

Mirinda Jackson's Interview Questions

1. Tell us about your education, career and how you found your way to become Minority Business Enterprise (MBE) Compliance Manager for Prince Georges County Council?

I grew up in King George County, Virginia in a segregated environment. I moved to Washington, DC in 1963, after graduating from Ralph Bunche High School, which was segregated. I attended business school before starting my career with the U. S. General Services Administration at its headquarters in Washington, DC. I started my profession career with GSA buying motor vehicles for the U. S. Federal Government. I started as a Buyer (i.e. Procurement Agent) and was promoted yearly until I became Branch Chief for the purchase of all Light Trucks, 4X4 and buses for both the Civilian and DOD Government agencies. At that time, my Branch would purchase 20,000 to 30,000 motor vehicles annually from the major automotive manufacturers. I travelled frequently to the manufacturer's production plants and to negotiate contracts on behalf of the Federal government. I was also responsible for the purchase of buses which lead me to body companies in the South such as Kosciusko, Mississippi and Little Rock, Arkansas. (Note: This was a true experience because the first time I travelled to Little Rock, Arkansas, the restaurant at the hotel where I was staying would not serve me. Also, on this same trip, the Waiter almost dropped his tray when he saw me sitting in the Country Club eating at a table with all White Men)

So, the first 21 years of my career with the General Services Administration, I was involved in the purchase of motor vehicles and the last 13 years I worked for what was then called the Office of Enterprise Development where I retired as Deputy Associate Administrator for the Office of Enterprise Development. In this position, I was responsible for promoting and assisting small, minority, veteran, hub zone and women owned businesses throughout the Country. During my tenure in this position, I travelled to all 50 states and Canada telling companies how to start, market, expand their business and/or how to do business with GSA. I saw first-hand the many challenges small businesses face, particularly minority business owners, i.e. the lack of access to capital, decision makers (for prime and subcontracting opportunities), the criteria being higher for minority businesses and the list goes on. The industry that creates the most challenge for minority businesses is the construction industry. Reason being, the profit margin is low, MBE's are at the mercy of the General Contractors. (Note: They routinely find reasons to reduce final invoice payments which further reduces the profit margins)' and many are good with their craft, but not necessarily good with the bidding and invoicing process. They are often first-generation businesses.

Prior to my career with the General Services Administration, I worked for a small minority owned construction company which was located in Washington, DC. Again, I saw first hand the challenges the company I worked for faced as a small minority owned business. "The company had to literally beg for payment from the various General Contractors to make payroll. Out of desperation, they settle for less than the invoice amount. (Note- They found something wrong with the work 100% of the time). Also, the company was denied loans routinely by the banks. (Note: These same companies are still in business and little of changed over the years. I think they have just become more creative in finding ways to reduce final payment to minority firms.

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I have a Master's in Government Contracting from George Washington University, School of Business and Public Management, in Washington, DC (1991) and is a graduate of the Minority Business Executive Programs (I and II) at the, Dartmouth College, Hanover, NH and the Office of Personnel Management's Executive Development Programs (Lancaster, PA and Denver, CO). Please note, training in the Federal Sector is a priority; therefore, during my career, I completed numerous training courses in the contracting arena as well as professional development training.

I retired from the General Services Administration in December 2000 after 34 years of service. I worked for several small business companies prior to becoming a Consultant for VISA, USA. My role at Visa was to encourage small businesses to accept the Government Purchase Card and to select the VISA logo. (Note: The choices were Mastercard or Visa). I did this by travelling throughout the Country telling businesses how to pursue small purchases in the Federal Government. (Note: The Federal sector uses the Purchase Card for Small Purchases). I did this for six (6) years and upon completion of the project, VISA had 85% of the Government's Purchase Card business. This was a huge success.

I DID NOT solicit a job with the Prince George's County Government. I was called by an individual (whom I did not know but was serving in a senior level position) to come in and talk about small and minority business issues and concerns. At the time, there were issues and concerns about the National Harbor Project and the lack of participation by local MBE's. I was asked to serve as MBE Compliance Manager for the National Harbor Project and my first act of duty was to develop a Memorandum of Understanding (MOU) with the Prince George's County Government, Prince George's County Council and the Prince George's Community College to establish a Center for Minority Business Development at the Prince George's Community College. The Peterson Companies had donated \$5 Million to assist the local MBE community in building capacity so they would be able to work on the National Harbor Project and other major development projects in the County. The Center was created to provide managerial and technical training to the businesses in the program. The program was free to all MBE's in Prince George's County. The Center was in existence for five (5) years and has since been renamed "The Center for Entrepreneurial Development" and continues to operate out of the Prince George's Community College. The Center is currently located in Hyattsville, Maryland. The program is open to all business owners in Maryland and is no longer limited to companies in the construction industry.

In my current role, I focus on major development projects in the County. When the County (Council) provides financial assistance for major development projects, my role is to negotiate the Minority Business Enterprise (MBE) Plan, establish goals, monitor achievements, provide training and outreach and potential sources to the Developer and/or General Contractors. The outreach efforts are designed to make the business community aware of the projects and the prime and subcontracting opportunities available for the local business community. My goal is to ensure that the local business community benefits from the Major Development Projects in the County.

- 2. Once the county council approves spending on a project. What are the next steps in the negotiations before a project gets final approval to be funded? If in the event of a stalemate in negotiations, say because the developer does not agree with your terms, will you take back to the county council for reapproval or what? Please explain!**

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I am only involved in Tax Incentive funding (TIF) and Pilot Projects when the County Council provides financial assistance. The project cannot move forward to obtain financial assistance until they meet certain criteria which includes having an approved MBE Plan in place. The minimum goals are set forth in the Council Resolutions (most recent is CR 21-2019). There are various documents that must be in place and the MBE Plan is just one of the documents. We (the County) is in the driver's seat because the Developers are seeking financial assistance from us. I don't budge until the Developers commit to the goals established. Currently, there is a minimum goal of 20% for local MBE's (CMBE's) and an overall goal of 35% for CBB (County-Based Businesses), CBSB (County-Based Small Businesses), MBE (Minority Business Enterprise) and CMBE (County-Based Minority Business Enterprises). The overall goal cannot be less than 25%.

3. What are the differences between authorized MBE spend backed by the county council versus the county executive's priority or is it all the same? Do you set spending goals and perform compliance on both sides of local government? Please explain!

I **only** provide Compliance for the Prince George's County Council. I am not involved in County Procurements. The County's Director of Central Services serves as the Purchasing Agent who handles all County Procurements. I do not set spending goals, nor do I perform compliance on both sides of the local Government. We have an Executive Branch and a Legislative Branch. I work for both branches; however, I only provide compliance for the Legislative Branch. The Executive also have a Compliance Staff. **Please note, I said staff. I am a one-person operation with no staff.**

4. How do you set spending goals on projects and is there a proven formula to arrive at the result? How are spending goals set for all other county agency spend?

The actual goals are established and defined in the Council Resolutions (most recent CR 21-2019) and are based on historical data, previous projects, current market conditions and other factors. I am not involved in establishing goals for County agencies as this function is under the Office of Central Services (Jonathon Butler, the new Director of Central Services and Purchasing Agent) However, the goals are established by either Council Resolution or Council Bill. The last major bill that impacted the County's agencies was Council Bill 17-2011. There have been various Amendments since that time.

5. What has been your experiences in working with Real Estate Developers, prime contractors and General Contractor/Construction Managers in meeting their spending goals? Are they always in compliance and what happens if they are not?

My career has been in the Federal sector and I have been involved in Small Business Programs since the passage of Public Law 95-507, on October 15, 1978. Therefore, I use the Federal model when establishing guidelines and policies for developing MBE Plans. The Small Business Programs at the State and local levels are a result of Public Law 95-507. I have not had a problem with the Developers and

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Prime Contractors establishing spending goals because I establish realistic goals and include a penalty clause if they don't meet the goals established. I also provide potential sources to the Developers and General Contractors. In the Federal Sector, the goals were substantially lower. In fact, the Federal Government has had a 5% goal for minority businesses and 23% for small businesses since 1978. They continue to discuss raising the goal for small business, but I have not heard any mention of raising the minority goal which remains at 5%. The General Contractors submits a quarterly report which I review and conduct site visits. If they are having problems identifying potential sources, I assist them in this effort.

6. Should a project not achieve its spending goals, what happens to the developer or general contractor/construction manager? Are they penalized and if they are, what are some of the penalties?

I have a penalty clause in all the MBE Plans and the amount is based on the TIF, Pilot (or financial assistance provided by the County). It's easier and more cost effective to meet the goals established as opposed to paying the fines for not meeting the goals. Generally, most developers have established relationships with small businesses and minority businesses who they work with routinely. However, my biggest challenge is to identify local MBE's, i.e. that is those here in the County and connect them with the General Contractor since some are not local. I found many of the Companies who attended the May 1, 2019, event was already doing business with Bozzuto. General Contractors and large prime contractors know that the public sector use the contracting process to satisfy their socio-economic requirements. If they want to remain in the public sector, they have no alternative but to utilize small, minority and women business owners.

7. Please explain the various methods in setting spending goals and tracking spend for state certified MBE's versus local Prince Georges County firms? Can one firm with both certifications be counted twice in the same project? How does it work?

The Small Business Program is such that you can count dollars in the categories in which you qualify. Therefore, a Prince George's County MBE who is certified with the State, i.e. MDOT can be counted as an MBE and as a CMBE. In calculating our spend, we operate much like the Federal Government. For example, in the Federal Government if you are a small minority woman owned business, you are counted three times, i.e. as a small business, minority business and as a woman owned business. Therefore, in the Federal sector, the more contracting vehicles you have in place, the more chances you have for securing a contract.

8. Do you get involved if there is a payment dispute between the MBE contractor and whoever owes them the funds? If so, how do you get involved and what point do you back off?

I include a payment clause in the MBE Plans for this reason because many of the Companies (particularly small minority owned companies) have payment issues and they are reluctant to elevate the issue in fear of not receiving additional work from that General Contractor. Normally when a company

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approaches me for assistance in obtaining payment, it's a dispute and they no longer have a relationship with the General Contractor. I am not reluctant to assist companies in obtaining payment and will elevate the issue if necessary.

9. How does one get certified as a local MBE to do business in the county?

The Office of Supplier Development and Diversity (Debra Carter, Executive Director) which is under the Office of Central Services is the official certification agency for the Prince George's County Government. They certify County Based Businesses, County Base Small Businesses and County Located Businesses. They do not certify MBE's; however, they accept MBE Certification from MDOT, WMATA, the Capital Region Minority Supplier Development Council, National Minority Supplier Development Council, Department of Veterans Affairs, Women Presidents' Educational Organization and the U.S. Pan Asian American Chamber of Commerce. Businesses that is 1) deemed small by COMAR/FAR 2) Headquartered in Prince George's County, and 3) Certified as an MBE/DBE by one of the above organizations may proceed to page 8 of the Universal Certification application. The Prince George's County MBE/DBE Certification is valid for one year. Businesses may also contact SDDD at 301-883-6480 for certification application assistance.

10. Why is Prince Georges so gorgeous?

Prince George's County is the place to work, play, live and pray because it has so much to offer including 15 Metro stations, nearly 1 Million residents, 8 colleges and universities, 14 Federal agencies and contracting opportunities and resources to help businesses, start, grow and expand their businesses. We have affordable housing throughout the County and are still building mixed used development projects. We have the Regional Medical Center coming to Largo and our newest entertainment center, i.e. MGM at the National Harbor is accessible to residents in the DC, Virginia and Maryland and is also frequented by residents in Pennsylvania, Delaware and other nearby states.