

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

MONTHLY COUNCIL MEETING MINUTES

100 W. Randolph
Room 2-025
Chicago, IL 60602

401 S. Spring St.
Room 500 1/2
Springfield, IL 62706

Monday, March 25, 2013 - 1:30 P.M

COUNCIL MEMBERS IN ATTENDANCE

Florence Cox	Perry Nakachi	Beth Doria	Fred Coleman
Alesia Hawkins	Lynne Marie Turner	Charisse Witherspoon	Larry Ivory
Richard Boykin	Omar Duque	Nelida Smyser DeLeon	

COUNCIL MEMBERS NOT IN ATTENDANCE

Joan Archie	Marva Boyd	Alfred Ramirez	Rodney Lewis	Samantha Hufnagel
Hedy Ratner	Jesse Martinez			

COUNCIL CHAIR

Malcolm Weems, Chairman

COUNCIL SECRETARY

Paul Cerpa, BEP Deputy Director

CMS STAFF IN ATTENDANCE

Harry Reinhard	Kevin Connor	Philina King
Chima Enyia	Susan Hartman	Sharla Roberts
Elias Ricks Ngwayah II	Ellen Daley	Agueda Corona
Denise Reed		

OTHERS IN ATTENDANCE

Ben Bagby	Gustavo Giraldo	Tom Mikrut	Vir Doshi
Dr. Ewa Ewa	Georgina Syas	Amir Al-Khafaji	Steven Richie
Shirley Webb	Marianne Smith	Dante Watson	

AGENDA

March 25, 2013 - 1:30 p.m.

- I. Welcome
- II. Call to Order
- III. Roll Call
- IV. Approval of Minutes of Council Meeting held on February 25, 2013.
- V. Chair's Report
- VI. Posted Business
- VII. Unfinished Business
- VIII. Committee Updates
 - Procurement Committee
 - Business Development Committee
 - Capital Access and Banking Committee
 - Certification Committee
 - Policy, Rules and Enforcement Committee
- IX. New Business
- X. Public/Vendor's Testimony
 - Adjournment
 - Next Council Mtg. – April 22, 2013

Welcome

Chairman Malcolm Weems called the March Business Enterprise Program (BEP) Council meeting to order at 1:48PM on March 25, 2013.

Roll Call

Council Secretary Paul Cerpa took the roll and announced that a quorum has been obtained.

Vote and approval of the Minutes of the Council Meeting held on February 25, 2013 was established, with one exception. Council member Witherspoon noted that her subcommittee report needed to be amended. The correction was noted, and the report will be revised before the minutes are posted on the BEP website.

Chair's Report

Chairman Weems announced that Philina King, CMS/BEP's Legal Counsel will be accepting a new position with Illinois Financial and Professional Regulation Agency. Her vacant position will be filled in the near future, and she will remain available for any outstanding issues that require legal expertise until her replacement reports for duty.

Another announcement by the Chairman included Dante Watson's appointment as the new Agency Purchasing Officer to the Illinois Department of Transportation; and, Mitzi Loftus as the new CMS representative to the Bureau of Strategic Sourcing.

Also noted by the Chair were numerous calls from the General Assembly regarding the Fiscal Year 2012 BEP Annual Report, as well as, questions relating to State Use spending with Sheltered Workshops. The results of these inquiries illustrated the need for the BEP vendor pool to grow.

The Disparity Study is progressing with CMS assistance. By the end of April, a preliminary report involving IT should be made available to the Council. Council member Florence Cox inquired as to the universe of the Study, for example, will the database utilized for BEP goal setting be the one utilized for the Disparity Study, or will it be expanded. Sharla Roberts from CMS stated that she will provide the section of the contract that deals with the base of comparisons for the Study. Chairman Weems suggested that a separate meeting of the Council be convened to discuss the Disparity Study.

Posted Business

No posted business

Unfinished Business

No unfinished business

Committee Updates

Procurement Committee – Chairlady Charisse Witherspoon detailed the Subcommittee meeting held just prior to the Council meeting. A future report will follow detailing the specifics of the points discussed. Highlights of this meeting involved the following topics:

- Forecasting - identifying specific agencies and one university to study forecasts. Also added to this study would be the Affordable Care Act federal contract under negotiation through the Illinois Department of Insurance.
- Review of allowed and requested exemptions by agencies and universities. Specifically the Council mandate of periodic review of exemptions.
- Issues surrounding the Open Meetings Act with respect to committee communications.
- BEP goal setting issues. Subcommittee member Larry Ivory feels that a full review process of goal setting is warranted. The obvious purpose is to raise the level of goals that are currently established for contracts. Council Secretary Cerpa noted that CMS is currently reviewing this goal setting process. Subcommittee member Larry Ivory noted that some states, Maryland for example, do not utilize this type of goal setting process.
- Some problems were identified in the contracting Utilization Plan review process. One difficulty is that the prime's subcontracting vendor's BEP certification must be in place at the time of the contract award. This needs to be modified. The subcontractor needs to be BEP certified at the time of the bid submission.

A recommendation was presented that some type of forum be established to identify what types of problems and issues vendors experience in the contracting process.

- Business Development Committee – No report.
- Capital Access and Banking Committee – Chairman Fred Coleman told the Council that the subcommittee had a meeting on March 22nd. The committee reviewed telecommunication issues with surety bond providers, and is focusing its considerations on education and training components. Contact was also made with Mr. Cooper of Inter City Underwriting arranging an upcoming conference call, again with the focus on education.
- Certification Committee – Chairlady Florence Cox informed the Council that there was one vendor presented for appeal. The denial of this vendor was overturned. There seemed to be several issues with JCAR Section 10.70. Chairlady Florence Cox suggested that the Council look into this rule and establish clarity.
- Policy, Rules, and Enforcement Committee – No report.

New Business

Chairman Weems noted two new pieces of legislation that were introduced. Both were similar in nature. The first involved certification of minority females. Currently they may be certified as a minority or as a female, but not both. The legislation addresses dual certification. The second deals with veteran certification. The issue of a minority male or female who is also a veteran, as well as the crossover of veterans into the BEP Program, and the issue of dual certification are the points addressed. Council member Charisse Witherspoon encouraged this dual certification proposal.

It was noted that the Veteran's program is slow moving; only twenty-one veteran vendors have been certified as of this date. The Illinois Department of Veterans Affairs is responsible for outreach of this program. One event is scheduled for April 14, 2013 that will house numerous workshops promoting the program. Council member Nelida Smyser DeLeon noted that DHS will be doing outreach for the veterans.

Council member Omar Duque wanted to bring the Council's attention to contracts for public utilities that do not currently contain BEP goals. Council member Beth Doria has been an avid spokesperson for this scenario of including BEP participation.

Chairman Weems identified a number of issues with the Small Business Set Aside Program and its overlap with the BEP program. Perhaps a potential merger of the programs may be forthcoming. An investigative study needs to be conducted.

Council member Larry Ivory requested that the Council be informed and kept up to date on legislation that affected the Program. Council member Ivory noted that through various Council contacts in the General Assembly, favorable change may be influenced in the legislative decision making process. Chairman Weems agreed and has stated that in the future monthly Council meetings, legislative updates will be given in the Chair's Report. He also proposes that certain House/Senate Representatives be invited to future Council meeting to address their proposed legislation that impacts CMS and BEP. Council member Larry Ivory noted that he will be in Springfield on April 10th, and asked if there were any points that he needs to address with the General Assembly.

Council member Larry Ivory requested an update on the Sheltered Market program proposed by the Council, and also thanked staff for moving this forward. Philina King noted that the Sheltered Market request by the Council was now in the hands of JCAR. Chairman Weems noted that JCAR must now reach out to all Chief Procurement Officers for input, as well as, acquire more background information. A hearing in April is anticipated.

Public/Vendors' Testimony

No testimony this month.

Adjournment

The next Council Meeting will be held on April 22, 2013

Meeting adjourned at 2:39PM.