

Governor's Supplier Diversity Council

December 18, 2013 Meeting – Conference Call

Minutes from December 18, 2013 Governor's Supplier Diversity Council Meeting – Conference Call

Attendees:

On the phone: Ken Anderson, Dean Stotler, Devona Williams PhD, Cathy Imburgia, Nick Callazzo III, Ronald Tutundji, Brian Leahy, William Pickrum, Peter Korolyk, and Michelle Morin

Absent: Anas Ben Addi, Sakthi A. Vel PhD, Ron Frazier Esq., Clay Hammond

Meeting Opened:

Conference Call Meeting Called to Order by Ken Anderson, GSDC Chair, at 11:04am.

Quorum:

A quorum was reached with five members in attendance.

Prior Meeting Minutes:

Minutes for the meeting held on November 21, 2013, were reviewed without being read, no corrections were made, and the minutes were unanimously accepted without abstention via motion by Dean Stotler and seconded by Dr. Devona Williams.

December 18 Meeting Notes:

- Ken Anderson provided a brief overview of the agenda for the meeting with Governor Markel scheduled for December 19, 2013. There is a PowerPoint presentation that will be a handout at the meeting, Ken offered to share it electronically with all members after final edits are made later today. Ken requests that all voting members and attendees be present by 9:45am. Ken reviewed the intention to suspend the normal meeting and normal meeting rules to hold a special meeting with the Governor that did not require procedure. Ken explained that the fifteen minutes prior to the meeting will allow the Council to accomplish the business of the council. Ken asked Michelle Morin to make the motion. Michelle responded that as OSD is not a member of the Council she is unable to do so. Dean Stotler volunteered to make the motion. Ken then reviewed the entire presentation document with the council and especially noted slides 2, 3, 7 and 11 and the recommendations the Council will make to the Governor.
- Dean Stotler provided an update about the Small Business Focus Program and reviewed for the Council the areas he intended to touch upon in recommending to the Governor that a Small Business Focus Program be created. The current OSD website landing page will provide two directories, one for OSD Certified firms and the other for the Small Business Focus Program certified firms. The eligibility and graduation requirements were agreed to by the Council based upon a three year average and will be described in the application. Nick Callazzo asked a question to learn if the opportunities would be captured with the Small Business Focus Program as they already are with Minority, Women, and Veterans. Dean responded that spending is tracked and will be tracked going forward. Dr. Devona Williams asked about the database and who has access as the tax information and gross sales information is information that should be protected.

Michelle Morin responded that the database is accessed only by OSD and the OMB IT support team. The information on the public directory does not include the information Dr. Williams expressed concern about. Dr. Williams followed up indicating that the information is the same as requested for Disadvantaged Business Enterprise (DBE) certification and inquired how the information is protected. Dean responded that the information is stored under the same state protections as under the DBE program and that the information Dr. Williams is concerned about is not FOIA-able (Freedom of Information Act), it is treated the same way as in a bid submission for a procurement opportunity. Dr. Williams asked who is able to see the Registry. Dean responded that the Registry is public but the earnings of any company are not published. The standards for eligibility and graduation are published so the public will know if a company is under the eligibility sizes if they are part of the Small Business Focus Program. Dr. Williams asked if all purchasing entities know the gross sales and other financials of a company. Dean responded that if a purchasing entity makes a request to GSS to know the sales information of a company for a state purpose then yes, it is in the files and shared with that purchasing entity, but they need to submit a special request for that information. Dr. Williams stated that she has never had anybody ask her for her company's gross receipts and number of Full Time Equivalents and taxes. She indicated that she is always looking to protect her company's information as she believes that the knowledge of such information by a procurement officer may create a bias in the nature of the procurement. Ken Anderson indicated that the explanations we just heard are reflective of the protection of that information and to respond to Dr. Williams' point Ken asked if there is a way to share with the community the protections offered. Dean responded that we can do a FAQ (frequently asked questions page) for this program to include that information. Dean further indicated that when the state receives a FOIA regarding a company the financial documents and information are protected as determined by the Attorney General's office.

- Dean Stotler had indicated at the start of this meeting that he would have to drop off at some point, and at 11:35am he had to leave this meeting for his next meeting. He indicated he is prepared for the December 19th meeting and that Michelle Morin can respond to questions as needed.
- Ken Anderson suggested to the Council the need for twenty to twenty-five minutes of the upcoming December 19th meeting would be necessary to present the recommendations to Governor Markell. The Chair requested that Council members keep this in mind while responding to inquiries from the Governor.
- Ronald Tutundji, at 11:36am also needed to sign off and indicated he will be present at the December 19 meeting.
- Ken Anderson inquired if there were any other questions from the Council with regard to the December 19th meeting. None were raised.

Public Question / Comment:

No members of the public responded to Ken Anderson, GSDC Chair's question if any Public was present and wished to comment. It is unknown if any members of the public were on the phone as none self identified. No questions or comments were raised by the Public.

Next Meetings:

1. A meeting with the Governor is scheduled for Thursday, December 19, 2013, from 10:00am to 11:00am at the Governor's Office.

Meeting Adjournment:

Meeting adjourned by Ken Anderson, GSDC Chair, unanimously without abstention upon motion by Dr. Devona Williams and seconded by Cathy Imburgia, at 11:43am.