

Inclusive Procurement and Contracting Board Meeting Minutes

Date: December 17, 2024 | Time: 5:30 pm | Location: Microsoft Teams (Virtual) &
TRC 1165 Franklin Street, Suite 100, South Bend, IN 46601

Link: <https://tinyurl.com/ipcboardmeeting>

❖ **Call to Order-** The IPC Board is now called to order on December 17, 2024 at 5:30 p.m.

- BOARD MEMBERS PRESENT: Breanna Allen, Murray Miller, Wilbur Boggs, Cynthia Simmons-Taylor, Keana Baylis, Jeff Rea, Rachel Tomas-Morgan, Kara Boyles
- BOARD MEMBERS PRESENT VIRTUALLY: Michael Morris, Rosa Tomas
- DIVERSITY & INCLUSION: Bianca Jones, Micheal Szymanski
- PURCHASING:
- LEGAL: Michael Schmidt
- INNOVATION & TECHNOLOGY:
- BOARD MEMBERS ABSENT: Kimberly Hurt

❖ **Approval of Minutes:**

November 2024 meeting minute – Rea motions for approval – Allen seconded.

All Ayes no Nays

Notes:

- I. **Procurement** – Jones presented the November Procurement report.
All eligible spend was \$170,596,337. Of the total eligible spend \$6,987,335 was spent with minority and/or women owned businesses. She stated that this number includes all certified and non-certified spend for a total utilization of 4.1%.
MBE only - \$1,386,977

WBE only - \$762,187
MWBE - \$350,389
Self-reported - \$4,487,781

Miller inquired about the percentage when we take off self-reporting. Jones responded to Miller's question stating the certified only spend was 1.46%.

Jones moved to the Public Works (PW) projects with goals. The total spending on PW projects with goals was \$49,170,941. Of the total spent with MBE and or WBE is \$3,030,489 for a total utilization of 6.2%.

MBE only - \$1,498,081
WBE only - \$1,340,518
MBE/WBE only - \$191,890

Baylis inquired if there was a way to increase the spending with MBEs and WBEs, Jones stated that the way to increase the spending would be more targeted efforts and getting more engagement. Baylis asked if we can attach a list of MBE/WBEs to the pre-bid documents when a new project comes out to help primes with reaching subs. Simmons-Taylor stated this is something ODI can do.

Rea stated that we should add some context the 6% by being able to gauge if we are heading in the right direction. The example provided was "if last month we are at 4% and this month we are 6%" then that would tell a story. He continued with, we need to develop more minority/women contractors or suppliers in the area, hence the desire to geographically represent the growth so we can show our stakeholders we are building inventory. More suppliers which will lead to more utilization.

Simmons-Taylor stated that she does not recall where we've hit 6% in her tenure and so this does show that we are moving in the right direction. She continued with the Disparity study listed 6% as an aspirational goal and we have met that for the last several months in the PW space. Rea questioned is that from anyone in the region then stated he understood that Indiana is our marketplace, but we need to be able to show that we are building an ecosystem here. That allows advocates like the folks around the table to be able to make the case that this effort is succeeding. There have been questions about if this effort exceeding so we have to be able to articulate our success.

Simmons-Taylor wanted to share the trend for certified businesses in the area. She stated currently there are 46 certified businesses in South Bend/ Mishawaka and 2491 in the state of Indiana. Rea questioned why Berrien County Michigan was not included.

Ronalda Minnis – Minnis Consults (Consultant to ODI) was invited to respond to Rea's question. She stated that MI does not have a certifying program and Indiana does not recognize Michigan Businesses. She stated that the City has made connections to WBENC which certifies WBEs in Berrien County as well as NMSDC, but there are no other certifications the city has written into the program plan to recognize in the state of Michigan.

Rea stated that he was surprised as he thought Berrien County counted since they were in our economy

Jones stated that being in Berrien County does not preclude businesses from counting. As long as the business is certified through WBENC and NMSDC Michigan program the

will count towards our goals. We have found that those certified businesses that can do business with the city in those areas are far and few in between and we don't currently have access to the NMSDC list because Mid-States only covers Indiana, Illinois and Missouri. We would need memberships to cover both states.

Miller questioned IDOAs reciprocity and INDOT being a certified agency in Michigan. Minnis stated that INDOT is DBE only and the current program plan does not track DBE participation. She referred to the IDOA document being displayed to show which stated have reciprocity and MI was not on the list.

Rea stated that since it seems our plan is no longer relevant because the counties that we serve aren't counties that we include, why don't we amend the service area and nix Berrien County and tighten up the counties. He continued that this goes back to his point that Evansville company could qualify but a Niles contractor couldn't and that really doesn't make sense. Simmons-Taylor agreed that its time to make some changes to clean up the gray areas, loophole, definitions, and items left up to interpretation.

Tomas-Morgan stated that this is a work in progress. Miller stated that the program plan does not change the ordinance, and the Berrien County is listed. Rea questioned if we need to do a new disparity study to have this amended. Simmons-Taylor stated that Mayor agreed to do a new disparity study because our data is from 2015-2019 data.

Tomas-Morgan stated the consultant said we need to do one every 5 years. Rea questioned how long this takes. Schmidt stated that it is a multi-month process for a new study to be completed and we cannot remove Berrien County arbitrarily.

Baylis asks when the process can begin. Simmons-Taylor stated when the mayor gives the greenlight. He said 2025 but no date has been said. Tomas-Morgan stated that for the first half of the year we should really push businesses to become certified.

Baylis touched on the non-certified number and the possibility of putting a cap on how much we spend with a non-certified business. Simmons-Taylor stated that she softly suggested that she has softly suggested to these businesses that they become certified but that's as far as she can go.

Allen stated that she is in favor of allocating more time to figuring out how to update the ordinance and the program plan. It would be more useful for the time we spend than to keep talking about some of the same items. It has been helpful to hear some of the limitation that are unfolding and she is sure many of them had no idea these existed. Being at the forefront of making amendments and adjustments allows for us to dig a little deeper and understand step 1 moving forward. She thinks this can also allow us to eloquently speak and critically think about the goals and processes.

Discussion continued on reviewing the current program plan and how to amend it.

Jones stated that she heard the requests from modifications to the current Procurement report and will work with David to make changes.

II. DPW:

Simmons-Taylor Presented the November DPW report. Ther were 3 awarded projects one with goals and 2 without. City Hall Renovation was awarded to Larson Danielson

Construction. The did not meet the goals. 2 Quote were awarded that did not have goals 2 projects were rejected. Momentum TIF Project exceeded budget and 2024 EV Supply Installation. WBE Goals not met.

Wilbur Bogg left at 6:30pm

3 projects closed out –

Ford St and Walnut – did not meet the MBE goal by .3% and exceeded the WBE goal by .61%

2023 Residential Demolition – exceeded the MBE goal by 8.09% and exceeded the WBE goal by 85.90%

Fun F/X Demolition – exceeded the MBE goal by 1.55% and did not meet the WBE goal by 4.33%

There was discussion on certified primes self-performing to satisfy the goals. As of right now the program plan is absent of language surrounding that so it is left up to the program administrator on if they can self-perform to meet goals.

Boyles stated that the city covers all aspects of construction, and it had been a struggle to find MBEs and WBEs. This is a much greater burden on our community because of the type of work we are doing. She believes we should be cautious about not being open to those struggles especially if the prime is a certified M/WBE who can satisfy the goals.

III. Office of Diversity and Inclusion:

- IV. Simmons-Taylor spoke on the 2023 annual report. She stated the reluctance to share this and wanted to ensure the mayor signed off on it. This will be presented for January and for 2024 we are looking to have ready for the February meeting.

Jones spoke on 2025 scheduled events –

Quarterly - Prime and Sub Connect, MBE and WBE Certification sessions, B2G User training.

- V. New Business:

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- VI. Old Business

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- VII. **Announcements**

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- VIII. Floor Open to the Public -

- IX. Adjournment-

Baylis– Motion to adjourn /Rea – Second

Notes & Action Items