



MARCELINO GARCIA, COMMISSIONER

**To: Barbara McGowan, Chair of Affirmative Action
Brian Perkovich, Executive Director**

CC: Board of Commissioners

From: Marcelino Garcia, Commissioner

Date: March 25, 2019

Re: Questions for Furnish & Deliver Study Session

As I am unable to attend this morning's presentation on "Furnish and Delivery", I would like for the following questions to be asked and to be entered on the Study Session's record.

1. All other governmental institutions in Illinois such as the State, City, County, and our Sister Agencies, place participation goals for Minority, Women, Veterans, and Small Business on all types of contracts. These goals that can be met with direct or indirect participation. Given that all/most governmental entities provide participation goals, is there a legal reason why goals cannot be put on all MWRD procurements? Please explain. Also, please provide a process on how to add participation goals to all our procurements, but specifically "Furnish and Delivery".
2. When was the last time the District reviewed its procurement ordinance/s to encourage a freer market in the way we conduct business for smaller companies trying to enter?
3. Does requiring large monetary guarantees prevent otherwise qualified small and minority and women bidders from entering the procurement process. Should the District be able to create mechanisms for M/B/SBE to enter the procurement process with more ease, such as helping with financing? Is it possible to ensure bid bond amounts are set only so high as to achieve the desired goal of requiring a guarantee for procurement but not discouraging companies from presenting bid alternatives?
4. Industry associations can be used as legitimate, pro-competitive mechanisms for members of a business or service sector to promote standards. Is this something we have researched? How can we expand our focus in this area?
5. Some water systems cooperate informally by forming councils or consortium to negotiate contracts together and purchase in bulk. These informal cooperation arrangements arise

from water utilities working directly with each other. While these cooperatives must be allowed through our state statute, they remain self-regulated. One example is the **Northeast/Merrimack Valley Consortium of Water and Wastewater Facilities** in Massachusetts. Is this something that can be put in place at the MWRD?

6. I would like to see the District have Mentorship program that would allow M/W/SBE enter the District procurement process especially if they have experience with other government entities. Can this program be established?