

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

OFFICE OF SMALL BUSINESS OPPORTUNITY AD HOC COMMITTEE MEETING

April 28, 2015
3:00 PM
4th Floor Conference Room

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Mr. Livingston called the meeting to order at approximately 3:03 PM

ELECTION OF THE CHAIR

Mr. Jackson moved, seconded by Mr. Livingston, to appoint Mr. Washington as Chair by acclamation. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Washington requested to add the software and quick pay update.

The amended agenda was adopted unanimously.

COUNCIL TO ESTABLISH "SLBE PROGRAM GOAL SETTING COMMITTEE"

Mr. McDonald stated the "SLBE" Ordinance, which established the program and parameters for qualifying businesses as an SLBE, called for the potential establishment of a Goal Setting Committee(s). Presently this is being handled informally by the Procurement Department and OSBO Office.

Mr. Livingston stated the ordinance spoke specifically to the makeup of the committee(s) and who is responsible for appointment to the committee(s).

Mr. Livingston and Mr. Malinowski requested a copy of the SLBE Ordinance.

Mr. Washington inquired if the ordinance identified specific goals.

Mr. McDonald stated the ordinance is fairly generic. The intent was to establish goals for SLBE participation, percentages, etc. The intent or task of the committee(s) would be to establish the goals.



Council Members Present

Kelvin E. Washington, Sr., Chair
District Ten

Bill Malinowski
District One

Damon Jeter
District Three

Paul Livingston
District Four

Norman Jackson
District Eleven

Others Present:

Torrey Rush
Tony McDonald
Michelle Onley
Monique McDaniels
Rob Perry
Shawn Salley
Tony Edwards
Chris Gossett
Christy Swofford
Gloria Tanner

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Mr. Washington moved to direct the OSBO Ad Hoc Committee create a subcommittee to be the Goal Setting Committee.

Mr. Livingston stated Mr. Washington's motion would be in conflict of the ordinance.

Mr. McDonald stated the ordinance states the following:

4. Establishing one or more Goal Setting Committee(s) ("GSCs") to provide guidance on the implementation of the rules under this policy;
5. Continuous review and advice of the GSC in administering the policy and goals herein. The County's Director of Procurement shall determine the size of each GSC that is to be chaired by the Procurement Director. The Procurement Director shall also appoint the remaining members of the GSC from the County's procurement personnel and other County departments affected by this Program;"

Ms. Tanner stated to be in compliance with the ordinance the Procurement, Transportation and OSBO Departments have met to follow the guidance of the ordinance. An informal methodology has been established to go forward and proceed in developing a goal on a project specific basis.

Ms. Tanner stated to set the goals she has drawn on prior experiences and decided what would fit best with the County's Procurement process as it exist. The determination was that the Transportation Department would identify the particular trade areas for each project and provide that information to the OSBO Department. The OSBO Department would in turn develop the goal for the project and submit the goal to the Procurement Director.

Ms. Tanner stated a goal is developed based on the trade areas and the potential opportunities for SLBEs or, if federally funded, DBEs to participate. The bottom line goal is based upon the firms that are identified as qualified either DBE or SLBE, as well as, the trade areas that make up the projects.

Mr. Rush inquired if that process is how you also determine the emerging businesses.

Ms. Tanner stated with federal funds you cannot have set asides, but with the Penny Sales Tax you have more flexibility with how the funds are used.

Ms. Tanner stated the SCDOT has a large list of certified DBEs and the County has certified approximately 17 SLBE firms in the last 3 weeks in the construction area.

Mr. Malinowski stated the ordinances and/or suggestions should have been included in the agenda packet for discussion; therefore, in the future, please forward all pertinent information to the Committee/Council prior to the meeting.

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Ms. Tanner stated based upon her past experience the committee usually evaluates the good faith effort, but the committee does not typically develop goals. In order to develop a goal, you have to have someone or committee of individuals with certain types of expertise (i.e. technical, familiarity with certified firms, electrical).

A committee is probably not the best way to establish the goals unless the individuals have the knowledge and expertise to do so.

Mr. Jackson stated the goals are to benefit the contractors to identify their shortfalls and needs.

The goals do not really help the firms to bond a project. There are several hurdles that SLBEs and DBEs have that preclude them from participating actively in a project. Staff is presently exploring options to assist the businesses.

Mr. Malinowski moved, seconded by Mr. Livingston, to direct staff to bring back recommendations to the committee. The vote in favor was unanimous.

DEVELOP A MENTOR PROTÉGÉ PROGRAM AND A MONITORING ADVISORY COUNCIL TO WORK WITH THE SLBE AND OSBO OFFICE

Ms. Tanner stated mentor protégé programs are best thing an agency could implement and make a part of their process. The program assists the firms that are not where they need to be by pairing them with a prime/protégé to educate the company from step one to the end of the project.

Presently Richland County is not ready for implementation of such a program because there are not enough certified SLBE firms to participate. Staff can begin development of such a program with anticipated implementation in approximately 6 months.

In order for the program to be successful, there have to be incentives for the mentors to participate (i.e. identification as a good corporate company, additional points in evaluation process, etc.)

Mr. Malinowski moved, seconded by Mr. Livingston, to direct staff to begin building the mentor protégé program and bring back to committee for consideration. The vote in favor was unanimous.

I MOVE THAT THE ADMINISTRATOR AND PROCUREMENT DIRECTOR DO A WORKSHOP TO PRESENT THE DIFFERENCES BETWEEN WHAT THE CONSULTANT FRANKLIN LEE PROVIDED TO COUNCIL FOR THE DISPARITY STUDY AND WHAT THE PROCUREMENT DIRECTORS CHANGES/DIFFERENCE ARE

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Mr. McDonald stated staff has contacted Mr. Franklin Lee and he indicated that he had not drafted a scope for the disparity study. In previous meetings, Mr. Lee recommended the disparity be conducted after a year's data had been collected. The SLBE data will be utilized to conduct the disparity study.

A copy of the Procurement Director's scope for the disparity study has been forwarded to Mr. Lee for review, but staff has not received a response to date.

Mr. Rush requested clarification as to when the one year was to begin.

Mr. McDonald stated he believes the year is a relative term, but the idea was to obtain a year's worth of data in the SLBE system.

Mr. Tanner stated disparity studies contain a lot of historical data and unless you solely use what took place before the SLBE program was established, there is no data.

Mr. Malinowski requested Council members that have proposed input on the disparity study to forward their input to staff for incorporation into the scope.

Mr. Rush inquired if the disparity study will look at the programs within the SLBE program or only the trade areas.

Ms. Tanner stated the disparity study can capture a lot of information regarding the DBEs and SLBEs that have not had the opportunity to participate in the opportunities afforded by an agency. It also shows the availability of the different firms that exist in society, region, etc.

Mr. Washington inquired if the existing Procurement "Minority Report" could be utilized to conduct the disparity study.

Ms. Tanner stated it could be utilized, but it will depend on if you're a disparity for SLBE, DBE or both.

The "Minority Report" was specifically related to DBEs.

Mr. Livingston expressed concern that if the disparity study is conducted with the "Minority Report" it would miss the businesses that could possibly provide the services but never submitted an application due to bonding or couldn't get involved in the process. The study would only capture those businesses that are already on the list and the intent of the study is to assist you with capturing as much as possible.

Ms. Tanner stated there is a lot of work to putting together a disparity study and the inputting of the data and calculation are the last activities.

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Mr. Washington requested a presentation on the steps to conducting a disparity study to be presented at the next committee meeting.

Mr. Livingston moved, seconded by Mr. Jackson, to direct staff to conduct a full Council work session to present the steps a disparity study entails. The vote in favor was unanimous.

SOFTWARE UPDATE

Mr. McDonald stated the Procurement Department, Ms. Tanner and himself had meeting to discuss the software. The vendor of the software is being brought in to meet with staff from Procurement, Finance, and OSBO to discuss in detail the entire system's capabilities and if any modifications need to be made to the software.

Ms. Tanner further stated that an internal meeting with IT personnel is being held to discuss what the system currently cannot accomplish (i.e. payment tracking, change orders, etc.)

Many of the firms are not computer savvy enough to operate the B2G Program; therefore, they must utilize the OSBO kiosk and have OSBO staff assist them.

QUICK PAY PROGRAM UPDATE

Ms. Tanner stated staff has met with Mr. Nielsen in IT. A follow-up meeting is scheduled with Mr. Nielsen and Mr. Driggers to discuss the benefits of the program and how best to implement the program.

ADJOURNMENT

The meeting adjourned at approximately 3:41 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council