

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

MONTHLY COUNCIL MEETING MINUTES

100 W. Randolph
Room 2-025
Chicago, IL 60601

401 S. Spring St.
Room 500 ½
Springfield, IL 62706

Monday, December 11, 2017- 1:30 PM

COUNCIL MEMBERS IN ATTENDANCE

Hedy Ratner, Alex Bautista, Sharla Roberts, Michael Hoffman, Khari Hunt, Beth Doria, Larry Ivory, Debbie Cortez, Emilia DiMenco, Karen Eng

COUNCIL MEMBERS NOT IN ATTENDANCE

Charisse Witherspoon, Sheila Hill Morgan, Edward Mckinnie, Denise Barreto, Jesse Martinez

COUNCIL CHAIR

Michael Hoffman, Chairman

COUNCIL SECRETARY

J. Marcos Peterson

CMS STAFF IN ATTENDANCE

Elias Ricks Ngwayah II, Harry Reinhard, Carlos Gutierrez, Jeanetta Cardine, Leslie Taylor

OTHERS IN ATTENDANCE

Dale Morrison, Bola Delano, Nassi Faulkner, Thomas Harris, W.L. Lillard, Vincent Gilbert,

**PUBLIC NOTICE
STATE OF ILLINOIS**

Business Enterprise Council for Minorities, Females, and Persons with Disabilities

100 W. Randolph
Room 2-025
Chicago, IL 60601

401 S. Spring St.
Room 500 1/2
Springfield, IL 662706

AGENDA

December 11, 2017
1:30 p.m. – 3:30 p.m.

- I. Welcome
- II. Call to Order
- III. Roll Call
- IV. Approval of Minutes of Council Meeting held on August 28, 2017, October 27, 2017 & Subcommittees Minutes (September 25, 2017; September 26, 2017; & September 27, 2017)
- V. Chair's Report
- VI. Subcommittees Reports
 - Certification Subcommittee Report – Chair Sharla Roberts
 - Outreach Subcommittee Report – Chair Emilia DiMenco
 - Compliance Subcommittee Report – Chair Sharla Roberts
- VII. Posted Business
 - 2018 BEP Meeting Calendar
 - Council Members Ethics Training
 - Exemptions
 - Review / Suggest Speakers for 2018 Council Meetings
 - BEP Legislative Agenda
 - BEP Bucket list items for calendar year 2018
- VIII. Public/Vendor's Testimony
- IX. Adjournment
 - Next Subcommittee Meetings
 - Certification Subcommittee Meeting – January 22, 2018
 - Outreach Subcommittee Meeting – January 23, 2018
 - Compliance Subcommittee Meeting – January 24, 2018
 - Next Council Mtg. – February 26, 2018

Please note: In case you need to connect to the meeting via teleconference, please use the following number and access code:

Teleconference Number 888-494-4032
Access Number 2587213722

BEP Outreach Events: <http://www.illinois.gov/cms/events/SitePages/List.aspx>

I. Welcome

Secretary Peterson welcomes all.

II. Call to Order

Secretary Peterson called the meeting to order at 1:40pm and proceeded with roll call.

III. Roll Call

Roll call conducted. Quorum was established.

IV. Approval of Minutes

Approval of Minutes was established.

V. Chair's Report

Chair Hoffman informed the council that our outreach efforts continue to gather steam. He said we had four events in the months of November. He said one of those was an IT circuit that was done with the City of Chicago that had over a hundred attendees. He said we got a lot of positive feedback and promised to have those kinds of collaborations continue.

He also told the council about another event that was held with Chicago Housing Authority (CHA). He said this was not as successful. He said out of 150 RSVPs only 18 attended.

Member DiMenco advised the outreach committee based on her experience to send the invitees constant reminders just before the event. She said it is a very common problem.

Member Ivory wants an examination of why people did not show up because it could be related to another issue that exist. He said it would be good to do a follow-up with some of the people.

Member Roberts said she had met vendors that have participated in some of the events that Ms. Lopez had organized and they had high praise for the events.

Chair Hoffman said we had two other events that were positive: Building Illinois, which was construction focused, and working with the Toll Way, they had over 300 attendees and lots of primes. He talked about another event coming up in 2 weeks on December 18, 2017, the Illinois Health Connection. He said it is a follow-up from another event that was held. He said it will be our second event with this group. He anticipates over a hundred people there. He said it will be held in Dolton, Illinois.

Chair Hoffman congratulated the Compliance Subcommittee for identifying the exemptions that will be discussed with the full committee.

Chair Hoffman talked about the Legislative Agenda. He said the procedure is that CMS comes up with ideas for legislative items. We then work with the Governor's office and the legislative team to flush out what the final proposal is going to look like. Next, we look for sponsors and figuring out what we are going to push for. He said the first thing we do is to look for non-statute way of making changes. He said he got some positive feedback from all three subcommittees regarding the legislative agenda and hopefully we will be able to incorporate them into the agenda. He said once we get the final proposal in January 2018 before the session starts, it will be shared with the larger council probably via email. He said these are important proposals and will appreciate getting the support of the council to push these through.

Chair Hoffman said the outreach committee has submitted some recommendations of ideas of speakers to come to the council meetings. He said agencies directors are people we are interested in getting to speak before the council.

Lastly, the Chair talked about having presentations on the new compliance system and the state use or sheltered workshop before the council.

Member Doria wants to know why Chicago United was on the list of proposed invitees to the council. Chair Hoffman said that would be discussed in the report.

Chair Hoffman informed the council that today is Secretary Peterson last day as Deputy Director for BEP and Secretary of the Council. He stressed that he was not being fired but instead was moving back into the political world.

Chair Hoffman outlined some of the achievements of Secretary Peterson during his tenure as Deputy Director of BEP. He said some of these have been waiting for decades:

1. Sheltered Market Initiative – Finally submitted the sheltered market JCAR rules. First sheltered market contract awarded.
2. Publication of the first annual sheltered market report
3. Launching of the certification online system
4. Finalized the purchasing of the compliance system
5. Improve BEP outreach activities
6. Working with the CPO and BOSS offices to improve the participation of minority, females, and persons with disabilities in the procurement process. This ensures that every contract over \$250,000 goes through BEP
7. Improve participation of council members in meetings
8. Lat year we clocked the 3rd largest BEP spend in the history of the program. He said it was about 490 million dollars.

Chair Hoffman said currently there is no replacement but his office is receiving recommendations.

Secretary Peterson thanked the council for the opportunity to work with them. He said it had been a challenge at time but exciting for most. He praised the BEP team and informed the council that his next assignment would be with the Governor campaign re-election team.

Chair Hoffman thanked members Doria and DiMenco for taking the time to sit with him and understand the certification process not just for the BEP program but for their various programs.

VI. Subcommittees' Reports

Certification Subcommittee: Chair Roberts said they had two meetings. One on November 27, 2017 where they reviewed the certification information in JCAR and made recommendations for the council. She also said they had another meeting on December 4, 2017 where they voted to uphold the BEP council decision to not certify D.C. Excavations.

Outreach Subcommittee: Chair DiMenco said the minutes are attached to the September 26, 2017 minutes. She said the focus of the meeting was looking at the outreach events and trying to increase attendees. She said another focus was getting the involvement of other community organizations. She said they had another meeting on the 28th of November which they discussed the attendance issue and that registration has gone up. She said the presentation topics were discussed and that they also brainstormed various topics of interest.

Compliance Subcommittee: Chair Roberts said the subcommittee met on November 29, 2017 and reviewed the exemptions and made several changes. It has been presented to the full council to vote on. Chair Hoffman commended the subcommittees for their hard work and commitment.

VII. Posted Business

2018 BEP Meeting Calendar

Chair Hoffman asked the council members to review the meeting calendar and let the council know which meeting time will be problematic for them. Member DiMenco wants to know if meeting invites would be sent out for all the meetings on the calendar. Chair Hoffman said yes. Member Roberts expressed her concerns about Christmas eve meeting schedule. Chair Hoffman said that will need to be changed. Member DiMenco commended the Chair for an improvement in getting council meeting material to members on time and not the day before. Member Ivory also said that it was obvious to him that the council has gotten better with its functions. He asked the Chair about the

needed skills set for the role of Deputy Director for BEP. He also commended the subcommittees for doing a great job.

Secretary Peterson said patience is key but most important is having a heart for the communities we serve. Chair Hoffman said he is accepting resumes and will give everyone a fair shake. He urged the council members to send names of people to him that they are recommending. He said once he comes up with a proposal it will be announced at the next meeting. He said he will give the council ample time to make an informed decision when voting on the recommended person.

Council Members Ethics Training

Counsel Jones reminded the council that as members of a public body they are required to take ethics training annually. He said it was an online process. He said for those that have not done it already, he will be sending out a link for the training. Chair Hoffman said once you have done an ethics training for a board or council within the state, you do not have to do it again for another board or council if it is an executive ethics training.

Exemptions

Chair Hoffman said we have the recommendations from the Compliance subcommittee and need to vote on them if there are no discussions. He said the vote will be to remove some detail object codes from its exemption status and some other ones to be considered as allowable exemptions.

Member Doria said it was her recollection that under object code 4423 that we have stated that any comptroller payments would remain exempted because they were payments. Assistant Director Harper said it was his recollection because it was a function already being done by the state therefore it would remain exempt. He said the list contained things from the last group that was reviewed to see whether we were still comfortable with them and those that were added. He said it was a comprehensive list of all the changes.

Member Eng motioned to accept the recommendations from the BEP sub-compliance committee. It was seconded by member Ivory. Vote taken. Motion passes unanimously.

Review/Suggest Speakers for 2018 Council Meetings

Chair Hoffman asked the council whether they were ready to review the list and/or add to the list. Member Roberts said we can review what we have but moving forward if we have ideas we can submit them to Assistant Director Harper. Chair Hoffman said the sub-committees are welcome to develop their own lists. He said we are not voting on the list right now but instead it will be sent back to the subcommittees for follow-thru. Lastly Chair Hoffman said if

you have other ideas please submit them to the outreach committee or the BEP staff.

BEP Legislative Agenda

Chair Hoffman reminded the council that the agenda is not approved yet and even if they are approved there is no guarantee that we are going to introduce everything. He is CMS has about twenty (20) legislative proposals this year. He said it depends on what we are trying to do and what the legislature has appetite for. He said the stronger our proposals are and the more support we have behind them the more like they will become law.

Chair Hoffman explained that there are three (3) major areas he wants to enhance in BEP. He said they are Funding, Enforcing, and Enhancing the program. He said one of the problems for him and the BEP team is that there is no dedicated funding for the program. He said BEP needs more money for outreach. He said they are in talks with the Comptroller's office to have the \$15 per contract money transfer to BEP for outreach.

Member DiMenco wants to know where that money is going presently and how is it being utilized. Chair Hoffman said we will seek answer to that question. Member Roberts said we have sought answer to this question before but have not gotten any answer yet. Chair Hoffman said we will find the link to the Public Accountability Report and it would tell us the number of times the fee was collected, and the amount of money collected. He said trying to figure out whether it is being spent the right way is the next step. He also said increasing the penalty for prime vendors that are not paying their sub-contractors in a timely manner from the current 2% to something higher. He said it is important that this program has its own funding source.

Member Ivory asked how do we mobilize and utilize all the talents on the council. He said it is important that the council act from a collective point of view to mobilize, organize, and make sure that we push an agenda with our legislative friends from both sides of the aisle. He said the council got to have a strategy on how to proceed.

Chair Hoffman said we need to make sure that we have the authority to make decision on behalf of the program. He talked about codifying the Prompt Payment Act applies to BEP contracts and sub-contractors.

Regarding enhancing, Chair Hoffman said some of these do not require legislative action but instead could use a memo from him or an executive order from the Governor's office. He said we need to make sure our goal setting is accurate.

Member Doria wants to know where the penalty for the primes not paying the sub-contractors on time is going. She asked whether it is going to CMS or the Comptroller's office. He said we need to get clarification on this.

Member Cortez wants to know whether there have been a review of goals and penalties of other cities. Assistant Director Harper said the difference is when you bridge a contract the sub can use for the damage amount. He said it is called liquidated damages. In Illinois, he said the delay in payment comes with a penalty.

BEP Bucket list items for calendar year 2018

Chair Hoffman said other than the regular oversight of the certification, compliance and outreach divisions within the program, we could have meaningful goals we would want to accomplish. He urged members put together their bucket list of things they would like to see accomplished.

VIII. Public/Vendor's Testimony

None

IX. Adjournment

Member Doria motioned for adjournment. Member Eng seconded. Vote taken, motion passes.