

Here are my two budget tracking spreadsheets. One is my historical backup and the other is the weekly report I sent to LFA on Friday. I'm also attaching the spreadsheet I used to keep track of some of the contracts in case that helps as you discuss specific contracts with Jeff and Purchasing.

Thanks,

Duncan Evans
Budget Manager
Governor's Office of Management and Budget
devans@utah.gov
Office: 801-538-1592
Mobile: 385-224-6703

On Fri, May 8, 2020 at 5:03 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Hello Jeff and Duncan,

I understand that you and Duncan are to be my main points of contact for GOMB for our review.

I would like to get a better understanding of the state's response to the emergency as well as review the procurement of various goods and services in which GOMB was involved. Specifically:

- Can you help me better understand the role and authority granted to GOMB during the emergency
- What is/was the chain of command for decision making within GOMB and also between the various agencies involved? Who ultimately had the final decision making authority?
- I understand that GOMB was part of the task force. What was the role and authority of the task force prior to creation of the Unified Command, and then what was the role and authority after creation of the Unified Command.
- Please provide a list of all procurements/contracts in which GOMB played a significant role.
- Please provide copies of all contracts and correspondence related to the emergency procurements/contracts which GOMB played a significant role.
- Please also provide any other documentation that provides evidence of due diligence and justification for the procurements/contracts identified above. See Utah Code 63G-6a-803(2).

My understanding is that GOMB was involved in a limited number of procurement contracts so my hope is that this request is not too burdensome. Please give me a call to discuss so that we can minimize the disruption to your work and to increase efficiency all around.

Thanks for your help in this matter.

Subject: Re: State Auditor review of emergency purchases



Lorie Davis <lorie@utah.gov>
to Julie Wrigley

Wed, May 13, 2020, 12:26

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Hi Julie,

Kris tells me that she spoke with you briefly yesterday and asked that I schedule a follow-up discussion with you late next week. She is currently working on the release of the next iteration of the Utah Leads Together Plan, the timing of a potential move from orange to yellow of the public health guidance, and a number of time-sensitive issues.

Do you have availability on Thursday, May 21 at 1:00? If so, I'll send a calendar appointment will call in information.

Thanks

Lorie Davis, Administrative Coordinator

Governor's Office of Management and Budget

State Capitol, Suite 150 | 350 North State Street | Salt Lake City, UT 84114

P: 801-538-1705 | C: 801-707-7426 | lorie@utah.gov



On Mon, May 11, 2020 at 5:44 PM Julie Wrigley <jwrigley@utah.gov> wrote:

Lorie,

Thank you. I've touched base with both Duncan and Jeff and they have been helpful. I anticipate needing to talk directly to Kristen soon. I know she's busy so I would like to get on her calendar this week if possible. Can you let me know when she has some time?

Thank you,

On Fri, May 8, 2020 at 12:29 PM Lorie Davis <lorie@utah.gov> wrote:

Hi Julie,

Kris asked me to let you know that your main points of contact for GOMB will be Jeff Mottishaw and Duncan Evans who are cc'd on this email.

-Lorie

Subject: Re: State Auditor review of emergency purchases



Lorie Davis <lorie@utah.gov>
to Julie Wrigley, Jeff Mottishaw, Duncan Evans

Fri, May 8, 2020, 12:29

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Hi Julie,

Kris asked me to let you know that your main points of contact for GOMB will be Jeff Mottishaw and Duncan Evans who are cc'd on this email.

-Lorie

Lorie Davis, Administrative Coordinator

Governor's Office of Management and Budget

State Capitol, Suite 150 | 350 North State Street | Salt Lake City, UT 84114

P: 801-538-1705 | C: 801-707-7426 | lorie@utah.gov



On Fri, May 8, 2020 at 11:44 AM Julie Wrigley <jwrigley@utah.gov> wrote:

forwarded

----- Forwarded message -----

From: **Julie Wrigley** <jwrigley@utah.gov>

Date: Fri, May 8, 2020 at 11:39 AM

Subject: State Auditor review of emergency purchases

To: Gary Herbert <governor@utah.gov>

Cc: Justin Harding <jharding@utah.gov>, Spencer Cox <spencercox@utah.gov>, Kristen Cox <kristencox@utah.gov>, Ron Gordon <rbgordon@utah.gov>, Jefferson Burton <jeffburton@utah.gov>, Jess Anderson <jessanderson@utah.gov>, Kris Hamlet <krishamlet@utah.gov>, Jona Whitesides <jwhites1@utah.gov>, Tani Downing <t Downing@utah.gov>, Chris Hughes <christopherhughes@utah.gov>, John Reidhead <jreidhead@utah.gov>, David Damschen <ddamschen@utah.gov>, John Dougall <jdougall@utah.gov>

Please see the attached letter regarding the State Auditor's planned review of purchases made in response to the COVID-19 emergency. Please contact me or State Auditor John Dougall if you have questions or concerns during this process.

Regards,

--

<u>Topic(s)</u>	<u>Name</u>	<u>Contact Info</u>	<u>Date</u>	<u>Content</u>	<u>OSA</u>
GOMB role	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	4/28/2020	GOMB's role is to manage the budget. March 12, session ended and GOMB started response. Legislature set aside \$24 million funding. CDC provided \$6.4 million. They knew feds would provide more funding. DOH and Unified Command coordinated with local health departments to assess needs. GOMB's goal was to provide strategic response - both economic and health.	JMW
Hydroxychloroquine	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	4/28/2020	He wrote email to Chris Hughes indicating Kris Cox had approved the hydroxychloroquine PO/purchase. This is the only written communication. During this time there were 2x/day update calls about budget & needs. Duncan's convo with Kris Cox regarding the purchase was verbal.	JMW
GOMB role	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	5/10/2020	Duncan compiled the budget requests from various parties. He said that it considered the request approved if it came from Dr. Miner, Jeff Burton, Unified Command, Governor, Justin Harding, Kris Cox, Jess Anderson or through the legislature. In the beginning stages, UDOH determined the PPE needs and then worked with GOMB to determine funding sources. the approvals to be included in the budget request were mostly verbal. Duncan prepares a budget spreadsheet, GOMB approves it, then goes to LFA report, then to the legislative special session to approve funding. GOMB took a very active role in in strategic planning. The legislature approved \$24 million in state funds and the feds had approved 64 million in fed funds. They knew early on that costs would exceed this. GOMB went to Jonathan Ball, Brad Wilson & Stuart Adams. All agreed they were comfortable spending in anticipation of more federal funds. Agencies can't deficit spend, so GOMB took on the role.	JMW

PPE	Duncan Evans, GOMB Finance	385-224- 6703 801- 5381592	5/10/2020	needed to move quickly and supply chain disappeared. Working groups had estimated \$51 million needed. Then revised up to \$88 million. Brought in Chris Hughes, Purchasing, solicited vendors, vetted and verified vendors. It's very rare to pay up front for supplies and they wanted to make sure they were careful with the wire transfers. They set up a process that included Chris Hughes, Duncan, Treasurer's office, John Reidhead, and Janica Gines. GOMB & Finance have to send weekly reports to LFA.	JMW
Nomi Health Contracts	Duncan Evans, GOMB Finance	385-224- 6703 801- 5381592	5/10/2020	Duncan detailed his understanding of the contracts. There are 2 with NOMI. One is to build a survey (testutah.com) and integrate it with other data systems. The other was to increase testing capacity through mobile testing sites. Kristen Cox and Jeff Mottishaw were involved. The underlying survey tool is Qualtrix. There is an existing Master Agreement with them. DTS was involved. This was done because IHC and UoU/ARUP weren't spinning up their testing capacity quick enough. It turned out Qualtrix was more suited to provide some of the services that were in the NOMI contract so NOMI is going to refund \$360k.	JMW
Hydroxychl oroquine	Duncan Evans, GOMB Finance	385-224- 6703 801- 5381592	5/10/2020	Dr. Miner and Kris Cox involved. Added to the budget on 3/27/20.	JMW
DOMO	Duncan Evans, GOMB Finance	385-224- 6703 801- 5381592	5/10/2020	John Angus, DTS is knowledgeable. This is the coronavirus.utah.gov dashboard as well as more advanced data on the supply chain. left message. Note: Kris Cox later said this wasn't the public facing coronavirus website.	JMW
Twenty	Duncan Evans, GOMB Finance	385-224- 6703 801- 5381592	5/10/2020	Healthy together app. This is for opt-in tracing. Twenty is a social networking platform that they proposed be used to enhance tracing infected people.	JMW

UoU business School	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	5/10/2020	Brought proposal for randomized testing to GOMB & legislature. This is for testing and antibody testing.	JMW
Leavitt Partners	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	5/10/2020	Duncan has emails regarding this contract. They have the best overall knowledge of health care delivery systems. Also helped with "Utah Leads Together" vs 2.	JMW
Paul Edwards	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	5/10/2020	Brought him in for coordinating communications.	JMW
SL Chamber	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	5/10/2020	Contract to do outreach to businesses. On hold b/c it likely will be covered by other legislation/funding.	JMW
Penna Powers	Duncan Evans, GOMB Finance	385-224-6703 801-5381592	5/10/2020	Mktg & outreach	JMW
GOMB role	Jeff Mottishaw, GOMB	801-638-7694	5/11/2020	Jeff was asked to help on the PPE team. Then he got assigned to work on GOMB contracts (Twenty, NOMI, UoU). Jeff has a lot of emails in the back and forth - requested emails.	JMW
GOMB role	Kristen Cox, GOMB	Google call	5/21/2020	When leg. session ended, Kristen started working on Utah Leads Together, establishing deficit spending in the budget. There was a crisis and stuff needed to get done. There wasn't time to wait. Utah reacted quickly. Economic task force was chaired by Derek Miller. Kris and Natalie pulled together the Utah Leads Together plan working with business and a lot of stakeholders.. The emphasis was on economic stabilization. Different modes of operation and different strategies based on the phase we are in. The task force was working on initiatives. Got input from legislators. Governor's office reviewed and signed off on the plan. It was a group effort - team decisions. Other times decisions had to be made quickly and you make the calls that are under your purview. Wanted to be first out of the gate to ensure services were available and prices were decent. See Harvard's stats that show how well Utah is doing. She said she would get it to me.	JMW

Leavitt Partners	Kristen Cox, GOMB	Google call	5/21/2020	Used them a lot at the beginning. They are mostly working with higher education now to help them get ready to resume in the fall.	JMW
DOMO	Kristen Cox, GOMB	Google call	5/21/2020	Dashboard shows "Core 4" - hospital capacity, UHARMS forms from the hospitals. This is to gather info on hospital capacity. Cycle times, process measures, lab test information. Not a public website. At risk information. DOMO offered to help for free. They thought it was just a visualization of the data. State needed a machine on the backend to pull in all the information from many different sources. It was not appropriate for the state to expect free services. She had seen their work before and knew they had some familiarity with COVID issues/health care stuff. They are utah based. They committed to get a prototype in a very short time. She is very pleased with their performance.	JMW
NOMI - testing	Kristen Cox, GOMB	Google call	5/21/2020	She went to IHC, DOH, ARUP, UofU and no one could take on any more capacity for testing. Somebody told her about HCA testing labs. They said they could take it on. HCA does the lab work. HCA is controlled by a hospital. They set it up for a short term contract. NOMI can set up test sites on the fly where they are needed. They provide extra capacity and they provide flexibility.	JMW
NOMI - survey	Kristen Cox, GOMB	Google call	5/21/2020	Logic behind the questions. Call center support. Testing scheduling to smooth out the testing flow. Will be re-evaluated - short term contract. At least 170,000 have taken the survey	JMW
Hydroxychloroquine	Kristen Cox, GOMB	Google call	5/21/2020	Who made the final call to buy it? per Kristen, DOH administration were in favor. Kris said that the crowd funding discussion were totally before her time. She was only the fiscal agent on the purchase. Who at dept of health requested the purchase? per Kris, why are you trying to find people on this? Their intentions were good. She had conversations with Dr. Miner, and she thought this was his plan with the administration... they wanted to buy it. They thought it was a good option. Dr. Miner is a good guy. Julie: my confusion is that I talked to Dr. Miner and he expressed that he didn't know the state was going to pay for it. Kris: Ok, that's fair. Those discussions about standing orders and stuff, I came at the tail end of that. That was my understanding was that Dr. Miner and the administration... and I know there was disagreement about the standing order if it should be everyone or what... but my understanding that Health did not have \$.... we were spending everything against the federal line item to get them federal reimbursement. Jeff will know more about FEMA. FEMA encouraged the state to buy. She doesn't want to shift blame because she will own all the other contracts. On this one, she was the fiscal agent.	JMW



DOMO	Kristen Cox, GOMB		8/27/2020	It was hard to get info out of Health and so they set up DOMO. DTS was really involved in that and took a real role in setting up the DOMO contract. KC stated that Keegan McCaffrey, Mike Friedrichs, and Angela Dunn at UDOH worked with "our team" to set that up. Health had gathered information but some vital information such as hospital capacity across the entire system was not available. They needed a way to quickly build out data so that all users could access data without having to go through a cumbersome process. To that end, the Data Analytics & Decision Support Team was formed to build tools, dashboards, reports and decision frameworks. This was the group that involved Keegan, Mike, Navina, and Angela (OSA note: Angela indicates she was not invited). This team worked under the direction of GOMB personnel. Per Kristen, this team and the DOMO dashboard allowed a space where users could review, vet, and align the internal measures either before putting them into practice or sharing on more public dashboard. The coronavirus.utah.gov public dashboard focused on lagging measures like tests, cases, hospitalizations, deaths, and descriptors like age, geographical area and hospital bed type. the existing UDOH internal dashboard tracks these measures and more. In contract, some examples of leading measures tracked internally include: time to process a test, time to investigate a case, and times to notify a positive case and their contacts. We also have workload levels like positive cases which are in process, are pending, or have completed contact tracing. These leading measures are associated with both desirable targets to achieve, and undesirable thresholds that trigger operational actions to prevent overwhelm of the system. An operational target might be that 100% of prison intakes are tested, or the turnaround time for contact tracing is 1 day in order to contain the virus' spread. On the other end, if cases and hospitalizations reach certain higher levels that threaten to overwhelm the system, this will trigger actions at various components of our response to defend our response capacity and save lives.	tys/jmw/ Kristen's follow up emails.
Hydroxychloroquine	Chris Hughes, Purchasing		4/27/2020	Chris said he acted under the direction of the GOMB. See email exchange with Duncan Evans authorizing the purchase.	JMW
PPE	Chris Hughes, Purchasing		4/27/2020	Chris is the point person for ordering PPE	JMW
PPE	Chris Hughes, Purchasing		6/17/2020	When Purchasing began making purchases no one from the Governor's office was telling them, no one from Unified Command was telling them what to purchase. They didn't know how to evaluate PPE. Initially PPE was just going to state employees for their use. Chris said that with some purchases requested by other entities, no one felt they could authorize the purchase. He said they lost some orders because of that.	Tys
GOMB contracts	Chris Hughes, Purchasing		6/17/2020	Chris Hughes reviewed our analysis of purchasing criteria and agreed with the analysis. Specifically that emergency purchases are allowed given the criteria in 63G-6a-803, when those purchases are within the scope of the executive branch entity's regular procurement authority. He said that unless the Governor stated otherwise, GOMB would not have had the authority to make purchases that were health related. He indicated that those duties would obviously fall on the Department of Health. He said that his impression of those contracts is that the procurement decision had been made and that when he was involved it was to ensure the contract itself had proper language. The terms and conditions.	Tys

Hydroxychloroquine	Ron Gordon, Governor's counsel	801-538-1504 801-712-1683	4/28/2020	TCW Ron Gordon, Governor Herbert's counsel. He was very upfront at first and it sounds like the only documents he has right now are the same ones I have from purchasing and the treasurer. I told him I was looking for information on how the discussions were initiated with Meds in Motion and how the purchase came about in the first place. He said he hadn't found any documents related to that yet. Then I asked whether it would be ok for us to talk to Kristen. At that point he asked what our objective was. I told him that we had an interest as auditors in looking at the authorization and approval processes. He then asked me to make the request in writing.	JMW
GOMB role	Ron Gordon, Governor's counsel	801-538-1504 801-712-1683	5/7/2020	task force established prior to the unified command activation. Currently the Unified Command is in charge and everyone coordinates through them. No public list of task force members. The task force is an advisory group. No authority to authorize or approve transactions. They discuss policy and make recommendation through Lt. Governor to Governor. Different agencies acted within their world of responsibility . It was mostly DOH, GOMB, DPS.	JMW

Subject: State Auditor - Invitation to collaborate



Ron Gordon (via Google Drive) <drive-shares-noreply@google.com>
to jwrigley

Tue, Jul 7, 2020, 3

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Subject: UCC APPROVAL LISTS 4 COVID GRANTS (1).pdf



Cadi Sande (via Google Drive) <drive-shares-noreply@google.com>
to jwrigley

Thu, Aug 27, 2020, 7

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csande@utah.gov has shared the following PDF:


 **UCC APPROVAL LISTS 4 COVID GRANTS (1).pdf**

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Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA



GROUP #	ORGANIZATION	AMOUNT	STATUS
GROUP 1	UNIVERSITY OF UTAH	\$50,000.00	X
GROUP 1	UNIVERSITY OF UTAH	\$50,000.00	X
TOTAL		\$100,000.00	2
GROUP #	ORGANIZATION	AMOUNT	STATUS
GROUP 2	UTAH STATE UNIVERSITY	\$50,000.00	X
GROUP 2	UTAH STATE UNIVERSITY	\$50,000.00	X
TOTAL		\$100,000.00	2
GROUP #	ORGANIZATION	AMOUNT	STATUS
GROUP 3	PROVO	\$50,000.00	X
GROUP 3	PROVO	\$50,000.00	X
TOTAL		\$100,000.00	2

 **UCC APPROVAL ..**

Subject: Utah's Rankings w/Covid-19



Lorie Davis <lorie@utah.gov>
to Julie Wrigley

Thu, May 28, 2020, 5

You are viewing an attached message. State of Utah Mail can't verify the authenticity of attached messages.

Julie,

Attached is the document Kris promised to send you as a result of your call with her last week. The document has been updated to include the most recent info available.

Thanks.

-Lorie

Lorie Davis, Administrative Coordinator

Governor's Office of Management and Budget

State Capitol, Suite 150 | 350 North State Street | Salt Lake City, UT 84114

P: 801-538-1705 | C: 801-707-7426 | lorie@utah.gov



UTAH RANKS HIGH IN THE COVID-19 RESPONSE

- COVID-19 will need to be managed, not eliminated. It is inevitable that our state will see this virus for months to come. The goal is not to achieve a zero-outbreak, but to manage the impact.
- Utah ranks 5th lowest in the nation for the number of deaths per million people. In states with more than 5,000 positive cases, Utah has the lowest number of deaths per million people. This means that Utah is doing an excellent job at containing the virus.
 - Note: Utah has the youngest state in the nation at a median age of 37 years and a low per capita death rate could be partially explained by a lower population risk of death. When we control for age, about 10% of cases in Utah are among people younger than 18 years of age, whereas nationally the proportion of confirmed cases for that same demographic is about 25%. However, this could also serve as evidence of Utah's success in testing and identifying cases among all populations of the state population as well.
- Utah has the 9th highest number of tests administered with 60,000 tests administered per million people, while the US average is at 45,000 tests per million people. This shows that Utah is incredibly proactive.

PDF Utah Ranks High ..

Subject: Wires



Christopher Hughes <christopherhughes@utah.gov>
to John Dougall, Julie Wrigley

Mon, May 4, 2020, 10:02

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John and Julie,

I have attached a zip drive with all of Purchasing current documents regarding COVID-19 purchases. I have also included the email regarding one of the first wires.

I will continue to search for the email related to the wires, so that you can see the process. At the very beginning GOMB, the Treasurer's Office (which included Dave), the EOC, Division of Finance, and myself had a phone call to discuss the process for the wire transfer. It was determined I would provide the team with the invoice and the reason for the wire and then GOMB and Finance would approve/disapprove and then the Treasurer's Office would initiate the wire transfer.

We did have some phone calls early on regarding process and determinations.

I will try and get all documentation regarding the wire transfers and process this week or early next week. You will notice that once a wire had been initiated at least once to a firm then justification for using the vendor diminished.

In an effort to continually improve our service, please take this brief survey: [Division of Purchasing Customer Experience Survey](#).

PLEASE forgive any typos. I am currently experiencing a high volume of emails.

Thank you.

Christopher W. Hughes
Director, State of Utah Division of Purchasing & General Services
NEW phone number is 801-957-7130
Website: www.purchasing.utah.gov

Interested in responding to solicitations from the State of Utah, please visit [here](#).

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Cadi Sande (via Google Drive) <drive-shares-noreply@google.com>
to jwrigley

Thu, Aug 27, 2020, 7

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csande@utah.gov has shared the following PDF:

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