

**Business Enterprise Program Council for Minorities,  
Females, and Persons with Disabilities Meeting**

**MEETING MINUTES**

**Monthly Council Meeting  
Location: Video Conference Room 2-025  
James R. Thompson Center  
100 W. Randolph Street, Chicago, Illinois**

**Monday, June 27, 2011 1:30 p.m.**

**COUNCIL MEMBERS IN ATTENDANCE**

Florence Cox  
Michael Gonzalez  
Beth Doria  
Phillip Barreda  
Jesse Martinez  
Larry Ivory  
Nelida Smyser-De Leon  
Lynne Turner  
Patrick Blair, via video conference

**COUNCIL MEMBERS NOT IN ATTENDANCE**

Lawrence Parrish  
Hedy Ratner  
Alesia Hawkins

**COUNCIL CHAIRMAN**

Malcolm Weems, CMS Director

**COUNCIL SECRETARY**

Ruddy Ortiz

**CMS STAFF IN ATTENDANCE**

Susan Hartman, CMS/Chief Knowledge Officer  
Ellen Daley, CMS/Procurement Counsel  
Lynn Carter, CMS Deputy General Counsel, Procurement  
David Eldridge, CMS/ Deputy Director of Bureau of Strategic Sourcing, via video conference  
Marsheila Hardy, CMS/BEP  
Agueda Corona, CMS/Disparity Study Manager  
Philina King, CMS/BEP Legal Counsel  
Tasha Green Cruzat, CMS/ Chief Operating Officer  
Elias Ricks Ngwayah II, CMS/BEP  
Nadine Lacombe, CMS General Counsel  
Carlos Gutierrez, CMS/BEP  
Gladys Rodriquez, CMS/BEP

**OTHERS IN ATTENDANCE**

Stephanie Stephens, Diversity Manager, Illinois State Toll Highway Authority  
Dan Johnson Weinberger, Attorney  
Aaron Carter, Executive Director for Illinois Procurement Policy Board via video conference  
Gilbert Villegas Jr., Illinois Capital Development Board

Timothy Fishburn, Administrator for Procurement Policy Board, via video conference  
Joe Kim, Illinois Executive Ethics Commission  
Bonne Clayton, Illinois Department of Commerce and Economic Opportunity  
Art Moore, Illinois Executive Ethics Commission-SPO for Illinois Department of Commerce and Economic Opportunity, via video conference

## **AGENDA**

- 1.0 CALL TO ORDER
- 2.0 ROLL CALL
- 3.0 APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON May 23, 2011
- 4.0 CHAIR'S REPORT
- 5.0 POSTED BUSINESS
- 6.0 UNFINISHED BUSINESS
  - 6.1 Committee Updates
    - A. Exemption/Compliance Committee
    - B. Bonding Committee
    - C. Professional Services
    - D. Policy/Enforcement Committee
- 7.0 NEW BUSINESS
- 8.0 ADJOURNMENT

## **CALLED TO ORDER**

Malcolm Weems, Director for Illinois Department of Central Management Services, called the Business Enterprise Program Council meeting to order at 1:45 PM.

Ruddy Ortiz, Business Enterprise Council Secretary, took roll call.

## **INTRODUCTION**

Malcolm Weems introduced himself as CMS Director and pursuant to statute; he is the chairman for the BEP Council.

## **MINUTES OF COUNCIL MEETING OF May, 2011**

The minutes of the Council meeting held May 23rd were approved with no opposition or abstentions.

## **2011 COUNCIL MEETINGS**

The upcoming BEP Council meetings will be scheduled for the fourth Monday of each month, from 1:30 PM. to 3:30 PM.

The Council meeting calendar for 2011 is as follows:

- 25<sup>th</sup> July 2011 – JRTC, Room 2-025
- 22<sup>nd</sup> August 2011 – JRTC, Room 2-025
- 26<sup>th</sup> September 2011 – JRTC, Room 2-025
- 24<sup>th</sup> October 2011 – JRTC, Room 2-025

28th November 2011 – JRTC, Room 2-025

27<sup>th</sup> December 2011 – JRTC, Room 2-025

## **CHAIR'S REPORT**

Chair Malcolm Weems introduced himself to the Council. Chair Weems provided a brief synopsis of his experience with the state of Illinois. He welcomed ideas and concerns and expressed a willingness to work with members on key issues/problems surrounding procurement processes and state contracting opportunities for minorities, females and persons with disabilities.

## **UNFINISHED BUSINESS**

Chair Malcolm Weems called for committee updates.

A. Exemption/Compliance Committee – No Report – Chair, Jesse Martinez

B. Bonding Committee – No Report – Vacant

C. Professional Services Committee – No Report – Chair, Hedy Ratner

D. Policy/Enforcement Committee - Lead Chair, Beth Doria

Member Beth Doria advised that her committee will also focus on reviewing and recommending changes to the BEP administrative rules as suggested in a prior meeting. She wants to start scheduling half day meetings to discuss procurement legislation and form rules. Chair Malcolm Weems advised the policy and enforcement committee to begin to identify and review contract/procurement language in certain bills that have potential for BEP participation and formalize legislative recommendations on those types of contracts. In addition, he suggested that the policy/enforcement committee postpone scheduling half-day meetings until new appointees are on board.

Council Agreed.

## **NEW BUSINESS**

Chair Malcolm Weems called for new business.

Discussion on issues/problems with the BEP tracking and reporting system

Member Larry Ivory initiated dialogue concerning the importance of real-time tracking for minority procurement spends in state contracting. Education is needed to better understand CMS procurement process and agencies compliance plan and exemption categories. Ruddy Ortiz and Susan Hartman explained how CMS/BEP monitor and track contracts with BEP goals. Chair Malcolm Weems recommended BEP Council members be provided a contract award report, including BEP participation goals. He said that this is a good start toward monitoring participation.

In addition members voiced the following concerns:

- BEP Council lack of notification of contract/procurements
- BEP Council's statutory authority to approve agency waivers/exemptions

Update on Council membership and appointment terms

Chair Malcolm Weems inquired about Council membership and appointments. BEP Council Secretary Ruddy Ortiz said that various names have been submitted to the Governor's Office for approval and appointment. Member Beth Doria noted that current members' appointment terms have not expired. Member Phillip Barreda and Member Nelida Smyser-De Leon suggested that a list of current member terms be provided to the full Council along with a current list of BEP Council members.

Discussion on implementation of Senate Bill 3249 Section 45: Award of Capital Funds that are \$250,000 or more

Member Beth Doria addressed compliance issues in regards to the implementation of Senate Bill 3249, naming Illinois Department of Commerce and Economic Development (DCEO) as the lead agency distributing grant dollars to private entities. She met with the Governor's Office to discuss bill and made recommendations. Member Jesse Martinez expressed his concern about construction grants let out that exclude his agency in compliance monitoring. He continues to offer his help in this process, as Illinois Capital Development Board (CDB) is familiar with the capital grant process.

BEP Council Secretary Ruddy Ortiz updated members on BEP internal processes to monitor minority spend for grants and loans and thanked CMS legal and members for their suggestions. The process has been streamlined to allow agencies and universities to effectively monitor goals and report grants spend.

Key points of discussion and conclusions are as follows:

- On-going training to understand CMS contract/procurement solicitation process.
- Revitalization of committees.
- Discussion on procurement legislation and solicitations.
- CMS role and EEC authority re: agency waivers and exemptions vs. BEP Council role and responsibilities, explained by Chair Malcolm Weems.
- BEP Council authority re: Class Exemptions, questioned by Member Florence Cox.

Action Items:

- Chief Procurement Officer Matt Brown will be invited to attend next month meeting to discuss EEC and procurement issues as well as ways to improve supplier diversity.
- Tasha Green Cruzat and Philina King asked members to let everyone know by next meeting if they are interested in participating on a committee.
- Chair Malcolm Weems advised members as contracts are awarded they will receive a contract award report, including BEP participation goals for each award.
- Philina King asked members to via email BEP Council Secretary Ruddy Ortiz their topics before next month meeting. Chair Malcolm Weems noted that this item will be placed under Posted Business.
- Philina King will provide members a copy of the JCAR rules to clarify agency exemptions by categories.

Next Steps:

- Next meeting is scheduled for Monday, July 25, 2011, James R Thompson Center, 100 W Randolph Street, Room 2-025, 1:30 PM to 3:30 PM.

- Chair Malcolm Weems encouraged members to continue to meet with agency Directors to address compliance plan exemption categories, emphasizing larger contract/procurements with BEP goals.
- Members to develop strategic plan and goals for the Council and re-establish committee structure.
- Each month the Council will identify a topic that they want more information on and via email BEP Council Secretary Ruddy Ortiz prior to the meeting.

Meeting Adjourned at 2:55 PM