

Exclusive to Baltimore Times, published 11/18/21

Article title:

MBE aka Minority Businesses Eliminated:

Much in thanks to waning interest in Maryland's MBE program mainly due to its lack of oversight and enforcement by the Governor and his cabinet Secretaries.

by Lou Fields

FY 2019, Maryland procurement contracts totaled \$6.865 billion.

Maryland MBE procurement contracting goal is 29%.

29% of \$6.865 billion = \$1,990 billion for MBE/WBEs.

MD state agencies did only 14.14% = \$971 million

FY 2019, MBE net loss = \$1 Billion!

Thirty years ago, while attending a meeting of the Baltimore City Board of Estimates, I met a MBE warrior known as Jolly. He was the president of the Maryland's Minority Contractors Association. His full name was Arnold Merion Jolivet, Sr., an attorney who was an alum of Morgan State University and the University of Maryland Law School.



I wondered how this dedicated minority business advocate could have earned the nickname Jolly. He was at that BOE meeting raising holy hack about the lack of Black Business inclusion on Baltimore City contracts which meant the denial of millions of dollars for Black businesses in the construction trade and other industries. Jolly was one of Baltimore's most revered fighters and advocates for Black business inclusion, equity and parity in City and State procurement contracts.

Today, I am wondering what Jolly would think about the current state of Maryland's Minority Business Enterprise program based on the fact that only 7 out of Maryland's top 22 state agencies are reaching the state's procurement goal of 29%. The statewide average is a little of over 14%. African American businesses and other minorities are losing out on a BILLION DOLLARS in annual MBE/WBE revenue. Reviewing the top 15 state agencies that did over \$100 million in annual contracts, they collectively averaged 14%, less than 50% of the state's 29% procurement goal in fiscal year 2019.

Blacks and other minority businesses are losing out on serious money here in Maryland. This hurts our communities, our competitiveness, hinders our progress in creating Black wealth, decreases employment, entrepreneurial and housing opportunities, adversely effects neighborhood and community development efforts, and seriously erodes the level of public trust in government agencies and elected officials. Worse yet, it sets the breeding ground for criminal activities that continue to flourish in neglected and underserved communities.

Two years ago, I was conducting a series of diversity meetings with the Maryland Department of Commerce Office of Tourism Development and the Maryland Tourism Development Board. Newly hired Commerce Secretary Kelly Schulz did not seem surprised nor annoyed that the agency she was placed in charge of was only doing 3% towards the State's 29% MBE procurement goal. Secretary Schulz has thrown her hat in the ring as a republican candidate for Governor in the next year's primary.

Leave it to me to check into her agency's latest results in MBE procurement. The 2020 annual report of the Governor's Office of Small, Minority & Women Business Affairs (formerly GOMA) shows that in fiscal year 2019, under the leadership of Secretary Schulz, her agency, the Maryland Department of Commerce was doing a miserable 9.09% in MBE procurements, less than one third of our State's 29% goal. Her campaign literature quotes her saying "We've come a long

way over the past few years, but there is still so much work to do. I'm running for Governor so we can fulfill the great promise and potential of our state." We have heard such rhetoric at during every campaign season.

Leave it to me to check on the MBE record of another gubernatorial candidate- Peter Franchot, the long-serving Comptroller of Maryland. Peter has been somewhat of an enigma, a Democrat, but often siding with the republic Governor on matters coming before the Maryland Board of Public Works.

In January 2019, while looking over the State Board of Public Works contract awards I was searching for detailed information on Governor Hogan's funding allocation for the Harriet Tubman and Frederick Douglass statues that was erected in State Capitol Building. While searching I ran across a State award from University Maryland University College (UMUC) showing it was seeking the Board of Public Works approval for two advertising contracts valued at \$250 million each, totaling a half a billion dollars. What perplexed me about these two digital advertising contracts was the lack of any MBE/WBE procurement requirements. UMUC had gotten a waiver although Maryland has a mandated goal of 29% for large scale procurements. I held a series of meetings with their chief Diversity and Inclusion Officer. They were quite surprised when I challenged them. Although not much happened they did change their name from UMUC to University Maryland Global Campus. They continue to receive major contracts from the Department of Defense to teach English to American allies overseas.

Franchot was there the day that the UMUC sought BPW approval of the two \$250 million contracts. Franchot voted on and approved this injustice without asking a single question. This cost MBE/WBE over \$150 million in potential lost revenue. Peter was clearly not sensitive nor showed any interest in questioning the lack of minority businesses inclusion on these two large multimillion State contracts. For fiscal year 2019, the GOSMWBA report reveals that Franchot only reached 15.34% towards a goal of 29% for his Comptroller's office procurement contract awards. Yet, he is on the campaign trail promising Blacks he is going to be the one who gets Baltimore fixed once and for all.

Who is questioning the Governor's use of Executive privilege in awarding millions in emergency sole source no-bid contracts during the COVID 19 pandemic? Who is monitoring the young Mayor's handling of \$641 million dollars in American Rescue Plan Act funds? Is his staff experienced in ensuring fairness, inclusion and equity in such a huge financial undertaking, especially in a city with huge financial woes including a City Hall that's been raided by FBI agents twice in the last decade over bad money deals.

I wonder what would attorney Jolivet be saying and doing about these disturbing trends.

Congressman Parren Mitchell, Justice Marshall, Bob Clay, Ray Haysbert, Walter Carter, Terry Addison, Dorothy Brunson, Steven R. Pace and many others have passed on leaving today's unmanned mantle of MBE leadership in a much deepening void. Who are...where are...today's advocates for Minority Business Enterprises inclusion and parity on all public contracts?

As the late Dr. Levi Watkins stated when delivering the keynote speech at the annual meeting of the Greater Baltimore Black Chamber of Commerce, "We are all too silent."

Is there anyone?

May 21, 2021 Article on the Baltimore city's MBE/WBE

program: <https://www.bizjournals.com/baltimore/news/2021/05/21/minority-businesses-city-procurement-reforms.html>

Follow this link for a 4.33 minute summary of our MBE advocacy at the Baltimore Board of Estimates June 2021 meetings. <https://youtu.be/WIc1Mx8Ixi0>

Jolly speaks...(first three videos, source credit- BmoreNews.com)

<https://youtu.be/QDBIPs0uHRE> (3:28 minutes, Jolly is "Not a Happy Camper, I will not be satisfied.")

,
<https://youtu.be/3u6lktA11Dg> (9 minutes, Jolly stops a State \$485 million contract)

<https://youtu.be/SXxImG2D6OM> (1:18 minutes, Jolly speaks on doing business in Africa)

<https://youtu.be/hfzZx-942rM>

(2:29 minutes, Jolly speaks at the launching of BDX Live)

<https://youtu.be/WEtjbuoYeYE>

(8:36 minutes, Bro Bill Goodin honors Jolly)

commentary



Jolivet at Board of Estimates presents former Baltimore Mayor Stephanie Rawlings-Blake with a bouquet of flowers.

ARNOLD MERION JOLIVET (1942-2014)

Our brother, leader, advocate and mentor, Arnold M. Jolivet was born on September 23, 1944. He attended Morgan State University and earned a law degree from the University of Maryland College Park. While at MSU, Jolly served as a student court justice, served on the dormitory council, the business and marketing club, science club, varsity football team, president's council and the Black Law Students Association Leadership Council. He earned the Dean's List from 1963-1966. He was voted to the All-CIAA team in 1964 and 1965. He served as team captain on the Morgan Bears football team. In 1987 Jolly was inducted in the MSU Alumni Hall of Fame.

In 1976, Jolivet joined Bob Clay, Bob DeShields and Doug Sands and established the Maryland Minority Contractors Association. Jolly served as the Executive Director. Always dapper in his dressing style, he was usually upbeat, very polite and always a gentleman. However when it came to inclusion and fairness in contracting for Black Businesses, Jolivet took a firm stance, on principle and integrity. As an attorney, Jolivet was the very best at articulating the right and wrong of public contracts.

Businessman Danny Henson (Henson Development) and previously Housing Commissioner during the Schموke administration said Jolly was "one of a kind, hard to compare him to anyone else except his mentor, the late Congressman Parran J. Mitchell. He had integrity, was not frightened or intimidated but always respectable." Former City Councilman Carl Stokes had this to say about Jolly, "He was masterfully witty, and exercised temperance and fortitude; he was strategic, humorous, a steadfast advocate for Black businesses." His good friend, Chief Judge Robert Bell said Jolivet was committed to his principles.

A fearless fighter for Black businesses, Jolly stated that "Economic Freedom is not Free." Jolly believed that equality and justice for the Black community had to be fought for and won on the economic front as well as at the ballot box. He was dedicated to his wife of over 40 years JoAnn Jolivet, their son Arnold, and grandchildren. Jolly loved his church, Union Baptist, and served as Chairman on the church's Deacon Board.

I am proud to have called him my friend and leader. At his untimely passing in July 2014, a lady from North Carolina wrote this passage to his family.

-July 27, 2014

Dear Jolivet family, I am just learning of the passing of your loved one in addition to learning about him for the first time. I am so moved and appreciative of who he was as an advocate for minority businesses in the state of Maryland that I shall write a tribute to his courage and commitment to economic viability to sustain our communities. Just know his legacy is

real. Please accept my blessings to his family.
Lillian L Thompson, Raleigh, NC.

Lou Fields is a MBE advocate and serves as a freelance photojournalists.

Please send your comments to Lou Fields, email: bbhtours@gmail.com