



**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 62706

**AGENDA**

**Monday, April 26, 2021**

1:30 p.m. – 3:30 p.m.

**Location: WebEx Video Conferencing**

**WebEx Event Access Link - [Attendees](#)**

**Number (access code): 133 970 0893**

**Password: Zi3Rnjq5zN2**

**Join by phone: 1-415-655-0002; Access Code: 133 970 0893**

- I. Welcome – Director Forde**
- II. Call to Order – Director Forde**  
Chair Forde called the meeting to order at 1:32pm and CMS General Counsel Mr. Glavin proceeded with roll call.
- III. Roll Call – Terence Glavin**  
Roll call was conducted, and a quorum established
- IV. Approval of Minutes for Council Meeting held on February 22, 2021 - Director Forde**  
Minutes approved.
- V. Chair's Report - Director Forde**
  - Director Forde provided a summary of women history month events and shared how CMS/BEP engaged with women business owners in new ways.
  - Four (4) new council members introduced
    - Ryan Green
    - Tracy Sullivan
    - Andrew Johnson
    - Kendra Dinkins
  - Director Forde shared a few highlights regarding SB1608 which makes changes to the IL Procurement changes to code and the BEP ACT, both the BEP Council and the BEP program move under purview of newly Equity & Inclusion Commission.
  - Director Forde emphasized the importance of the Council bylaws and that the by-laws

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**



provide guidance on meeting attendance, voting, rules of conduct and decorum ensuring quorums, etc.

VI. Subcommittees Reports

- **Certification Subcommittee Report** – BEP Secretary Arielle Johnson provided the Certification Subcommittee Chairs Report
  - Meeting March 22<sup>nd</sup>
  - Decisioned 2 appeals for certification (approvals)
  - Discussed structure of Native American businesses
  - Discussed subcommittee chairs nominations
  
- **Outreach Subcommittee Report** – **Chair Emilia DiMenco** provided the Outreach Subcommittee Chairs Report
  - Outreach subcommittee received a detailed overview of SB1608, Outreach KPIs, briefly discussed subcommittee nominations and decided to table the discussion until after the BEP Council Meeting
  
- **Compliance Subcommittee Report** – BEP Secretary Arielle Johnson provided the Compliance Subcommittee Chairs Report.
  - The meeting was rescheduled to March 25<sup>th</sup> from 4-6PM to adjust for schedule conflicts. No quorum was established; no votes taken

VII. Ongoing Business

- Update from Certification Division – **Carlos Gutierrez** provided an update on the following:
  - Certification division is working with CPO's office to host a webinar for BEP vendors on how to register with BidBuy and SBSA
  - Addressing double-zero commodity codes and asking vendors to drill down to more finite commodity code, drilling down on NIGP codes allows vendor to bid on correct commodity code, allows vendor to be more productive in showing us their commercially useful function
  - Hosts virtual office every Wednesday allows vendors to ask questions
  - FastTrack has more than 900 certified vendors mostly from city of Chicago
  - Director Forde reiterated that FastTrack is free process by which vendors are certified with county or city, requires only one document and one affidavit. As we look to make sure our vendors have as many opportunities as possible, having appropriate NIGP codes are critical.
  
- Update from Compliance Division – **Harry Reinhard** provided an update on the following:
  - 20-20 Reporting - BEP is responsible for providing a report to the Compliance subcommittee, every solicitation over \$20,000,000 and under 20% goal needs to be reported, and new contracts and solicitations over \$20,000,000 that have a BEP assigned goal less than 20%.
  - DCMS Participation Report - BEP is responsible for providing a BEP participation report to the Compliance Subcommittee on all active contracts containing a BEP goal.

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- The subcommittee will move issues to full council
- DCMS is now routinely obtaining BidBuy contractual data, and compliance is receiving requests from agency procurement staff asking for access to DCMS to determine what their contract participation levels are.
- Compliance is working on re-developing their webpages on the BEP website which help transparency and uniformity
  - offering resource library access to everything compliance
  - midyear report and ongoing monthly participation reports
  - Reporting templates
- Member DiMenco stated that her understanding is that historically, exemptions were given to compliance subcommittee and not elevated to full council.
- General Counsel Glavin stated this was a good example as to why by-laws are of such importance / statute provides that BEP Secretary has duties of creating policies and procedures for exemption reviews and approval
- Member Ivory is concerned bylaws are designed to reduce ability to have real input in conversation and should be decided on by full committee.
- Member Ivory asks how we make sure vendors understand how important their NIGP codes are.
- Secretary Johnson stated that by way of newsletters and communications, BEP has been sending out step by step process to NIGP codes and addressing issues with double-zero codes. The Certification division has been working to ensure that new vendors do not experience this issue.
- Upcoming events like Wisdom Wednesday, discussing the State of IL Buying Plan are used to remind vendors of BidBuy and NIGP codes
- BEP recently received “constant contact” and now is using email tracking
- Certification Manager, Carlos Gutierrez stated the Certification division is reviewing all files coming up for renewal and using it as an opportunity to reach out to vendors and the team is encouraging and assisting vendors in drilling down on NIGP codes
- Director Forde mentioned this the double zero NIGP codes are also an issue with BOSS, and CMS has partnered with CPO’s office to ensure message is out.

#### BEP Metrics – **Arielle Johnson**

- BEP Secretary Johnson provided an update on BEP Metrics and discussed the improvements in BEP metrics
  - Certification is tracking higher than last two years

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- interactive heat map that will show population, census info was used – this is continuous work in progress
- Metrics are shared in subcommittee meeting and Secretary Johnson is happy to share with anyone else
- Member Ivory would like data to be presented to Black Caucus

#### Disparity Study Update – **Arielle Johnson**

- Initial meetings with Colette Holt & Associates have started
  - Disparity Study Task Force established and a note to chiefs of staff and BEP liaisons that disparity study is coming has been communicated
  - Disparity Study website development is underway
  - Timeline for study is an estimated 14-months
  - BEP will provide update at every council meeting on disparity study
- Director Forde reiterated that CMS wanted to show a preview of progress being made data wise and stated CMS stands ready to present to the Black Caucus as Member Ivory requested.

#### Sheltered Markets – **Arielle Johnson/ CMS Data Team**

- Industry breakdown based on different NIGP codes, total spend, and total BEP participation will help identify where there is potential opportunity for sheltered markets
- Member Ivory stated that a sheltered market is procurement law that allows us the greatest chance to effect change and stated the problem is based upon data and it's defensibility, most challenges have come from construction industry. Member Ivory says that few if any challenges in general services and that there are nuanced differences between talking about constructions and general services.
- Member Ratner stated that not only general services, but also professional services have not challenged the program and mentioned it doesn't apply in construction because they don't have the same commitment to their client base. Member Ratner stated that seeing sheltered market analysis is extremely helpful
- Member Matthews wants to remind everyone that the Compliance Subcommittee suggested that work of disparity study taskforce include specific recommendations on how to go forth and that the Council will be looking for a recommended action plan to resolve historical and current disparities that will be found
- Director Forde reiterated the opportunity to become a part of working group on disparity study for best practice and best minds to work together.

#### SB1608 Overview & Update – **Arielle Johnson**

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- SB1608 Created the Commission on Equity and Inclusion
- Members of the Commission will be appointed by Governor and Chair is selected and appointed by Governor
- The Chair of the Commission will select a secretary for the commission to oversee operations for BEP
- The Commission is granted oversight to that which is currently provided by PPB
- The Commission will facilitate communications between BEP, CPO and others
- BEP is still looking for clarity on certain aspects of the bill
- Statewide goal will increase from 20-30% effective 1-1-22
  
- Member Ivory commends the Black Caucus for leadership on their solutions and Governor for signing. “If numbers begin to reflect legislation, we will have one of the best models in the U.S.”
  
- Member Matthews stated that upon inception BEP should have been placed in Governor’s office as opposed to under CMS.
  
- Member DiMenco asks what role disparity studies will play with goals that were set.
  
- Secretary Johnson stated that at the moment, there are no outlined steps forward on how study will interact with goal.
  
- General Counsel Glavin stated it has been determined that disparity studies are needed to support goals of the program and when that study is issued, it can be reported by to the Council.
  
- DHS TDF Update – **Sharron Matthews**  
Member Matthews provided an update on the TDF contract as it was listed on the 20/20 report
  - DHS had contract in report providing services for sexually violent persons in DHS treatment and detention center
  - DHS is required to provide services; these cannot be interrupted and must be continuous
  - Only one bidder last year, no sole source
  - Utilization plan was deemed not responsive and the plan was sent back for curing, before cure, because of complexity, general counsels came to a solution and accepted lowered goal
  - Once that was shared, the compliance committee voted to cancel and re-bid contract.

#### VIII. New Business

- BEP Council Subcommittee Chair Appointments – **Arielle Johnson**
- The floor was opened to discussion as to whether state employees will be able to serve as subcommittee chairs.

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- Director Forde stated that Secretary Johnson had shared out information process to nominating chairs and after today's meeting, new members will have enough information BEP can commit to sharing that information out again.
- General Counsel Glavin suggested a motion to add this as an agenda item for next meeting.
- Director Forde asked for a motion to take up discussion topic of whether state employees may be subcommittee chairs at next meeting.
  - Member Ivory made the motion.
  - Member Delano seconded.
  - Motion passed.

The next meeting will discuss and take vote for subcommittee chairs – state employees (itemize on subsequent meeting agenda)

- Native American Tribes/Individuals/Companies and Alaska Native Corporations – **Andrew Johnson** provided the following overview:
  - Vibrant Native American population in Illinois
  - Chicago has largest population of Native Americans in Midwest
  - Higher levels of unemployment, lower median income than white people
  - Approx., 3,380 companied public listing of Illinois certified companies, only 20 designated as American Indian
  - Myth of Indian wealth – only race that has to prove their lineage
  - Native American community asks for consistent application of certifications that recognizes status as disadvantaged/minority population
- Member Ratner stated feeling ignorant to Native American people's plight in the U.S., and thanks Member Johnson for informing and educating her through his presentation.
- Director Forde stated that Outreach looks different to different groups and communities that we serve. This is an opportunity for us to better understand the populations that we serve

IX. Public/Vendor's Testimony

- There was no public vendor testimony

X. Adjournment

- Next Subcommittee Meetings

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**BEP Council**



- Certification Subcommittee Meeting – Monday, May 24, 2021
- Outreach Subcommittee Meeting – Tuesday, May 25, 2021
- Compliance Subcommittee Meeting – Wednesday, May 26, 2021
- Next Council Meeting– Monday, June 28, 2021

### **BEP Outreach Events**

#### **Public Testimony**

*\*Please complete the Public Testimony Form "Response Page" found at [CMS Events: Event Details \(illinois.gov\)](#) to provide public testimony.\* 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. Advanced registration is required to speak during public testimony. Public testimony sign-up cut off is noon Monday, April 26, 2021.*