



STATE OF MISSOURI

Governor Jeremiah W. (Jay) Nixon



Office of Administration
Commissioner Kelvin Simmons
Director Alan K. Green
OEO Policy and Program Initiatives
February 7, 2011

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"Business for all"

Kelvin Simmons calls for inclusion at Salute

By Rebecca S. Rivas of The St. Louis American



Commissioner Kelvin Simmons and Personnel Director Nominee Bill Miller

No one wants to walk up to a house where the owners emanate coldness and the blinds are shut.

For minority and women business owners, that has been the house they approach when they've tried to get a foot in the door for State contracts, said Kelvin L. Simmons, commissioner of the Missouri Office of Administration. "We are going to talk about how a house was built to allow minorities and women to have a greater participation in the procurement activities at the State," he said. "But just remember that it took two decades to build that house."

Simmons told the story of minority inclusion in Missouri to 500 attendees at the Salute to Excellence in Business Awards Networking Luncheon on Tuesday.

He also announced that the new director for the state's Division of Personnel will be Bill Miller, an African American human resources consultant. Besides being a consultant, Miller is also a motivational speaker, voice-over artist, media talent and the former mayor of the city of Berkeley, Mo. for seven years. He also sits on the Board of Election Commissioners of St. Louis County.

Simmons titled his story of minority inclusion in Missouri "The Good, the Bad, the Ugly and the Hopeful."

Simmons said the "good" was the business community honored at the luncheon, and the fact that St. Louis is home of the largest minority-owned business in the country: World Wide Technology, Inc. Simmons said he remembers when David L. Steward, founder and chairman of WWT, was knocking on the door but no one was letting him in. "Now no one can imagine Mr. Steward on the outside looking in," Simmons said. "No, not today."

Blueprint for inclusion

The early 1980s and '90s were the blueprint

years, Simmons said. The Missouri General Assembly passed Senate bills 808 and 672, which Simmons said allowed the Office of Administration to "implement a plan to increase and maintain participation goals for minority-owned businesses in supplies and contracts that were consistent with goals after an appropriate study."

In the '90s, there were five policies that began to build the structure of the house. Simmons said he authored and Gov. Mel Carnahan signed an executive order, which put into place the first MBE/WBE participation goals. In 1993, the State's Minority Business Advocacy Commission was established. In 1995 and '96, the State conducted its first statewide disparity study to see if there was ongoing discrimination and past discrimination locking minorities out of opportunities.

"It took the courage of good people and politicians to make sure Missouri was a better place," he said. "We did build the house."

Simmons mentioned three examples of how State agencies have made progress based on the policies established during the blueprint and structure-building years.

In 2000, the State's Department of Insurance had 10 percent WBE/MBE participation, the Economic Development department had 7.4 percent and the Department of Labor and Industrial Relations had 7 percent. By 2003, those numbers went up to 48 percent, 26 percent and 19 percent, respectively.

Wrecking inclusion

"Now I talked about the good and the house being built, but now I have to tell you about the bad and the ugly," Simmons said.

On Sept. 27, 2004, a lawsuit was filed in U.S. District Court in the western district of Missouri challenging the MBE program. "It was the first rock that went through the window of the house," he said. In January 2005, a preliminary injunction was issued, ordering the Office of Administration and the state of Missouri to suspend the placing of MBE/WBE requirements in any state procurement. "You might as well have pulled out the wrecking ball," he said. In 2007, there was no minority business advocacy at the State level, and that was reflected in the participation numbers for State agencies. The Department of Insurance's MBE/WBE participation went down to 0.1 percent, the Economic

Development to 13 percent and Labor Industrial Relations was at 0.4 percent.

And, the lawsuit never even went to court.

"Right around the time the house was being torn down, we had an outsider come from the State of California," Simmons said.

"Ward Connerly brought his efforts into the state of Missouri, where he was simply going to insure that MBE/WBE procurement participation would no longer exist in the state of Missouri. He called it the Civil Rights Initiative."

Fortunately, an organized campaign in Missouri stopped the initiative before it could get on the ballot. "But guess what folks, they're here again," he said.

'Hopeful' sequel

And now is the time to write the "Hopeful" sequel to the story. "We have to refocus our efforts and build a stronger house," Simmons said.

"One that can weather a political and policy storm. One that can sustain itself over a period of time. It's time we ask our legislators to rethink how our State can open up business for all."

Simmons said that Gov. Jay Nixon's administration will have an aggressive rebuilding program. He said they are going to request a one-time appropriation in the Office of Administration budget for a new disparity study. The last disparity study was conducted over 15 years ago. Simmons said the Office of Administration will reconstitute the Minority Business Advocacy Commission, a process that is already underway. He will appoint an oversight committee that will work with the commission to make recommendations of best practices for minority- and women-owned businesses. Simmons said the office will put together a new executive order, one that reflects the reality of the business climate.

The office also will partner with Department of Commerce to implement a new outreach plan to assist W/MBE with contracting opportunities and stimulus dollars.

"When we are done rebuilding, it won't look like this old house," Simmons said. "It will look like something different."



| | | |
|------|---|----|
| I. | EXECUTIVE ORDER UPDATE | 4 |
| II. | US DEPARTMENT OF COMMERCE OUTREACH PLAN UPDATE..... | 5 |
| III. | DISPARITY STUDY UPDATE..... | 7 |
| IV. | MISSOURI MINORITY ADVOCACY COMMISSION UPDATE..... | 8 |
| V. | OVERSIGHT REVIEW COMMITTEE UPDATE..... | 9 |
| VI. | SENATE AND HOUSE APPROPRIATION COMMITTEE HEARING..... | 10 |
| VII. | MAP OF MWBE VENDORS IN THE STATE OF MISSOURI..... | 11 |



Governor Nixon holds a meeting with the Missouri Coalition of Minority and Women-Owned Businesses



State Treasurer Clint Zweifel, OEO Director Alan Green, and Governor Jay Nixon



Governor Nixon greets ministers at the Governor's Building



EXECUTIVE ORDER UPDATE

The M/WBE Certification Program, the Supplier Diversity Program and the Workforce Diversity Program exist through the promulgation of Executive Orders issue by the Governor of the State of Missouri.

BACKGROUND

- Executive order 94-03 promulgated by Governor Carnahan established:
 - The designation of the State Equal Employment Opportunity EEO Officer as Chief Compliance Officer, whose primary responsibility for assisting in the coordination and implementation of affirmative action throughout all departments of the executive branch of state government, and advising the Governor on issues regarding equal employment opportunity, affirmative action, and efforts to administer affirmative action goals and timetables for implementation throughout the departments of the executive branch. Additionally, the State EEO Officer shall review progress reports of the departments and shall meet biannually with each department director to evaluate departmental results and determine the course of future affirmative action goals, timetables, recruiting, planning, and implementation. The results of each meeting shall be reported in writing to the Governor and Commissioner of Administration.
- Executive order 98-21 issued by Governor Carnahan established:
 - The Office of Contract Compliance, to cooperate with DPMM and FMDC in the administration, monitoring and enforcement of MWBE programs.
 - All state agencies shall make feasible efforts to increase the MBE and WBE Utilization goals to 10% and 5% respectively.
 - An order for DPMM and FMDC to establish utilization percentage goals to increase MBE and WBE participation in let contracts for their respective areas.
- Executive order 05-30 issued by Governor Matt Blunt established
 - The Office of Supplier and Workforce Diversity to replace the Office of Equal Opportunity
 - Abolished the Office of the State Compliance Officer, and transfers all rights and responsibilities of the Chief Compliance Officer to the Director of OSWD.
 - The following responsibilities to be carried out by OSWD:
 - to actively recruit, facilitate and serve as a clearinghouse for M/WBE contractors to participate in the programs;
 - to cooperate with the PMM and the FMDC in the administration and enforcement of the M/WBE participation programs;
 - to cooperate with the PMM and the FMDC in the development of policies, forms, and procedures to carry out the requirements of the M/WBE participation programs;
 - to participate in M/WBE target setting;
 - to perform fact-gathering and record-keeping to determine both the effectiveness of state participation programs and the availability and utilization of eligible M/WBEs on individual projects, including levels of participation and availability in specific areas;
 - to certify contractors as M/WBEs;
 - to assess the continuing need for M/WBE participation targets for specific contracting areas;
 - to monitor contractor participation with M/WBE targets; and
 - to recommend sanctions for contractors who fail to faithfully execute M/WBE participation plans during the course of contract performance.

This executive order superseded Executive order 98-21 and article II of Executive Order 94-03.

CURRENT SITUATION

Under the direction of Governor Jay Nixon, through the leadership of the Office of Administration OSWD Director Alan Green has prepared two separate executive orders:

- The Procurement Executive Order deals with M/WBE issues, such as certification, utilization, monitoring, and compliance. It also deals with barriers that MWBE vendors have identified through the years that need to be overcome in order for the playing field to be leveled.

- The Employment and Affirmative Action executive order deals with the assurance that all present and prospective employees are afforded equal opportunity at all levels and phases of employment within state government with respect to but not limited to hiring, recruiting, training, benefits, promotions, transfers, layoffs, demotions, terminations, rate of compensation, and recalls from layoffs. It shall be the responsibility of this office to monitor all departments of the executive branch of state government and assist them to ensure equal employment opportunity and affirmative action. The State of Missouri shall work to ensure that there will be no vestiges of discrimination against persons on account of race, sex, color, religion, national origin, age, disability, or veteran status in not only employment practices but the provision of services and operation of facilities.

The staff at the Office of Supplier and Workforce Diversity has worked with various internal and external groups to analyze the content of the executive orders.

Meetings were held with staff at various entities, such as Division of Purchasing and Materials Management, Facilities Management-Design and Construction, Division of Personnel, and members of other executive branch.

Meetings were held with three separate groups in Central Missouri, Kansas City and St. Louis respectively. Attendees at these meetings were community members, MWBE vendors, legislators and senators.

On July 12, 2010, Governor Jay Nixon signed Executive Order 10-24 to ensure that all present and prospective employees are afforded equal opportunity at all levels and phases of employment within state government with respect to, but not limited to, hiring, recruiting, training, benefits, promotions, transfers, layoffs, demotions, terminations, rate of compensation, and recalls from layoffs. This executive order changed the name of the Office of Supplier and Workforce Diversity to the Office of Equal Opportunity. The procurement executive order is currently under review.

US DEPARTMENT OF COMMERCE OUTREACH PLAN UPDATE



The **American Recovery and Reinvestment Act (ARRA)** of 2009 (Recovery Act) was signed into law by President Obama on February 17, 2009. It is an unprecedented effort to jumpstart our economy and creates or retains millions of jobs. The Act is an extraordinary response to a crisis unlike any since the Great Depression, and includes measures to modernize our nation's infrastructure, enhance energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need. **Governor Nixon** kicked off in February 2009 the first economic recovery project in the nation, the Governor outlined his goals in the **Transform Missouri Initiative**, a program created by Executive Order 09-12, designed to analyze the American Recovery and Reinvestment Act of 2009, identify state programs and projects that could benefit from the Recovery Act, develop a coordinated plan designed to maximize the impact of the Recovery Act, and implement guidelines and practices that provide transparency and accountability.

In ARRA, DBE participation was mentioned due to the fact that funds that are used in transportation projects have federal policy or mandate that requires the participation of DBE vendors. Disadvantaged Business Enterprises (DBE) programs are mandated by Congress under TEA 21 (Transportation Equity Act for the 21st Century). DBE goal setting requirements, detailed in 49 CFR Part 26, are passed down to the State as part of the DBE program and required as a condition of the funding agreement. If the State does not meet the DBE requirements; the State will be ineligible to receive USDOT assisted funding. The inclusive language was absent for MWBE vendors in ARRA because MWBE programs are set by and for inclusion of minorities and women owned businesses in state funded procurement.

The US Department of Commerce asked the State of Missouri for strategies to increase the participation of minority-owned firms in ARRA. The Office of Supplier and Workforce Diversity responded by creating an outreach plan which includes the following sections:

COORDINATION/IDENTIFICATION

The identification of key personnel at the divisions within the Office of Administration and the identification of MWBE vendors that have the capacity to perform the contracts that the State of Missouri lets are important.

INTERNAL STATE NETWORK

To identify key staff at the agencies that receive ARRA funding and been able to get notification about contracting opportunities in a timely fashion is extremely important.

EXTERNAL NETWORKS

The contracting opportunities need to be disseminated to MWBE vendors in a prompt manner, in order for them to be able to bid promptly. Partnering with other certifying entities and ethnically driven organizations the message can be disseminate it at a faster pace.
GOALS

This outreach plan is implemented to reach the following goals:

- To provide excellent service to Missouri minority and women owned businesses
- To create a centralization of the communication effort to increase stimulus awareness
- To educate and prepare Missourians for stimulus bids
- Collaborate with state and city departments to conduct trainings

BENEFITS OF IMPLEMENTATION

The Office of Supplier and Workforce Diversity strive to increase the number of contracts awarded to M/WBE vendors in stimulus funded projects. This increase will create jobs and stabilize the needs of low to moderate income communities. Due to the awards of these contracts, an increase in taxes received by federal, state, and local entities will improve infrastructure, sustain home ownership, provide capital for affordable rental housing, and generate revenue for emerging small businesses.

IMPEDIMENTS TO IMPLEMENT AN OUTREACH PLAN

The most critical impediment is cost. The clarity of the information being delivered needs to be improved so that the end user can benefit.

The State of Missouri has an M/WBE program at the Executive Branch level. The mention of DBE's in ARRA and the exclusion of MWBE created a policy concern at our state. At this moment Missouri is at a policy discovery stage.

With the lack of control in time constraints amongst agencies, many small businesses, are not given ample time to respond to bid proposals.

The request presented by the US Department of Commerce only concerns Minority Business Enterprises, however OSWD advocates for Women Business Enterprises also, creating a plan for MBE vendors creates a policy conflict for our organization.

Encouraging and engaging the state agencies and impressing upon them that the Recovery

Act mandates this kind of outreach. Improving these contracting rates can be difficult during these tough economic times because of the tremendous pressure to keep spending down and take the lowest bids. Many small and disadvantage businesses are discouraged from bidding.

IMPEDIMENTS TO A SUCCESSFUL INCREASE OF M/WBE UTILIZATION

There are 1,533 M/WBE vendors in the State of Missouri's database. Due to the lack of resources, OSWD has been able to identify 45 companies with the capacity necessary to bid on ARRA contracts, with additional funding for staff; the identification process could yield more M/WBE vendors that are prepared to bid.

In the case of purchases below the \$25,000 threshold, the cooperation from agencies to contact M/WBE vendors to provide quotes is necessary for the success of this plan. Purchasing staff need training in seeking the opportunities to utilize M/WBE vendors.

Lastly, the lack of M/WBE vendors that specialize in stimulus funded industries would be an impediment to the increase of M/WBE utilization

PROGRESS TO DATE

The Office of Administration has reached out to many minority and women owned businesses to keep them abreast of what is occurring in State Government with ARRA funding so that these vendors can bid on contracting opportunities. This task has been accomplished by participating in town hall meetings, through radio and newspapers interviews given by the Commissioner of Administration. Additional funding will allow the State of Missouri to expand their outreach activities.

ACTION ITEMS

Contract Additional Staff: Procurement Specialist – this individual would assist the buyers in writing the request for pricing/proposal as well as reviewing awarded contracts for M/WBE utilization

Trainer – the in-house trainer would plan and facilitate workshops to educate M/WBE and prepare each firm to bid on state contracts.

This option would be more cost-efficient than outsourcing.

Certification Officer – currently, OSWD has one Certification Officer to cover the entire state which delays the certification process of M/WBE vendors. By expediting the process, the larger pool of certified vendors would yield more M/WBE vendors that could potentially obtain a state contract.

Development Analyst – The individual would review M/WBE vendor files to better assess a vendor's capacity and match vendors with opportunities.

Office Support Specialist – The responsibilities include clerical support, database maintenance, plus aid the certification officers in reviewing the necessary paperwork for certification.

Outreach: Currently, OSWD is able to reach the major cities of Missouri. With additional funding, OSWD could cover the entire state. An expansion of the outreach efforts would increase the total of M/WBE vendors capable to complete ARRA funded projects.

- Contracted staff would require funding for fleet vehicles, lodging, etc.
- Funding for advertisements (TV/radio/newspaper)

The outreach plan has been submitted to the Commissioner's Office and is currently under review. A meeting with key State representatives should be scheduled in the near future. This meeting should include the following key individuals:

- Commissioner of Administration
- Director of the Division of the Purchasing and Materials Management
- Director of the Division of Facilities Management-Design and Construction
- American Recovery and Reinvestment Act Coordinator
- Director of the Office of Supplier and Workforce Diversity
- Representatives of the Department of Commerce's Minority Business Development Agency (MBDA)

On March 5, 2010 Missouri was one of five states asked by the Obama administration to give presentations on "best practices" on stimulus-funded projects. Commissioner Simmons helped to lead discussions and focused on Missouri's efforts to increase participation by minority- and women-owned business enterprises (M/WBE) in projects funded by the Recovery Act.

On March 25, 2010 OSWD staff met with Rick Dobyne, Regional Director and Erika Jordan, Organizational Development Consultant of the MBDA Chicago National Enterprise Center, a division of the U.S. Department of Commerce. The visit allowed us to establish a connection and learn about financial resources available to Minority Business Enterprises.

A phone conference will take place on April 1, 2010 with Alex Done, Associate Director of the Office of Business Development, Minority Business Development Agency, US Department of Commerce and the State of Missouri, Commissioner of Administration Kelvin Simmons.



DISPARITY STUDY UPDATE

BACKGROUND

In 1994, the State of Missouri Legislature appropriated funds through the Department of Economic Development to conduct a Disparity Study, which provides an agency with the evidence, in accordance with current case law, to determine whether or not, and to what extent, remedial programs for racial or gender discrimination are appropriate. A disparity study will determine if an agency has up-to-date facts for existing and future efforts to increase the use of minority- and women-owned businesses.

The main objective of the 1994 disparity study was to determine the utilization of M/WBEs in contracts and awards by the State. The consultant was directed to determine whether any barriers to equal contracting opportunities existed that were the product of discriminatory practices in the marketplace in which the State operates. The Disparity Study documented that the State of Missouri, in 1996 was at minimum a passive participant in discrimination practices in its market area.

The Study supported the creation of a State of Missouri Minority/Women-Owned Business Contracting Procedures Program to increase utilization of Minority/Women-Owned Business in Construction, Design, Consulting, Purchasing and Lottery contracts.

CURRENT SITUATION

Recently, the courts have ruled that disparity studies that are older than five years are stale and cannot withstand the strict scrutiny test under the 14th amendment (Croson vs. Richmond). Due to the fact that the disparity study for the State of Missouri was completed in 1996, the Office of Administration is actively pursuing means to support the appropriation of a current disparity study.

The objective of the Disparity Study that the State of Missouri is now seeking to complete is different than the one performed for the years 1994 and 1995. The objective for the current disparity study is to measure the need to continue having a program, if disparity exists or to end the program if parity has been reached. Although the objectives have changed the methods between current disparity studies practices have not changed much since 1996, from one vendor to the next, what has changed is the data gathering techniques.

During Fiscal Year 2010, Gov. Nixon was in support of a new decision item which was included in the Fiscal Year 2011 budget to request \$600,000 from the Legislature. Unfortunately, this request was not finalized in the appropriation process therefore OSWD must now proceed or move in a different direction and focus our efforts and concentration towards seeking the disparity study funding from other sources such as private or public entities or sector.

During Fiscal Year 2011, Gov. Nixon has again included a new decision item in the Fiscal Year 2012 budget to request \$1 from the Legislature. This action allows the Office of Equal Opportunity to continue building a public-private partnership and seek funding to have a new generation disparity study.

MISSOURI MINORITY ADVOCACY COMMISSION UPDATE



In 1990, the General Assembly passed and Governor Ashcroft signed Senate Bills 808 & 672 directing the Office of Administration to "establish and implement a plan to increase and maintain the participation of certified socially and economically disadvantaged small business concerns or minority business enterprises, directly or indirectly, in contracts for supplies, services, and construction contracts, consistent with goals determined after an appropriate study conducted to determine the availability of socially and economically disadvantaged small business concerns and minority business enterprises in the marketplace."

RsMO 33.752 created the Missouri Minority Business Advocacy Commission (MMBAC). MMBAC's purposes are:

- To increase economic opportunity for minority businesses so that the overall climate of the state of Missouri improves.
- To develop and establish the inclusionary process for state departments to meet or exceed the utilization goals and objectives of MWBE vendors in state procurement.

The functions of the commission are:

- To identify and assess the needs of minority businesses throughout the state;
- To initiate aggressive programs to assist minority businesses in obtaining state and federal procurement;
- To make recommendations regarding state policies, programs and procedures;
- To provide a focal point to assist and counsel minority small businesses in their dealing with federal, state and local governments.
- To initiate and encourage minority business education programs;
- To analyze current legislation and regulations as they affect minority businesses;
- To receive complaints and recommendations concerning policies and activities of federal, state and local governmental agencies that affect minority small businesses.

MMBAC is comprised of 9 members (3 appointed) who each serve a 4 year term, meeting a minimum of 3 times annually. 2 members must be members of the House of Representatives; 2 must be members of the Senate; 1 must be the Director of the Department of Economic Development; 1 must be the Commissioner of Administration; and 3 Governor's appointees must be minority business persons with not more than 2 Governor's appointees may be members of the same political party.

Through Executive Order 03-06 and as a component of the Governor's Reorganization Plan of 2003, all authority, power, and other pertinent vestiges of the MMBAC, was transferred and assigned from the Department of Economic Development (DED) to the Office of Administration (OA).

The current members of the commission are:

Mrs. Sheila Forrest (Chairperson)
Commissioner Kelvin Simmons
Director David Kerr
Senator Rita Days
Senator Robin Wright Jones

Mr. Michael Kennedy
Dr. Adam R. Shariff
Representative Tim Flook
Representative Roman Lee LeBlanc

The last MMBAC meeting was held on October 29, 2009. At this meeting the following priorities were established:

- Support a new Executive Order to replace Executive Order 05-30

- Seek support from the legislature for a new disparity study,
- Encourage commission members to attend the public hearing regarding Ward Conley Proposed Initiative on 12/10/09,
- Request an update on the response to the U.S. Department of Commerce regarding increasing Minority/Women Business Enterprise (M/WBE) participation in reference to the 2009 American Recovery and Reinvestment Act (ARRA).

OVERSIGHT REVIEW COMMITTEE UPDATE



BACKGROUND

Pursuant to Section 37.020.0, RsMO; in 1990, the Missouri Legislature directed the Office of Administration to establish and implement a plan to increase and maintain the participation of certified socially and economically disadvantaged small business concerns or minority business enterprises (MBEs). This plan became the function of the Office of Equal Opportunity (currently the Office of Supplier and Workforce Diversity by authority of Executive Order 05-30.) The State of Missouri commissioned a study to determine the utilization levels of Minority/Women Business Enterprises (M/WBEs) in contracts awarded by the State. Legislation authorizing the study was initiated due to concerns of discriminatory barriers which impeded the full and fair participation of M/WBEs in the State of Missouri's Procurement Process. Such a study was necessary because of *Richmond v. Croson*, 488 U.S. 469 (1989), which states that race-conscious contracting programs established by a state or local government must be able to satisfy the "strict scrutiny" requirements of the Fourteenth Amendment of the U.S. Constitution. The study was prepared using data for the five-year period 1989-1994.

The Oversight Review Committee was created to review and monitor the results of the Disparity Study. The appropriation for this study occurred in fiscal year 1994. In addition to monitoring the study, in December 1997, the Missouri Oversight Review Committee developed recommendations based upon the data compiled in the Disparity Study. Executive order 98-21 was created as a result of the findings and recommendations of the disparity study to implement the MBE WBE participation program in Missouri.

The recommendations included Race and gender-neutral programs:

- Expanded outreach
- Timely payments
- Implementation of a financial assistance program; and
- Bonding assistance

The recommendations also included Race and gender conscious monitoring strategies:

- MBE/WBE goals
- Establish the Office of Contract Compliance and the MBE/WBE Owned Business Participation Plan
- To assist in compliance with the goals, procedures were recommended to certify MBE/WBE businesses, administer, enforce and monitor guidelines; develop regulations; review goals and develop uniform applications; and
- Maintain records and deliver reports on progress

2003 OVERSIGHT REVIEW COMMITTEE

In 2003 a second Oversight Review Committee was convened by the Office of Administration. The primary objective of the 2003 Oversight Review Committee (ORC) was to assess the progress that the State of Missouri had made in implementing the Disparity Study Recommendations. After assessing the program, the committee recommended the continuation of the program and policies as outlined in Executive Order 98-21 and developed five recommendations to increase Minority and Women-Owned Businesses in state procurement:

1. The Office of Administration shall coordinate with the Department of Economic Development to obtain and distribute information regarding Small Business Administration's Surety Bond Guarantee Program throughout the State of Missouri's certified MBE/WBE community.
2. The Governor should issue a new executive order that adds further procedure and policy that strengthens the requirements of Executive Order 98-21.
3. The State of Missouri should encourage the use of MBE/WBE as prime vendors whenever possible.
4. The State of Missouri should encourage and look favorably on joint venture partnership opportunities for prime vendors and MBE/WBE participant firms.
5. The State of Missouri should adopt policy and procedure that requires prime contractors to be accountable to MBE/WBE subcontractor's vis-à-vis all provisions of contracts that in any manner affects the MBE/WBE subcontractor participant.

CURRENT SITUATION

Assuming that a new disparity study is completed, the Commissioner of Administration might convene another Oversight Review Committee pursuant to the authority and responsibility given through section 37.020.2 of Missouri Revised Statutes.

SENATE APPROPRIATION COMMITTEE HEARING



On Monday, December 7, 2009, concerned business owners and representatives presented testimonies advocating for a new disparity study before the Senate Appropriations Committee. The following is a list of the testifiers and the organizations/businesses they represent:

- Ms. Sheila Forrest, Owner – Afro World Hair and Fashion Company
- Ms. Denise Farris, Owner - Farris Law Firm
- Mr. Lonnie Scott, President – MidAmerica Minority Business Development Council
- Ms. Virginia Campbell, National Association of Women Business Owners (NAWBO)
- Mr. Adolphus Pruitt, National Association for the Advancement of Colored People (NAACP)
- Mr. James Webb, President – St. Louis Minority Business Council
- Mr. Eddie Davis, President – Black Leadership Roundtable
- Mr. Keith Savage, Owner – Logistical Resource Solutions
- Ms. Hilary Scott, HLS Hauling
- Ms. Nicole Adewale, Owner – ABNA Engineering
- Ms. Carmen Jacob, Owner – NextGen
- Mr. Jorge Riopedre, President – St. Louis Hispanic Chamber of Commerce

The testifiers' testimonies emphasized the following points to argue why a new disparity study is needed in the State of Missouri:

- Background history on the current disparity study
- A personal anecdote about how the disparity study results has helped their business/organization
- The benefits of a disparity study to Missouri businesses, communities, and government
- The significant increase in WBE vendors since the last disparity study in comparison to MBE vendors
- The economic challenges their business/organization has faced in recent years and if those challenges have increased since the implementation of Executive Order 05-30

House Appropriation Committee Hearing



On Wednesday, January 27, 2010 Commissioner Kelvin L. Simmons presented to the House Appropriation Committee the Disparity Study as a new decision item on OSWD's budget.

THE ST. LOUIS AMERICAN

July 23-29, 2009



Governor
Jeremiah (Jay) W. Nixon
Administration



Commissioner
Kelvin L. Simmons
Office of Administration

Office of Supplier and
Workforce Diversity
Services:

Certification

Procurement
Counseling

Diversity Training

Education & Outreach

Business Resources

Referrals

Inclusion + Respect = Diversity

Why is Diversity Important to the State of Missouri

Moving Missouri Forward. This is a term frequently used in Gov. Jeremiah (Jay) Nixon's administration. What does it mean increasing efficiency and instilling the right priorities across state government? Or reaching across party lines to put Missouri families first? Or is it ensuring that Missouri has a healthy and educated workforce? Yes, yes, and yes! All of these inquiries can be summed up into one, Gov. Nixon's top priority, getting Missourians back to work.

Not only does Gov. Nixon believe in reaching across party lines to Move Missouri Forward, but he also believes in reaching across race lines, gender lines and any other barrier in order to create a climate of inclusion. Gov. Nixon wants Missouri's workforce to reflect our great state's population. Workforce diversity does not just happen overnight. Diversifying your workforce takes a dedication to equality and a commitment to progress that starts at the top of the organization. Gov. Nixon appointed Kelvin L. Simmons as Commissioner of the Office of Administration to demonstrate this. Commissioner Simmons has already shown his dedication and commitment to this cause, foreshadowing a change in government.

Commissioner Simmons, although new to this administration, is not new to government or to the issue of diversity. Simmons created a program which exists to promote a diversified workforce within state government and to assist women and minorities in developing opportunities to contract with the state. This program resides in the Office of Supplier and Workforce Diversity (OSWD). Led by Director Alan Green, OSWD's staff of six shares the same commitment to the minority/women business enterprises (M/WBEs) as Gov. Nixon, "The development of minority business enterprises is vital to our state's social and economic prosperity."

"...We should strive to make purchasing from minority and women vendors a routine practice and increase opportunities for minority and women within the workforce," said Green.

OSWD has undergone a name change (formerly Office of Equal Opportunity, OEO) but has not changed the services it provides: M/WBE certification, procurement counseling, diversity training, education and outreach, business resources, and referrals. OSWD believes a person's worth is determined not by his skin, his color, his race or religion or by his social status. Worth cannot be defined by a person's social position, power, or material possessions. The intellect or physical stature of an individual does not display his worth, but a person's value is based solely by the intensity and persistence of his endeavors and his ability to think and act in a positive way.

Who's Who in Diversity...



Alan Green
Director



Ken Franklin
Deputy Director



Roxana Flores
Fiscal & Administrative
Officer



Elizabeth Birks
Outreach Coordinator



Nancy Heyer
Certification Officer



Janet Carter
Certification Specialist

"In diversity lies strength because without it we are not whole."

