

UC2B Policy Board Subcommittee

March 5, 2011

Present: Abdul Alkalimat, Mike Smeltzer, Zernial Bogan, Richard Schnuer, John Kersh, Connie Dillard-Myers, Robert Dodd, Todd Rent-City of Urbana, Garth Mc War(?) - City of Champaign, Vacella P. Clark - City of Urbana, Peter Folk-Volo, Rev. Larry Lewis-Bethel CME Church, Joe Lewis –Salem Baptist Church, Carol Lewis-Salem Baptist Church, Henry Bell III-Southern Bell Electric, George McClendon-Southern Bell Electric, and Artice James-NCAAM

Purpose:

To formulate policy and establish guidelines for UC2B hiring practices for minority and female contractor, subcontractors and workforce composition. Since the UC2B grants were meant to assist in the create jobs and award based on narrowing the digital divide for the underserved, then compliance by establishing policy on workforce composition to deal with the past practice of leaving this group out of the arenas was also at the forefront on the discussion.

Discussion:

The focus of the meeting surrounded setting goals and establishing policy for UC2B to make sure this group is awarded contracts, subcontracts and that minorities and females from the underserved areas make up a percentage (at least 15 %) of the workforce. Also discussed was how the sub-committee is going to articulate the language to achieve this while complying with local, state, and federal policies, guidelines, and any laws that are currently on the books. In addition, the committee wants to establish accountability to ensure these policies, goals and laws are adhered to by generating quarterly reports to make sure an effort has been made to partner with minority contractors.

The current goal established by the University of Illinois on the matter is 15 percent, with other consideration being given to the language established by the Illinois Senate Bills according to information received during the policy committee meeting on Feb 24, 2011 distributed by Fred Coleman, from U of I Capital Programs and Real Estate Services (see minutes from that meeting for details).

It was noted that the cities of Champaign and Urbana currently do not have any goal per se, and establishing them would be up to the City Councils, who have the authority to set contractual and hiring goals and guidelines for minority contracts. Their goals for minority contractual awards and hiring may have broader perimeters than does the University of Illinois. The notion of set-asides cannot be part of this scenario due to its discriminatory nature. It was noted that

the source of the monies also determine what and how it is used as it pertains to minority contractual awards and workforce composition.

It was also noted that the committee's intent is to state general guidelines and what is needed to achieve and establish goals and not the precise language of the policy or goals. That specific language would be worked out via legal departments, the city councils and the UC2B policy committee as well as any others that need to be involved from the three entities (i.e. The University of Illinois, the cities of Champaign and Urbana). It is the subcommittee's charge to develop guidelines, to be put forth to the policy committee to establish policy, on what is needed to achieve more minority and female contractors as well as make sure that at least 15 percent of the workforce is composed of minorities and females, with emphasis on hiring from the underserved populations of the cities.

It was pointed out that the City of Champaign has no intention of opting-out on minority contracting and would possibly opt-in on the University of Illinois goal of 15%. It was also noted, by Urbana, that the University's goal is only 15% of the dollar amount of the award, no matter what the workforce composition really turns out to be. There was a need for clarification on this because it would not be the goal of the sub-committee to adopt a policy for a percentage in dollar amount only, but to generate a policy to include 15% of dollars, as well as 15% of the numbers of contractor as well as at least 15% of the workforce composition.

In an effort to maintain diversity as well as noting the reason for the UC2B grant award, the digital divide, that some effort be made to grant contracts to minority contractors and sub-contractors during all phases of the UC2B project. That is the underground, above ground and technical and operations as well as educational and technical support for the underserved subscribers of the UC2B project. The policy sub-committee's charge is to make sure that the grant monies are used for the reasons they were granted and that was to narrow the digital divide as well as put those folks hardest hit by the bad economy (minorities) back to work (American Recovery and Reinvestment Act of 2009). It is also important that the UC2B project include local contractors and sub-contractors, even if a larger non-local firm is awarded the contract. It is also important that the decision makers be a diverse group as well, because past practices have not included minorities in the decision making process, which include contracting with and hiring local individuals, especially from the underserved areas.

Therefore, any policies and guidelines created by this policy committee and later adopted by the cities of Champaign and Urbana should emphasize and aggressively seek to reach out to minority contractors, sub-contractors, and individuals who live in the targeted areas, which is comprised of mostly minorities. This census block group and its make-up was a large part of

the reason for the grant award and therefore should also be included and not excluded, which has been the case in the past.

General Issues for consideration:

Establish goals (15%) minority contractual awards and workforce composition for the cities, since they have more leeway in complying and/or meet affirmative action policies and goals.

Emphasis should be placed on hiring local workforce with at least 15 %, perhaps more be minority contractors, sub-contractors and individuals from the targeted area, even if contractors are not local

Establish aggressive policy/guidelines for the cities that will have a positive impact of local jobs and reach out to individuals in the targeted area when hiring

Assist minority contractors and sub-contractors to certify for CMS AND MAFBE certification prior to bids being awarded so they will not be left out of the process.

Give points for minority contractor and sub-contractors in RFP and RFQ so that their bids will be considered even if they are not the lowest bids, thus evening the playing field so that they can compete with larger firms.

Give administrative support to small contractor to deal with the paper work that's required by the cities, state and federal governments

Mobilization of the community and define what benefit can be gain for it as well as the needed for technical and educational support, after the construction phase is complete (The community benefit)

Proposed Draft resolution

The following is a draft policy statement summarizing discussion held on March 5, 2011, addressing the question of recommending a policy to be considered by the UC2B Policy Committee for presentation to the University of Illinois and the Cities of Champaign and Urbana.

Members of the Policy Subcommittee was an opportunity to comment on and offers suggested changes to this statement prior to the meeting at 9:00 AM at Salem Baptist Church on March 12, 2011. Final resolution concerning the issue will be presented to the Subcommittee at that meeting.

1. A goal providing for minority participation in UC2B will be established stating that a minimum of 15% of all contract work (bid, build, operate, and maintain) will be awarded to minority contractors and subcontractors and that bid awards should not be limited to certified contractors (to the maximum permitted by law). The fulfillment of this goal is subject to proof of good faith efforts by the prime contractor(s).

2. The prime contractor will be required to provide the resources to audit compliance with this goal.

3. The bidding process will include consideration of the community benefit arising from employment of minority companies.

4. The goal shall include a requirement that all contractors and subcontractors employ a minimum of 15% minority workers in every major job category, and shall not include employment of minorities by vendors as part of the consideration in fulfilling this goal.

In addition, a major effort shall be made to retain local contractors for the project.

The ability to have contractors participate in this project without being certified needs to be vetted by the attorneys.