

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER _____ 05-11

FOR: RECOGNITION OF PRIVATE MINORITY BUSINESS ENTERPRISE CERTIFICATION

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, the State has taken up to twelve months to approve an application for a Minority Business Enterprise (MBE) certification for state contracting purposes and, as a result, minority small business owners are losing business opportunities while waiting for an MBE certification;

WHEREAS, in contrast, the Indiana Regional Minority Supplier Development Council (IRMSDC) takes only three to five weeks to grant such a certification, which is recognized and accepted by well-regarded companies across Indiana;

WHEREAS, the State does not currently recognize the IRMSDC certification; and

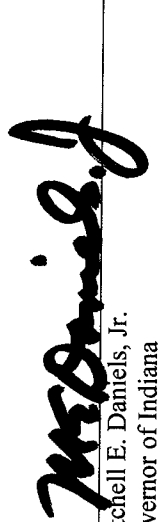
WHEREAS, the IRMSDC certification should be recognized and accepted by this State, and the Department of Administration (DOA) should strive to ensure that applications for MBE certifications will be processed within sixty (60) days;

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. It shall be the policy of the DOA to accept the IRMSDC's MBE certification for state contracting purposes.
2. Pending the promulgation of administrative rules to formalize the specific terms and conditions of this policy, the policy shall be subject to revocation at any time if the Governor, in consultation with the Commissioner of Administration, determines that the IRMSDC's certification process has materially changed and, as a result of such changes, no longer benefits the State.
3. The DOA shall undertake a comprehensive review of the State's MBE certification process under IC 4-13-16.5-1 *et seq.* and the administrative rules promulgated thereunder and shall, within one hundred eighty (180) days of the date of this Executive Order, take any necessary and proper action to be able to render its decision on each application for MBE certification within sixty (60) days of the submission of the application.
4. The DOA shall promulgate administrative rules to formalize the specific terms and conditions of the aforementioned policy of accepting the IRMSDC's MBE certification for state contracting purposes.
5. The DOA shall research whether reputable private companies are available to provide certifications as part of the State's Women Business Enterprise (WBE) certification program, as well, and report its findings to the Governor as soon as practicable.
6. This Executive Order does not create any right or benefit, substantive or procedural, enforceable at law or equity by any person against the State, its agencies or instrumentalities, its officers or employees, or any other person.



IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 10th day of January, 2005.


Mitchell E. Daniels, Jr.
Governor of Indiana



ATTEST: Todd Rokita
Secretary of State