

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

**MONTHLY COUNCIL MEETING MINUTES**

100 W. Randolph  
Room 9-040  
Chicago, IL 60602

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

**Monday, April 28, 2014- 1:30 PM**

**COUNCIL MEMBERS IN ATTENDANCE**

Joan Archie (Phone) Fred Coleman Florence Cox Nelida Smyser Deleon (Phone) Larry Ivory  
Corinne Pierog Richard Boykin Chima Enyia Samantha Hufnagel Rodney Lewis (Phone) Jesse  
Martinez Lynn Marie Turner Charisse Witherspoon Alfred Ramirez (Phone)

**COUNCIL MEMBERS NOT IN ATTENDANCE**

Hedy Ratner Perry Nakachi Marva Boyd Omar Duque Beth Doria

**COUNCIL CHAIR**

Simone McNeil, Chairlady

**COUNCIL SECRETARY**

Paul Cerpa, BEP Deputy Director

**CMS STAFF IN ATTENDANCE**

Elias Ricks Ngwayah II Harry Reinhard Susan Hartman Michelle Jackson  
Carlos Gutierrez Ellen Daley Tom Mikrut Roger Nondorf Ngozi Okorafor

**OTHERS IN ATTENDANCE**

Jackie Pope Vir Doshi H.W. Heydenaw Wesley Kosla Torrence Walsh John Cislek Thomas Mc  
Elroy Deborah Lopez Veronic Reyes Dreena Jones Sharla Roberts John Roberson Darryl Harris

## **I. Welcome**

- Paul Cerpa welcomes all.

## **II. Call to Order**

- Chairlady Simone McNeil called the meeting to order at 1:50pm.

## **III. Roll Call**

- Roll call conducted. No quorum established. Decision made to continue meeting until a quorum is established.

## **IV. Approval of Minutes**

- Approval of Minutes from February 24, 2014 and March 24, 2014 were postponed until there was a quorum. Members urged to look over minutes and recommend any changes that they feel need to be done.

## **V. Chair's Report**

- Chairlady McNeil informed the Council that the last time the Council met the Governor had not yet given his budget address. She however did give the House and Senate the consequences on CMS of not passing the Governor's recommended budget. Some consequences would be losing 54 persons from the Bureau of Personnel; the elimination of all outreach activities and the Veteran Assistance Program. Also there will be closure of Regional Personnel Assessment Centers in Champaign, Marion, and Rockford. Compliance with personnel code will not be monitored and likely compromised. In the BEP program there will be the loss of nine (9) head counts.

## **VI. Posted Business**

Secretary Cerpa informed the Council about the pending posted business awaiting a quorum for approval of the CDB Goof Faith Efforts for Professional Services and the Sheltered Market Resolution.

Chairlady thanked CPO Ben Bagby for working closely with CMS in developing the resolution. She urged Council members to review the resolution. She said this was a step in getting to a vigorous Sheltered Market.

Secretary explained to the Council that the resolution puts forth on paper all of the comments and the intent of the Sheltered Market approach with respect to the Council's action many months ago when the Council voted for the enactment of a Sheltered Market for the IT/Telecom world. He further explained

that along with the resolution we intend to work with the combined committee of the Procurement and the IT/Telecom committee to address several concerns that were provided to the CPO's office with respect to other remedies that they are looking for to be clearly addressed or other aspects of the Sheltered Market program. We did receive a summary of procedures from Higher Education.

Member Richard Boykin asked what is the impact of the proposed resolution and what has been the hold up from the CPO moving forward? Does the resolution have the legal standing? Secretary Cerpa responded that this solidifies the enactment of the program. Member Chima Enyia said that this memorializes what the Council did.

Member Charisse Witherspoon sought clarification of this statement: "The intent of the Council in conjunction with CMS also recommend the continued use of race and gender neutral methods of addressing those disparities". Member Enyia responded that during the process of the Sheltered Market we never said that it was in and of itself but instead looked at several factors such as the race and gender neutral remedies as one of a number of tools in the box that we could use. Member Witherspoon further asked whether the gender neutral means that race such as African American that have been used in the past, will not be a factor in the sheltered market. Member Enyia responded by saying that we have always been proponent of using race and gender neutral remedies. He said this conversation came about as a result of some circumstances from the disparity study. Some areas were found that race and gender neutral application might not have worked. Without this statement, the application of other remedies would have been affected. Member Florence Cox stated that the usage of "race and gender neutral" might have come from a law suit against the city of Chicago whereby the Judge found that based upon much of the testimony that was given, which was anecdotal, that there were great disparity suffered by people of African descent as it relates to doing business with the city and some other entities. In his decision, the Judge said that the city should be in the business of establishing "race and gender neutral remedies" for the purpose of dealing with those disparities. Some of them have to do with getting bonding and some had to do with getting financial assistance from financial institutions, and training. Member Witherspoon asked whether "race and gender neutral" meant that the playing field would be made equal without regard to race so that African Americans can play on that field. Secretary Cerpa said yes. Member Enyia said that the "race and gender neutral" is meant to level the playing field for everyone. He said this is saying let's keep doing what we are doing but add another tool from the tool box that will have an effect where we know there is a disparity.

Member Fred Coleman expressed interest in being part of the IT Ad Hoc committee. He also asked about the approval of the rules for the Sheltered

Market by JCAR is still expected to be part of the process. Secretary Cerpa said it is arguable but from CMS point of view, it is necessary to establish those rules. Member Larry Ivory reminded the Council that under Senate Bill 51 a precedent was set when the CPOs were operating without rules. Therefore not having rules should not stop the council from moving forward.

## **VII. Committee Updates**

### **a. Procurement Committee**

Member Witherspoon reflected on the February 2014 council meeting where the company went out of business. She talked about being a subcontractor on a contract but being mentioned on other contracts by the contractor based on what she had been doing on that one contract. She asked what recourse is there available to her. Secretary Cerpa said as far as BEP is concerned, those dollars outside of the first contract would not be counted.

Member Witherspoon reflected on the budget and asked whether there is anything being done to improve the outreach. Secretary Cerpa said the interview for the outreach manager position had been conducted and should be having an outreach manager any day now.

Member Enyia encouraged Council members to talk to their legislators to support the budget presented by the Governor as it will have enormous impact on the BEP as well as the Vet's program.

Member Florence Cox said the state should realize that if the compliance area is affected, the cost of lawsuits could far outweigh the salaries of two or three monitors in the compliance area. Member Corinne Pierog asked whether it is possible to give members some bullet points for why the BEP program should be supported so that it can be sent out to our legislators because she knows that her current Representative and Senator would be opposed to supporting this budget.

Member Witherspoon asked whether there are any IT contracts out there that need the Council's attention. Secretary Cerpa said we will take a look at those contracts and let you know.

Member Cox inquired why a certain solicitation had no BEP goal attached to it. Chairlady McNeil said it was from the Secretary of State. The BEP statute does not cover the Secretary of State even though he uses state funds. Member Larry Ivory reiterated his concerns with reference to what member Witherspoon had mentioned about not knowing a lot about these IT contracts. Member Enyia acknowledged that mistakes were made on certain IT contracts in the past but now there are people who are committed both externally and internally to avoid those mistakes.

**b. Business Development Committee**

Member Rodney Lewis talked about the Annual Technology Expo being held at the Scott Air force base on Wednesday, May 14, 2014 and a workshop in Chicago on May 7, 2014. He believes these would be great places to introduce the BEP program. He also talked about targeting some vendors with the Secretary of State office. He also encouraged the resumption of outreach partnership with various organizations.

**Secretary Cerpa announced that a quorum had been established. The council voted to approve the minutes for the meetings held on February 24, 2014 and March 24, 2014. The CDB Good Faith Efforts and the Sheltered Market Resolution on IT were also voted on and approved.**

**c. Capitol Access and Banking Committee**

No Report

**d. Certification Committees**

No Report

**e. Policy, Rules and Enforcement**

Member Jesse Martinez announced that there is one submittal that needs to be review by the committee.

## **VIII. New Business**

Member Jesse Martinez sought permission from the Council to utilize the Professional Services Review process that Capital Development Board is conducting. Secretary Cerpa clarified that the information is mainly for informational purpose and that the vote will be conducted at the next meeting. Secretary Cerpa also urged member Martinez to summarized the issue in a written format and clarify what he wants to get done.

## **IX. Public/Vendor's Testimony**

Dr. Helen Randolph, a clinical pharmacist, and owner of a pharmaceutical wholesale company called 3 R Healthcare. They provide prescription services to pharmacies. Dr. Randolph said her goal is to share some of the obstacles he had not been able to overcome being a BEP certified vendor. She said there is something wrong when you have been on a contract for ten years and you are now being told that the contract is terminated because a company bought the company you had the contract with and they do not do business with small

pharmaceutical wholesale company. She hopes to have the Council look into her story and find out what is wrong and why is she being faced with lots of obstacles.

Laura Sanchez, owner of Swatland, a small IT firm. She said there seems to be really big IT projects that small IT firms cannot participate in, only big firms. She feels that there are more being done for construction firms but not IT firms such as the mentor prodigy program. She urged one for the IT firms.

Emmanuel Jackson, owner of Evanston Technology Partners addressed some of the issues that came up regarding the IT Sheltered workshop. He stated that when you have a number of less than 1% participation of African American in IT projects there is a disparity. He said that the State has hundreds of hundreds of million dollars IT contracts out there without BEP goals on them. He said there are things that can be done now to bring about remedy for some of the issues we now have, and they should be done now, not later.

Dr. Helen Randolph asked the Council to invite some of the big firms to answer some questions that have been raised. Secretary Cerpa promised to look into it.

## **X. Adjournment**

- Paul Cerpa called for Adjournment
- Multiple casts for a motion (moved) for Adjournment
- Member Marva Boyd seconded the motion to Adjourn.
- Meeting was Adjourned as of 4:30 PM
- Next Council Meeting will take place on Monday, March 24, 2014-1:30 PM