



**Business Enterprise Program Council  
CERTIFICATION SUBCOMMITTEE MEETING MINUTES**

**Thursday, February 20, 2020**

**1:30 pm – 3:30 pm**

**James R. Thompson Center**

**100 W. Randolph Street, Suite 4-404**

**Chicago, IL 60601**

**SUBCOMMITTEE COUNCIL MEMBERS IN ATTENDANCE**

Bola Delano; Beth Doria; Karen Eng; Larry Ivory; Sharron Matthews; Edward McKinnie; Sharla Roberts

**SUBCOMMITTEE COUNCIL MEMBERS NOT IN ATTENDANCE**

Jaime DiPaulo

**OTHERS IN ATTENDANCE**

Irene Caminer

**COUNCIL SECRETARY**

Michael Merchant

**CMS STAFF IN ATTENDANCE**

Kori Acosta; Carlos Gutierrez; Paul Kuchuris; Kajanda Love



**Business Enterprise Program Council  
CERTIFICATION SUBCOMMITTEE MEETING**

**Thursday, February 20, 2020**

**1:30 pm – 4:30 pm**

**Room 4-404 JRTC**

**Webex Number – 809858361@illinois.webex.com**

**Meeting number (access code): 809 858 361**

**AGENDA**

- I. Welcome
- II. Call to Order
- III. Roll Call
- IV. Posted Business
  - Approval of December 2, 2019 Meeting Minutes
  - Appeals:
    - TGDA Landscape Architecture - Confirmed
    - Dee's Clearing Services - Confirmed
    - Seico, Inc. - Confirmed
    - Montefusco HVAC, Inc. - Confirmed
    - Boswell Pharmacy Services, LLC - Confirmed
- V. Upcoming Business Enterprise Council and Subcommittee Meeting dates:
  - Next BEP Council Meeting – February 24, 2020
  - Next Subcommittee Meeting – March 23, 2020
- VI. Public / Vendor Testimony
- VII. Adjournment

**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  
BEP Council Certification Subcommittee**



## **I. Welcome**

Chair Roberts welcomed everyone to the meeting.

## **II. Call to Order**

Chair Roberts called the meeting to order at 1:34 p.m. and proceeded with roll call.

## **III. Roll Call**

Roll call was conducted by Michael Merchant. Quorum was established.

## **IV. Posted Business**

- Approvals of Minutes for the December 2, 2019 Meeting  
Member Doria motioned to motioned to approve the meeting minutes from December 2, 2019. All agreed. The motion passed.

- Appeals:

- **Boswell Pharmacy Services, LLC**

Mr. Gutierrez announced that the vendor was present to address the over the cap appeal. Chair Roberts asked if Ms. Jacqueline Martella was present. Ms. Martella confirmed her presence. Chair Roberts thanked her for coming and explained the proceedings. Ms. Martella thanked the Council, introduced herself as Jackie Martella, the owner of Boswell Pharmacy Services and a pharmacist. She added that she started her own pharmacy business in 1990 and would tell the Council a little bit about her background. Ms. Martella said she comes from a family owned pharmacy business of an independent pharmacist. She stated that her Dad started the business in 1964. Ms. Marella explained that she grew up in that business and found that when she worked there a few years after college, she wanted to return to the independent marketplace because she liked serving the community and helping people, therefore liked what the business had to offer.

In 1990, she purchased her own pharmacy business when she was 25 years old where she could start servicing a very small town with about 25 residents. From there, Ms. Martella stated she was able to expand her business by adding a prescription center retail business. She needed to become more competitive with the bigger pharmacies in the marketplace in her pricing by becoming a closed-door, more automated business. She emphasized the importance of understanding how it all came to be. Ms. Martella confirmed that Boswell Prescription Center is a retail independent business from which Boswell Pharmacy Services evolved. She stated they are located 3 miles away from each other. Ms. Martella explained that she was going to go out of business unless she became more competitive in pharmacy pricing and cost of goods. With that she gave the floor to Adam (Mr. Layman) for more information.



Mr. Layman explained that BEP played a large part in helping Ms. Martella grow her company because they have been servicing the Department of Corrections (IDOC) inmates for over 15 years. He pointed out that all inmate medications have been provided through Ms. Martella's company. He explained that the prime vendor wanted to meet the 20% BEP goal and contacted the company. Mr. Layman thanked the Council for having this program in place to give Ms. Martella the opportunity to grow her business. He highlighted that Boswell Pharmacy Services is certified nationally as a women-owned small business (WOSB) and WBENC (Women's Business Enterprise National Council) which he said is the largest certifier of women's businesses in the country. He noted that they have been providing as a minority business for many years in the State of Illinois.

Mr. Layman stated that in 2016 gross revenue, including 50% of smaller companies that Ms. Martella owns, was around \$54 million. He said in 2017 they added a contract with the State of Indiana Department of Corrections which brought them up to \$83 million. Mr. Layman explained that although it stated \$83 million gross revenue on the federal income statement, in trying to grow the business, they needed to build out that building, which was not operational at that site.

Therefore, he added that Boswell Pharmacy Services provided medications to Boswell Prescription Center as an inter-company transfer of medications in the amount of \$9.9 million, so they were paid one time for those medications. Mr. Layman said that the tax return states \$58 million, of which \$9.9 million was actually money put in the books. He pointed out that if you remove the interoffice transfer that will bring the actual amount to \$73 million. Mr. Layman stated that they received a denial in January of 2019 and their contention is that they did not receive \$83 million in gross revenue in 2017, but that they actually received \$73 million and the same thing happened in 2018. He remarked that as a 2-year average it comes out to \$74.5 million for that period and as a 3-year average it comes out to much lower than the \$75 million threshold.

Mr. Layman argued that they are not a wholesaler pharmacy, but a company which provides pharmacy services. He posited that out of the \$75 million in gross revenue, \$65 million is essentially a pass through. Mr. Layman said that their contracts with Department of Corrections state that they have to provide medications at an actual acquisition cost. He reported that their company operates year to year on about \$7.5 to \$10 million annually. Mr. Layman affirmed that it is confusing to say their company is a \$75 million company, because the primary contractor gets paid for the medications and their company is simply reimbursed for those medications, so that they may only see \$5 for a medication, the rest is pass through.

Mr. Layman added that as a subcontractor they have no control on how those medications are ordered, no control over volume, and make no more money whether more or less prescriptions are ordered. He outlined that they are paid per inmate, the inmate population went down by 20% in the last three years in Illinois, so they used to get paid on 45,000 inmates, but now get paid on 37,000 inmates, also the cost of



medication goes up every year, therefore they are sometimes making less money and operate at a 2-4% margin as a small business, not a large pharmaceutical company.

Mr. Layman pointed out that the denial letter states that they may apply to the Council to demonstrate that there is a significant impact on the business in a negative way for minorities, women-owned business, people with disabilities. He said if they were to lose the certification, they would lose over 39-40 percent of their company by losing a contract that makes about \$19 million of their organization. Mr. Layman asserted that they do not get \$19 million, rather they get maybe 10% of that number to operate their business. He further noted that they currently employ 164 staff of which 122 are minority, female or disabled, in addition, equal to 74% of their company.

Additionally, Mr. Layman stated that of their 56 Illinois staff members 46 are minorities, women, and people with disabilities, amounting to 92% of that staff. He confirmed that this places their company at significant risk of failing moving forward. Chair Roberts requested his full name. Mr. Layman replied, Adam Layman, Operations & Strategic Analysis Director with Boswell Pharmacy. Chair Roberts stated that the owner should be making most of the appeal but said he is allowed to finish. Mr. Layman continued, stating that the company is a Hub Zone Certified, hub zone meaning that it is a distressed urban rural community with a low housing median income and high unemployment rate. He said the company sits in Generstown, PA where out of the 650 people in the community, they employ 164. Mr. Layman stated that as he comes into the office daily he has seen the impact that Jackie's had on mothers, grandmothers and the disabled, and the ability for her to allow people to work past retirement age, and he applauds that, having worked in larger companies where employees are not treated in that manner. He thanked the Council. Mr. Layman stated that they are seeking certification to continue the contract with the Illinois Department of Health and Family Services and Illinois Department of Corrections which is a contract they have serviced for over 15 years.

Member McKinnie asked Ms. Martella to break down the number of minorities, women, and disabled employees. Ms. Martella answered about 79%, in each category the majority are women, men are in the minority, and as Mr. Layman pointed out, she hires a lot of mothers, grandmothers, people who are 85 years old and raising grandchildren, about 10 disabled who are higher functioning because they can do the job and do a good job. She added that they come to work every day, give you a hug at end of every day and it's important to them. Ms. Martella said they have a hard time finding a job washing dishes. She affirmed that she's happy to say she employs those people. Ms. Martella explained that they are in rural PA, 12-15 of her employees are minority, a small percentage are veterans also.

Member McKinney asked how many employees they have. Mr. Layman confirmed they have 164 full and part time employees. Chair Roberts asked who is the Prime Contractor. Ms. Martell answered the prime goes by Wexford Health Services or Sources and are located in Pittsburgh. Ms. Gutierrez stated that her contracts were not referenced in her application. Ms. Martella asked which contract. Mr. Gutierrez said



she had indicated they have contracts with the Illinois Department of Health & Family Services (IDHFS) and Wexford Health Services. Mr. Layman replied that the Wexford Health Services and IDHFS contract are the same contract. Member Doria reminded the respondents that the answers have to come from Ms. Martella. Ms. Martella said another contractor they have is Centurion. She added that this is what Mr. Layman indicated regarding the cost of the medications, that it is a pass-through. Ms. Martella explained that over the past 20 years, there has been a rise in prescription costs that comes from specialty meds, like Hep C, HIV and they can't control that, but they have tried to go directly to the manufacturers. Member Doria explained they understand that, it is the case with most who come before the Council, but they have to abide by the Code.

Member Doria said that the over the cap exemption can be allowed if the business can exhibit new minority, women, people with disabilities, hires on a specific contract and asked Ms. Martella if she had such plans. Chair Roberts interjected that the information that either the decision would have an impact on her or that she would be hiring at least 51% new minority, women and people with disabilities employee would need to be evidenced under the exception and asked Ms. Martella what evidence she could provide today for the Council to make a decision on that.

Ms. Martella stated that they are expanding their services in clinical pharmacy because from a contract standpoint that's a big area, so she can go back and give a better presentation to their physician staff, prime vendor Wexford, because that is a part of their business that is a growing department. She added that they are adding about 10-15 new staff including clinical pharmacists, support staff and utilization managers because that is what is part of the new contract currently.

Chair Roberts stated that she would like to make a recommendation believing they were denied for being over the size limit, that that information which has not been provided to the Council as it relates to the exception. She asked Mr. Gutierrez if they could ask to be provided with additional information on how they could appeal the decision as it relates to the exception. Member Matthews asked Ms. Martella which contract was related to the expansion.

Ms. Martella answered the Illinois Department of Corrections contract because they have expanded their services as the subcontractor, so if they get the contract they would hire additional employees because they would expand their clinical department. Mr. Layman mentioned an additional contract coming up in 2021 for brand new expanded programs in that RFP. Member Matthews said she was glad to hear they are expanding and that they have realize that places them even further from the cap. Ms. Martella offered that the expansion is not with clinical services.

Mr. Gutierrez observed that when looking at their company they are looking at gross sales in totality, so at the present point the denial was based on the over the cap exception pursuant to the administrative code. He said secondly, the Council is seeking the information that they have in an active contract that they can review, so they are



not looking to the future but the present point, the existing contract and new hire details, so that they could move forward. Chair Roberts thanked Mr. Gutierrez for the clarification and stated she wanted Ms. Martella to be provided with the most accurate information regarding her certification.

Chair Roberts further explained that it appears Ms. Martella is over the size limit based upon the annual gross receipts of all the companies and the Council would like to move forward, or if Ms. Martella would like to provide closing remarks. Additionally, Chair Roberts asked Ms. Martella to clarify whether her firm is over or under the \$75 million cap in annual gross receipts, as opposed to receipts averaged over 3 years, since the certification is based on annual gross receipts. Ms. Martella responded that they were \$900,000 over in 2018. Chair Roberts discussed that what they look at are the annual gross receipts of the certifying firm and its' affiliates and if they are over there is an exception for which they can apply and participate on a particular contract with the State of Illinois if they can evidence that they have impact by hiring 51% minorities, women, people with disabilities. She explained that Ms. Martella will not be certified in the program but that her firm could continue to participate on this contract with the exception. Chair Roberts asked Ms. Martella if she understood. Ms. Martella replied she that she did.

Chair Roberts asked Council members and Mr. Gutierrez if it was fair whether they would provide this exception instead of closing statements. Mr. Gutierrez responded that for the sake of time, he could follow up directly with Ms. Martella then he will return then convene with the Council to see if they can table this providing the applicant can provide documentation to move forward. Ms. Martella asked for a timeline. Mr. Gutierrez responded 10 days. Member Doria said they didn't have the letter from their CPA firm. Ms. Martella stated it was included in the packet but that she would add it to the documentation. Member Matthews reiterated that the hires must be new and not current employees. Ms. Martella confirmed she understood. Chair Roberts thanked her and explained the proceedings moving forward.

○ **TGDA Landscape Architecture**

Chair Roberts thanked Laura DeMink, introduced herself and explained the proceedings. Ms. DeMink thanked Chair Roberts and introduced herself. She stated she is the primary interest-holder, decision-maker for TGDA Landscape Architecture, and holds %51 of the voting interest in the company. Ms. DeMink stated there was an unintentional drafting error in the operating agreement Ms. DeMink announced that their counsel, Remy Snead of the Prinz law firm, was present and available to answer any question relating to the operating agreement and the amended operating agreement. Ms. DeMink explained that the operating agreement defined a quorum as 75% of the voting power in the company which was a drafting oversight and that the first amended operating agreement clarifies that a quorum only requires 51% of the voting power. She disclosed that it has always been the intent for her alone to have the authority to constitute a quorum and stated she holds 51% of the voting power.



Ms. DeMink declared she is the primary person in control of launching, funding, and managing the business. She said she has worked with Ben Cole, the minority business owner, for many years and selected him as a business partner because he has extensive experience with similar clients and projects, however she has the expertise and knowledge to operate TGDA alone. Ms. DeMink stated they both have always intended that she alone has exclusive control over all major and day-to-day decisions that affect the company. She asserted that Mr. Cole and herself are the only managers and members of TGDA. Ms. DeMink commented that she and Mr. Cole executed a resolution of all managers and members, adopting the correction to the operating agreement on July 23, 2019. She stated that the revised operating agreement reflects their intent that she has the ultimate control and authority to manage the company.

Ms. DeMink confirmed she has retained such authority at all times and respectfully requested that the committee approve TGDA's certification and added she is happy to answer any questions they have. Chair Roberts thanked Ms. DeMink for her opening statement. She explained that the rules state that the applicant may have an attorney present, however the applicant must be present and respond to all the questions from the Council. Ms. DeMink replied she understood.

Member Matthews asked Ms. DeMink whether the mistake was due to a clerical error. Ms. DeMink confirmed it was. Member Matthews asked for confirmation that it was %51 versus %75. Ms. DeMink affirmed this. Ms. Stead asked to step in one moment and stated it was a drafting error on her part. Member Doria restated that it was always their intent that she would have complete control and asked that if this was the case then why are they both on the Chase account. Ms. DeMink stated they decided it should be that way to help ease any financial matters that they may come across. She offered that he is not making any decisions without her, but they decided as business partners that they both should be on the account.

Member Doria asked why they decided on a %49-%51 split. Ms. DeMink explained that they are business partners, wanted the WBE certification and saw that this was how it was traditionally split. She asked Member Doria to the repeat question. Ms. DeMink added that it is because with 51% the woman remains as the controlling partner, while still reflecting this as a business partnership. Member Doria stated it is fair to say this is a business partnership and the reason for the split was to give her the additional share so they could seek WBE certification. Ms. DeMink confirmed. Member Doria stated she had no further questions.

Member Ivory asked Ms. DeMink to help him understand the difference between an architect and landscaper and what licenses they have to hold to appropriately run the company. Ms. DeMink elucidated that she is a landscape architect and that the difference between a landscape architect and a landscaper is that they are professionally regulated by the State of Illinois. She confirmed having a professional license, however it did sunset in September and she is not licensed for the next few months. Ms. DeMink further explained that they are designers doing the actual designing and spec writing.



Chair Roberts thanked Ms. DeMink and opened the floor for to her for closing statements. Ms. Sneed, her counsel, requested to speak to her client's intent and added that both Ben and Ms. DeMink came from a woman owned business called Terry Glenn Designs and that they are kind of carrying on her business. She stated that the 51-49% split was intentional so that there would be an almost equal partnership however Ms. DeMink would be the managing and have the ultimate authority. Ms. DeMink stated she has 11 years' experience; Mr. Cole has 5. She said she was comfortable giving Mr. Cole 49% because they are both investing in this together, he is fully behind her leadership, and she has no concern about being overruled or having Mr. Cole take financial decisions.

Ms. DeMink stated they are seeking this certification because she knows the business opportunities this would open for them and they have already been asked for confirmation of their certification. She reported that they could lose several contracts, one pending with the University of Illinois at Urbana Champaign. Fortunately, she said they still meet the requirement and will work with them, but they want to exceed their requirement. Ms. DeMink expressed that she is proud to be a woman-owned business and hopes that they will be certified. Chair Roberts thanked Mrs. DeMink and explained the next steps moving forward. Ms. DeMink thanked everyone.

○ **Montefusco HVAC, Inc.**

Chair Roberts thanked Ms. Rhoades for coming before the Council and explained the proceedings. Ms. Rhoades thanked everyone, introduced herself as president and %51 percent owner of Montefusco HVAC from Peoria, Illinois, a woman-owned business seeking recognition of that status for her firm. She stated that Montefusco is a proud, well-established Peoria brand, and one of the leaders of commercial HVAC. Ms. Rhoades said Montefusco was established in 1940 and purchased from the founding family in the early 2000's by Eric Gunther and Dave Legrand. She stated she was hired in 2007, as office manager and controller and began purchasing stock in 2013. Ms. Rhoades explained that in 2017, Mr. Legrand and Mr. Gunther decided to step away from the day-to-day operations and in January of 2019 they decided to divest their stock, but there was not much interest in it. She reported that later, in March 2019, she purchased %51, and that now Wes Edwards holds 44% and sold 5% to Josh Wallek.

Ms. Rhoades described Montefusco as a small owner-managed business that is getting bigger every day. She affirmed she is personally responsible for the management, financial, and administrative functions of the business. Ms. Rhoades described her personal background as being in finance, accounting, software consulting, computer and IT support, commercial insurance, and human resources. She added that prior to working at Montefusco, she worked as a book keeper, legal assistant, customer service representative, office manager, and business manager. Ms. Rhoades stated she brought with her knowledge to run all aspects of the business, has gained experience and knowledge about the industry, has written every policy, procedure, and form used today, updated and modernized the company's accounting, job costing and financial reporting systems, she rewrote the safety manual, established formal safety training, and the return to work program, has negotiated and secured every business policy and



contract in place, has always been the companies liaison with their CPA, banker, attorneys, and insurance agent, she negotiates and approves all construction contracts, all change orders, all field work orders, has negotiated and purchased equipment for their shop, vehicles for their installers, has hired, fired and laid off all workers. Ms. Rhoades noted that this past August she negotiated the biggest contract they have been awarded. She is working on establishing their first bon line and is studying for her mechanical license. Ms. Rhoades explained there should be no dispute that she owns 51% of the Montefusco stock because of the way it was purchased and secured which was to use a normal standard loan vehicle utilized in normal purchases every year. She contended that as the primary bonder and obligor, she makes the monthly payments and is obligated to pay the majority of the debt. Ms. Rhoades produced documents from the bank which she said demonstrated she is responsible for paying the majority of the debt.

Chair Roberts asked the members if they had any questions. There were no questions, therefore Chair Roberts proceeded with a question she had. She asked if the non-eligible shareholders had privileges on the bank account. Ms. Rhoades answered she is the only signatory. Member Doria asked Ms. Rhoades if she had any trade background. Ms. Rhoades responded she does, in the general construction industry. She explained that she worked for another builder as a subcontracting controller. Member Doria asked her to confirm whether this was specific to the trade. Ms. Rhoades responded that it was not. Member Doria asked that given that she does not have specific trade knowledge, how is she able to estimate the job. Ms. Rhoades responded that that specific job was a T&M job, also design build, where a significant portion of the contract was equipment which was spec'd out by the owner leaving her to get pricing according to the plans. She said she had already established the labor rates and that this one was cost plus where they get certain percent of interest to mark up and overhead on that job and there was nothing specific to trade.

Member Doria said that it is safe to say she only bids those types of jobs. Ms. Rhoades confirmed. Member Doria asked who she would need to turn to otherwise. Ms. Rhoades stated that one of her partners handles the majority of those. She added that she can do small estimates for people who come into the shop and that they have a full-service fabrication shop as well. Ms. Rhoades stated that they can also do one-off jobs for custom counter tops or people doing their own replacement who need a special elbow. She said she can do things like that but has 3-4 other people who will bid the other jobs. Ms. Rhoades explained that they have installers who have been with them forever and, for instance, they have a field guy who is good at multi-residential projects. She said a lot of times she will have him come in and bid the job because it makes sense to get the workers in on the job from the beginning. Member Doria asked if it was one person per each instance. Ms. Rhoades said yes. She further noted that in the instance there are just two of them, she has the final say.

Member McKinnie asked Ms. Rhoades if she does the cost estimates for the design builds. Ms. Rhoades answered for the time and material portion, but not the actual design build, but that she does not design the actual HVAC project. Member McKinnie



asked who does. Ms. Rhoades answered the architect and owner of the facility and the people from Mechanical, Electrical and Plumbing come up with what equipment they are going to use. Member Matthews asked what Mr. Edward does. Ms. Rhoades responded he primarily does the estimating for the lager ductwork projects, some project management, and that they double duty on a lot of things due to having a small office. She said both of her other partners came up from the trades and they are very team oriented.

Member Delano specified that the reason for the refusal was based on the loan and asked Ms. Rhoades to explain how it is actually working, for example Ms. Rhoades said she pays \$9,000 total. Ms. Rhoades replied that when she purchased the majority, there was a bank loan and at that time she and Mr. Edwards were the two majority owners. She said she has been buying stock in since 2013 and that when the owners decided to retire, she and Mr. Edwards decided to buy in. Ms. Rhoades stated they have a bank loan. She commented that at that time the business total purchase price was \$2,020,000 and the bank loan was for \$1.3 Million. Ms. Rhoades stated the payment is \$9,487.80, of which her 51% payment is \$4,838.78. She added that there is a promissory note to both Mr. Gunther and Mr. Legrand, of which her portion is \$129,285 a piece, making the monthly payment total to each of them \$2,525. Ms. Rhoades reported that she pays \$1468 to each. She additionally declared she is also still paying off the last 50 shares she purchased in 2017, making a \$1900 payment to the bank each month. She disclosed that the first 50 shares she purchased in 2017 are paid in full. Chair Roberts requested clarification on the debt payments. Ms. Rhoades affirmed she is paying 51% of the debt. She added that she made two payments of \$51,000 to both former owners as well.

Chair Roberts thanked Ms. Rhoades and asked members if they had any further questions. There were none. Chair Roberts then opened the floor for Ms. Rhoades to provide any closing remarks. Ms. Rhoades thanked the Council and apologized for being nervous, adding that she has been planning for this certification for a couple of years now. She spoke of how this business has been her life for 13 years and how she is very grateful, extremely proud and humble. Ms. Rhoades emphasized that she is very grateful for the company she has and for being 51% owner. She stated she is extremely lucky to be where she is today, has worked very hard to get where she is, but could not have done it without the support of her family and co-workers. Ms. Rhoades said she would sincerely appreciate if the Council would consider certification for the firm. She concluded, asking if there were any other questions for her or if the Council had anything she could answer. There were no further questions. Chair Roberts thanked Ms. Rhoades and explained the next steps. Mr. Rhoades introduced Tim Buckley, her attorney and Brian Rhoades her husband, who were there with her.

Mr. Gutierrez informed Chair Roberts that it was not yet 3pm and the next vendors had not arrived. Chair Roberts recommended that all vendors be asked to arrive at 1:30 pm from this time moving forward. Mr. Gutierrez noted this. Chair Roberts recommended moving into closed session.



Mr. Gutierrez pointed out that there was a public participant in attendance. He asked her if she wanted to present public testimony. The attendee, Irene Caminer declined and introduced herself as a private attorney observing today's meeting on behalf of a potential client. Chair Roberts announced that the subcommittee would be going a little out of order and asked if there was public/vendor testimony. There was none.

Member Matthews motioned to move to closed session to discuss the appeals presented today. All agreed.

Deliberations were held, votes taken, and the following recommendations were made:

- **Boswell Pharmacy Services, LLC** - Vendor to provide more information; Recommendation postponed
- **TGDA Landscape Architecture** – Recommended overturning the denial
- **Montefusco HVAC, Inc.**- Recommended upholding the denial

- **Seico, Inc.**

Chair Roberts thanked Mr. Brad Juergens, explained the proceedings and opened the floor to opening statements. Mr. Juergens stated Seico, Inc. has been certified as a Person with disabilities Business Enterprise (PBE) for many years. He said that in 2019 Seico, Inc. submitted its renewal application indicating it was now 49% owned by a Person with disability, Albert A. Juergens, Jr. and 2% owned by a female, Christiana Juergens who was present.

Mr. Juergens announced that the renewal was denied due to two certification classes not being allowed to be combined to qualify under the Act. He stated that Seico Inc. has been PBE for 8-10 years, renewed annually by submitting the no change affidavit. Mr. Juergens reported that they decided to change their stock since it is a family-owned business and they were doing some succession planning, but still wanted to qualify as PBE. Chair Roberts asked for questions from the members. There were none. Chair Roberts asked if Mr. Juergens had any closing statements. He did not. Chair Roberts explained the next steps and apologized for the drive.

Member Doria motioned to move to executive session to discuss the appeals presented today. Member Matthews seconded the motion. All agreed.

Deliberations were held, votes taken, and the following recommendations were made:

- **Seico, Inc.** – Recommended the denial be overturned
- **Dee's Clearing Services** – Recommendation was postponed

Member Matthews brought to the attention of the subcommittee legislation affecting certification proposed by Senator Napoleon Harris, III, SB3715. She explained it is legislation favoring automatic certification for businesses holding certifications from particular entities such as the Illinois Unified Certification Program, the Women's Business Development Center, the Chicago Minority Supplier



Development Council or any other similar entity. Chair Roberts stated there was similar legislation that recently passed and was unsure of where this legislation fit in relation to that. She suggested that SB 177, which was signed into law, be brought to Senator Harris' attention and thanked Member Matthews.

Mr. Merchant said Member Matthews presented SB 3715 to him today and he explained that it is broadening what the Governor has already passed. He said the Governor limited the bill's reach to the City of Chicago and Cook County, while SB 3715 opens it up a little wider. Chair Roberts stated that they still have to have programs similar in nature and even with CMSDC because they have size standards. Mr. Merchant agreed. Member Matthews pointed out that the other part of the bill completely eliminates the \$75 million issue. Mr. Merchant responded that they may oppose.

Chair Roberts requested that Mr. Gutierrez have SB 117 for the next meeting. Mr. Gutierrez confirmed he would put it on the agenda.

**V. Upcoming Business Enterprise Council and Subcommittee Meeting dates:**

- Next Council Meeting – Monday, February 24, 2020
- Next Subcommittee Meeting – Monday, March 23, 2020

**VI. Public /Vendor Testimony**

This agenda item was moved up.

**VII. Adjournment**

Member Ivory moved to adjourn. All agreed. The meeting adjourned at 3:48 pm.