

## Governor's Commission on Minority and Women's Business Enterprises

Quarterly Public Commission Meeting  
Ivy Tech Community College North Campus, 4701 Dean Drive, Fort Wayne, IN 46835  
Monday, September 8, 2014 | 1:06 p.m.

### Meeting Minutes

#### I. Call to Order

Chairman Jamal Smith called the meeting to order Monday, September 8, 2014 at 1:06 p.m.

#### II. Roll Call

Nate Lofton took roll call – those members present were:

Jamal Smith Chairman	Jessica Robertson Indiana Department of Administration Commissioner	Terrie Daniel Minority and Women's Business Enterprises Deputy Commissioner	Heather Kennedy Indiana Department of Transportation Representative
Jesse Moore Northern Representative	Jimmy Rayford Central Representative	Lani Chuang Southern Representative	David Olivencia Northern Representative
Frances Vega-Steele Northern Representative	John Bartlett House Representative		

#### III. Establish quorum

Quorum was established for the meeting.

#### IV. Adoption of Past Minutes

The December 9, 2013, March 10, 2014 and June 9, 2014 meeting minutes were adopted.

Mr. Jesse Moore moved to adopt the December 9, 2013, March 10, 2014 and June 9, 2014 meeting minutes. Mrs. Lani Chuang seconded the motion. The motion passed and the December 9, 2013, March 10, 2014 and June 9, 2014 Governor's Commission on Minority and Women's Business Enterprises meeting minutes were adopted.

#### V. Welcome Remarks and Chairman's Update

- A. Chairman Jamal Smith introduced four new commission members – David Olivencia, Frances Vega-Steele, Jimmy Rayford and State Representative John Bartlett.
- B. Chairman Jamal Smith discussed appeals that have come before the commission in recent months. Chairman Jamal Smith introduced Judge Noell Allen with the Civil Rights Commission, who serves as the legal advisor to the commission. Judge Allen provided legal updates regarding Platt Construction, the consolidated hearing of Mara B. Clark Consulting, Inc., Amy S. Johnson Consulting Corporation and Real Talk Consulting, Inc. (previously listed as IDDC) and Indiana Minority Health Coalition.
- C. Mr. Jesse Moore motioned to remand the Platt case back to the same ALJ who heard the case originally, without instruction. Ms. Frances Vega-Steele seconded the motion. The motion passed.
- D. Brandon Clifton with IDOA provided a legal update regarding the Indiana Minority Health Coalition case.
- E. Ms. Frances Vega-Steele motioned to continue the Indiana Minority Health Coalition case. Ms. Lani Chuang seconded the motion. The motion passed.

#### VI. Deputy Commissioner's Report

Terrie Daniel welcomed the new commissioners of the Governor's Commission on Minority and Women's Business Enterprises.

Luther Taylor provided the Minority and Women's Business Enterprises certification overview. He covered a three year snap-shot of the MWBE certification and operations for 2012, 2013 and 2014, including incoming applications, average days to certify and denials. He also reviewed the number of certified Indiana Veteran Business Enterprises with the commission. He discussed incoming applications from Mid States Minority Supplier Development Council, the Women's Business Enterprise Council-Great Lakes and INDOT DBE.

Courtney Edmonds provided a compliance update for subcontractor and prime contracts with the state, including committed vs. actual spend data with contractors from the state's Pay Audit system. She also provided an update on outreach efforts and activities since the last commission meeting and discussed upcoming outreach activities for minority, women and veteran business enterprises.

Terrie Daniel introduced Sameer Bawa with BBC Consulting to discuss the 2015 state of Indiana disparity study. Sameer provided the commission with an overview of the disparity study process, including an introduction of the project team and methodology. Mr. David Olivencia asked when the final disparity study would be delivered and what the final cost of the study was, compared to 2010.

**VII. INDOT DBE Program Update**

Heather Kennedy presented the Indiana Department of Transportation DBE program update. She discussed the I-69 project and outreach efforts for section 5 of the project. Her report included an update on the Ohio River Bridges project. She also gave an update on the number of certified DBEs with INDOT.

**VIII. New Business**

Chairman Smith announced that three new commission members have been approved and that their information can be released soon.

**IX. Public Comments**

- A. Mr. Gabovitch from Katz & Korin, presented comments related to Mara Clark Consulting, Real Talk Consulting and Amy Johnson Consulting.

"I'm Michael Gabovitch, a lawyer with Katz & Korin in Indianapolis, and I represent Mara Clark Consulting, Real Talk Consulting, and Amy Johnson Consulting, and I really just signed up to speak as a hedge in the event I felt compelled to need to say anything, but as I've learned in a very short order here, Judge Allen does a very good, competent and thorough job of explaining, and always with a warm smile, so I have nothing else to add at this point."

- B. Gil Perry with the Office of Small Business and Entrepreneurship under the Lieutenant Governor presented comments.

"My name is Gil Perry, and like Courtney, I've been an employee of the state since June 2nd. I'm with the Office of Small Business and Entrepreneurship, reporting to the Lieutenant Governor. I operate the Fort Wayne office of the Procurement Technical Assistance Center, and our purpose is to help small businesses get positioned to do government contracting, and our definition of "government contracting" is federal, state, local, any kind of government contracting. My background is 35 years with Raytheon as a supply chain executive, and then I owned a small contract manufacturing company, and sold that after about eight years, and for the last five years have been running a PTAC office here in Fort Wayne. Up until June, the PTAC was handled by a small not-for-profit company located in Hammond. Now that we are with the state, we have an office in Hammond, an office in Fort Wayne, an office in Indianapolis, and an office in Bloomington.

We're hiring a new PTAC counselor in Indianapolis as I speak, and I hope we can expand that further, but this new relationship with the state gives us additional leverage and resources. We are funded primarily by the Defense Logistics Agency for government contracts. We also, of course, get a lot of funding from the state, and some matching funds support our activity. It's a great initiative, and I'm happy to be here and represent OSBE, the Office of Small Business and Entrepreneurship, and would be happy to help clients or help you meet your mission along the way, any way we can.

C. Theresa Walker with Brilljent presented comments.

"I'm sorry. Sorry about the interruption earlier. I'm Theresa Walker, from Brilljent. In our discussion previously about VBE participation, and I noted on the slides that there were the federally certified and state certified, so my question is: On a state RFP, do you acknowledge or can a certified firm that is just certified at the federal level, does that meet the participation goal that the state has, or do they have to be certified with Indiana as well?"

Terrie Daniel responded.

"They do need to be certified with Indiana. If they first appear on the national repository, they basically meet that qualification. We take those NAICS Codes and transition them into UNSPSC Codes for state use purposes, but yes, we don't want to burden them any further. And if they've -- and just recently, within the last, I'd say, two to three years, the Federal Government changed their certification program for veteran business enterprises. It used to be that they could self-certify, and unfortunately there was so much fraud and misinformation given from a lot of companies saying that they were eligible as a veteran business enterprise, they needed to change that process at the federal level. So, now it's a process that is very similar to our M and WBE certification, so they're submitting basically all of that same information, so it's really a moot point for us to request that again. So, once they can provide us with that documentation that they are certified through VetBiz, we kind of quickly go on there, verify that, verify the NAICS Codes, and you're in. The only other requirement for Indiana certification is that they have to be a resident of Indiana for one year. That's the only other requirement."

**X. Adjourn**

Chairman Jamal Smith adjourned the September 8, 2014 meeting at 3:11 p.m.