



NOTICE

**Business Enterprise Council
COMPLIANCE SUBCOMMITTEE MEETING
Wednesday, November 18, 2020
1:30 pm – 3:30 pm
Location: Webex Videoconferencing**

MINUTES

I. Welcome

Chair Roberts welcomed everyone.

II. Call to Order

Chair Roberts called the meeting to order at 1:34 pm. Kori Acosta proceeded with roll call.

III. Roll Call

Roll call was conducted. Quorum was established.

BEP Compliance Subcommittee				
ATTENDANCE ROSTER: COUNCIL MEMBERS				
Members	Present			Absent
	In person - Chicago	In person- Springfield	via WebEx	
Sharla Roberts, Chair			x	
Denise Barreto				x
Larry Ivory			x	



Jesse Martinez				x	
Sharron Matthews				x	
Edward McKinnie				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

BEP Compliance Subcommittee				
ATTENDANCE ROSTER: Agency Representatives				
Agency	Representative	Present		
		In person - Chicago	In person - Springfield	via WebEx
Central Management Services	Kori Acosta			
	Radhika Lakhani			
	Mike Merchant			x
	Harry Reinhard			

Total: 4 CMS and other Agency Employees attended this meeting.

Posted Business

a. Approval of September 30, 2020 Compliance Subcommittee Meeting Minutes

Member Ivory motioned to approve the minutes from September 30, 2020. Member Matthews 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
BEP Council Compliance Subcommittee

b. Business Enterprise Act section 8(g) report(s) and confirmation and/or status of compliance

1. Chair Roberts cited the rules note that the council should be receiving this report and that they have not received this information and the desire to ensure compliance with the law. She said that as a council member they cannot answer vendor inquiries due to not having this information and wants to discuss the process and workflow with Mr. Reinhard and Mr. Merchant to have the report in writing.
2. Mr. Reinhard presented the report on screen and stated moving forward the report would be provided 2 weeks in advance to the BEP Compliance Subcommittee.
3. Chair Roberts commented that when they at UIC piggyback off a contract they explain BEP to the vendor.
4. Mr. Reinhard requested the subcommittee issue a statement of concern and procedure, so they have a policy to move forward on.
5. Chair Roberts cited the rule stating any class exemptions shall not be approved over one year and requested a response.
6. Mr. Merchant stated these issues should be reviewed for availability and other areas that should be on there.
7. Chair Roberts suggested they have a side bar meeting to discuss this.

c. COVID-19 related spend, including portion of spend with certified BEP vendors

1. Mr. Merchant stated there were no changes to report since the report from the report given at the last council meeting.
2. Chair Roberts requested that the information be provided in writing for the subcommittee to review.
3. Member Ivory pointed out that they need the numbers in order to have an opinion on the efforts made on overall spend and how well the State did on minority spend.
4. Member McKinnie and Chair Roberts both noted there were other items related to COVID spend in addition to PPE.
5. Chair Roberts requested CMS obtain detailed information and survey the agencies if they have to in order to obtain that information.

6. Mr. Reinhard stated the procurements were disaster emergency procurements and noted that the Governor did stop IDPH for example long enough to establish a goal.

d. Update on Fair Practices in Contracting Task Force recommendation(s) implementation

1. Mr. Merchant stated he did not have an official report on this and requested further clarification.
2. Chair Roberts explained they are requesting the recommendations made by the task force and where they are on those in the form of a list.
3. Member Matthews stated there are issues that affect the entire program and State. She said they cannot wait for 60 days on these issues.
4. Chair Roberts requested an Ad Hoc meeting be set for mid-December to discuss them.

e. Survey of Small Business Set Aside spend, including portion of spend with certified BEP vendors

Chair Roberts reported that there are Small Business Set Aside (SBSA) contracts that went out without BEP goals. She said if CMS does not have that report today, they will parking lot the issue for the next meeting. She said they want to assess the practice, have consistence guidance, and a process provided to those who have to adhere to the BEP Act.

f. 20/20 Report

This item was skipped due to having been addressed earlier.

g. Update on Vendor's BidBuy Registration

1. Member Matthews inquired how they can make BidBuy registration mandatory because it is very critical, and they now use this number in their goal setting process. She said it should be part of the FastTrack process.
2. Chair Roberts requested that CMS present the process and workflow for this item, including what this would look like for non-BidBuy users such as community colleges and higher education.
3. Chair Roberts asked that Mr. Reinhard schedule a meeting with her for a walk through on their process for clarification.

h. Compliance Plan Review

Chair Roberts stated they would schedule some meetings for this item for the next meeting.

i. Small Business Set-Aside IT Procurement Goals

This item was discussed together with item d.

j. Update on Mandatory Pre-bid Conferences

1. Chair Roberts requested an update on whether a memo went out or what is the status of this item.
2. Mr. Merchant commented that they do pre-bid conferences for every CMS contract that goes out with a BEP goal.
3. Mr. Reinhard reported they did not have it in a memo, but it has been addressed in meetings and trainings, as well as having the information supplied in their handouts.
4. Member Matthews stated it should also go to all Directors of each agency, heads of higher education, boards, and other institutions of higher learning because part of the resistance to making it mandatory was based on the travel. She added one thing they can do is start posting the contact information from the conferences that are held.
5. Chair Roberts recommended getting a memo out to address Member Matthews' concerns regarding pre-bid meetings with all the information on what they are doing, the tutorial, because they need to exhaust their resources, and she requested a timeline.
6. Member Matthews said within two weeks is great but if they could put it out sooner that would be great.
7. Chair Roberts stated it doesn't necessarily need to come from CMS, but it could come from the Secretary of BEP with CMS' direction or their direction.
8. Member Matthews noted that is how major communications were done in the past, by the BEP Secretary.
9. Chair Roberts and Member Matthews requested clarification on the official designation of BEP Secretary.

k. Discussion with the Agencies with the biggest spend; DoIT and Illinois Tollway

1. Chair Roberts asked that Mr. Reinhard invite DoIT and the Illinois Tollway Director's to come to the next meeting to discuss BEP goals, pre-bid meetings, and any other questions they have which they have previously requested, and



the request was ignored. She stated they are putting in an official request. Chair Roberts stated they want to work together with them to guide them and have the same desired outcomes.

2. Mr. Merchant requested that Ms. Acosta contact the Illinois Tollway and DoIT to schedule them to be present at the next meeting.

I. Update on CMS process for reporting to the BEP Council

1. Chair Roberts noted there are other items required to be reported to the BEP Council which she would forward to Mr. Merchant and Mr. Reinhard.

m. Update on the process for discontinuation of additional requests for exemptions

1. Chair Roberts asked to have this agenda item for the next meeting for Mr. Reinhard to provide the information on this in a handout.

n. Update on the BEP Senate Hearing

1. Chair Roberts declared that they want to support BEP, be informed, and asked that they have written process in place to follow to ensure that when there are senate hearings the council be invited. She requested that a mass email be sent. Chair Roberts noted they have a strong body of members and groups to support the program.
2. Mr. Merchant agreed and added they had no control over the invitations, but they can notify them of the hearings.

IV. Define Action Items

- a. Mr. Reinhard requested the subcommittee issue a statement of concern and procedure, so they have a policy to move forward on.
- b. Side bar meetings to be scheduled to discuss availability and the conflict between JCAR and BEP Act.
- c. Invite the Directors of DoIT and the Illinois Tollway to the next BEP Compliance Subcommittee Ad Hoc meeting.

V. Upcoming Business Enterprise Council & Subcommittee meeting dates:

- Next Council Meeting – Monday, January 11, 2020
- Next Certification Subcommittee Meeting – Monday, November 23, 2020
- Next Outreach Subcommittee Meeting – Tuesday, November 24, 2020
- Next Compliance Subcommittee Meeting – Wednesday, November 18, 2020



ILLINOIS

JB Pritzker, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Janel L. Forde, Director

VI. Public / Vendor Testimony

Chair Roberts asked if there was public/vendor testimony. There was none.

VII. Adjournment

Member Matthews moved to adjourn. Member Ivory seconded. All agreed. The meeting was adjourned at 3:33 pm.