



NOTICE

**Business Enterprise Council
Council for Minorities, Females and Persons with Disabilities
Monday, January 11, 2021
1:30 pm – 3:30 pm
Location: Webex Event**

MINUTES

I. Welcome

Chair Forde welcomed everyone to the meeting.

II. Call to Order

Chair Forde called the meeting to order at 1:46 pm. Kori Acosta proceeded with roll call.

III. Roll Call

Roll call was conducted. Quorum was established.

BEP Council				
ATTENDANCE ROSTER: COUNCIL MEMBERS				
Members	Present			Absent
	In person Chicago	In person Springfield	via WebEx	
Janel Forde, Chair			x	
Denise Barreto			x	
Alex Bautista			x	



Bola Delano			x	
Emilia DiMenco			x	
Jaime DiPaulo			x	
Beth Doria			x	
Karen Eng			x	
Larry Ivory			x	
Jesse Martinez			x	
Sharron Matthews			x	
Jonathan McGee				X
Edward McKinnie				X
Kaney Frances O'Neil				X
Jorge Perez				x
Hedy Ratner			x	
Sharla Roberts			x	

Note: Meeting was held via WebEx video conference to adhere to the social distancing guidelines, due to the COVID -19/Coronavirus pandemic.



Agency Representatives

Business Enterprise Council				
ATTENDANCE ROSTER: Agency Representatives				
Agency	Representative	Present		
		In person - Chicago	In person - Springfield	via WebEx
Central Management Services	Kori Acosta			
	Terrence Glavin			
	Claudia Gomez			
	Carlos Gutiérrez			
	Paul Kuchuris			
	Julie Langrehr			
	Nicole Mandeville			X
	Anthony Pascente			
	Patricia Pérez			
	Ivan Ramírez			
	Harry Reinhard			
	Rebecca Roussell			

Total: 12 CMS and other Agency Employees attended this meeting.

IV. Approval of the Minutes for the October 26, 2020 BEP Council Meeting

Member Doria motioned to approve the minutes from October 26, 2020. Member Roberts seconded. All agreed. The minutes were approved.

In accordance with the Illinois Open Meetings Act (5 ILCS 120) and the Freedom of Information Act (5 ILCS 140) the above meeting is open to the public Business Enterprise Council



V. **Chair's Report – Director Forde**

- HR Announcement
 1. Chair Forde announced the new BEP Deputy Director Ariel Renee Johnson, who recently served as Deputy Director of Civil Rights, Including, and Opportunity for the City of Detroit, Michigan where she led all department operations.
 2. She described Ms. Johnson as having familiarity with BEP type programs due to her having recently led Detroit's Business Opportunity Program and where she partnered with the Office of Contracting and Procurement.
 3. Chair Forde thanked Rebecca Roussel for having graciously stepped-in as Acting BEP Secretary and advanced a lot of the work that needed to get done in 2020 to be able to transition this work into full time leadership.
- Recap of December events
 1. Chair Forde noted the celebration of Native American Heritage Month in November and their work with Andrew Johnson to deliver programing and messages to the Native American Chamber of Commerce and their membership.
- 2020 Highlights
 1. Chair Forde reported that spend with BEP vendors was at an all-time high with primes, spend black-owned business has grown, and each of the 3 past fiscal years including FY20 numbers, representing 100% growth over the FY19 numbers.
 2. She stated that Asian and Latinx businesses also saw growth, with 31% and 5% increases respectively.
 3. Chair Forde stated that BEP Certification and Outreach continue to host 3 distinct webinars which have been discussed in council meetings. She noted that during the past year, more than 60 events were hosted with more than 1700 attendees. She highlighted that BEP began holding industry-specific webinars.
 4. Chair Forde said that regarding Certification, in April 2020 BEP cleared their historical backlog and moved to a completely paperless system and are now using the B2GNow Portal for vendor certification which is consistent with their green initiative and making it easier for folks to do business with the State of Illinois.

5. Chair Forde stated they have grown their vendor pool by more than 50% last year. She said the pool is now 3,000 plus newly BEP certified vendors.
6. Chair Forde reported that the team has certified more than 600+ vendors by the FastTrack Certification initiative launched in July and they continue to have a 97% approval rate which on par with their current process.
7. Chair Forde announced they revised the Utilization Plan to make it more user friendly and that they continue to work towards greater transparency.
8. Chair Forde reported they are in the final stages of implementing the Diversity Compliance Monitoring System (DCMS) so that it will be fully automated for the real time tracking of prime vendor performance and payment to subcontractors.
9. Chair Forde stated they are closer to awarding the vendor for their BEP disparity study within Q1.
10. Chair Forde reported that in Q1 they will be rolling out a new goal attaining formula and welcomed insight from agencies' buying plans or intentions in order to give a more full, robust picture to potential vendors.
11. Chair Forde emphasized the desire for collaboration and to reach every corner of the State to have more participation with communities or industry groups and that they would facilitate that.
12. Council members acknowledged the need for their approval of the next Council Secretary and expressed their enthusiasm towards welcoming the new BEP Deputy Director, Ariel Johnson.

VI. Subcommittee Reports

- Certification Subcommittee Report – Chair Sharla Roberts
 - i. Chair Roberts reported that held a meeting Monday, November 23rd. She said they heard 2 over-the-cap appeals from Neta Scientific Plumbing and Inspired Solutions, Inc. which were approved.
- Outreach Subcommittee Report – Chair Emilia DiMenco
 - i. Chair DiMenco reported that the subcommittee met on November 24th, where they discussed ongoing topics, strategic plan, and KPIs.
 - ii. She stated that the ongoing topics discussed were continuing work on marketing collateral, onboarding, access to pending legislation information.



- iii. Chair DiMenco reported great progress under the Strategic Plan over the past year with the number of certifications up, they are seeking a replacement for Ms. Lopez, the webinars are continuing, and they are looking to make progress on the number of contracts awarded.
- iv. Chair DiMenco said they are seeking to develop a Scorecard which will be shared with the council when completed.

➤ Compliance Subcommittee Report – Chair Sharla Roberts

- i. Chair Roberts stated that Mr. Reinhard gave them a walk-through of the reports they would be receiving in compliance with the BEP Act.
- ii. She listed that since Mr. Merchant is no longer with the agency, the CMS COVID related spend they requested is still pending.
- iii. Chair Roberts stated that in the Fair Practice Contracting Tax Executive Order there were directives that CMS was responsible for in that report and they requested an update in writing on where they are in that report on those deliverables.
- iv. Chair Roberts noted that they also discussed goals on the Small Business Set-Aside (SBSA) spend and requested a working group be formed to ensure enforcement of the BEP Act regarding SBSA spend.
- v. She stated that they would like a copy of the new goal setting process workflow that is set to begin in January in writing.
- vi. Chair Roberts stated that it was discussed that they had requested a memo go out encouraging pre-bid meetings and relating their importance.
- vii. Chair Roberts reported that they spoke with Mr. Alvarez of the Illinois Tollway on working with the Council to maximize their goals.
- viii. Member Matthews cited that additional requests for exemptions were also discussed. Chair Forde called for this topic to be deliberated at a later date and a vote was taken.

Member Doria motioned for a separate meeting to discuss exemptions. Chair Roberts seconded. All agreed. The motion passed.

VII. **Ongoing Business**

- Update on Doubling the Vendor Pool – **Carlos Gutierrez**
 - i. Mr. Gutierrez reported that they have increased the vendor pool, added the FastTrack Certification process, and streamlined the certification process.

- Update on Overall BEP Outreach Strategy – **Nicole Mandeville**
 - i. Ms. Mandeville highlighted that BEP has enhanced their outreach efforts to the vendor community by implementing weekly communications and hosting 3 times more events than in previous years.
- Update on Vendor Registration in BidBuy – **Harry Reinhard**
 - i. Mr. Reinhard announced that BEP will be releasing a new Policy and Procedures manual.
- Update on the \$20MM under 20% Report – **Harry Reinhard**
 - i. Mr. Reinhard stated that FY20 demonstrated to be a very good year by being well over \$60 million where they were last year.
- Update on Goal Setting Pilot Program – **Harry Reinhard**
 - i. Mr. Reinhard reported they have a new goal setting methodology to be launched February 1st. He stated they have produced video tutorials.
- Sheltered Markets Discussion – **BEP Council**
 - i. Member Ivory reminded the council they had initially voted for sheltered markets in 2012 and have only identified 2 in 8 years. He recommended they be the group to move this agenda forward.
 - ii. Chair Roberts noted that they used to receive contract information but are no longer receiving such in order to deliberate on sheltered markets.
 - iii. Member Matthews pointed out the need to add other business sectors to the program and include a process for procuring entities to follow. She also affirmed they need the data to evaluate.
 - iv. Ms. Lakhani responded that it is not only BEP’s responsibility to bring the information noted in the [BEP Act](#) by Chair Roberts to the Council, but that it is a shared responsibility for the Council to determine what information is required.
 - v. Director Forde stated agreement with Member Ivory regarding the need for education and added that there is a need for re-grouping in the tools of the what, why, and how.

VIII. **New Business**

- a. **Waivers & Requested Exemptions – Nicole Mandeville**
 - i. Ms. Mandeville stated they are continuing to evaluate the implications and impact of requested exemptions and waivers.
- b. **Senate Hearing Presentation Update – Nicole Mandeville**



- i. Ms. Mandeville reported that the team prepared the statement and turned it over to the Governor's Office.

IX. Certification Review

- a. Stoops Plumbing, Inc. – Carlos Gutierrez
 - i. Mr. Gutierrez stated that the ownership is comprised of Jennifer Stoops, President 51% owner, Steve Kevin Stoops, Vice President, Father-in-Law and 49% owner with 15 years of ownership.
 - ii. Mr. Gutierrez reported that the Certification Subcommittee upheld the denial and a denial letter was issued on October 13, 2020.

X. Public / Vendor's Testimony

- a. Jeffrey E. Sterling, M.D. – SIMPCO

Dr. Sterling introduced himself as representing SI Medical Supply, a BEP certified small business, proud to have supported the State in providing PPE. He stated they are a mass-distributor of over 100,000 products globally. Dr. Sterling said he has come requesting guidance and assistance if not relief in a matter in which they have been economically damaged. He explained that they contracted with IDPH through IEMA to provide 200,000 gowns at a cost of \$2 million by June 30, 2020 and due to a geopolitical crisis, exports were halted from Turkey and that affected all vendors. He stated that IEMA was aware of this. Dr. Sterling reported that on June 13th he notified them of an immediate opportunity to secure an additional 100,000 gowns that were located within the U.S. and could be delivered within 2 days. He stated they did so with the full knowledge and understanding of IEMA, they made the additional purchase, shipped the gowns to IEMA, they were received on June 15th, and the expressed intention to pursue the addendum was confirmed on the 17th.

Dr. Sterling reported that they subsequently reached out to IEMA on multiple occasions regarding the addendum. He stated that 42 days later they were notified that the addendum would not be forthcoming. Dr. Sterling said they subsequently have attempted to develop some sort of remedy because in fact the gowns were accepted, used, and they simply did not get a contract based on their good faith efforts to immediately support the State during the height of a pandemic.

Dr. Sterling added that they asked Michael Merchant on September 30th to intervene, Mr. Merchant communicated with IEMA, and they did not receive a response until



October 16th at which point in time the legal counsel of IEMA contacted them only offering to send them replacement gowns. Dr. Sterling reported that IEMA's legal counsel has in fact been threatening, intimidating, and suggested recourse against them if they didn't accept the replacement gowns.

Dr. Sterling reiterated that the gowns they forwarded were in fact used. He stated they have never any offer for the use of the gowns they purchased and sent for the State. Dr. Sterling stated they have subsequently been unable to have further discussion with IEMA or any new business opportunities as a result of this interaction. He added they have been economically 2injured by this situation. Dr. Sterling emphasized they paid for 100,000 level 2 surgical gowns and their delivery to IEMA as an act of good faith and out of abundance of caution because they had no control over the delay of the delivery at that point.

Dr. Sterling said they were communicating with multiple people about this and at this point they have no recourse because they are not being communicated with, no addendum has been offered, no contract has been signed, and no relief has been proposed, so they are coming to the BEP Council asking that the facts of the matter be addressed and that the economic realities and hardships that have been imposed upon them through this use of their products without remuneration be addressed.

Dr. Sterling said they have also requested a Zoom meeting to speak with IEMA but the fact that they are now only dealing with their attorney puts them in a situation that they don't want. He stated they want to remain good faith vendors with the State, and he is not looking to pursue a legal remedy, but they are not being given any other alternative other than to pursue such action if they can't get support or at least conversation directly with those entities. Dr. Sterling said they haven't heard from anyone on that end since November 13th. He restated that the product has been used by them since June of last year. Dr. Sterling thanked everyone for their time.

XI. Executive Session

XII. Upcoming Business Enterprise Council & Subcommittee meeting dates:

- Next Council Meeting – Monday, February 22, 2021
- Next Certification Subcommittee Meeting – Monday, January 25, 2021
- Next Outreach Subcommittee Meeting – Tuesday, January 26, 2021



ILLINOIS

JB Pritzker, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Janel L. Forde, Director

- Next Compliance Subcommittee Meeting – Wednesday, January 27, 2021

XIII. Adjournment

Member Ivory moved to adjourn. Member Matthews seconded. All agreed. The meeting adjourned at 3:43 pm.

BEP [Outreach Events](#)

Note: There will be no IPB Notices and Solicitations Reports for this meeting.