



Illinois Department of Transportation

Office of the Secretary
2300 South Dirksen Parkway / Springfield, Illinois / 62764
Telephone 217/782-5597

January 31, 2013

Honorable John T. Cullerton
President of the Senate
327 Capitol Building
Springfield, IL 62706

Re: Target Market Annual Report

Dear President Cullerton:

As required by P.A. 097-0228, the Department of Transportation jointly with the Chief Procurement Officer is submitting an annual departmental report outlining the efforts taken by the department to identify and remedy incidents of egregious discrimination in geographic or construction market areas within Illinois through implementation of the Target Market Program.

If you have any questions or need further information regarding this or any other matter, please do not hesitate to contact us.

Sincerely,

Handwritten signature of Ann L. Schneider in cursive.

Ann L. Schneider
Secretary

Handwritten signature of Bill Grunloh in cursive.

Bill Grunloh
Chief Procurement Officer

Enclosure



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Report to the Illinois General Assembly on Senate Bill 1923, P.A. 097- 0228

The Illinois General Assembly enacted Senate Bill 1923 and, on July 28, 2011, the Governor signed into law Public Act 097-0228 (20 ILCS 2705/2705-600), establishing a target market program to provide a remedial plan to address particular incidents and patterns of egregious race or gender discrimination in transportation related contracts. The Illinois Department of Transportation (IDOT) and the Chief Procurement Officer for Highway Construction and Construction-Related Services do hereby jointly submit this annual report regarding the progress being made to implement and maintain a remedial Target Market Program.

The department has recognized the potential for localized incidents of underutilization and discrimination through statistical and anecdotal evidence from the most recent IDOT Statewide Disparity Study published in August of 2011. As a result, and in conjunction with Public Act 097-0228, the department is conducting geographically focused disparity studies to examine whether particular incidents and patterns of egregious race or gender discrimination persist which warrant ongoing remediation through the Target Market Program.

A. Target Market Program Overview

As stated above, under the Act, the department must review evidence of discrimination related to transportation construction projects. Evidence may include the utilization, availability, and disparities in the rates at which minority-owned and female-owned firms perform work on department construction projects. Additionally, other quantitative and qualitative information or data may be considered.

Upon a review of the evidence, the department may find that there is a strong basis in evidence that it has a compelling interest in remedying the identified discrimination against a specific group, race, or gender. The Chief Procurement Officer must concur in the findings in order to exercise his authority to establish and implement a Target Market Program for state-funded projects. This Target Market Program is a narrowly tailored remedial plan designed to satisfy constitutional scrutiny and which addresses the specific findings of egregious discrimination. The program also is subject to a public hearing where stakeholders may provide comments.

B. Significant Progress Achieved in 2012

As part of its due diligence, the department considered both documented and potential disparities in the context of highway construction contracting. As part of that undertaking, the department aggressively investigated whether sufficient evidence of egregious discrimination existed. Specifically, after reviewing historical documentation in IDOT's District 8 and the Metro-East area, the department and the Chief Procurement Officer recognized the need to conduct a further investigation and requested Mason Tillman Associates, Ltd. to update statistical information specific to this area in order to determine whether the conditions of egregious discrimination continue to exist. The eleven counties in District 8 are Bond, Calhoun, Clinton, Greene, Jersey, Madison, Marion, Monroe, Randolph, St. Clair, and Washington.

The disparity study, which was limited to District 8 construction contracts awarded in 2009 and 2010, provided the factual predicate to support a target market program with a race conscious remedy. The statistical data was further bolstered by anecdotal evidence gathered from five sources:

- IDOT Target Market Program Public Hearing, 2011;
- IDOT Dual Goal Waiver Public Hearings, 2009;
- IDOT District 8 Disparity Study Anecdotal Analysis Focus Groups, 2009;
- IDOT Disadvantaged Business Enterprises Disparity Study Anecdotal Analysis, 2009; and
- IDOT Disadvantaged Business Enterprises Public Hearing, 2005

Several barriers were identified in the District 8 study. Discrimination based on race and gender, harassment on work sites, bid shopping, and late payments are only a few examples of the barriers demonstrated in the study.

In sum, the findings were presented to the department in March 2012, where the Mason Tillman Study of District 8 found: "There was a statistical significant disparity found in construction subcontracts for African Americans, Hispanic Americans and Minority Business Enterprises."

Subsequently, the department conducted another public hearing on April 28, 2012 at East St. Louis City Hall to collect comments from minority, female, and general contractor groups, community organizations and other interested parties. The transcript of this hearing is included as Attachment A.

Ultimately, the department submitted a letter regarding the findings, and on May 1, 2012, received a letter of concurrence from the Chief Procurement Office to proceed with a special target market letting in District 8. This letting was advertised on May 25, 2012 with a letting date of June 29, 2012.

1. District 8 Target Market Special Letting—June 29, 2012

In accordance with the standards set by Target Market law and administrative rules, projects were advertised to allow qualified Disadvantaged Business Enterprises to bid as primes. To facilitate the process, bidders were excused from prequalification and bid bond requirements. In addition, the department held a non-mandatory informational meeting in Collinsville on June 18, 2012. Subsequently, the department held a Target Market special letting at the District 8, Collinsville facility on June 29, 2010.

On the day of the letting, bids were received on six of the ten projects advertised. Ultimately, five projects were awarded in July to minority firms. A summary of the results are the letting are show in the table below:

County	Description	Program Amt	Award Amount
St. Clair	Landscaping	\$200,000	No Bid
St. Clair	Landscaping	\$170,000	No Bid
St. Clair	Landscaping	\$250,000	No Bid
Marion	Bridge Deck Sealing	\$224,000	\$109,979.28
Clinton	Bridge Deck Sealing	\$274,000	\$130,059.47
Madison	Patching	\$200,000	\$277,961.40
Madison-Bond	Rout & Seal	\$250,000	Rejected
Madison	Demolition	\$100,000	\$46,506.60
Madison	Demolition	\$80,000	\$15,772.06
St. Clair	Landscaping	\$165,000	No Bid
		\$1,913,000	\$580,278.81

2. District 4 Disparity Study Commenced

The department has requested, and Mason Tillman Associates, Ltd. is currently conducting a second geographical specific disparity study in District 4, the Peoria area, to determine if egregious discrimination exists.

In undertaking this study, the department has provided Mason Tillman Associates, Ltd. with prime and subcontractor data, contract information, utilization of DBE firms on IDOT projects, as well as the December 2011 public hearing transcript for Peoria and the public comments received from the department's 2012 DBE Goal Setting Document.

At this time, the data is being analyzed, along with a review of the anecdotal evidence, with an anticipated draft report being completed by Mason Tillman Associates, Ltd. by the end of February 2013. Upon review by the department, a final District 4 study will be released in Spring 2013.

C. Future Work Planned for 2013

In light of the evidentiary findings in District 8, the department, with concurrence from the Chief Procurement Officer is preparing for a second special Target Market construction letting in District 8.

First, an Invitation for Bids has been issued for the special Target Market Letting. There are seven projects advertised for a program estimate of \$1.2 million. Prior to the bid opening, the department will hold an informational meeting on February 4, 2013 in Collinsville. Finally, bids will be accepted until 10:00 am on February 15, 2013 in IDOT's Collinsville facility.

The department will continue to examine other opportunities and alternatives in District 8 as well as other areas.

D. Conclusion

IDOT and the Chief Procurement Officer are committed to taking the appropriate actions necessary to remedy findings of egregious discrimination in construction contracting and pursuant to Public Act 097-0228. As demonstrated by this report, several important substantive actions were taken by the department with the concurrence of the Chief Procurement Officer in accordance with the Target Market law and rules. Upon inquiry into IDOT's District 8, findings supported a Target Market Program consisting of a special letting for minority Disadvantaged Business Enterprises with the next special letting scheduled for February 2013. Based on efforts and results for District 8, a study pertaining to IDOT's District 4 highway construction program is currently underway with findings to be released this spring. As we embark upon 2013, we assure you that we are prepared to move forward with a robust Target Market Program consistent with the evidentiary findings by the department.

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IN RE: TARGET MARKET PROGRAM
ILLINOIS DEPARTMENT OF TRANSPORTATION

PUBLIC HEARING, taken on April 28, 2012, at East St. Louis City Hall, 301 River Park Drive, East St. Louis, Illinois 62201, before ANGIE KELLY, CSR (IL) CCR (MO) and Notary Public, within and for the State of Missouri, in Regard to the Target Market Program.

PRESENT:

- FRANK W. MCNEIL, Director
- MAYOR ALVIN PARKS, East St. Louis, Illinois
- ELLEN J. SCHANZLE-HASKINS, Office of Chief Counsel
- JEFF CHURCH, IDOT

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FOR THE ILLINOIS DEPARTMENT OF TRANSPORTATION:

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ALSO PRESENT:

BRANDI EVANS, Sign Language Interpreter

1 PROCEEDINGS

2

3 MR. MCNEIL: Good morning. My name is Frank McNeil and
4 I'm the director of the Office of Business and Work Force
5 Diversity, Illinois Department of Transportation and today we're
6 here to have your input on target market program.

7 The target market program is a legislation that was
8 passed last year, July 28 in Centerville 1923. And as a result
9 of public hearing which was one held here in December of 2011,
10 research and findings provided by IDOT consultant Mason Tillman
11 and Associates; the target market program is going to be limited
12 to Metro East District 8 area and the intent of the legislation
13 is developed and implemented target market program they address
14 findings of egregious discrimination. This hearing is about
15 this chief counsel going to give you four alternatives. We'll
16 hear your input on what you think is best for the department to
17 implement in this area to address discrimination that was found

18 So at this time, I would like to introduce Miss Ellen
19 Schanzle-Haskins, counsel at IDOT. Ellen?

20 MS. SCHANZLE-HASKINS: I'm feeling kind of bad today so
21 I'm a little dizzy. I don't normally use a podium but I'm going
22 to today, because you don't want me to fall over right? Or
23 maybe you might.

24 I'm Ellen Schanzle-Haskins and I'm the chief counsel
25 at IDOT. I'm going to give you a little overview about how we

1 got to where we are. I think it's very exciting we're going to
2 be able to set aside protects for minority business enterprises
3 and this is going to be the first venture under the new target
4 market program. We expect this to continue and to get better.

5 I want to give you a little history about what
6 happened here. In 2005 there was a lot of problems with respect
7 to construction and IDOT District 8 and in this area, Metro East
8 area, and there was a situation where the Justice Department
9 community relations people came in and we all met together and
10 enter into the memorandum of understanding to try to study what
11 was going on and why minority businesses were so underutilized
12 in the district.

13 Now we found that woman businesses were not
14 underutilized, but minority businesses were, okay, and this is
15 what we call a unique local circumstance which if you have that
16 situation and you can make a showing of egregious
17 discrimination, it entitled you to take extraordinary means in
18 order to address it those extraordinary means at this point are
19 a target market program.

20 So the first thing that IDOT did was we did a
21 disparity study and it verified that there was this problem that
22 minority businesses were not getting their fair share of the
23 work, and in fact, the study showed just for District 8 now this
24 is not the statewide study, we also do statewide study for
25 District 8. The number of minority business enterprise was at

1 20.82 percent, but you all were only getting about 10.8 percent
2 of the disadvantaged subcontract work, so that is a problem.

3 So the first thing that we did after we had this
4 regional disparity study is we applied to the Federal Highway
5 Administration to let us put dual goals on the project down
6 here, meaning we get to have one goal for minority business
7 enterprises and one for women, so that we could try to bring
8 parity to the situation. They have very stringent rules and
9 they're based on federal case laws and all that sort of thing,
10 so we were not able to get to Federal Highway Administration to
11 agree to that. But that didn't deter us, so what we did next is
12 the Illinois legislature, the government passed a target market,
13 and a target market program is as I said an extraordinary
14 measure, it says if you can make a finding of egregious
15 discrimination that you can set aside projects and you can have
16 an opportunity to use other measures to remedy these situations.

17 So we then did another disparity study just
18 recently, we just completed it two weeks ago, and what it did
19 was it looked at the history behind this, beginning in 2005 and
20 it looked at five different areas, okay. It looked at public
21 hearing that we held in 2005, disparity study that we did,
22 public hearing that we held in 2009, the second disparity study
23 that we did, and the public hearing that we did recently in
24 2011, with respect to this.

25 So once we had the disparity study, we could make

1 the following finding, and I'm going to read this for the
2 record. We found that egregious discrimination supports a
3 compelling interest in remedying the identified race or gender
4 discrimination in this case it's race discrimination. We found
5 insufficient race or gender neutral means available to remedy
6 the egregious discrimination. We found insufficient existing
7 goal oriented remedial programs available to remedy the
8 egregious discrimination, and we found that the only remedy for
9 the race discrimination is a narrowly tailored target market
10 remedial action. So we studied the history, we studied the
11 testimony at all these hearings, and we studied the statistical
12 data, and we came to the conclusion that we have a problem and
13 we've got to fix it.

14 Now, luckily we have the tools to fix it, and so
15 I'm just going to describe for you the various options that we
16 have that could assist in fixing this, and then what we are
17 really seeking today is your comment, what you think is going to
18 help, what you think is going to help remedy this egregious
19 discrimination.

20 Okay, the first option that we have is what we
21 call a contract formation improvement. It's to designate
22 certain work on a project and it's to put, make contracting
23 easier for MBEs to be able to compete as primes, okay.
24 So we could do that in several ways. What we could divide
25 contracts into smaller contracts, we can do a letting right here

1 in District 8 instead of making everybody go to Springfield
2 where we have usual lettings. We can actually have the actual
3 letting right here in the District 8 headquarters, and that's
4 what we're planning to do. We can make the bid documents easier
5 and less cumbersome, and we can remove the bond requirements,
6 okay, so that means the bid bond, I don't necessarily think we
7 can remove the performance bond, but if we remove the bid bond,
8 we make the bidding easier, and we break this down into
9 projects, then I think we can get to success. So that's one of
10 the things we can do, and we are already undertaking to do that,
11 and we've already made a commitment now to have our first
12 letting maybe the first letting ever that's going to be here in
13 District 8, usually all the lettings are held in Springfield.

14 Okay, the second thing we could do is it separate
15 contract goals on project instead of a combined goals, so if you
16 have a really big project, and you're going to put a DBE goal on
17 it, this would allow us to put dual goals on it, so we could
18 have an MBE goal of one percentage and WBE goal of another
19 percentage. So we could actually break them down, this is the
20 first time we've ever had the ability to do this.

21 The third thing that we could do, and that would
22 be on big projects, the third thing we could do is offer
23 incentives to the prime contractors to enhance their MBE or WBE
24 goals. So in other words, actually give them money. We have
25 not worked this out yet, because we think the fourth option is

1 the best, and that's the one we want to try to do.

2 The fourth option is to set aside contracts just
3 for minority businesses, and you have to be a minority business
4 enterprise in order to bid on the project. So we did this in
5 2011, and we did it on five contracts, and was a total of about
6 \$738,000 that went to those five contracts. So that was
7 successful, but this is what we're doing here is a regional
8 situation. It is not statewide. No other district is getting
9 this treatment. You're getting it here because you got a unique
10 local circumstance and we've got to address it.

11 So I think that Jeff is going to talk to you.
12 about the projects that we have handed out to you, and that's
13 one possibility for what we can do, but what I really want to
14 know from you is of those four things that have been mentioned,
15 what do you think would work, what's going to be most effective,
16 what should we shoot for, because at the end of the day, we want
17 to hear what you think is going to be most effective. So.

18 MR. CHURCH: Actually, I've got a question, Ellen.

19 MS. SCHANZLE-HASKINS: Okay.

20 MR. CHURCH: We don't have to just take one of
21 those four options. Can it be a combination of the different
22 options you're trying to address?

23 MS. SCHANZLE-HASKINS: Yes. In fact, our proposal
24 with these projects that you've handed out, our proposal is to
25 do both one and four, so these options about setting aside these

1 specific projects only for MBEs to bid on is going to be
2 combined with option one, which is make the bidding process
3 easier. You can actually bring your bid to District 8
4 headquarters.

5 KEVIN: I think the separation of goals is a good
6 idea, because I see on some jobs there's only black minority on
7 the job, twelve minority contractors, but I seen unknown black
8 contractors, mostly women contractors, in the trucking industry.
9 I see there's ten truckers in their job minority contractors,
10 but all white women. If we don't address that issue of the
11 trucking of the white woman trucker, the black truckers become
12 dinosaurs. They're going to become dinosaurs real quickly from
13 not getting work. I see these white woman contractors start
14 out, I've knew their husbands, you know fifteen years ago, had
15 four or five trucks. Now when their wives own the company, they
16 got 25 trucks and it's really hurting the minority trucker. I'm
17 not a trucking contractor, but I see that a lot of different
18 jobs these guys are not on. I see the people in the shop doing
19 like me, and they're all minority, I'm sorry.

20 MR. MCNEIL: We're going to take a small brief
21 pause, Mayor Parks just showed up, and he's going to greet us
22 because he has another engagement to go to, so we'll get right
23 back to you.

24 MAYOR PARKS: Good morning everyone. I first of
25 all want to say thank you for Illinois Department of

1 Transportation coming down. Jeff it's good to see you again,
2 and want to make sure that everyone knows this is a critically
3 important aspect of what needs to happen for East St. Louis, and
4 for the entire District 8, but I'm speaking for East St. Louis
5 for a second.

6 One of the things we look at all the time when
7 we talk about what it takes to rebuild a community. One of the
8 key components is jobs. People being able to go to work, and
9 when you can talk about opportunity for people to go to work in
10 the field of construction, it is a great paying field, and a
11 field we know there are going to be jobs for a long time to go.
12 We have to rebuild America. We understand that a big part of
13 that is by way of roads and bridges, and getting away from IDOT
14 for a second, sewer systems, lighting systems, other kinds of
15 high speed rail systems perhaps. You're dealing with Internet
16 systems that carry fiber optic. There will be a lot of work for
17 people in the construction field. There will be a lot of work
18 right here in East St. Louis for those who are prepared when it
19 comes to building new buildings. When it comes to laying new
20 foundation for economic development here in the city, housing
21 development. So there's a huge, huge opportunity for those who
22 want to be involved in construction. I'm glad to see IDOT
23 helping to lead the way when it comes to making sure that
24 there's an opportunity for people in this community to go to
25 work.

1 The programs Ellen, I heard you mention the
2 four different options that you presented. I agree with Jeff, a
3 combination thereof, or actually pulling all four of those
4 options as a part of making this happen, would be a great way to
5 go at it. In other words, whatever we can do to make sure that
6 we have as many ethnic minorities participating in the
7 construction of the IDOT roads and bridges, what we should do.
8 I'm really glad to here, the separation of goals. As Kevin
9 mentioned a minute ago, being able to separate the goals is
10 something we've been to talking about for about three years when
11 it came the big Mississippi River bridge construction project
12 couldn't quite get it accomplished there for reasons that go
13 beyond my pay rate I guess. But nonetheless, it's a long sought
14 after and long pursued kind an option that really makes a lot of
15 sense. I'm glad to see it come into realty.

16 The other aspect of this is I hope as I just see
17 a few in the room right now, seven. Seven might be involved in
18 construction. I hope that we don't look at it as an opportunity
19 for us to simply, those in the room, gobble it up and keep it
20 all to yourselves. No, go and spread the word because there's
21 enough work for everybody to eat. Believe me when I look at
22 just the target market programs that are listed on this sheet.
23 This looks like to me and I don't know, Frank you might have to
24 give me a little more guidance on this, this looks like at least
25 200 jobs right here. At least 200 jobs in the construction

1 phase. Is that -- where do you estimate?

2 MR. MCNEIL: You're probably a little high, but
3 there are jobs there, probably a little high. But Jeff probably
4 could give you a better guesstimate as you say, but we're
5 probably going to be somewhat less than 200. I don't think we
6 can get 200 there, but it's there are job, that will be here in
7 the metro east only.

8 MAYOR PARKS: I'm just looking at bridge deck
9 ceiling in both Marion and Clinton County. Either one of those
10 is a small job really, involves a lot of machinery, but
11 nonetheless, gentleman and now I see (unknown) just walked in
12 the room. I want to make sure we spread the word, the good news
13 is coming, and it's coming by way of IDOT in this case, but
14 there's some other good new coming just because of economic
15 development that's happening here in the city.

16 Later this summer there will be a lot of
17 construction taking place downtown St. Louis. Later this
18 summer, you may see work at the old Broadway hotel. Later this
19 summer, you may see work happening at the old Christian Welfare
20 hospital site. For those that don't mind seeing a new building
21 go up. We've got a lot of things happening, if we're going to
22 be ready.

23 Now of course the other aspects of it won't go
24 through all the things, but we know that people have to be where
25 people need to be when they're supposed to be there. 8:00

1 doesn't mean come strolling in at 8:10. If we say that a
2 person's supposed to be drug free, you can't be where you got to
3 wait two weeks before you can take the drug tests, got to be
4 ready, got to be ready.

5 So at this point, I turn it back over to you. So
6 glad to see you here, and if there's anything that the City of
7 East St. Louis can do to help make sure this comes to reality, I
8 will tell you we stand 100 percent in support. There's nothing
9 from a social program standpoint that is more important than a
10 job. A job helps to eliminate poverty, which helps to eliminate
11 desperation, which helps eliminates desperation and people
12 actually going into people's cars and breaking into people's
13 homes, and wanting to get out on the corner with the drug game.
14 It helps to eliminate all of that when a man or woman can go to
15 work. So we support it 100 percent.

16 MR. MCNEIL: Thank you Mayor Parks, and I know
17 governor and Secretary Snyder appreciate you being here. Ellen,
18 I will bring up Jeff now and Jeff can go over the project, if we
19 have some more questions.

20 MR. CHURCH: You guys all have the list in front
21 of you, one by one I'll sort of tell you how we came up with the
22 projects that are listed on there. We did two different things.
23 we looked at our upcoming projects as they stood alone, picked
24 out some in the local area that we thought were appropriate for
25 the target market program, and we also looked at overall bigger

1 jobs, and a portion of those will we could pull out some of the
2 work and set up some other contractors, standalone contracts for
3 the opportunity to local firms.

4 That's where you see a lot of the landscaping
5 stuff was originally going to be in some of the larger MRB
6 projects, and you see we pulled that work out and we're setting
7 it up on -- in the target market program. You see that we have
8 ten jobs listed, like I said, I'm not going to read off each one
9 one by one, but we had four landscaping, two bridge deck
10 ceilings, a couple building demolitions, patching, cracks and
11 joint seals. We have a wide variety of work, most of them are
12 right here in metro east area, there are a couple in the
13 outlying counties, but we're still going to have the opportunity
14 for the firms from the District 8 area to be the ones that
15 everyone's bidding on those jobs.

16 So I'll try to answer questions specifically
17 about the jobs, I have a little bit of information wrote down on
18 my sheet, if you have anymore detailed questions about them.

19 Okay, I think I'll, as Ellen mentioned, we're
20 going to have future target market programs, so we'll be doing
21 the same thing, trying to pick out those jobs from our regular
22 program, set aside and look at the larger jobs see what we can
23 pull out.

24 UNKNOWN SPEAKER: How long are these jobs going to
25 last? Three year program, five year program to bring this

1 disparity back into the jobs, minority black back into playing
2 field, how long is this going to take?

3 MS. SCHANZLE-HASKINS: It's going to take a while,
4 this isn't a one time thing here.

5 UNKNOWN SPEAKER: Three years, five years two
6 years?

7 MS. SCHANZLE-HASKINS: what we have to do, what
8 we're required to do under the legislation, which by the way, we
9 had to rewrite the legislation so it would pass constitutional
10 muster, because I'm not criticizing the legislature, but
11 original target market we were going to get sued, and we were
12 going to lose on it. In fact we did get sued, we got off on a
13 technicality. So we revised it so it's constitutional now.

14 we have to report to the legislature every
15 January as to how this is going, and whether it's actually
16 remediating the affects of the discrimination down here. So I
17 think it's an ongoing process and I think legislature will let
18 us continue to do it. I think we have to do that, because if we
19 can't get more work for minority businesses, then this disparity
20 just continues on and on and on.

21 KEVIN: This here is an effect of disparity that
22 it happens here in this area. We got nine contractors here.
23 Fifteen years ago we had 25, you know 50, because we haven't
24 been getting the work, we lost all our contractors, and some
25 died. So we are not getting work here to bring back our

1 community, we need more people saying hey, this guy's doing
2 well, maybe I can get into this business, but we don't have
3 anybody to look up to, one person or two people to look up to if
4 they look at other areas the kids in the community and provide
5 proper in this area, you know, but we got to get more workers,
6 like mayor said, we can have jobs for our citizens here in town
7 and our kids and their grandkids to look up to somebody, say I
8 can do that too.

9 Like I said, when you look at these nine people
10 here, that's the effect of disparity, couldn't make a living,
11 couldn't feed their family because of disparity, between the
12 white women, and I'm not against a white woman, but they have
13 taken all the work from the black contractors.

14 CARL JEFFERSON: Particularly in the rebar iron
15 working field, a company by the name of PJR owned by a white
16 woman, they're taking all the work. They see you come in and
17 bid, they know you're there with that prime contractor. They'll
18 drop the bid low where you can't make money. They take a loss,
19 it's very difficult to compete with those guys.

20 MS. SCHANZLE-HASKINS: And you know, we recognize
21 this what are two disparity studies and our anecdotal
22 information shows exactly what you said, that it's not fair. So
23 in order to make it fair, we got to break it down. I heard you
24 say that on the bigger contract you think we should do the dual
25 goals, I think we agree with that.

1 UNKNOWN MALE: Like we had this bridge down here
2 on I guess that's right there in (unknown) where we met all the
3 goal with PJR, you know, fifteen percent goal bridge job they
4 can buy the steel, set the steel up, however, to do it, come up
5 with 78 billion dollars worth of steel. They just run, ain't
6 producing the steel, but they're other getting credit for it. So
7 when the guys send steel from Pittsburgh or whatever, they get
8 credit for the price of that steel, whole 10 million, whole 7
9 million. When you do it that low, they don't need minorities.
10 They get it all from PJR.

11 If you separate those goals, PJR can't get all
12 the goals. PJR is on every bridge job in this district. Because
13 they use input.

14 UNKNOWN MALE: In the paperwork, it says that we
15 can't have a net worth of 1.5 million.

16 MR. MCNEIL: Yeah, increase to 1.3 was \$750,000
17 increased this year to 1.3 million.

18 UNKNOWN MALE: PJR alone on this bridge right here
19 like we were talking earlier, that's 10 million dollars.

20 MR. MCNEIL: Well, you got to understand, she's
21 got to pay for that steel. She's not making that whole 10
22 million dollars, but she has to do it. We will look at her
23 personal net worth, that's one of the parts of our certification
24 if she has exceeded the personal net worth, then she will have
25 to graduate out of the DB program.

1 KEVIN: Also, as you guys are making this law, the
2 majority of contractors are trying to figure out how to get
3 around them as fast as you make them. They figure out how to
4 get around them, and they sent group around after hearing about
5 the target marketing programs, that they've made relationships
6 with these contractors, the money would go back to them. Just
7 we got to make sure that the majority contractor has the
8 equipment to do this, not defeat the purpose of target market
9 program. They're not just going to let this money sit here,
10 they're going to try to figure out how they can get the money.

11 MS. SCHANZLE-HASKINS: Also could sue, I don't
12 know.

13 MAYOR PARKS: I want to mention a couple things,
14 Kevin brings up an interesting point. I think it comes back to
15 will of Governor Quinn, goes back to the will of legislatures to
16 make sure that we're not looking for and then complying with
17 those who are looking for the loophole and make sure that
18 intention of the program is being met.

19 I think that if you as a black contractors press
20 the issue, and show up with your bids on time, show up with the
21 bids as sharp as they can be, showing that you looking to
22 compete and compete very effectively, and then when you do the
23 work, do it at an absolutely stellar way and spread the word. I
24 just think that that good deed will overwhelm the temptation to
25 allow a loophole. I think that if you really press the issue,

1 and maybe I'm looking through rose colored glasses here.

2 UNKNOWN MALE: You are.

3 MAYOR PARKS: You say I am. Maybe I'm looking
4 through rose colored glasses, I'm going to tell you, I think
5 that because I heard the attorney mention it a minute ago about
6 the discrimination that has taken place and with the
7 discriminations having taken place, IDOT understands, and
8 correct me if I'm wrong, I don't want to speak for IDOT, but I
9 think IDOT understands they got to remedy the situation. They
10 got to correct it. And they're not going to correct it by
11 allowing loopholes.

12 UNKNOWN MALE: IDOT is doing a good job. I think
13 it's when they got a hold of small minority contractor, that's
14 where the problem is. You can submit a bid all day. They're
15 going to use that bid the way they want to, or they don't have
16 to use it at all. They can use my to him say I'm going to use
17 my (inaudible). They don't got to submit a bid. (Inaudible)
18 That's where the problem comes in. It's not IDOT. Like Kevin
19 said, years ago there was 25 people because look how many people
20 because they got a foot on top of us, it's a dirty game out
21 here.

22 MAYOR PARKS: Well, I think the part that Kevin
23 was saying, and Kevin if I'm saying something that you're not
24 saying, correct me, part of it is guys have gotten so frustrated
25 and feel as though they've been hit down by the process of not

1 getting jobs.

2 UNKNOWN MALE: You got to wait for your check damn
3 near six months. You're going to be broke because you need that
4 money right away. Why we have to wait 45 days to get our money?

5 MAYOR PARKS: I was in a conversation earlier
6 this week on a totally separate situation separate from IDOT,
7 and I know what you're saying is true. That's where we have to
8 step in, all of us, and including electing officials to make
9 sure that that's not case. That we're not allowing these black
10 contractors to be abused, because somebody had cash flow
11 situations that's tied up for six months or even three months.

12 MR. MCNEIL: IDOT has guaranteed payment in 15
13 days, you shouldn't have to go through that. If you're not being
14 paid within fifteen days, you need to let the state know about
15 it, because they got prompt payment

16 KEVIN: Now, truckers ain't included in that
17 prompt payment though.

18 MR. MCNEIL: Yes, they are.

19 KEVIN: I don't think truckers are.

20 MR. MCNEIL: Well, if the private contractor is
21 paid and the truckers paid that as part of the that payment,
22 then we can act on that.

23 KEVIN: But if a trucker is a subcontractor, not
24 to the prime contractor, but to another sub, I don't think
25 that's falls --

1 MR. MCNEIL: well, that's a second tier.

2 KEVIN: If you're working directly for the prime,
3 if you're working for a sub under the prime, that's not prompt
4 payment.

5 MAYOR PARKS: I want to see this number that's
6 here represented, nine different contractors, why not have that
7 number be close to 40. I think we can get it back if people
8 understand we're not going to be whipped and paper whipped and
9 have bids shopped and all the other things that go into making
10 sure people start to get frustrated to the point that they walk
11 away. If we can find a way to make sure that this program goes
12 very well, who's responsible for this program from a IDOT
13 standpoint, is that you Frank?

14 MR. MCNEIL: Somewhat. My office is with chief
15 human officer CPO Bill Grunloh is actually the chief human
16 officer, but my office will be working with the Division of
17 Construction to make sure that target market program goes
18 forward.

19 MAYOR PARKS: Let's get it done. Let's have a
20 successful program because our contractors need it, big time.

21 KEVIN: Bringing those bids to District 8 will
22 help the minority contractors here, that we don't have to take
23 those bids. Are these bid dates going to be separate from the
24 letting from IDOT?

25 MS. SCHANZLE-HASKINS: Yes, separate letting.

1 UNKNOWN: Is your office only going to address
2 issue of concrete or are you going to get in different areas.
3 I'm in heating and refrigeration.

4 MR. MCNEIL: Well, if it's a part of a contract
5 with IDOT we primarily do road construction. So you working
6 with probably capital development board more than you are with
7 us, because of your background, HVAC. So I would say that, I
8 don't know if -- I can't tell you if the capital development
9 board, I think they feel they've remedied their discrimination
10 problem through the capital development board, but the -- I'll
11 let them speak for themselves. I don't know that they're going
12 to tag on to the target market program, I don't know if they
13 can, but I will actually say that it would be best to talk to
14 the capital development board in regard to HVAC.

15 MS. SCHANZLE-HASKINS: You know, I'm quite willing
16 to talk to them myself, and tell them what we're doing on road
17 construction and see if they have an interest, and if they have,
18 the statistical data that as Frank said that shows the same kind
19 of discrimination in the vertical construction.

20 KEVIN: We're with the same issues they have, same
21 problems.

22 MS. SCHANZLE-HASKINS: Right. I think they're very
23 amenable to look at this program, if we get this going
24 successfully. They could adopt it, we could do a little tweak
25 on the legislation and put them into this.

1 KEVIN: I was looking at this here today, picking
2 out patching and landscape, how about the whole total road
3 construction? How come you don't set aside work for like we had
4 that job yesterday, Keebler Road, \$200,000 project. I think
5 with the storm sewer sidewalk just a whole project, you can
6 share with some to some of the other contractors

7 MR. CHURCH: I would imagine as we keep going
8 forward we'll start doing stuff like that.

9 MS. SCHANZLE-HASKINS: I think we're really not
10 able to say at this point, but several of those on that list are
11 \$200,000 and over.

12 MR. CHURCH: The other thing Kevin I think we
13 have to make sure it's a state project. I think Keebler Road
14 was probably local agency one. As we go forward, we'll be able
15 to find state projects that fit the same description that you're
16 talking about, intersection improvement, add turn lanes.
17 Hopefully it will just extend

18 KEVIN: We can build just like general
19 contractors. We can excavate the streets, put a storm sewer in
20 rock base in, we can do that works, limiting this to little
21 piece of the pie, patch jobs.

22 MR. CHURCH: I'm not making excuses, but we're
23 just learning ourselves what we're going to be able to do.

24 MS. SCHANZLE-HASKINS: Here's the other thing, as
25 Jeff mentioned this is for state funded projects to the state

1 statutes. The feds have not been very forthcoming in allowing
2 us to adopt anything like this for federal projects. However, I
3 have sent this target market legislation and the analysis of it
4 to the Federal Highway Administration and they've looked at it,
5 and they were favorably inclined to it. If that's true, maybe
6 they're actually going to let us use it on federal projects.
7 That would be fabulous.

8 So far now, but you know, we're making headway,
9 so, it's really important that this be a successful program
10 right off the bat, because they'll look at it say hey maybe we
11 should be letting them do this on the federal projects as well.

12 What do you think about the incentives? To me
13 that's my at least favorite of the options.

14 MAYOR PARKS: Can you re-describe it?

15 MR. MCNEIL: On the incentives, I gave you the
16 third sheet. The incentives is on page 36.

17 MS. SCHANZLE-HASKINS: I'm just going to be frank
18 with you. We had to write rules and get them passed on the
19 joint administrative rules to do this, we've done that. Got our
20 rules in place, but in looking at the four different options.
21 This incentive one was the most troubling, because we don't want
22 to offer incentives on the front end, and then have somebody get
23 the money, and then they really don't do anything differently.
24 So I think we going to be revising our rules on incentives, and
25 put it on the back end. So what you'll be doing is telling the

1 prime, look if you increase your minority business enterprise
2 involvement on this project, we're going to give you X amount of
3 dollars. Every percentage you go up or whatever, I think that's
4 what we're going to do.

5 KEVIN: You're talking about thousands of dollars,
6 or 50?

7 MS. SCHANZLE-HASKINS: It'll be significant if we
8 do it. We got to take the measures that are going to remediate
9 this on these projects that we're looking at, these ten
10 projects. The minority business enterprise person would be the
11 prime.

12 UNKNOWN MALE: So basically all these jobs going
13 to be for minorities and are going to be bid on, basically we'll
14 just be battling against each other again.

15 MS. SCHANZLE-HASKINS: Yeah, but you know. How
16 many are there here, there are ten, there are ten projects.

17 UNKNOWN FEMALE: But you will allow for some
18 partnering, so that's a good opportunity for two contractors to
19 get together and be stronger as a contractor, so that would make
20 sense.

21 KEVIN: If these jobs went to the general market,
22 you bid against prime, chances you get this job would be less
23 than 2 percent, because they got more resources than what you
24 had. If you get this job, and it went out to the general public
25 where everybody was bidding, chances of bidding this job and

1 winning this job is less than two percent. So you have -- when
2 you set aside all this work right here and say at least we're
3 guaranteed somebody's guaranteed to work if they put the market
4 out on some jobs, we don't get nothing.

5 UNKNOWN FEMALE: But I do think it's a good idea
6 to separate the minority from the women. The bids set aside.

7 UNKNOWN MALE: That's where disparity has been
8 caused, because of the white woman taking the market share of
9 the work.

10 MS. SCHANZLE-HASKINS: And just so you know now,
11 if we go to a group where we're putting dual goals on a project,
12 there will be a woman goal, but what we got to do is get parity.
13 We got to get this to be fair.

14 UNKNOWN MALE: We're sinking, because they're
15 taking up 75 percent of the market share.

16 CARL JEFFERSON: There's a lot, not a lot, but I
17 know of one. One DB company, woman owned company, she used to
18 sit back don't do any work, using another rebar company guy to
19 come in, and just sit back and collect five percent.

20 MS. SCHANZLE-HASKINS: Would you please let us know
21 about that, because we consider that fronting, and we need to
22 investigate.

23 CARL JEFFERSON: That's the type of stuff that's
24 going on. Only way I found out about it is something like
25 Facebook posting pictures, and they're just corrupting the

1 market basically, making it hard on me to win work, and other
2 contractors.

3 KEVIN: It's not just in re-bar, it's in all
4 phases of it.

5 UNKNOWN MALE: Like when I come in, we hire our
6 own guys and do all the work ourselves.

7 KEVIN: How are we going to guarantee, I already
8 spoke to that. Most money get here goes back to another prime.

9 MR. MCNEIL: You guys bid, it's prime basically
10 what you can do. You'll be bidding this yourself.
11 But we'll have to do this work with your own forces.
12 We can't take this work and sub it to another prime contractor.
13 Frank, you have to do 51 percent of the work.

14 MS. SCHANZLE-HASKINS: Are there bonding issues?

15 KEVIN: I don't have a problem with bonding.

16 UNKNOWN MALE: Some of the newer companies that
17 just getting started there are.

18 MS. SCHANZLE-HASKINS: We have legislation.

19 KEVIN: Bonding is not an easy thing to get. You
20 got to have history, money, equipment, got to have like bonding
21 not the issue.

22 UNKNOWN MALE: Almost impossible when you first
23 get started off.

24 KEVIN: So a guy coming in the business right now,
25 two years, three years, it's probably almost impossible for them

1 to get bonded.

2 MS. SCHANZLE-HASKINS: Frank, do you want to talk
3 about the bonding legislation?

4 MR. MCNEIL: Financing legislation Senate Bill
5 2491 is a legislation that we're supporting, Department of
6 Transportation supporting, it's sponsored by Senator Mattie
7 Hunter out of Chicago. What this will do, we have what we call
8 working capital revolving loan fund. If you get an IDOT
9 contract, if you're a subcontractor on a job, it will allow you
10 to apply to IDOT. Basically we're setting up a loan committee,
11 we're setting aside \$3 million dollars, Secretary of
12 Transportation can set aside \$3 million dollars. If you have a
13 contract on an IDOT job, and you're being rejected by two
14 financial institutions, you can come to us and say, I need
15 \$50,000 of cash flow.

16 Now what that does is we may say yes, but what
17 you have to do is we're going to make sure you pay that off,
18 before you can receive. Now if you can loop yourself in as part
19 of the payroll, of course you're going to get paid, but we know
20 that the first two months, first three months is a critical part
21 of being able to make your payroll. So if you can't make your
22 payroll, you know your workers are going to walk away, we
23 understand. So what this will allow you to do to access the
24 capital. We've set up what we called a funds control agent, and
25 an escrow account. So the funds control agent, you would submit

1 your billing to funds control agent. He will assure these are
2 legitimate deal, and the escrow would pay your bills so that
3 there is no possibility of you defaulting when you get that line
4 of credit. And as a result of that, when all of that front
5 money was paid off, you be able to go through the process, and
6 get your money. That legislation is on third reading in the
7 Senate, and hopefully we can get it out of the Senate, over to
8 the house. We're fairly much sure if it passes, the government
9 will sign it.

10 So this is another opportunity where IDOT has
11 stepped forward and said we recognize these problems. We're
12 trying to do something to help small minority businesses
13 compete. This is one of the ways because we know that prime
14 contractors say I will front you certain amount of your money,
15 but it's going to cost you.

16 UNKNOWN MALE: It's not going to be based on
17 credit score or none of that.

18 MR. MCNEIL: We understand, sir. We do
19 understand. If you've been rejected, if you go to Security Bank
20 down the street or whoever, and they reject you, you bring two
21 letters of rejection to us, that is going to trigger that we
22 know that the open market is not favorable to you. So therefore
23 because you have a contract, you have an IDOT contract saying
24 you've got \$200,000 worth of work, we will probably give you
25 enough money to make those first two or three payrolls. We'll

1 look at it and say how far, where is your work, is it on the
2 front end of the contract, on the back end.

3 KEVIN: These guys wouldn't have a contract with
4 the state, just contract with the prime?

5 MR. MCNEIL: Yes.

6 KEVIN: SO you have to have a contract with the
7 prime?

8 MR. MCNEIL: Yes.

9 (Inaudible, multiple people talking at once)

10 KEVIN: The red tape encompasses a lot of
11 paperwork, because they don't have the office staff.

12 MR. MCNEIL: That's why we have a funds control
13 agent. The funds control agent will be the one that's basically
14 paying the bills for the subcontractors.

15 UNKNOWN FEMALE: Is it just for construction, or
16 all DBES?

17 MR. MCNEIL: We had said it's for DBES primarily,
18 so if you're an DBE and you're in --

19 UNKNOWN FEMALE: Land acquisition.

20 MR. MCNEIL: Land acquisition. It would apply to
21 you. One of the things that legislation that we've made a
22 change, I think most of you are familiar with what we call
23 mobilization pay, where they had if you receive mobilization pay
24 that you wouldn't be able to access, that was one of the things
25 that we lobbied and said no, you have to take that out, because

1 mobilization pay is not enough to get you going and out there,
2 and to make your first two or three payroll. So that was one of
3 the things that we took out of that legislation.

4 KEVIN: If you got a contract, I don't know if
5 they know, the contracts say they're supposed to get 3 percent
6 up front, they should give you money to operate for. I don't
7 know what amount of contract is, but every contract, you get
8 contract from IDOT, a prime contract, they're supposed to give 3
9 percent because they get 6 percent.

10 MR. MCNEIL: That money does come out of your
11 contract, that's not free money.

12 KEVIN: This applies to a guy who's has truck
13 also, does it apply for trucks?

14 MR. MCNEIL: I don't know if mobilization allows
15 for truck.

16 KEVIN: If you have a contract?

17 MR. MCNEIL: One with the prime, yes.

18 KEVIN: Contract with the prime. That means he
19 should get 3 percent of that contract.

20 MR. MCNEIL: Mr. Reed.

21 MR. REED: The original target market program
22 legislation paragraph 7 states in order to facilitate the
23 performance of target market contract by minority woman owned
24 business, the chief governing officer may pay the contractor a
25 portion of volume of target market contract at the time the

1 award as an advancement (inaudible)

2 MR. MCNEIL: I think that's the old legislation?

3 MR. REED: I'm saying why is that changed?

4 MR. MCNEIL: This new legislation that's not
5 applicable anymore.

6 MR. REED: why was that changed, that was really
7 good.

8 MS. SCHANZLE-HASKINS: I don't know that. I don't
9 know why that was changed. Maybe put it back in.
10 But know, I remember that part of the legislation, it's not in
11 the new legislation, not a part of the new target market
12 legislation.

13 MR. MCNEIL: Are there any other questions? We
14 want to get your feedback today.

15 UNKNOWN MALE: (Inaudible) Mentor protégé.

16 MR. MCNEIL: Mentor protégé program has been
17 approved by federal highway administration, so it's no longer a
18 demonstration program. It is not a full fledged program. So if
19 you have contracts or you, I think under mentor protégé rules,
20 you have to have been in the business for three years, I think
21 it is, and then you have to have a protégé that accepts you.

22 MR. REED: That's a good way to get started.

23 MR. CHURCH: Frank, I'll talk about that a little
24 bit. Every letting that we've got coming up, the district will
25 look at it. We have guidelines that we have to meet for each

1 job. The job itself has to be over a million dollars. And you
2 have to have a DB goal of at least fifteen percent in order for
3 it to qualify. So what we do, we'll identify all those jobs and
4 we'll get the all of the different items of work and we send
5 that up to Springfield, there's a committee that looks at each
6 individual project to try to figure out if they determine if
7 it's appropriate for mentor protégé. Honestly, we've only had
8 the one contractor in our district that's taken advantage of it.

9 UNKNOWN MALE: In District 8?

10 MR. CHURCH: In District 8, and that's Kevin on
11 that one job.

12 UNKNOWN MALE: Not in District 9.

13 KEVIN: How come we don't have more mentor protégé
14 projects? We got all those jobs here --

15 MR. CHURCH: They're eligible. If it's a contract
16 agreement, if it's a low bid prime contract, they can take
17 advantage of it.

18 KEVIN: They used to say outright, this is a
19 mentor protégé project, but I haven't seen anymore.

20 UNKNOWN MALE: I been trying to get in for the
21 longest, I don't get no feedback.

22 MR. CHURCH: You're just trying to get signed up
23 as a protégé?

24 UNKNOWN MALE: I talked to a couple people. Lee
25 Coleman was trying to introduce me to some prime.

1 MR. CHURCH: Yeah, because there's two different
2 ways you can approach it. You can actually hook up with a prime
3 contractor and be a mentor protégé, or you can just submit it as
4 a protégé and they try to match you up.

5 KEVIN: Form a relationship with a contractor,
6 it's all about relationships. Over a period of time, after
7 these contractors get familiar with your work, and what you can
8 do, they may be a mentor protégé. But a guy coming straight off
9 the street coming in here asking the guy --

10 MR. MCNEIL: He's not familiar with your work
11 habits, but if you --

12 UNKNOWN MALE: But if it's somebody that you've
13 known and worked with.

14 KEVIN: It's all about relationship.

15 MR. CHURCH: And the one other thing that's
16 actually a little bit of a drawback to the program is that the
17 protégé has to do two percent of the overall contract value, so
18 on some of our bigger jobs, you've got a 20 million dollar job
19 out there, you're talking about them having to do \$400,000 worth
20 of work, some of the smaller contractors, they're not going to
21 be able to do that.

22 MR. MCNEIL: Any questions?

23 KEVIN: So when is the first target market meeting
24 going to be?

25 MR. MCNEIL: I think it's going to be next month,

1 if not the end of May or some time in June.

2 UNKNOWN: This target market, how many of these do
3 you think we'll have? Four or five?

4 MR. CHURCH: We got to look at these projects.
5 They have to be state funded projects, so based on how many
6 state funded projects in this area, we'll look at them and
7 determine whether or not they're appropriate for target market.

8 UNKNOWN MALE: The Department of Veteran's Affairs
9 mentor protégé program, does that apply?

10 MR. CHURCH: That doesn't apply to IDOT, we have
11 our own mentor protégé program. Veteran's affair is a different
12 program.

13 UNKNOWN MALE: One more question, this whole thing
14 with East St. Louis is based on discrimination complaints filed
15 in District 8? I'm asking.

16 MS. SCHANZLE-HASKINS: Yes.

17 UNKNOWN MALE: There wasn't no discrimination
18 complaints filed in no other districts?

19 MS. SCHANZLE-HASKINS: The way we have to do this,
20 we have to do it on a regional market basis, okay, and luckily,
21 the way IDOT is broken up into nine different districts, so
22 that's a pretty good regional market area. All of the anecdotal
23 information, and all of the statistical data that support this
24 target market.

25 UNKNOWN MALE: It's a large area.

1 MR. CHURCH: Yes, it's eleven counties.

2 KEVIN: I think the target marketing thing is
3 a good idea. You can't un-ring the bell, but you can go forward
4 and try to make the wrong right, right the wrongs, in the
5 community that's been hurt with minority contractors here in the
6 area. I think this is a step in the right direction to try to
7 make those things right.

8 UNKNOWN MALE: Bring workforce back home.

9 UNKNOWN MALE: (Inaudible) Are there any may is on
10 the Tillman disparity study?

11 MR. MCNEIL: We can get you one.

12 UNKNOWN MALE: (Inaudible)

13 MR. MCNEIL: I can get you one. You did sign in,
14 if you want one we can get it to you.

15 UNKNOWN MALE: Now the target market letting, are
16 we going to receive paperwork in the mail?

17 MR. MCNEIL: Oh, yes. All DBEs in this market
18 area.

19 MS. SCHANZLE-HASKINS: The one thing that we are
20 going to want to do make sure that nobody takes their bids up to
21 Springfield, because we want to bid here, and we've never done
22 this before so this is going to be strange. New adventure.

23 Just so you know, I was talk to a couple of
24 gentleman from other parts of the state, and they want this too,
25 so.

1 KEVIN: So we're going to turn the bids in, it's
2 going to be the --

3 MS. SCHANZLE-HASKINS: Same process.

4 UNKNOWN MALE: (Inaudible)

5 MR. MCNEIL: Anymore questions? Comments.

6 MS. SCHANZLE-HASKINS: Thanks for coming. We
7 appreciate you guys coming.

8 (whereupon, the hearing concluded at 12:12 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI.)

) ss.

CITY OF ST. LOUIS)

I, Angie R. Kelly, a Certified Shorthand Reporter (IL),
Certified Court Reporter (MO), and a Notary Public within
And for the State of Missouri, do hereby certify that the
Hearing aforementioned was held on the time and in the place
Previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Notary Public within and for
The State of Missouri