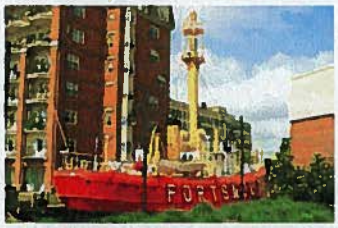
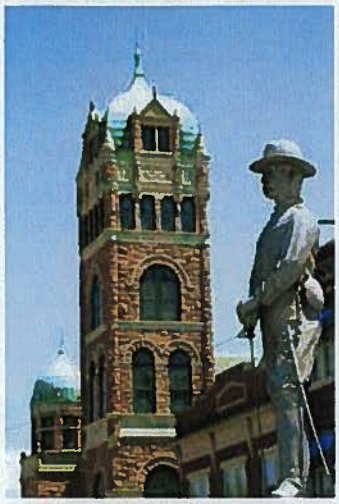




2015 PROCUREMENT DISPARITY STUDY

City of Portsmouth, Virginia

florida • california • michigan • texas • washington

MGT OF AMERICA, INC.

TABLE OF CONTENTS

EXECUTIVE SUMMARY INTRODUCTION i-1

1. Introduction i-1
2. Findings i-1
3. Commendations and Recommendations i-4
4. Conclusion i-5

CHAPTER 1 INTRODUCTION 1-1

1. Introduction 1-1
2. Study Team 1-1
3. Background 1-2
4. Overview of Study Approach 1-2
5. Report Organization 1-3
6. Glossary of Terms 1-4

CHAPTER 2 LEGAL FRAMEWORK 2-1

1. Introduction 2-1
2. Standards of Review for Race-Specific and Gender-Specific Programs 2-2
3. To Withstand Strict Scrutiny, an M/WBE Program Must Be Based on Thorough Evidence Showing a Compelling Governmental Interest 2-4
4. Sufficiently Strong Evidence of Significant Statistical Disparities between Qualified Minorities Available and Minorities Utilized Will Satisfy Strict Scrutiny and Justify a Narrowly Tailored M/WBE Program 2-6
5. The Governmental Entity or Agency Enacting an M/WBE Program Must Be Shown to Have Actively or Passively Perpetuated the Discrimination 2-9
6. Anecdotal Evidence of Discrimination in Disparity Studies 2-10
7. To Withstand Strict Scrutiny, an M/WBE Program Must Be Narrowly Tailored to Remedy Identified Discrimination 2-10
8. Small Business Procurement Preferences 2-13
9. Conclusions 2-15

CHAPTER 3 REVIEW OF POLICIES, PROCEDURES, AND PROGRAMS 3-1

1. Methodology 3-1
2. Historical Background 3-2
3. Community Business Initiative 3-3
4. Community and Economic Development Projects 3-5
5. M/WBE Certification 3-5
6. Department of Economic Development 3-9
7. Nondiscrimination in Contracting 3-10

TABLE OF CONTENTS (Continued)

PAGE

8. Financial Assistance Programs 3-10
9. Bonding 3-12
10. Management and Technical Assistance (M&TA) 3-12
11. Other Business Development Assistance Programs 3-12
12. Outreach 3-14
13. Conclusions 3-14

CHAPTER 4 MARKET AREA AND UTILIZATION ANALYSES 4-1

1. Introduction 4-1
2. Methodology 4-1
3. Procurement Categories 4-3
4. Market Area 4-4
5. City of Portsmouth Utilization Analyses 4-8
6. Summary 4-13

CHAPTER 5 AVAILABILITY AND DISPARITY ANALYSES 5-1

1. Introduction 5-1
2. Chapter Definitions 5-1
3. Availability Analysis 5-2
4. Disparity Analysis 5-8
5. Summary 5-12

CHAPTER 6 PRIVATE SECTOR ANALYSIS 6-1

1. Introduction 6-1
2. Collection and Management of Data 6-2
3. Private Sector Utilization Analysis, Commercial Permits 6-4
4. Private Sector Disparity Analysis, Commercial Permits 6-6
5. Nexus between Commercial and Public Construction 6-7
6. Conclusion 6-9

CHAPTER 7 ANECDOTAL ANALYSIS 7-1

1. Introduction 7-1
2. Methodology 7-1
3. Demographics 7-5
4. Barriers to Doing Business with Hillsborough County Aviation Authority 7-14
5. Access to Capital 7-16
6. Discrimination and Disparate Treatment 7-16
7. Suggested Remedies from Anecdotal Participants 7-17

TABLE OF CONTENTS (Continued)

PAGE

8. Conclusions 7-17

CHAPTER 8 FINDINGS AND RECOMMENDATIONS 8-1

1. Introduction 8-1
2. Findings 8-1
3. Commendations and Recommendations 8-5
4. Conclusion 8-8

LIST OF TABLES:

TABLE 3-1 Documents Reviewed During Policy and Procedure Review 3-2

TABLE 3-2 City of Portsmouth Community Business Initiative Action Plan 2012-2013 3-4

TABLE 3-3 Small, Minority, and Women Business Enterprises in Commonwealth SWaM Directory Located in City of Portsmouth 2014 3-8

TABLE 3-4 Small, Minority, and Women Business Enterprises in Construction Related Services in Commonwealth SWaM Directory Located in City of Portsmouth 2014 3-9

TABLE 4A Examples of Records Excluded 4-2

TABLE 4-1 City of Portsmouth Construction Market Area 4-6

TABLE 4-2 City of Portsmouth Architecture and Engineering Market Area 4-6

TABLE 4-3 City of Portsmouth Professional Services Market Area 4-7

TABLE 4-4 City of Portsmouth Other Services Market Area 4-7

TABLE 4-5 City of Portsmouth Goods and Supplies Market Area 4-8

TABLE 4-6 City of Portsmouth Construction Utilization Analysis 4-9

TABLE 4-7 City of Portsmouth Architecture and Engineering Utilization Analysis 4-10

TABLE 4-8 City of Portsmouth Professional Services Utilization Analysis 4-11

TABLE 4-9 City of Portsmouth Other Services Utilization Analysis 4-12

TABLE 4-10 City of Portsmouth Goods and Supplies Utilization Analysis 4-13

TABLE 4-11 City of Portsmouth Prime Utilization Analysis 4-14

TABLE 4-12 Comparison of Prime Contractor Utilization by Procurement Type Business Ownership Classification Portsmouth and Hampton July 1, 2008 through June 30, 2013 4-15

TABLE 5-1 Estimated Availability Construction 5-3

TABLE 5-2 Estimated Availability Architecture and Engineering 5-4

TABLE 5-3 Estimated Availability Professional Services 5-5

TABLE OF CONTENTS (Continued)

		PAGE
TABLE 5-4	Estimated Availability Other Services	5-6
TABLE 5-5	Estimated Availability Goods and Supplies	5-7
TABLE 5-6	Disparity Analysis of Construction	5-8
TABLE 5-7	Disparity Analysis of Architecture and Engineering	5-9
TABLE 5-8	Disparity Analysis of Professional Services	5-10
TABLE 5-9	Disparity Analysis Other Services	5-11
TABLE 5-10	Disparity Analysis Goods and Supplies	5-12
TABLE 5-11	Estimated Availability and Disparity Summary Chart	5-13
TABLE 6-1	Utilization Analysis of Firms Commercial Construction at the Prime Contractor Level	6-4
TABLE 6-2	Utilization Analysis of Firms Commercial Construction at the Subcontractor Level	6-5
TABLE 6-3	Disparity Analysis of Firms Commercial Construction at the Prime Contractor Level	6-6
TABLE 6-4	Disparity Analysis of Firms Commercial Construction at the Subcontractor Level	6-6
TABLE 6-5	Nexus Analysis of Construction Firms Participating In both City Construction Public and Commercial Projects	6-7
TABLE 6-6	Nexus Analysis of Construction Firms Participating In both City Construction and Private Commercial Projects	6-8
TABLE 6-7	Nexus Analysis of Construction Firms Participating In both City Construction and Private Commercial Projects at the Subcontractor Level	6-8
TABLE 7A	Survey of Vendors Demographics – Race/Ethnicity/Gender	7-6
TABLE 7B	Survey of Vendors Demographics – Primary Line of Business	7-7
TABLE 7C	Survey of Vendors Demographics Primary Line of Business – Construction by Race/Ethnicity/Gender	7-7
TABLE 7D	Survey of Vendors Demographics Primary Line of Business – Professional Services by Race/Ethnicity/Gender	7-8
TABLE 7E	Survey of Vendors Demographics Primary Line of Business – Non-Professional Services by Race/Ethnicity/Gender	7-9
TABLE 7F	Survey of Vendors Demographics Primary Line of Business – Goods and Supplies by Race/Ethnicity/Gender	7-9
TABLE 7-1	Survey of Vendor Demographics Largest Contract Awarded – Prime	7-10
TABLE 7-2	Survey of Vendor Demographics Largest Contract Awarded – Subcontractor	7-12
TABLE 7-3	Utilization in Market Area	7-15
TABLE 7-4	City of Portsmouth Survey Results – Discrimination	7-16

TABLE OF CONTENTS (Continued)

PAGE

TABLE 8-1 Summary of Prime Contractor Utilization by Procurement Type Business Ownership Classification Portsmouth July 1, 2008 through June 30, 2013 8-2

TABLE 8-2 Comparison Of Prime Contractor Utilization by Procurement Type Business Ownership Classification Portsmouth and Hampton 8-3

TABLE 8-3 Portsmouth Proposed Aspirational M/WBE Goals 2015 8-6

TABLE 8-4 Narrowly Tailored M/WBE Program Features 8-7

APPENDICES

APPENDIX A: Subcontractor Utilization Using Commercial Permits

APPENDIX B: Overall Market Area Analysis

APPENDIX C: Overall Utilization Analyses

APPENDIX D: Custom Census Availability

APPENDIX E-1: Custom Census Survey Instrument - Construction

APPENDIX E-2: Custom Census Survey Instrument – Architecture and Engineering

APPENDIX E-3: Custom Census Survey Instrument – Professional Services

APPENDIX F: Survey of Vendors Instrument

APPENDIX G: Survey of Vendors Survey Results

APPENDIX H: Survey of Vendors Regression Analysis

APPENDIX I: Focus Group Survey Instrument Subcontractors

APPENDIX J: Personal Interview Guide

APPENDIX K: Public Use Microdata Sample (PUMS)

APPENDIX L: Selected Practices

EXECUTIVE SUMMARY

CHAPTER SECTIONS

1. Introduction
2. Findings
3. Commendations and Recommendations
4. Conclusions

1. INTRODUCTION

In September 2013, MGT of America, Inc. (MGT), was retained to conduct a Disparity Study for the City of Portsmouth (Portsmouth) to provide current data on Portsmouth programs. In this chapter, MGT provides findings for Portsmouth on minority and women business enterprise (M/WBE) utilization and availability. This study consisted of fact-finding to analyze Portsmouth procurement trends and practices for the period of July 1, 2008 through June 30, 2013; to evaluate the impact of race- and gender-neutral remedial efforts; and to evaluate various options for future program development.

The results of this study and conclusions drawn are presented in detail in **Chapters 3** through **6** of this report. This chapter will summarize the evidence on the central research question: *is there factual predicate evidence to support a race- and gender-conscious M/WBE program for Portsmouth?*

2. FINDINGS

FINDING A: M/WBE PRIME UTILIZATION

The dollar value of M/WBE prime contractor utilization on Portsmouth projects over the period of July 1, 2008 through June 30, 2013 within the relevant market was as follows:

- MBEs received payments on construction prime contracts totaling $458,439, 1.73 percent of the total construction prime contract dollars; WBEs were paid $10,915 in on construction prime contracts, 0.04 percent of the total construction prime contract dollars (**Table ES-1**). There was disparity for African Americans and Nonminority Women.
- MBEs and WBEs received no payments on Architecture and Engineering prime contracts. (**Table ES-1**). There was disparity for Nonminority Women.
- MBEs received payments on professional service prime contracts totaling 364,180, 11.68 percent of the total professional service prime contract dollars; WBEs were paid $1,652 on professional service prime contracts, 0.05 percent of the total professional service prime contract dollars (**Table ES-1**). There was disparity for Nonminority Women.
- MBEs received payments on other services prime contracts totaling $2.38 million, 17.54 percent of the total other services prime contract dollars; WBEs were paid $628,871 on other services prime contracts, 4.62 percent of the total other services prime contract dollars (**Table ES-1**). There was disparity for Asian Americans and Hispanic Americans.

- MBEs received payments on goods and supplies prime contracts totaling $74,990, 0.54 percent of the total goods and supplies prime contract dollars; WBEs were paid $1,852 on goods and supplies contracts, 0.01 percent of the total goods and supplies prime contract dollars (**Table ES-1**). There was disparity for African Americans and Nonminority Women.

TABLE ES-1
SUMMARY OF PRIME CONTRACTOR UTILIZATION
BY PROCUREMENT TYPE
BUSINESS OWNERSHIP CLASSIFICATION
PORTSMOUTH
JULY 1, 2008 THROUGH JUNE 30, 2013

BUSINESS OWNERSHIP CLASSIFICATION	Construction	Architecture and Engineering	Professional Services	Other Services	Goods and Supplies
	($)	($)			
Minority Business	$ 458,439	$ -	$ 364,180	$ 2,385,596	$ 74,990
Nonminority Women	$ 10,915	$ -	$ 1,652	$ 628,871	$ 1,852
Total M/WBE Firms	$ 469,354	$ -	$ 365,832	$ 3,014,467	$ 76,842
	(%)	(%)			
Minority Business	1.73%	0.00%	11.68%	17.54%	0.54%
Nonminority Women	0.05%	0.00%	0.05%	4.62%	0.01%
Total M/WBE Firms	1.77%	0.00%	11.73%	22.16%	0.55%

Source: MGT developed a master database based on dollars awarded and expended by Portsmouth between July 1, 2008, and June 30, 2013.

FINDING B: COMPARISON BETWEEN PERCENT M/WBE UTILIZATION BY THE CITY OF PORTMOUTH AND BY THE CITY OF HAMPTON

Table ES-2 below shows a comparison between percent M/WBE utilization for the City of Hampton and the City of Portsmouth. The top half of **Table ES-2** is the Portsmouth and Hampton M/WBE percentage utilization in Hampton's 2014 disparity study. The bottom half of **Table ES-2** is amount by which Portsmouth M/WBE utilization exceeds (or falls short of) Hampton M/WBE percent utilization. It is worth noting here that the City of Hampton has an M/WBE subcontractor program, but does not have a prime M/WBE program.

MBE percentage prime utilization is substantially higher for Portsmouth in Professional Services and Other Services and roughly the same for the other procurement categories. WBE percentage prime utilization is substantially lower for Portsmouth in Construction, Other Services and Goods, and somewhat lower in Professional Services. Neither Hampton nor Portsmouth were able to achieve M/WBE utilization in Architecture and Engineering.

TABLE ES-2
COMPARISON OF PRIME CONTRACTOR UTILIZATION
BY PROCUREMENT TYPE
BUSINESS OWNERSHIP CLASSIFICATION
PORTSMOUTH AND HAMPTON

BUSINESS OWNERSHIP CLASSIFICATION	Construction	Architecture and Engineering	Professional Services	Other Services	Goods and Supplies
	(%)	(%)	(%)	(%)	(%)
City of Portsmouth					
Minority Business	1.73%	0.00%	11.68%	17.54%	0.54%
Nonminority Women	0.05%	0.00%	0.05%	4.62%	0.01%
Total M/WBE Firms	1.77%	0.00%	11.73%	22.16%	0.55%
City of Hampton					
Minority Business	3.70%	0.00%	4.90%	6.91%	2.35%
Nonminority Women	8.18%	0.00%	2.43%	15.49%	13.03%
Total M/WBE Firms	11.88%	0.00%	7.33%	22.40%	15.38%
Portsmouth % - Hampton %	(%)	(%)	(%)	(%)	(%)
Minority Business	-1.97%	0.00%	6.78%	10.63%	-1.81%
Nonminority Women	-8.13%	0.00%	-2.38%	-10.87%	-13.02%
Total M/WBE Firms	-10.11%	0.00%	4.40%	-0.24%	-14.83%

FINDING C: M/WBE SUBCONTRACTOR UTILIZATION AND DISPARITY

With limited data from building permits there was negligible utilization of M/WBEs as subcontractors on City projects.

FINDING D: PRIVATE SECTOR COMMERCIAL CONSTRUCTION

M/WBE utilization in private sector commercial construction in the Hampton Metropolitan Statistical Area (MSA) was very low, as measured by data from building permits. From January 1, 2008 through December 31, 2012, MBE prime contractors won 0.18 percent of prime permit dollars and WBEs received 1.23 percent of prime permits dollars. MBE subcontractors were issued 0.68 percent of all subcontracting permit dollars and WBEs 0.54 percent of subcontracting permit dollars. This result is consistent with the anecdotal finding of the difficulty of M/WBEs securing construction work in the absence of a remedial program.

FINDING E: ANECDOTAL COMMENTS

Among the M/WBEs who responded to questions about barriers to doing business, the biggest concern for was competing with large firms (34.3 % of M/WBE primes). Other key issues noted by M/WBE respondents included:

Primes:

- Selection process – 15.0 percent.
- Contracts too large – 15.0 percent.
- Specifications – 14.8 percent

Subcontractors:

- Competing with large firms– 18.7 percent.
- Contracts too large – 8.2 percent.

With respect to disparate treatment M/WBE respondents reported:

- An informal network precluded their firms from obtaining work in the private sector – 21.37 percent or 81 respondents.
- Seldom or never being solicited when there were no M/WBE goals – 9.23 percent or 35 respondents.
- Being dropped from a project after being included to satisfy good faith efforts requirements – 10.29 percent or 39 respondents.

3. COMMENDATIONS AND RECOMMENDATIONS

Most of the following commendations and recommendations are based on multiple findings and do not necessarily tie to one finding.

COMMENDATION AND RECOMMENDATION A: SBE PROGRAM

The City should be commended for its Community Business Initiative, which is a step in the direction of an SBE program. SBE programs, including SBE project goals and SBE set-asides, have the advantage that they are generally not subject to constitutional challenge. Combining SBE programs and M/WBE programs has become common across agencies that maintain MBE programs. The City should seriously consider the approach of combining M/WBE and SBE program. Further ideas on SBE programs are discussed in Appendix I, Selected Practices below.

RECOMMENDATION B: SUBCONTRACTOR PROJECT GOALS

In response to the primary research question this study provides evidence to support a Portsmouth M/WBE program containing subcontractor goals. This conclusion is based primarily on statistical disparities in current M/WBE utilization; evidence of discrimination in business formation and revenue earned from self-employment; very low M/WBE utilization in the building permit evidence; credit disparities; and anecdotal evidence of disparate treatment. Portsmouth should tailor its M/WBE participation policy to remedy these disparities. The core theme should

be that prime contractors should document their outreach efforts and the reasons why they may have rejected qualified M/WBEs that were the low-bidding subcontractors.

RECOMMENDATION C: ASPIRATIONAL M/WBE GOALS

Proposed aspirational M/WBE goals are proposed in **Table ES-3** below. These proposed aspirational goals are similar in design to the DBE goal setting process in that the goals are a weighted average of estimated M/WBE availability and utilization.

TABLE ES-3
PORTSMOUTH
PROPOSED ASPIRATIONAL M/WBE GOALS
2015

	MBE	WBE
Prime Contracting		
Construction	6.4%	3.4%
Architecture and Engineering	6.9%	3.8%
Professional Services	14.5%	4.1%
Other Services	17.4%	6.8%
Goods and Supplies	11.9%	8.6%
Subcontracting		
Construction	6.4%	7.7%
Architecture and Engineering	6.9%	9.0%
Professional Services	8.8%	14.1%

Source: MGT developed proposed aspirational M/WBE goals.

4. CONCLUSION

This study provides factual predicate evidence for establishing a Portsmouth M/WBE program. This evidence is based on quantitative and qualitative data from public and private sources. While Portsmouth has made progress in M/WBE inclusion, any future efforts must be narrowly tailored to rectify the issues identified in this report.

CHAPTER 1 | INTRODUCTION

CHAPTER SECTIONS

1. Introduction
2. Study Team
3. Background
4. Overview of Study Approach
5. Report Organization
6. Glossary of Terms

1. INTRODUCTION

MGT of America, Inc. is pleased to submit the **Procurement Disparity Study** to the City of Portsmouth (City). The MGT team who conducted the City's Disparity Study is the most experienced in the country and has the most well-rounded experience and in-depth understanding of the legal, social, economic, and political context in which disparity studies are typically conducted. The experience of our team enables us to navigate the challenges, obstacles, and volatility which can easily derail the most well-planned and executed study. The result is that the City's Procurement Disparity Study delivers on our commitment to provide a study which is accurate, valid, reliable, and legally defensible.

2. STUDY TEAM

The team of experts that dedicated their time, attention, and expertise to this study include:

MGT Project Team

MGT of America, Inc., a Tallahassee-based research and management consulting firm. Since 1990, MGT has conducted disparity and disparity-related studies. Our team included the expertise of:

- Mr. Reggie Smith, Executive-In-Charge.
- Ms. Vernetta Mitchell, Senior Consultant/Project Manager.
- Dr. J. Vincent Eagan, JD, Technical Advisor.
- Ms. Marilyn Wiley, MS, Consultant/Quantitative Analyst.

MGT Subconsultants

- Transformation Consultants, Inc., owned by Ms. Lee Brazzell is a Virginia-based consulting firm that managed and co-facilitated the focus group and public hearing, and conducted the one-on-one business interviews. Ms. Lee Brazzell worked with MGT on the Commonwealth of Virginia's 2009 Disparity Study, and the Portsmouth City Schools 2011 Disparity Study. Transformation Consultants is a certified small and woman-owned business.
- ABW & Associates, Inc., owned by Mr. Bruce Williams assisted with the custom census surveys, public hearing, and focus group activities. ABW & Associates, Inc. is a certified minority-owned business (MBE).
- Oppenheim Research. A Tallahassee-based public opinion polling and research firm that conducted the survey of vendors for the City of Portsmouth. Ms. Anneliese Oppenheim has provided polling and research services for MGT for over eight years to include the surveys for Portsmouth Public Schools. Oppenheim Research is a woman-owned business (WBE).

3. BACKGROUND

In September 2013, the City of Portsmouth (City) contracted with MGT of America, Inc., (MGT) to conduct a Procurement Disparity Study. This study is the City's first disparity study. As with first time studies, there are limitations to data, either nonexistent or difficult to analyze. The objectives of this study were:

- Determine whether the City, either in the past or currently, engages in discriminatory practices in the solicitation and award of contracts in construction, architecture and engineering consulting, professional service consulting, other services, and goods and supplies to minority- and women-owned business enterprises (M/WBEs).
- Determine if a legally justified need exists for the establishment of an M/WBE program in accordance with the guidelines set forth by the Supreme Court and relevant subsequent cases.

4. OVERVIEW OF STUDY APPROACH

MGT followed a carefully designed work plan that allowed study team members to fully analyze availability and utilization with regard to the utilization of M/WBEs in the procurement practices of the City for the study period of Fiscal Years July 1, 2007 through June 30, 2013. The Disparity Study business categories, defined in **Chapter 4, Market Area and Utilization Analyses**, are:

- Construction
- Architecture and Engineering
- Professional Services
- Other Services
- Goods and Supplies

The Disparity Study analyzed contracting opportunities in these business categories in order to identify with particularity whether a

RESEARCH QUESTIONS

These research questions are embedded in relevant chapters throughout this report.

1. Is there factual predicate evidence to support a race- and gender-conscious M/WBE program for the City?
2. How does case law inform the research methodology in a particular region for a particular client?
3. Are there disparities between the availability and utilization of M/WBEs? If there are disparities, what are the most relevant causal factors that contribute directly or indirectly to the disparities between the availability and utilization of M/WBEs?
4. If there is statistical evidence of disparity, what is the cause of the disparity? Is there other evidence that supports and/or explains why there is disparity?
5. Does the City passively engage in practices that result in disparities?
6. Are there statistically significant disparities in the utilization of M/WBEs by prime contractors on projects where there are no M/WBE goals?
7. Is there qualitative/anecdotal evidence of disparate treatment of M/WBE subcontractors by prime contractors?

statistical disparity exists from which the existence of past or present public or private discrimination may be inferred in the relevant market area.

The work plan consisted of, but was not limited to, the following major tasks:

- Establish data parameters and finalize the work plan.
- Conduct a legal review.
- Review policies, procedures, and programs.
- Conduct market area and utilization analysis.
- Determine the availability of qualified firms.
- Analyze the utilization and availability data for disparity.
- Conduct a survey of business owners.
- Collect and analyze anecdotal information.
- Prepare and present draft and final reports for the study.

5. REPORT ORGANIZATION

In addition to this introductory chapter, this report consists of:

CHAPTER 2	Presents the legal framework and an overview of the controlling legal precedents that impact remedial procurement programs with a particular concentration on the Fourth Circuit.
CHAPTER 3	Provides a review of the City's policies, procedures, M/WBE programs, and race- and gender-neutral efforts.
CHAPTER 4	Presents the methodology used to determine the City's relevant market area and statistical analysis of vendor utilization by the City for procurement of contracting, goods, and services activities.
CHAPTER 5	Provides a discussion of the availability of firms and the levels of disparity for vendors as well as a review of the multivariate analysis for the City.
CHAPTER 6	Provides an analysis of the presence of disparity in the private sector and its effect on the ability of firms to win procurement contracts from the City.
CHAPTER 7	Presents an analysis of anecdotal data collected from the survey of business owners, personal interviews, focus group, and public hearing and hearing.
CHAPTER 8	A summary of the findings based upon the analyses presented in previous chapters.
APPENDICES	Additional analyses, documents used to conduct the study, and back up documentation.

MGT recommends reading the report in its entirety to understand the basis for the findings and conclusions presented in **Chapter 8, Findings and Recommendations.**

6. GLOSSARY OF TERMS

Anecdotal	A personal account of incidents through surveys, interviews, public hearings, and focus groups.
Aspirational Goals	A benchmark percentage of spending by an agency with a particular group over a period of time. The aspirational goal is typically an annual goal.
Availability for Anecdotal Activity	A compiled list of firms developed from several different sources including using firms that bid on work, registered vendors, as well as various business lists such as Dun & Bradstreet and the Central Contract Registry. Ultimately this compiled list was used as the foundation in developing the pool of available firms to participate in the anecdotal activities.
Centralized Purchasing	One point within an agency where all purchasing transactions are processes.
Compelling Interest	Factual demonstration by a government agency of strong basis in the evidence of past or present racial discrimination sufficient to justify remedial action.
Central Contractor Registration	Central Contractor Registration (CCR) collects, validates, stores, and disseminates data in support of agency acquisition missions, including Federal agency contract and assistance awards. Both current and potential federal government registrants are required to register in CCR in order to be awarded contracts by the federal government. Registrants are required to complete a one-time registration to provide basic information relevant to procurement and financial transactions. Registrants must update or renew their registration at least once per year to maintain an active status.
Custom Census	Custom census essentially involves using Dun & Bradstreet as a source of business availability. A short survey is conducted on a random sample of firms supplied by Dun & Bradstreet, asking ethnic and gender status, had they bid or considered bidding on projects by the City, had they bid or considered bidding as a prime contractor or subcontractor or both, and had they worked as a prime contractor or subcontractor or both.
Disadvantaged Business Enterprise (DBE)	for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations
Disparity Index	The ratio of percentage business utilization and percentage business availability for a particular demographic group.

Good Faith Efforts	Documented evidence of what activities that occurred to meet established project goals to contract with M/WBE firms.
Lowest Responsible, Responsive Bidder	An entity that provides a price that is lower than its competition however have responded to the needs of the requestor and has not violated statutory requirements for vendor eligibility.
M/WBE	An ethnic minority or nonminority woman, or group there of owning at least 51 percent of the general stock and controlling the day-to-day operations of a business.
Master Vendor Database	A database that maintains firms located in the Portsmouth metropolitan statistical area (MSA) who have conducted business with the City, registered with the City, or bid on City projects,
MBE	An acronym for Minority Business Enterprise. A business owned and operated by a person who is African-American, Asian-American, Hispanic-American, or Native-American.
MSA	Metropolitan Statistical Area. Metropolitan statistical areas are geographic entities defined by the U.S. Office of Management and Budget (OMB) for use by Federal statistical agencies in collecting, tabulating, and publishing Federal statistics. The Portsmouth MSA is defined as Virginia Beach-Norfolk-Newport News, VA-NC.
Post-enactment	Actions or events that take place after law has been changed.
Pre-enactment	Actions or events that take place before or during current law.
Prima Facie	Legally sufficient to establish a fact or a case.
Project Goals	Goals placed on an individual project or contract, as opposed to aspirational goals, placed on overall agency spending.
PUMS	Public Use Microdata Sample (PUMS) contains records for a sample of housing units with information on the characteristics of each unit and each person in it. PUMS files are available from the American Community Survey (ACS) and the Decennial Census.
Regression Analysis	Techniques for modeling and analyzing several variables, when the focus is on the relationship between a dependent variable and one or more independent variables. More specifically, regression analysis helps one to understand how the typical value of the dependent variable changes when any one of the independent variables is varied, while the other independent variables are held fixed. For the purposes of this study, a multivariate regression was used to examine the influence of selected company and

	business characteristics, especially owner race and gender, on gross revenues reported by firms participating in a survey of vendors administered during the study.
Relevant Market	The geographical area where the bulk of the firms are located that transact with the City.
Reverse Discrimination	Unfair acts against a majority group.
SWaM	An acronym for Small, Woman, and Minority owned businesses in the Commonwealth of Virginia.
Set Aside	Contracts and purchases that are reserved for an established type of business that competes against like businesses, i.e., small business.
SBE	An acronym for small business enterprise.
Sole Source	Contracting or purchasing goods or services from one entity.
Statistically Significant	Highly unlikely to be due to random chance alone.
Strict Scrutiny	Highest level of federal judicial review to determine whether certain governmental policies are constitutional.
Survey of Vendors	Telephone/Web-based survey administered to firms listed in the master vendor database to solicit responses from business owners and representatives about their firms and their experiences doing business or attempting to do business with the City.
Utilization	Examines payments made to firms in the Portsmouth market area for each business category. The measures are presented as dollars, a percentage of dollars, as well as the number and percentage of firms utilized by racial, ethnic and gender classification.
WBE	An acronym for Women Business Enterprise. A business owned and operated by a non-minority female.

CHAPTER 2 | LEGAL FRAMEWORK

CHAPTER SECTIONS

1. Introduction
2. Standards of Review for Race-Specific and Gender-Specific Programs
3. To Withstand Strict Scrutiny, an M/WBE Program Must Be Based on Thorough Evidence Showing a Compelling Governmental Interest
4. Sufficiently Strong Evidence of Significant Statistical Disparities Between Qualified Minorities Available and Minorities Utilized Will Satisfy Strict Scrutiny and Justify a Narrowly Tailored M/WBE Program
5. The Governmental Entity or Agency Enacting an M/WBE Program Must Be Shown to Have Actively or Passively Perpetuated the Discrimination
6. Anecdotal Evidence of Discrimination in Disparity Studies
7. To Withstand Strict Scrutiny, an M/WBE Program Must Be Narrowly Tailored to Remedy Identified Discrimination
8. Small Business Procurement Preferences
9. Conclusions

This chapter provides legal background for the study. The focus of the review is on relevant decisions from U.S. Supreme Court and the Fourth Circuit Court of Appeals, which covers the Portsmouth area. This chapter is the standard MGT chapter for the Fourth Circuit on this legal material, reviewed for recent cases. The material that follows does not constitute legal advice to the City of Portsmouth on minority and women business enterprise (M/WBE) programs, affirmative action, or any other matter. Instead, it provides a context for the statistical and anecdotal analysis that appears in subsequent chapters of this report.

This chapter is organized into the following sections:

1. INTRODUCTION

The Supreme Court decisions in *Richmond v. Croson Company* (*Croson*),[1] *Adarand v. Peña* (*Adarand*),[2] and later cases have established and applied the constitutional standards for an affirmative action program. This chapter identifies and discusses those decisions, summarizing how courts evaluate the constitutionality of race-specific and gender-specific programs. Decisions of the Fourth Circuit offer the most directly binding authority; in particular, the recent decision involving the North Carolina Department of Transportation (NCDOT) M/WBE program in *H.B. Rowe v. Tippett*.[3] Where the Fourth Circuit has not directly addressed an issue involving M/WBE programs since the *Croson* decision, this review considers decisions from other circuits.

By way of a preliminary outline, the courts have determined that an affirmative action program involving governmental procurement of goods or services must meet the following standards:

[1] *Richmond v. Croson*, 488 U.S. 469 (1989).
[2] *Adarand v. Peña*, 515 U.S. 200 (1995).
[3] *H.B. Rowe v. Tippett*, 615 F.3d 233 (4th Cir 2010).

- A remedial race-conscious program is subject to strict judicial scrutiny under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.
  - Strict scrutiny has two basic components: a compelling governmental interest in the program and narrow tailoring of the program.
  - To survive the strict scrutiny standard, a remedial race-conscious program must be based on a compelling governmental interest.
    - "Compelling interest" means the government must prove past or present racial discrimination requiring remedial attention.
    - There must be a specific "strong basis in the evidence" for the compelling governmental interest.
    - Statistical evidence is preferred and possibly necessary as a practical matter; anecdotal evidence is permissible and can offer substantial support, but it probably cannot stand on its own.
  - Program(s) designed to address the compelling governmental interest must be narrowly tailored to remedy the identified discrimination.
    - "Narrow tailoring" means the remedy must fit the findings.
    - The evidence showing compelling interest must guide the tailoring very closely.
    - Race-neutral alternatives must be considered first.
    - A lesser standard, intermediate judicial scrutiny, applies to programs that establish gender preferences.
    - To survive the intermediate scrutiny standard, the remedial gender-conscious program must serve important governmental objectives and be substantially related to the achievement of those objectives.
    - The evidence does not need to be as strong and the tailoring does not need to be as specific under the lesser standard.

2. STANDARDS OF REVIEW FOR RACE-SPECIFIC AND GENDER-SPECIFIC PROGRAMS

2.1. Race-Specific Programs: The Croson Decision

Croson established the framework for testing the validity of programs based on racial discrimination. In 1983, the Richmond City Council (Council) adopted a Minority Business Utilization Plan (the Plan) following a public hearing in which seven citizens testified about historical societal discrimination. In adopting the Plan, the Council also relied on a study indicating that "while the general population of Richmond was 50 percent African American, only 0.67

percent of the city's prime construction contracts had been awarded to minority businesses in the five-year period from 1978 to 1983."[4]

The evidence before the Council also established that a variety of state and local contractor associations had little or no minority business membership. The Council relied on statements by a Council member whose opinion was that "the general conduct of the construction industry in this area, the state, and around the nation, is one in which race discrimination and exclusion on the basis of race is widespread."[5] There was, however, no direct evidence of race discrimination on the part of the city in its contracting activities, and no evidence that the city's prime contractors had discriminated against minority-owned subcontractors.[6]

The Plan required the city's prime contractors to subcontract at least 30 percent of the dollar amount of each contract to one or more minority-owned business enterprises (MBEs). The Plan did not establish any geographic limits for eligibility. Therefore, an otherwise qualified MBE from anywhere in the United States could benefit from the 30 percent set-aside.

J.A. Croson Company, a non-MBE mechanical plumbing and heating contractor, filed a lawsuit against the city of Richmond alleging that the Plan was unconstitutional because it violated the Equal Protection Clause of the Fourteenth Amendment. After a considerable record of litigation and appeals, the Fourth Circuit struck down the Richmond Plan and the Supreme Court affirmed this decision.[7] The Supreme Court determined that strict scrutiny was the appropriate standard of judicial review for MBE programs, which means that a race-conscious program must be based on a compelling governmental interest and be narrowly tailored to achieve its objectives. This standard requires a firm evidentiary basis for concluding that the underutilization of minorities is a product of past discrimination.[8]

2.2. Gender-Specific Programs

The Supreme Court has not addressed the specific issue of a gender-based classification in the context of a woman-owned business enterprise (WBE) program. *Croson* was limited to the review of an MBE program. In evaluating gender-based classifications, the Court has used what some call "intermediate scrutiny," a less stringent standard of review than the "strict scrutiny" applied to race-based classifications. Intermediate scrutiny requires that classifying persons on the basis of sex "must carry the burden of showing an exceedingly persuasive justification for the classification."[9]

The Fourth Circuit has ruled that the intermediate scrutiny standard is satisfied by "by showing at least that the classification serves important governmental objectives and that the discriminatory

---

[4] *Croson*. at 479-80.
[5] Id. at 480.
[6] Id.
[7] Id. at 511.
[8] Id. at 493.
[9] *Mississippi University for Women v. Hogan*, 458 U.S. 718, 724 (1982) (quoting *Kirchberg v. Feenstra*, 450 U.S. 455, 461 (1981)); see also *United States v. Virginia*, 518 U. S. 515, 531 (1996), *Nguyen v. U.S.*, 533 U.S. 53, 60 (2001). For an earlier Fourth Circuit application of intermediate scrutiny see Adkins v. Rumsfeld, 464 F.3d 456, 468 (4th Cir. 2006).

means employed are substantially related to the achievement of those objectives."[10] The Fourth Circuit in *H.B. Rowe* agreed with other federal circuits that intermediate scrutiny "can rest safely on something less than the 'strong basis in evidence'."[11] This 'something less' can mean that the state statute in this instance must "present [ ] sufficient probative evidence in support of its stated rationale for enacting a gender preference, i.e., . . . the evidence [must be] sufficient to show that the preference rests on evidence-informed analysis rather than on stereotypical generalizations."[12]

3. TO WITHSTAND STRICT SCRUTINY, AN M/WBE PROGRAM MUST BE BASED ON THOROUGH EVIDENCE SHOWING A COMPELLING GOVERNMENTAL INTEREST

For government contracting programs, courts have yet to find a compelling governmental interest for affirmative action other than remedying discrimination in the relevant marketplace. In other arenas, diversity has served as a compelling governmental interest for affirmative action. For example, the Ninth Circuit upheld race-based admission standards at an experimental elementary school in order to provide a more real world education experience.[13] More recently, in *Petit v. Chicago*, the Seventh Circuit relied on *Grutter v. Bollinger* (*Grutter*) in stating that urban police departments had "an even more compelling need for diversity" than universities and upheld the Chicago program "under the *Grutter* standards."[14] The recent holding that other compelling interests may support affirmative action does not yet appear to have any application to public contracting.[15]

Croson identified two necessary factors for establishing racial discrimination sufficiently to demonstrate a compelling governmental interest in establishing an M/WBE program. First, there needs to be identified discrimination in the relevant market.[16] Second, the governmental actor enacting the M/WBE program must have somehow perpetuated the discrimination to be remedied by the program,[17] either actively or at least passively with "the infusion of tax dollars into a discriminatory industry."[18]

Although the Supreme Court in *Croson* did not specifically define the methodology that should be used to establish the evidentiary basis required by strict scrutiny, the Court did outline governing principles. Lower courts have expanded the Supreme Court's *Croson* guidelines and have applied

---

[10] *Hogan*, 458 U.S. at 724 (internal quotation marks omitted).
[11] H.B. Rowe, at 10 (citing Engineering Contractors at 909).
[12] Id. at 10 (citing Engineering Contractors at 910, Concrete Works at 959).
[13] Hunter v. Regents of University of California, 190 F.3d 1061 (9th Cir. 1999).
[14] *Petit v. Chicago,* 352 F.3d 1111 (7th Cir. 2003).
[15] *Grutter v. Bollinger*, 539 U.S. 306 (2003). For an argument that other bases could serve as a compelling interest in public contracting, see Michael K. Fridkin, "The Permissibility of Non-Remedial Justifications for Racial Preferences in Public Contracting," 24 *N. Ill. U. L. Rev.* 509 (Summer 2004).
[16] *Croson*, 488 U.S. at 492, 509-10.
[17] *Coral Construction v. King County*, 941 F.2d 910, 918 (9th Cir 1991).
[18] Id. at 922.

or distinguished these principles when asked to decide the constitutionality of state, county, and city programs that seek to enhance opportunities for minorities and women.

3.1. Post-Enactment Evidence

The Supreme Court in *Croson* found pre-enactment evidence of discrimination insufficient to justify the program. The defendant in *Croson* did not seek to defend its program based on post-enactment evidence. However, following *Croson,* a number of circuits did defend the use of post-enactment evidence to support the establishment of a local public sector affirmative action program.[19] Some cases required both pre-enactment and post-enactment evidence.[20]

The Supreme Court case of *Shaw v. Hunt*[21] (*Shaw*) raised anew the issue of post-enactment evidence in defending local public sector affirmative action programs. *Shaw* involved the use of racial factors in drawing voting districts in North Carolina. In *Shaw*, the Supreme Court rejected the use of reports providing evidence of discrimination in North Carolina because the reports were not developed before the voting districts were designed. Thus, the critical issue was whether the legislative body believed that discrimination had existed before the districts were drafted.[22] Following the *Shaw* decision, two district courts rejected the use of post-enactment evidence in the evaluation of the constitutionality of local minority business programs.[23] A federal circuit court decision, covering the federal small disadvantaged business enterprise program, stated that, "For evidence to be relevant in a strict scrutiny analysis of the constitutionality of a statute, it must be proven to have been before Congress prior to enactment of the racial classification."[24] The issue of post-enactment evidence was not directly addressed in *H.B. Rowe*, although the NCDOT M/WBE program was upheld based on studies conducted after the program was enacted.

3.2. Racial Classifications Subject to Strict Scrutiny

In *Scott v. Jackson*, the city argued that its disadvantaged business program was not a racial classification subject to strict scrutiny because (1) it was based upon disadvantage, not race, and (2) it was a goals program and not a quota. The Fifth Circuit disagreed with the claim that the Jackson program was not a racial classification because the city used the federal Section 8(d), which grants a rebuttable presumption of social and economic disadvantage to firms owned by minorities.[25] Such a presumption is subject to strict scrutiny. The Fifth Circuit also noted that strict scrutiny applied not simply when race-conscious measures were required, but also when such measures were authorized or encouraged.[26] While this issue was not directly addressed in *H.B. Rowe*, the Fourth Circuit did state in an earlier case that with regard to a claim that an employment affirmative action program was not a racial quota, "In the end, appellees cannot escape the reality

---

[19] See, e.g., *Engineering Contractors v. Dade County*, 122 F.3d 895 (11th Cir. 1997); *Contractors Association v. Philadelphia*, 6 F.3d 990, 1009 n. 18 (3rd Cir. 1993); *Concrete Works v. Denver*, 36 F.3d 1513 (10th Cir. 1994).
[20] See, e.g., *Coral Construction,* 941 F.2d 910, 920.
[21] *Shaw v. Hunt*, 517 U.S. 899 (1996).
[22] Id. at 910.
[23] *AUC v. Baltimore,* 83 F.Supp.2d 613, 620-22 (D.Md. 2000); *West Tenn. ABC v. Memphis City Schools*, 64 F.Supp.2d 714, 718-21 (W.D. Tenn. 1999).
[24] *Rothe v. U.S. Dept. of Defense*, 413 F.3d 1327, 1328 (Fed Cir 2005).
[25] *Scott v. City of Jackson*, 199 F.3d 206, 216-17 (5th 1999).
[26] Id.at 215 (quoting *Bras v. California Public Utilities Commission,* 59 F.3d 869, 875 (9th Cir. 1995)).

that these preferences will deny some persons the opportunity to be a state trooper or to advance as a state trooper solely because they belong to a certain race."[27]

4. SUFFICIENTLY STRONG EVIDENCE OF SIGNIFICANT STATISTICAL DISPARITIES BETWEEN QUALIFIED MINORITIES AVAILABLE AND MINORITIES UTILIZED WILL SATISFY STRICT SCRUTINY AND JUSTIFY A NARROWLY TAILORED M/WBE PROGRAM

The Supreme Court in *Croson* stated that "where gross statistical disparities can be shown, they alone in a proper case may constitute *prima facie* proof of a pattern or practice of discrimination."[28] But the statistics must go well beyond comparing the rate of minority presence in the general population to the rate of prime construction contracts awarded to MBEs. The Court in *Croson* objected to such a comparison, indicating that the proper statistical evaluation would compare the percentage of qualified MBEs in the relevant market with the percentage of total municipal construction dollars awarded to them.[29]

The Supreme Court in *Croson* recognized statistical measures of disparity that compared the number of qualified and available M/WBEs with the rate of state construction dollars actually awarded to M/WBEs in order to demonstrate discrimination in a local construction industry.[30] To meet this more precise requirement, courts, including the Fourth Circuit, have accepted the use of a disparity index.[31]

4.1. Determining Availability

To perform proper disparity analysis, the government must determine "availability"—the number of qualified minority contractors willing and able to perform a particular service for the state and local government. In *Croson*, the Court stated, "Where there is a significant statistical disparity between the number of qualified minority contractors willing and able to perform a particular service and the number of such contractors actually engaged by the locality or the locality's prime contractors, an inference of discriminatory exclusion could arise."[32]

An accurate determination of availability also permits the government to meet the requirement that it "determine the precise scope of the injury it seeks to remedy" by its program.[33] Following *Croson*'s statements on availability, lower courts have considered how legislative bodies may determine the precise scope of the injury sought to be remedied by an MBE program.

---

[27] *Maryland Troopers Assn v. Evans*, 993 F.2d 1072, 1078 (4th Cir 1993).
[28] *Croson*, 488 U.S. at 501, quoting *Hazelwood School Division v. United States*, 433 U.S. 299, 307-308 (1977).
[29] Id. at 501.
[30] *Croson*, 488 U.S. at 503-504.
[31] *H.B. Rowe*, at 244. See also, *Engineering Contractors*, 122 F.3d at 914; *Concrete Works IV*, 321 F.3d at 964-69.
[32] *Croson*, 488 U.S. at 509 (emphasis added).
[33] Id., 488 U.S. at 498.

Nevertheless, the federal courts have not provided clear guidance on the best data sources or techniques for measuring M/WBE availability.

Different forms of data used to measure availability give rise to particular controversies. In *H.B. Rowe* subcontractor availability was estimated using NCDOT-approved subcontractors, subcontractor awardees and prime contractors. The plaintiff's expert argued in the case that subcontractor bidder data should be employed to estimate subcontractor availability rather than a vendor based approach. The Fourth Circuit in *H.B. Rowe* noted that the available subcontractor bidder data did not change the results of the vendor data.[34]

4.2. Relevant Market Area

Another issue in availability analysis is the definition of the relevant market area. Specifically, the question is whether the relevant market area should be defined as the area from which a specific percentage of purchases are made, the area in which a specific percentage of willing and able contractors may be located, or the area determined by a fixed geopolitical boundary.

The Supreme Court has not yet established how the relevant market area should be defined, and the relevant market was not directly addressed in *H.B. Rowe*. However, the study in Rowe defined the relevant market as the area in which 75 percent of the dollars was spent by the agency with vendors in a particular procurement category.

4.3. Firm Qualifications

Another availability consideration is whether M/WBE firms are qualified to perform the required services. In *Croson*, the Supreme Court noted that although gross statistical disparities may demonstrate prima facie proof of discrimination, "when special qualifications are required to fill particular jobs, comparisons to the general population (rather than to the smaller group of individuals who possess the necessary qualifications) may have little probative value."[35] The Court, however, did not define the test for determining whether a firm is qualified. In H.B. Rowe, the plaintiff's expert argued that prime contractor assessment of subcontractor qualifications should be used to assess M/WBE subcontractor qualification. But the Fourth Circuit noted that there was no data on prime contractor assessment of subcontractor qualifications.[36]

4.4. Willingness

Croson requires that an "available" firm must be not only qualified but also willing to provide the required services. In this context, it can be difficult to determine whether a business is willing. The decision in *H.B. Rowe* did not directly address measures of willingness, but implicitly accepted the vendor based measures of availability presented in the NCDOT as a measure of willingness.

---

[34] *H.B. Rowe*, at 246. In *Concrete Works,* in the context of plaintiffs' complaint that the city of Denver had not used such information, the Tenth Circuit noted that bid information also has its limits. Firms that bid may not be qualified or able, and firms that do not bid may be qualified and able, to undertake agency contracts. *Concrete Works II*, 36 F.3d at 89-90; *Concrete Works IV*, 321 F.3d at 983-84.

[35] *Croson*, 488 U.S. at 501, quoting *Hazelwood School District v. United States*, 433 U.S. 299, 308, n.13 (1977).

[36] *H.B. Rowe*, at 246.

4.5. Ability

Another availability consideration is whether the firms being considered are able to perform a particular service. Those who challenge affirmative action often question whether M/WBE firms have the "capacity" to perform particular services. In *Rowe* the court noted that capacity does not have the same force for subcontracts which are relatively small. NCDOT study provided evidence that more than 90 percent of subcontracts were less than $500,000.[37] In addition, the study for NCDOT contained a regression analysis indicating that "African American ownership had a significant negative impact on firm revenue unrelated to firm capacity or experience."[38]

4.6. Disparity Index

In the *Rowe* decision the plaintiff noted that there was not substantial disparity when the percentage of subcontractors utilized (as opposed to the percent of dollars awarded) was compared to their availability. However, the Fourth Circuit noted that "the State pointed to evidence that prime contractors used minority businesses for low value work in order to comply with the Department's goals."[39] Along these lines the Fourth Circuit noted that the average subcontract awarded to nonminority male subcontractors was more than double the size of subcontracts won by MBE subcontractors.[40]

4.7. Statistical Significance in Disparity Studies

While courts have indicated that anecdotal evidence may suffice without statistical evidence, no case without statistical evidence has been given serious consideration by any circuit court. In practical effect, courts require statistical evidence. Further, the statistical evidence needs to be held to appropriate professional standards.[41] In *H.B. Rowe* the court noted that the NCDOT study focused on disparity ratios lower than 80 percent and conducted t- tests of statistical significance.

4.8. Non-Goal Evidence

Another question that has arisen in the case law is whether evidence of a decline in M/WBE utilization following a change in or termination of an M/WBE program is relevant and persuasive evidence of discrimination. The Fourth Circuit in *H.B. Rowe* found that a 38 percent decline in M/WBE utilization following the suspension of the program "surely provides a basis for a fact finder to infer that discrimination played some role in prime contractors' reduced utilization of these groups during the suspension."[42] Similarly, the Eighth Circuit in *Sherbrooke Turf Inc. v. Minnesota Department of Transportation* and the Tenth Circuit in *Concrete Works IV* found that such a decline in M/WBE utilization was evidence that prime contractors were not willing to use M/WBEs in the absence of legal requirements.[43]

---

[37] Id. at 247.
[38] Id. at 261.
[39] Id. at 247.
[40] Id. at 245.
[41] *Contractors Association*, 91 F.3d at 599-601.
[42] *H.B.Rowe*, at 248.
[43] *Concrete Works* at 985; *Sherbrooke Turf*, 345 F.3d 964, 973 (8th Cir 2003).

5. THE GOVERNMENTAL ENTITY OR AGENCY ENACTING AN M/WBE PROGRAM MUST BE SHOWN TO HAVE ACTIVELY OR PASSIVELY PERPETUATED THE DISCRIMINATION

In *Croson*, the Supreme Court stated, "It is beyond dispute that any public entity, state or federal, has a compelling interest in assuring that *public* dollars, drawn from the tax contributions of all citizens, do not serve to finance the evil of *private* prejudice."[44] *Croson* provided that the government "can use its spending powers to remedy private discrimination, if it identifies that discrimination with the particularity required by the Fourteenth Amendment."[45] The government agency's active or passive participation in discriminatory practices in the marketplace may show the compelling interest. Defining passive participation, *Croson* stated, "Thus, if the city could show that it had essentially become a "passive participant" in a system of racial exclusion practiced by elements of the local construction industry, we think it clear that the city could take affirmative steps to dismantle such a system."[46]

In the *H.B. Rowe* case WBEs were over-utilized on NCDOT projects, but evidence was presented of very low M/WBE utilization in private sector commercial construction and econometric evidence of disparities in entry into and earnings from self-employment in construction in the Public Use Micro Sample data. The Fourth Circuit criticized the evidence offered by NCDOT for not having a t-test of statistical significance, for not showing that WBEs sought private sector work, and for less anecdotal evidence of private sector discrimination against WBEs than was shown for minorities. The Fourth Circuit contrasted affidavits produced in the *Concrete Works* case of firms testifying they sought private sector work and could not obtain it. The court also stated that NCDOT didn't establish the overlap between private sector and public sector work in transportation although the court acknowledged that some of the subcontracting was the same in both sectors. There is negligible private sector highway construction. The econometric evidence of self-employment was not addressed. The Fourth Circuit did acknowledge that,

> *We do not suggest that the proponent of a gender-conscious program must always tie private discrimination to public action...Rather, we simply hold where, as here, there exists substantial probative evidence of overutilization in the relevant public sector, a state must present something more than generalized private-sector data unsupported by compelling anecdotal evidence to justify a gender-conscious program.*[47]

---

[44] *Coral Construction*, 941 F.2d at 922 (citing *Croson*, 488 U.S. at 492) (emphasis added).
[45] See *Croson*; see generally I. Ayres and F. Vars, "When Does Private Discrimination Justify Public Affirmative Action?" 98 *Columbia Law Review* 1577 (1998).
[46] *Croson*, 488 U.S. at 492.
[47] *H.B. Rowe*, at 255.

6. ANECDOTAL EVIDENCE OF DISCRIMINATION IN DISPARITY STUDIES

Most disparity studies present anecdotal evidence along with statistical data. The Supreme Court in *Croson* discussed the relevance of anecdotal evidence and explained, "Evidence of a pattern of individual discriminatory acts can, if supported by appropriate statistical proof, lend support to a local government's determination that broader remedial relief is justified."[48] Although *Croson* did not expressly consider the form or level of specificity required for anecdotal evidence, the Fourth Circuit has addressed both issues.

In *H.B. Rowe* there was evidence from a telephone survey, interviews and focus groups. The Fourth Circuit favorably cited survey evidence of a "good old boys" network excluding MBEs from work, double standards in qualifications, primes viewing MBEs as less qualified, dropping MBEs after contract award and the firms changing their behavior when not required to use MBEs. This material was affirmed in interviews and focus groups. The Fourth Circuit also seemed to give some weight to the differences in responses between ethnic/gender groups regarding the aforementioned barriers. The Fourth Circuit concluded that, "The survey in the 2004 study exposed an informal, racially exclusive network that systematically disadvantaged minority subcontractors."[49]

The plaintiff argued that this data was not verified. To which the Fourth Circuit responded, "a fact finder could very well conclude that anecdotal evidence need not—and indeed cannot—be verified because it "is nothing more than a witness' narrative of an incident told from the witness' perspective and including the witness' perceptions."[50] The Fourth Circuit also commented favorably on the NCDOT study survey oversampling MBEs as long as the sample was random. The Fourth Circuit did state, citing precedent in *Maryland Troopers*, that it was problematic to infer "discrimination from reports of cronyism absent evidence of racial animus."[51]

7. TO WITHSTAND STRICT SCRUTINY, AN M/WBE PROGRAM MUST BE NARROWLY TAILORED TO REMEDY IDENTIFIED DISCRIMINATION

The discussion of compelling interest in the court cases has been extensive, but narrow tailoring may be the more critical issue. Many courts have held that even if a compelling interest for the M/WBE program can be found, the program has not been narrowly tailored.[52] The Fourth Circuit has laid out the following factors in determining whether or not a program was narrowly tailored:

> *(1) the necessity of the policy and the efficacy of alternative race neutral policies; (2) the planned duration of the policy; (3) the relationship between the numerical*

---

[48] *Croson*, 488 U.S. at 509.
[49] *H.B. Rowe*, at 251.
[50] *H.B. Rowe*, at 249 (quoting *Concrete Works*, 321 F.3d at 989).
[51] *H.B. Rowe* at 251 (citing Maryland Troopers).
[52] *Contractors Association*, 91 F.3d at 605; *Engineering Contractors*, 122 F.3d at 926-929; *Verdi v. DeKalb County School District*, 135 Fed. Appx 262, 2005 WL 38942 (11th Cir. 2005).

goal and the percentage of minority group members in the relevant population; (4) the flexibility of the policy, including the provision of waivers if the goal cannot be met; and (5) the burden of the policy on innocent third parties.[53]

In *H.B. Rowe* the Fourth Circuit added to this list "overinclusiveness," defined as the "tendency to benefit particular minority groups that have not been shown to have suffered invidious discrimination."[54]

7.1. Race-Neutral Alternatives

Concerning race-neutral alternatives, the Supreme Court in *Croson* concluded that a governmental entity must demonstrate that it has evaluated the use of race-neutral means to increase minority business participation in contracting or purchasing activities. In *H.B. Rowe* the Fourth Circuit noted that NCDOT had a Small Business Enterprise program and had undertaken all the race neutral methods suggested by the DOT DBE program regulations. The Court went on to note that the plaintiff had identified "no viable race-neutral alternatives that North Carolina has *failed* to consider and adopt"[55] (emphasis in the original). The Court further noted that disparities persisted in spite of NCDOT employment of these race-neutral initiatives.

7.2. Duration of the Remedy

With respect to program duration, in *Adarand v. Peña*, the Supreme Court wrote that a program should be "appropriately limited such that it will not last longer than the discriminatory effects it is designed to eliminate."[56] In *H.B. Rowe* the Fourth Circuit stated that "the district court found two facts particularly compelling in establishing that it was narrowly tailored: the statute's provisions (1) setting a specific expiration date and (2) requiring a new disparity study every 5 years."... We agree."[57] Other appellate courts have noted possible mechanisms for limiting program duration: required termination if goals have been met[58] and decertification of MBEs who achieve certain levels of success, or mandatory review of MBE certification at regular, relatively brief periods.[59]

7.3. Relationship of Goals to Availability

Narrow tailoring under the *Croson* standard requires that remedial goals be in line with measured availability. Merely setting percentages without a carefully selected basis in statistical studies, as

---

[53] *H.B. Rowe* at 252 (quoting *Belk v. Charlotte-Mecklenburg Bd. of Educ.*, 269 F.3d 305, 344 (4th Cir. 2001))

[54] *H.B.Rowe*, at 252 (quoting *Alexander*, 95 F.3d at 316).
[55] *H.B.Rowe* at 252.
[56] *Adarand*, 515 U.S. at 238 (internal quotations and citations omitted).
[57] *H.B. Rowe*, at 253 (quoting *H.B. Rowe, Inc.*, 589 F. Supp. 2d at 597).
[58] *Sherbrooke*, 354 F.3d at 972.
[59] *Adarand v. Slater*, 228 F.3d at 1179, 1180.

the city of Richmond did in *Croson* itself, has played a strong part in decisions finding other programs unconstitutional.[60]

In *H.B. Rowe* the Fourth Circuit found that NCDOT participation goals were related to percentage MBE availability. First, the NCDOT goals were set project by project. Second, there was a report detailing the type of work likely to be subcontracted. Third, the NCDOT goal setting committee checks it database for availability. Finally, Fourth Circuit noted that 10 percent of the NCDOT projects had a zero M/WBE goal.

7.4. Flexibility

In *H.B. Rowe* the Fourth Circuit agreed with the ruling of the federal district court in the case that the NCDOT M/WBE program was flexible, stated that,

> *The Program contemplates a waiver of project-specific goals when prime contractors make good faith efforts to meet those goals...Good faith efforts essentially require only that the prime contractor solicit and consider bids from minorities. The State does not require or expect the prime contractor to accept any bid from an unqualified bidder, or any bid that is not the lowest bid. Moreover, prime contractors can bank any excess minority participation for use against future goals over the following two years. Given the lenient standard and flexibility of the "good faith" requirement, it comes as little surprise that as of July 2003, only 13 of 878 good faith submissions-including Rowe's-had failed to demonstrate good faith efforts.*

In contrast, the Third Circuit observed in *Contractors Association* that, "As we have explained, the 15 percent participation goal and the system of presumptions, which in practice require non-black contractors to meet the goal on virtually every contract, result in a 15 percent set-aside for black contractors in the subcontracting market."[61]

The Fourth Circuit also noted that,

> *The State does not require or expect the prime contractor to accept any bid from an unqualified bidder, or any bid that is not the lowest bid. Moreover, prime contractors can bank any excess minority participation for use against future goals over the following two years.*[62]

It is worth observing that these features of the NCDOT program are more narrowly tailored than the federal DBE program for federally funded transportation projects.[63]

---

[60] *Contractors Association*, 91 F.3d at 607 ("The district court also found ... that the ... Ordinance offered only one reference point for the percentages selected for the various set-asides -- the percentages of minorities and women in the general population."). See also *Builders Association of Greater Chicago*, 256 F.3d at 647.

[61] Contractors Association, 91 F.3d at 606.

[62] *H.B. Rowe*, at 253.

[63] Compare federal regulation 49 CFR Part 26 Appendix A(2) with North Carolina regulation 19NCAC 02d.1109(7).

7.5. Burden on Third Parties

Narrow tailoring also requires minimizing the burden of the program on third parties. Waivers and good faith compliance are tools that serve this purpose of reducing the burden on third parties.[64] The plaintiff in *H.B. Rowe* argued that the solicitation requirements were burdensome and that it was forced to subcontract out work that could be self-performed. The Fourth Circuit noted that the solicitation requirements could be met with existing staff and the M/WBE program did not require subcontracting out work that could be self-performed.[65]

7.6. Over-inclusion

Finally, narrow tailoring involves limiting the number and type of beneficiaries of the program. As noted above, there has to be evidence of discrimination to justify a group-based remedy, and over-inclusion of uninjured individuals or groups can endanger the entire program. However, the statute in question limited relief to "those racial or ethnicity classifications . . . that have been subjected to discrimination in the relevant marketplace and that have been adversely affected in their ability to obtain contracts with the Department."[66]

8. SMALL BUSINESS PROCUREMENT PREFERENCES

Small business procurement preferences have existed since the 1940s. The first small business program had its origins in the Smaller War Plants Corporation (SWPC), established during World War II.[67] The SWPC was created to channel war contracts to small business. In 1947, Congress passed the Armed Forces Procurement Act, declaring, "It is the policy of Congress that a fair proportion of the purchases and contracts under this chapter be placed with small business concerns."[68] Continuing this policy, the 1958 Small Business Act requires that government agencies award a "fair proportion" of procurement contracts to small business concerns.[69] The regulations are designed to implement this general policy.[70]

Section 8(b)(11) of the Small Business Act authorizes the Small Business Administration (SBA) to set aside contracts for placement with small business concerns. The SBA has the power:

> *...to make studies and recommendations to the appropriate Federal agencies to insure that a fair proportion of the total purchases and contracts for property and services for the Government be placed with small-business enterprises, to insure that a fair proportion of Government contracts for research and development be placed with small-business concerns, to insure that a fair proportion of the total sales of Government property be made to small-business concerns, and to insure*

---

64 49 CFR, Section 26, Part 53.
[65] *H.B. Rowe*, at 254.
[66] N.C. Gen. Stat. § 136-28.4(c)(2).
[67] See, generally, Thomas J. Hasty III, "Minority Business Enterprise Development and the Small Business Administration's 8(a) Program: Past, Present, and (Is There a) Future?" *Military Law Review* 145 (Summer 1994): 1-112.
[68] 10 U.S.C. § 2301 (1976).
[69] 15 USC 631(a).
[70] See 32 C.F.R. §§ 1-701.1 to 1-707.7.

> *a fair and equitable share of materials, supplies, and equipment to small-business concerns.*[71]

Every acquisition of goods and services anticipated to be between $2,500 and $100,000 is set aside exclusively for small business unless the contracting officer has a reasonable expectation of fewer than two bids by small businesses.[72]

There has been only one constitutional challenge to the long-standing federal SBE programs. In *J.H. Rutter Rex Manufacturing v. United States*,[73] a federal vendor unsuccessfully challenged the Army's small business set-aside as in violation of the due process clause of the Fifth Amendment to the U.S. Constitution, as well as the Administrative Procedures Act and the Armed Forces Procurement Act.[74] The court held that classifying businesses as small was not a "suspect classification" subject to strict scrutiny. Instead, the court ruled:

> *Since no fundamental rights are implicated, we need only determine whether the contested socioeconomic legislation rationally relates to a legitimate governmental purpose . . . Our previous discussion adequately demonstrates that the procurement statutes and the regulations promulgated there under are rationally related to the sound legislative purpose of promoting small businesses in order to contribute to the security and economic health of this Nation.*[75]

A large number of state and local governments have maintained small business preference programs for many years.[76] No district court cases were found overturning a state and local small business preference program. There are no reported cases of litigation against local SBE programs. The legal foundations that have typically sued M/WBE programs have actually promoted SBE procurement preference programs as a race-neutral substitute for M/WBE programs.

There has been one state court case in which an SBE program was struck down as unconstitutional. The Cincinnati SBE program called for maximum practical M/WBE participation and required bidders to use good faith effort requirements to contract with M/WBEs up to government-specified M/WBE availability. Failure to satisfy good faith effort requirements triggered an investigation of efforts to provide opportunities for M/WBE subcontractors. In *Cleveland Construction v. Cincinnati*,[77] the state court ruled that the Cincinnati SBE program had race and gender preferences and had deprived the plaintiff of constitutionally protected property

---

71 15 U.S.C. § 637(b)(11).

[72] Federal Acquisition Regulations 19.502-2.

[73] 706 F.2d 702 (5th Cir. 1983), cert. denied, 464 U.S. 1008 (1983).

[74] Administrative Procedures Act, 5 U.S.C. §§ 552(a)(1)(E) (1976) and the "fair proportion" language of the Armed Forces Procurement Act, 10 U.S.C. § 2301 et seq. (1976), and the Small Business Act, 15 U.S.C. § 631 et seq. (1976).

[75] *J. H. Rutter Rex Manufacturing*, at 706 F.2d at 730 (emphasis added). See also *Dandridge v. Williams*, 397 U.S. 471 (1970).

[76] For example, Florida started a small business preference program in 1985 (FL St Sec. 287); Minnesota, in 1979 (Mn Stat 137.31); New Jersey, in 1993 (N.J.S.A 52:32-17).

[77] *Cleveland Construction v. Cincinnati*, Case No. A0402638 (Ct Comm Pleas, Hamilton County, Ohio 2005).

interest without due process of law. The city acknowledged that it had not offered evidence to satisfy strict scrutiny because it felt that it had been operating a race-neutral program.

9. CONCLUSIONS

As summarized earlier, when governments develop and implement a contracting program that is sensitive to race and gender, they must understand the case law that has developed in the federal courts. These cases establish specific requirements that must be addressed so that such programs can withstand judicial review for constitutionality and prove to be just and fair. Given current trends in the application of the law, local governments must engage in specific fact-finding processes to compile a thorough, accurate, and specific evidentiary foundation to determine whether there is, in fact, discrimination sufficient to justify an affirmative action plan. Further, state and local governments must continue to update this information and revise their programs accordingly.

While the Supreme Court has yet to return to this exact area of law to sort out some of the conflicts, the Fourth Circuit has recently provided some guidance on core standards. Ultimately, MBE and WBE programs can withstand challenges if state and local governments comply with the requirements outlined by the courts.

CHAPTER 3 | REVIEW OF POLICIES, PROCEDURES, AND PROGRAMS

CHAPTER SECTIONS

1. Methodology
2. Historical Background
3. Community Business Initiative
4. Community and Economic Development Projects
5. M/WBE Certification
6. Department of Economic Development
7. Nondiscrimination in Contracting
8. Financial Assistance Programs
9. Bonding
10. Management and Technical Assistance (M&TA)
11. Other Business Development Assistance Programs
12. Outreach
13. Conclusions

Chapter 3 focuses on policies and procedures used by the City of Portsmouth (City), to purchase goods and services. The City has enacted a set of municipal ordinances (Portsmouth City Code) to regulate its purchasing practices as required by the Virginia Public Procurement Act. It provides a brief description of the procurement and contracting environment in which small, women and minority business enterprises (SWaMs) operate. This background is relevant for the data analysis and for the report recommendations. Finally, it provides a brief description of the remedial efforts undertaken by the City with regard to procurement in the categories of construction, Professional Services, Other Services, and Goods and Supplies.

Our review of policies and procedures is presented in 13 sections. Section 1 describes the methodology used to conduct the review of contracting policies, procedures, and programs. Sections 2 through 12 cover programs to assist SWaMs.

1. METHODOLOGY

This section discusses the steps taken to summarize the City's policies, procedures, and programs; race- and gender-based programs; and race- and gender-neutral programs. Our review focused on elements of the purchasing process, including remedial programs that might affect SWaM utilization. The analysis included the following steps:

- Collection, review, and summarization of City contracting and purchasing policies currently in use. Discussions with managers about the changes that contracting and purchasing policies underwent during the study period and their effects on the remedial programs.
- Development of questionnaires administered to key City contracting and purchasing staff and officials to determine how existing contracting and purchasing policies have been implemented. Interviews were conducted with City management and staff regarding the application of policies, discretionary use of policies, exceptions to written policies and procedures, and impact of policies on key users.
- Review of applicable City ordinances, regulations, resolutions, and policies that guide the remedial programs. This included discussing with both City personnel and program participants the operations, policies, and procedures of the remedial programs and any remedial policy changes over time.

Finally, MGT collected and reviewed copies of previous studies of minority business development conducted in the geographic region and performed a review of race- and gender-neutral programs.

In all, MGT conducted five interviews with current City staff and local agencies during September of 2013 and April 2014. For this portion of the study, City documents collected and reviewed are itemized in **Table 3-1**. The documents selected are ones with the most relevance to the topics in this review.

TABLE 3-1
DOCUMENTS REVIEWED DURING POLICY AND PROCEDURE REVIEW

Index	Description
	Procurement Materials
1.	Code of Virginia, § 2.2-4336
2.	Code of Virginia, § 2.2-4352
3.	Portsmouth City ordinance, § 12-187. Prompt payment by city; notice of defects; late payment charges.
4.	Portsmouth City ordinance, § 12-213. Prequalification of bidders or offerors.
5.	Portsmouth City ordinance, § 12-220. Same—Small purchases.
6.	Portsmouth City ordinance, § 12-245. Bonds generally—Construction contracts.
7.	Portsmouth City ordinance, § 12-253. Tiebids
8.	City of Portsmouth Fiscal Year 2014 Adopted Budget
	SBE/SWaM Materials
9.	City of Portsmouth Department of Economic Development, Community Business Initiative, 2012
10.	Portsmouth City ordinance, § 12-176. Program to facilitate participation in procurement transactions by small businesses and businesses owned by women and minorities
11.	Portsmouth City ordinance, § 12-178. City not to discriminate in soliciting invitations to bid and requests for proposals or awarding contracts.
12.	Portsmouth City ordinance, § 12-179. Nondiscrimination provisions required in certain contracts.
13.	Code of Virginia, § 2.2-4310.
14.	Virginia Administrative Code 7VAC10-21-20.
15.	City of Hampton, *MBE Insight*, May 2013
16.	City of Hampton, *MBE Insight*, May 2014

2. HISTORICAL BACKGROUND

The City of Portsmouth does not currently have a SWaM program in place. As such, the City does not report its spending with SWaM firms or certify SWaM firms. The Portsmouth ordinances, however, do provide for a program to promote utilization of SWaM firms:

> *The purchasing administrator shall establish a program consistent with this article to facilitate the participation of small businesses and businesses owned by women and minorities in procurement transactions. Such program shall be in writing and may include cooperation with the commonwealth, the United States of America,*

> *and other public and private agencies. Such program shall also include procedures for soliciting contracts from a list of businesses provided by the office of minority business enterprise.*[1]

This City Code provision has been in place since 1973 and has a basis in Commonwealth Statutes.[2] The City did implement SWaM goals with stimulus funds as required under the American Recovery and Reinvestment Act (ARRA). The City has also implemented required Disadvantaged Business Enterprise (DBE) goals on Virginia Department of Transportation (DOT) funded projects, although there is also no City DBE program at the present time. There is no City local small business program; however, there is a local vendor preference in the event of a tie bid.[3]

3. COMMUNITY BUSINESS INITIATIVE

The City has started developing policy for a Community Business Initiative (CBI), which is similar to a SWaM program. The stated vision of this policy is as follows:

> *The Department of Economic Development envisions that through the Community Business Initiative a targeted demographic of business entities will be attracted, retained, and grow within the boundaries of the City of Portsmouth.*[4]

The objectives of the CBI are to:

- Engage with and support the existing Community Businesses in the City.
- Attract firms that exhibit the potential to thrive within the City's business landscape.
- Eliminate any barriers Community Businesses may encounter in securing local government contracts.
- Encourage Community Businesses to partner together to pursue all government procurement opportunities.
- Ensure the City's position at the forefront of emerging issues affecting Community Businesses.[5]

The short-term goal of the CBI is to "educate the public on the Community Business Initiative through deliberate community outreach measures and to further develop the Department's internal database of Community Businesses." To promote this goal the CBI proposed an annual calendar of workshops, seminars, and events focused on the CBI.

---

[1] Portsmouth City ordinance, § 12-176. Program to facilitate participation in procurement transactions by small businesses and businesses owned by women and minorities. .
[2] Code of Virginia, § 2.2-4310B.
[3] Portsmouth City ordinance, § 12-253. Tie bids.
[4] City of Portsmouth Department of Economic Development, Community Business Initiative, 2012, page 3.
[5] City of Portsmouth Department of Economic Development, Community Business Initiative, 2012, page 16.

The CBI has also proposed:

- Establishing an online, searchable, public database of Community Businesses;
- Placing notices of current and upcoming City RFP/bid opportunities in the weekly Department of Economic Development E-Newsletter;
- Placing a Business Resource for small businesses on the City website; and
- Expanding the City vendor list to include more SWaM certified firms.

The long-term CBI goals include:

- Partnering with other City departments, particularly Department of Finance-Purchasing Division, and with other regional players;
- Developing a regional consortium;
- Setting CBI percentage goals;
- Devoting staff resources to the CBI; and
- Setting outcome measures.

The CBI developed the following action plan to implement the CBI goals (**Table 3-2**).

TABLE 3-2
CITY OF PORTSMOUTH
COMMUNITY BUSINESS INITIATIVE ACTION PLAN
2012-2013

Item	Status
2012	
Research best practices	Complete
Identify opportunities within current SWaM program	Complete
Develop link to City's procurement web site	Complete
Review, update and revise current database of Community Businesses	Complete
Develop schedule of workshops and seminars of interest to Community Businesses	Complete
2013	
Add resource guides to Economic Development page	Complete
Create business attraction plan	Pending
Request DMBE to add City of Portsmouth to procurement opportunities page	Complete
Promote current and forthcoming RFPs and bids	Complete
Determine how City will track Community Business participation	Pending
Create and post How to Do Business with the City	Complete
Determine if and how Community Businesses can distinguish themselves in the procurement process	Pending
Determine if and how Community Businesses can play a role in the procurement process	Pending
Create initial public database of Community Businesses	Pending
Research possibility of Regional Consortium	Pending

Source: City of Portsmouth, Community Business Initiative, Appendix 1.

As part of the CBI, the City reviewed other local government SWaM practices including programs from Hampton, Chesapeake, Baltimore, Detroit, Greensboro, Savannah, Virginia Beach, Fairfax County, Richmond, Cleveland, Pittsburgh, Charlotte and Norfolk. These cities were selected based on either being in the Hampton Roads area, and/or being comparable cities.

4. COMMUNITY AND ECONOMIC DEVELOPMENT PROJECTS

The City's CBI plan provides for an incentive policy for SWaMs, service-disabled veterans, and DBE firms that are not eligible for other economic incentive programs. The City Incentive Zone program is a tool used to attract and assist community-based businesses. The CBI plan describes the prospective CBI incentive policy as follows:

> *For businesses that are certified as Small, Woman-Owned, or Minority-Owned by the Virginia Department of Minority Business Enterprise; has obtained Service Disabled Veteran-owned status from the Virginia Department of Veteran Services; or is Federally certified as a Disadvantaged Business Enterprise, and is not eligible under any of the other City of Portsmouth Economic Development incentive categories or criteria;*
>
> *For every five hundred dollars ($500.00) in incentive funds will yield at least one (1) new "full-time equivalent" employment opportunity.*[6]

The Incentive Zone program, markets to all potential businesses, and includes the following government programs:

1. Virginia Enterprise Zone
2. Historic Rehabilitation Tax Credits
3. Foreign Trade Zone Program
4. HUBZone Program (for Federal government contractors)
5. Virginia Jobs Investment Program (VJIP) – Small Business New Jobs Program

There are number of other local, state and federal tax incentives for business development in Portsmouth.[7]

5. M/WBE CERTIFICATION

The City does have a vendor list, but does not certify SWaMs. City ordinances do provide for prequalification, but prequalification is restricted in accordance with the provisions of the

[6] City of Portsmouth, Community Business Initiative, page 10.
[7] http://www.portsmouthvaed.com/business_ctr_zones.html.

ordinance.[8] However, in its CBI plan the City defines the four businesses making up the Community Business profile as:

1. Small Business – a business that is at least 51 percent independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens, and together with affiliates, has 250 or fewer employees, or average annual gross receipts of $10 million or less averaged over the previous three years. One or more of the individual owners shall control both the management and daily business operations of the small business.
2. Women-owned Business – a business that is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest is owned by one or more women who are citizens of the United States or legal resident aliens, and both the management and daily business operations are controlled by one or more women.
3. Minority-owned Business – a business that is at least 51 percent owned by one or more minority individuals who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest is owned by one or more minority individuals who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more minority individuals.
4. Military Service Veteran-owned Business – a business that is at least 51 percent owned by one or more military service veterans who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest is owned by one or more military service veterans who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more military service veterans.[9]

It has been the preferred policy for local government agencies to use the Commonwealth's SWAM program. The other government agencies with an established M/WBE program are the City of Hampton, which uses the Commonwealth of Virginia's directory as the starting point for Hampton's list of certified firms and Portsmouth Public Schools. The Commonwealth Department of Minority Business Enterprise (DMBE) has been responsible for SWaM certification since 2004. DMBE has a policy of purging its certification database of outdated and duplicate files, which adds to the credibility of the DMBE certification base as a source of current SWaM vendors. DMBE has

[8] Portsmouth City ordinance, § 12-213. Prequalification of bidders or offerors. Code of Virginia, § 2.2-4317.
[9] City of Portsmouth, Department of Economic Development, Community Business Initiative, November 2012, pages 5-6.

merged with the Virginia Department of Business Assistance to form the Department of Small Business and Supplier Diversity.[10]

The Commonwealth of Virginia Code defines "minority individual" as:

An individual who is a citizen of the United States or a legal resident alien and who satisfies one or more of the following definitions:

1. "African American" means a person having origins in any of the original peoples of Africa and who is regarded as such by the community of which this person claims to be a part.
2. "Asian American" means a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including but not limited to Japan, China, Vietnam, Samoa, Laos, Cambodia, Taiwan, Northern Mariana, the Philippines, a U.S. territory of the Pacific, India, Pakistan, Bangladesh, or Sri Lanka and who is regarded as such by the community of which this person claims to be a part.
3. "Hispanic American" means a person having origins in any of the Spanish-speaking peoples of Mexico, South or Central America, or the Caribbean Islands or other Spanish or Portuguese cultures and who is regarded as such by the community of which this person claims to be a part.
4. "Native American" means a person having origins in any of the original peoples of North America and who is regarded as such by the community of which this person claims to be a part or who is recognized by a tribal organization.[11]

The Commonwealth of Virginia defines "minority-and women-owned business" and "small business" as follows:

- "Minority-owned business" means a business that is at least 51 percent owned by one or more minority individuals who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more minority individuals who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more minority individuals.
- "Women-owned business" means a business that is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest is owned by one or more women who are U.S.

---

[10] This merger is required by Section 104 Item D of Chapter 806 of the Acts of the Virginia General Assembly. For further discussion see the report on the merger at:
http://leg2.state.va.us/dls/h&sdocs.nsf/By+Year/RD2722013/$file/RD272.pdf.

[11] VA Code § 2.2-4310(E). Virginia Administrative Code 7VAC10-21-20.

citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more women.

- "Small business" means a business, independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens, and together with affiliates, has 250 or fewer employees, or annual gross receipts of $10 million or less averaged over the previous three years. One or more of the individual owners shall control both the management and daily business operations of the small business.[12]

In November 2014, there were 69 MBEs, 32 WBEs and 101 SBEs in the Commonwealth's SWaM directory located in the ZIP codes that make up the city of Portsmouth's MSA are shown in **Table 3-3**. [13] This compares with 216 SWaMs in the SWaM database in August 2013 located in the City of Hampton. [14]

TABLE 3-3
SMALL, MINORITY, AND WOMEN BUSINESS ENTERPRISES
IN COMMONWEALTH SWAM DIRECTORY
LOCATED IN CITY OF PORTSMOUTH
2014

Business Classification	Number
Minority Business Enterprises	69
Women Business Enterprises	32
Small Business Enterprises	152
Small Minority Business Enterprises	69
Small Women Business Enterprise	31
Minority Women Business Enterprise	101

Source: Commonwealth SWaM Directory.

The number of certified SWaM firms in the city of Portsmouth in construction and construction related services are shown in **Table 3-4**. The largest category of SWaM construction firms in 2014 in the city of Portsmouth was in NIGP codes 910 and 912, Building Maintenance and Repair Services.

[12] VA Code § 2.2-4310(E).
[13] http://www.dmbe.virginia.gov/cgi-bin/search.cgi. These numbers result from using ZIP codes 23701, 23702, 23703, 23704, 23705, 23707, 23708, 23709 to define the city of Portsmouth.
[14] Hampton reported 484 SWaM firms in the Hampton Small Business Directory in May 2014, up from 405 in May 2013. City of Hampton, *MBE Insight*, May 2013 and May 2014 issues.

TABLE 3-4
SMALL, MINORITY, AND WOMEN BUSINESS ENTERPRISES
IN CONSTRUCTION RELATED SERVICES
IN COMMONWEALTH SWAM DIRECTORY
LOCATED IN CITY OF PORTSMOUTH
2014

NIGP Business Category	MBEs	WBEs	SBEs
909 Building Construction Services	8	2	15
910, 912 Building Maintenance and Repair Services	21	3	30
913 Construction Services, Heavy	1	1	5
914 Construction Services, New	5	14	2
906 A/E Services	2	1	4

Source: Commonwealth SWaM Directory[15]

There were 654 MBEs and 730 WBEs located in the Hampton Roads (Norfolk-Virginia Beach) MSA in the federal SAM system in 2013 (formerly Central Contract Registry).[16] Of these firms, there were 109 MBEs and 74 WBEs in construction. Ten of these MWBE construction firms in SAM had aggregate bonding capacity of at least $1,000,000.[17]

6. DEPARTMENT OF ECONOMIC DEVELOPMENT

The City does currently not have a SWaM office. The Department of Economic Development currently manages the CBI. The stated mission of the Department of Economic Development "is to foster an environment that creates a superior quality of life for its corporate citizens and residents by being receptive and responsive to the changing landscape of the diverse local community and global economy."[18] In the FY 2014 City budget, the Department of Economic Development has six positions and a budget of $885,291.[19] The Department of Economic Development (five positions) is part of the Community & Economic Development government function. The Community & Economic Development division also includes the departments of Planning, Permits and Inspections, Neighborhood Advancement, and Willet Hall. The division had 49 positions and a budget of $7,665,943 in FY14.[20]

---

[15] http://www.dmbe.virginia.gov/cgi-bin/search.cgi
[16] The Virginia Beach-Norfolk-Newport News, VA-NC MSA comprises the counties of Gloucester, Isle of Wight, James City, Mathews, Surry, and York, VA, Currituck and Gates, NC, and includes the following cities: Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg.
[17] CCR has migrated to SAM (System of Award Management), but SAM does not permit the same kind of data search as CCR.
[18] City of Portsmouth Department of Economic Development, Community Business Initiative, 2012, page 3.
[19] City of Portsmouth Fiscal Year 2014 Adopted Budget, pages 12-2, 5.
[20] City of Portsmouth Fiscal Year 2014 Adopted Budget, pages 12-2, 3.

7. NONDISCRIMINATION IN CONTRACTING

The City ordinances contain rules on nondiscrimination in contracting. These rules follow the Commonwealth statutes, providing that, "In the solicitation or awarding of contracts, the city shall not discriminate because of race, religion, faith-based organization, color, sex, national origin, age, disability, or any other basis prohibited by state law." [21]

8. FINANCIAL ASSISTANCE PROGRAMS

Prompt Payment

Prompt payment is usually an important financial issue to SWaM firms. Virginia law requires local government to make prompt payments to its vendors. The required payment date is either: (i) the due date under the contract; or (ii) if the date is not established in the contract, not more than 45 days after goods or services are received or not more than 45 days after the invoice is rendered, whichever is later. Unless otherwise specified by the contract, every local government that pays late must pay finance charges up to one percent per month. Contractors are required to pay subcontractors within seven days of payment from the local government. Prime contractors who are late are also required to pay a 1 percent interest charge per month.[22]

Portsmouth ordinances also have a prompt payment component, which provide that.

> (a) The city shall promptly pay for the completed delivered goods or services by the required payment date. The required payment date shall be either:
>
> > (1) The date on which payment is due under the terms of the contract for the provision of such goods or services; or
> >
> > (2) If such date is not established by contract, not more than 45 days after goods or services are received or not more than 45 days after the invoice is rendered, whichever is later. Separate payment dates may be specified for contracts under which goods or services are provided in a series of partial executions or deliveries to the extent that the contract provides for separate payment for partial execution or delivery.[23]
>
> (b) Within 20 days after receipt of the invoice for goods or services, the city shall notify the business concern of any defect or impropriety, which would prevent payment by the payment date.

---

[21] Portsmouth City ordinance, § 12-178. City not to discriminate in soliciting invitations to bid and requests for proposals or awarding contracts. Code of Virginia, § 2.2-4310. These rules are in addition to non-discrimination in employment provisions contained in Portsmouth City ordinance, § 12-179. Nondiscrimination provisions required in certain contracts.

[22] Code of Virginia, § 2.2-4352.

[23] Portsmouth City ordinance, § 12-187. Prompt payment by city; notice of defects; late payment charges.

(c) Unless otherwise provided under the terms of the contract for the provision of goods or services, if the city fails to pay by the payment date there shall be assessed any finance charges assessed by the business concern; provided, however, that such finance charge shall not exceed one percent per month.

(d) The provisions of this section shall not apply to the late payment provisions in any public utility tariffs or public utility negotiated contracts.

Vendor experience with prompt payment by the City and City prime contractors is discussed in **Chapter 7** on the survey of vendor.

Loan Programs

Small business loan programs in the Hampton Roads area include:

U.S. Small Business Administration (SBA). The U.S. Small Business Administration (SBA) maintains the 504 Loan Program, the 7A Loan Guarantee Program, the SBA's Community Advantage program and the SBA's Pre-qualification program. The 504 Program is for the acquisition of fixed assets only, such as real estate and equipment. Small Business Administration 504 loans range from $250,000 to $1,500,000. The 7A Guaranty Program provides lines of credit or term loans for most business purposes. The SBA's 7A loans range from $50,000 to $2,000,000. The Community Advantage Program targets low and moderate-income neighborhoods. This program provides an 85 percent guarantee for loans of less than $150,000 and a 75 percent guarantee for loans ranging from $150,000 to $250,000. The SBDC PreQual Program assists firms with obtaining SBA loan guarantees. This program is for SWaMs, veterans, and rural businesses. The loan funds can be used for working capital, debt payment, equipment and inventory purchases, construction, and real estate purchases.

Providing Access to Capital for Entrepreneurs (PACE) Program. The Virginia DMBE has sponsored the PACE program since 2000. The Virginia Small Business Financing Authority has administered PACE on behalf of the DMBE since FY 2006. The PACE Program provides credit enhancements to participating banks through loan guarantees and loan portfolio insurance.

Virginia Capital Access Program (VCAP) encourages small businesses lending through loan loss reserve accounts. Loan enrollment premiums fund the program with a premium match by the Virginia Small Business Financing Authority.

Minority Economic Development through Assisted Lending (MEDAL) of Norfolk Virginia provides business training, technical assistance, micro-loans ($5,000-$25,000) and follow-up counseling. The average loan size has been $5,000-$10,000. The program started in 1996.

9. BONDING

The Commonwealth of Virginia Public Procurement Act requires bonds on projects in excess of $500,000.[24] The bonding requirement in City ordinance is as follows:

> *Except in cases of emergency, all bids or proposals for construction contracts in excess of $100,000.00, shall be accompanied by a bid bond from a surety company selected by the bidder which is legally authorized to do business in the state as a guarantee that if the contract is awarded to such bidder, that bidder will enter into the contract for the work specified in the bid. The amount of the bid bond shall not exceed five percent of the amount of the bid. Bid bonds may be required for construction contracts of $100,000.00 or less in the discretion of the purchasing administrator.*[25]

The City does not maintain a bonding assistance program. There are no local bonding assistance programs in the Portsmouth area.

10. MANAGEMENT AND TECHNICAL ASSISTANCE (M&TA)

The City has participated in and collaborated with some business development organizations in the Portsmouth area. Specific examples of the Department's more significant efforts are listed below:

1. Host City for the Virginia Black Expo– a convention for African-American businesses that provided opportunities for networking, solicitation of business, job search, awards, and business- training.
2. Veteran's Procurement and Match Making Conference – a seminar event held in partnership with the SBA provides training and networking opportunities to local veterans. The conference provided information on contracting with local government agencies and prime contractors.
3. Lunch and Learn Series –workshops conducted in conjunction with MetLife Insurance focusing on topics such as Financial Strategies, Financial Independence (For Women), Lifetime Income, and The Road to Retirement.
4. Updating the Department's "Small Businesses Are Big in Portsmouth" brochure.

11. OTHER BUSINESS DEVELOPMENT ASSISTANCE PROGRAMS

A number of business organizations and local centers also support business development in the Portsmouth metropolitan area.

---

[24] *Code of Virginia*, § 2.2-4336. The bonding threshold for transportation-related projects is $350,000.
[25] Portsmouth City ordinance, § 12-245. Bid bonds generally—Construction contracts. Code of Virginia, § 2.2-4336.

Small Business Development Centers (SBDC). The Hampton Roads SBDC is part of the statewide SBDC network. The Hampton Roads SBDC is supported by the Hampton Roads Chamber of Commerce, Thomas Nelson Community College, Eastern Shore Chamber of Commerce, Franklin-Southampton Area Chamber of Commerce, Greater Williamsburg Chamber of Tourism Alliance, the Isle of Wight-Smithfield-Windsor Chamber of Commerce and the City of Hampton. There are nine SBDCs in the Hampton Roads area, including Norfolk, Virginia.

SBDCs provide free one-on-one consulting by trained staff. SBDCs assist firms with:

- Business planning assistance, including NxLevel courses.[26]
- Business information assistance, including research, access to databases and lectures.
- Management skill counseling.
- Networking assistance.
- Assistance with access to capital through conventional and SBA guaranteed loans and equity investment.
- Financial analysis and modeling.
- Marketing assistance and analysis.

Department of Small Business and Supplier Diversity. The newly merged department is projected to have a business development field staff. The DMBE business development position in the Hampton Roads area is currently vacant.

Hampton University Small Business Incubator (HUSBI). HUSBI is currently a partnership between Hampton University, the Hampton Community Development Corporation (HCDC) and the City of Hampton. The incubator has 4,200 SF, with ten offices and conference and training rooms. The mixed-use incubator facility has targeted businesses across a variety of industries with a specific focus on small business owners particularly women, minority, veteran and disadvantaged businesses who are initially starting or expanding their home base business. The incubator provides professional office space and shared use of office equipment, conference and training rooms in a structured learning environment. The Incubator services include leadership forums, lunch & learn series, one-on-one mentoring, and graduation for businesses. HUSBI has developed relationships with other organizations within the community, including the Urban League, the Hispanic Chamber of Commerce and the U.S. Small Business Administration.

Procurement Technical Assistance Center (PTAC). The national Procurement Technical Assistance Center (PTAC) was started in 1985 to provide technical assistance to businesses selling to the U.S. Department of Defense (DOD). Since then, the services of PTAC have expanded and there is a

[26] Next Level (NxLevel) is an entrepreneurial training program supported by the Virginia SBDC Network. The U.S. Small Business Administration (SBA) and a variety of local business and academic organizations (and at one time the DBA) sponsor the SBDC Network NxLevel. The courses are for start-ups and existing businesses.

PTAC serving the Hampton Roads area. The Hampton Roads PTAC, located at Old Dominion University in Norfolk, provides the following services:

- Technical Consulting/One-on-One Counseling
- Marketing and Market Research
- Bid Matching Service
- Electronic Commerce/Electronic Data Interchange
- Small Business Tracking System
- Educational Seminars
- Small Business Promotion
- Resource/Reference Library
- List of Product and Service Codes (FSC/G and PSC)
- Identifying Your SIC Code(s)
- Identifying Your FSC Code(s)
- Identifying Your NAICS Code(s)

SCORE. A national organization with Hampton Roads offices in Norfolk and Virginia Beach, provides workshops, online training and mentoring for business.

12. OUTREACH

The City's outreach efforts have included:

- Maintaining the City Web site, which includes information on upcoming procurement opportunities.
- Initiating pre-bid conferences.
- Holding workshops on how to do business with the City.
- Supporting DBE/SWaM outreach sessions
- CBI quarterly newsletter
- Enterprise Zone workshops.
- Procurement workshop series
- Seminars on the Affordable Care Act, Cyber security, Human Resources, amongst other topics.

13. CONCLUSIONS

The City does not presently have a SWaM program. There are a number of tax incentives for business development in Portsmouth. The City has started the process of developing a Community Business Initiative, which is similar to a SWaM program. Ideally, the CBI will be reviewed in light of the quantitative and qualitative results, as well as recommendations, of this study.

CHAPTER 4 | MARKET AREA AND UTILIZATION ANALYSES

CHAPTER SECTIONS

1. Introduction
2. Methodology
3. Procurement Categories
4. Market Area
5. City of Portsmouth Utilization Analyses
6. Summary

1. INTRODUCTION

Chapter 4 presents the results of the market area and utilization analyses for the study period of July 1, 2008 through June 30, 2013 for construction, architecture and engineering, professional services, other services, and goods and supplies. The utilization analysis evaluates the percentage of the prime dollars spent with minority and women business enterprises (M/WBE) during the study period compared to non-M/WBEs. Non-M/WBE firms are defined as firms where the race/ethnicity/gender could not be identified or firms owned by nonminority males. The utilization analysis also assessed the effectiveness of initiatives in promoting the inclusion of M/WBEs in its procurement activities. The effectiveness of the program initiatives is included in **Chapter 8, Findings and Recommendations**.

2. METHODOLOGY

MGT's methodology used for conducting the market area and utilization analyses was tightly constrained and guided by relevant court cases and rulings. As data became available to conduct our analyses, MGT reexamined our methodology in order to ensure it complies with court rulings. From the start of this study, MGT worked with the City to determine what utilization, vendor, bidder, subcontractor, certification, etc. data was available. If data was not readily available, we had to determine what methods could be employed to collect data relevant to the study. During the assessment of available data, it was discovered that the City did not maintain subcontractor data; therefore a sufficient amount of data for subcontractor analysis was not available. MGT performed an analysis on area subcontractor utilization using private sector data which is presented in **Chapter 6, Private Sector Analysis** and a detailed analysis in **Appendix A – Subcontractor Analysis of Building Permits**. Most importantly, the methodology was developed in a manner that will answer our basic research questions presented in **Chapter 1, Introduction**. The utilization analysis lays the foundation to answer one of our research questions: *Are there disparities between the availability and utilization of M/WBEs? If there are disparities, what are the most relevant casual factors that contribute directly or indirectly to the disparities between the availability and utilization of M/WBEs?*

Collection and Management of Data

To determine the most appropriate data for our study and to identify data sources, MGT interviewed key City staff knowledgeable of contracting, procurement, and data management processes. The interviews were used to assess the format and availability of payment, vendor, and subcontractor data. MGT worked with the City staff to extract utilization and vendor data from the City's financial and vendor management systems. The City provided utilization data for primes via purchase orders for all procurement categories.

With the data received from the City, MGT developed two databases: a *Master Payments Database*, and *Master Vendor Database* for the City. The Master Payment Database for the City consisted of prime contract payments in all procurement categories between July 1, 2008 and June 30, 2013 (FY09- FY13). The Master Vendor Database consisted of vendor information such as business name, contact name, firm address, city, state, zip, phone, fax, type of service(s) maintained by the City for businesses that have worked with or interested in working with the City.

Each database was "cleaned" by updating missing variables such as address, race/ethnicity/gender, procurement category, and identifying records that should be excluded from the analyses. **Figure 4-A** gives examples of those records excluded. Once excluded records were identified, MGT used various source data to update missing variables not provided by the City in each database.

FIGURE 4-A
EXAMPLES OF RECORDS EXCLUDED

- Duplicate records
- Contracts out of the study period
- Purchase orders awarded to nonprofits and government entities
- Inter-fund transfers
- Utility and tax payments
- Firms with missing information
- Employee Reimbursements
- Travel, conference fees

M/WBE Classifications

The descriptions of business categories and minority- and woman-owned business enterprise classifications are also presented in this section. In this study, businesses classified as M/WBEs are firms at least 51 percent owned and controlled by members of one of five groups: African Americans, Hispanic Americans, Asian Americans, Native Americans, and nonminority women. These groups were defined according to the United States (U.S.) Census Bureau as follows:

- **African Americans**: U.S. citizens or lawfully admitted permanent residents having an origin in any of the black racial groups of Africa.
- **Hispanic Americans**: U.S. citizens or lawfully admitted permanent residents of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese cultures or origins regardless of race.
- **Asian Americans**: U.S. citizens or lawfully admitted permanent residents who originate from the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.
- **Native Americans**: U.S. citizens or lawfully admitted permanent residents who originate from any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

- **Nonminority Women:** U.S. citizens or lawfully admitted permanent residents who are non-Hispanic white women. Minority women were included in their respective minority category.

The M/WBE determinations in this report were based on classifications in the City-provided data (such as vendor data, Small, Women, and Minority (SWAM) certified directory, and payment data). As mentioned, MGT conducted additional research to determine the proper business owner classification. If unclear or unknown, the business owner classification was cross referenced with additional vendor lists (Central Contractor Registry, registered SWAM vendors, survey data, a national M/WBE database). City staff also conducted a thorough review of the business owner classifications of firms and where appropriate, these classifications were reclassified by the City staff in order to better represent the proper business owner classification. Firms identified in the source data as nonminority males and firms for which there was no indication of M/WBE classification were identified as non-M/WBE firms in the analyses conducted for this study.

3. PROCUREMENT CATEGORIES

The utilization analysis was disaggregated into the five procurement categories of construction, architecture and engineering, professional services, other services, and goods and supplies. To identify the appropriate category that purchase order payments were grouped in, MGT assigned each transaction into one of the procurement categories using the purchase order description. The City then verified the assigned categories then made any updates where appropriate. Procurement categories are defined by the City as follows:

Construction

- General building contractors engaged primarily in the construction of commercial buildings.
- Light maintenance construction services such as carpentry work; electrical work; installation of carpeting; air-conditioning repair, maintenance, and installation; plumbing; and renovation.
- Other related services such as water-lining and maintenance, asbestos abatement, drainage, dredging, grading, hauling, landscaping (for large construction projects such as boulevards and highways), paving, roofing, and toxic waste clean-up.

Architecture and Engineering

- State-licensed architect.
- Professional engineer.
- Firm owned by parties with such designations.

Professional Services

- Financial services.
- Legal services.

- Medical services.
- Educational services.
- Other professional services.

Other Services

- Janitorial and maintenance services.
- Uniformed guard services.
- Computer services.
- Certain job shop services.
- Graphics, photographic services.
- Landscaping.
- Other nontechnical or unlicensed services.

Goods and Supplies

- Office goods.
- Miscellaneous building materials.
- Books.
- Equipment.
- Vehicles.
- Computer equipment.

4. MARKET AREA

The primary sources for determining the market area included purchase orders awarded in each procurement category, and the primary location of the firms that received purchase orders. We used internal databases, such as the MGT *Master ZIP Code Database 2012*, to match zip codes to vendor location in order to assign county boundaries. The first step was to total the dollars awarded in each county according to procurement category. The counties were listed according to the number of firms awarded contract dollars, and then by the dollar amounts awarded. For this study the relevant market area is comprised of the City's Metropolitan Statistical Area which consists of counties in the Virginia Beach-Norfolk-Newport News, VA-NC area. The data used to determine the overall and relevant market areas for the City's procurement business categories were as follows:

- Number of individual firms.
- Percentage of total firms.
- Number of purchase order awarded.
- Percentage of total purchase orders awarded.

- Payments made.
- Percentage of total dollars.

A United States county is the geographical unit of measure selected for determining market area. The use of counties as a geographical area are based on the following considerations: 1) the courts have accepted counties as a standard geographical unit of analysis in conducting equal employment opportunity and disparity analysis; 2) county boundaries are externally determined and thus free from any researcher bias that might result from any arbitrary determinations of geographical units of analysis; and 3) the U.S. Census and other federal and state data are routinely collected and reported by county. For this study, the following locations were included in the market area for analyses:

- Chesapeake City, VA
- Hampton City, VA
- Newport News City, VA
- Norfolk City, VA
- Poquoson City, VA
- Portsmouth City, VA
- Suffolk City, VA
- Virginia Beach City, VA
- Williamsburg City, VA
- Gloucester County, VA
- Isle of Wight County, VA
- James City County, VA
- Mathews County, VA
- Surry County, VA
- York County, VA
- Currituck County, NC
- Gates County, NC

Market Area Analyses

The tables that follow provide the number of purchase orders in each procurement category, dollars spent and the cumulative percentage of dollars spent inside and outside of the relevant market area. **Tables 4-1** through **4-5** illustrate the distribution of prime dollars spent with firms inside and outside of the market area for each procurement category. The detailed market area analyses are provided in **Appendix B – Overall Market Area Analyses**.

Table 4-1 shows that 97 percent of the overall $27.2 million spent, or $26.5 million, in construction was with prime contractors located inside the City's market area, and two percent outside the market area. The City made 1,515 payments to prime construction contractors within the market area.

TABLE 4-1
CITY OF PORTSMOUTH
CONSTRUCTION
MARKET AREA

Location of Firms	Number of Prime Payments	Payment Dollars	Percent of Payment Dollars
Construction			
Inside Market Area	1,515	$26,526,657	97%
Outside Market Area	38	$739,153	3%
TOTAL CONSTRUCTION	**1,553**	**$27,265,810**	**100%**

Source: MGT developed a Master Payments Database based on the City's purchase order data paid between July 1, 2008 and June 30, 2013.

Table 4-2 shows that $961 thousand was spent with firms located within the City's market area accounting for 92 percent of architecture and engineering payment dollars. Outside of the market area, eight percent of the dollars were expended.

TABLE 4-2
CITY OF PORTSMOUTH
ARCHITECTURE AND ENGINEERING
MARKET AREA

Location of Firms	Number of Prime Payments	Payment Dollars	Percent of Payment Dollars
Architecture and Engineering			
Inside Market Area	73	$961,199	92%
Outside Market Area	15	$82,307	8%
TOTAL ARCHITECTURE AND ENGINEERING	**88**	**$1,043,506**	**100%**

Source: MGT developed a Master Purchase Order Database based on the City's purchase order data paid between July 1, 2008 and June 30, 2013.

Total dollars expended during the study period for professional services equaled $10.4 million dollars. **Table 4-3** illustrates that 70 percent of those dollars were spent with firms outside of the market area. The total dollars paid within the market area was $3.1 million and was less than the payments made outside the market area, representing 30 percent of the overall dollars.

TABLE 4-3
CITY OF PORTSMOUTH
PROFESSIONAL SERVICES
MARKET AREA

Location of Firms	Number of Prime Payments	Payment Dollars	Percent of Payment Dollars
Professional Services			
Inside Market Area	2511	$3,118,721	30%
Outside Market Area	374	$7,337,459	70%
TOTAL PROFESSIONAL SERVICES	**2,885**	**$10,456,180**	**100%**

Source: MGT developed a Master Payment Database based on the City's purchase order data paid between July 1, 2008 and June 30, 2013.

The City made 10,358 payments to other services to firms inside of the market area. As shown in **Table 4-4**, sixty-five percent ($13.6 million) of payment dollars were paid to firms inside the market area, and 35 percent paid to firms outside of the market area.

TABLE 4-4
CITY OF PORTSMOUTH
OTHER SERVICES
MARKET AREA

Location of Firms	Number of Prime Payments	Payment Dollars	Percent of Payment Dollars
Other Services			
Inside Market Area	7,821	$13,606,073	65%
Outside Market Area	2,537	$7,447,078	35%
TOTAL OTHER SERVICES	**10,358**	**$21,053,151**	**100%**

Source: MGT developed a Master Payments Database based on the City's purchase order data paid between July 1, 2008 and June 30, 2013.

Table 4-5 illustrates that 55 percent, or $14.3 million of goods and supplies payment dollars went to vendors inside the market area. The City spent $11.9 million outside of the market area with goods and supplies vendors.

TABLE 4-5
CITY OF PORTSMOUTH
GOODS AND SUPPLIES
MARKET AREA

Location of Firms	Number of Prime Payments	Payment Dollars	Percent of Payment Dollars
Goods and Supplies			
Inside Market Area	22,804	$14,326,048	55%
Outside Market Area	9,809	$11,941,239	45%
TOTAL GOODS AND SUPPLIES	**32,613**	**$26,267,287**	**100%**

Source: MGT developed a Master Payment Database based on the City's purchase order data paid between July 1, 2008 and June 30, 2013.

5. CITY OF PORTSMOUTH UTILIZATION

MGT conducted the utilization analyses using purchase order data of firms located in the City's MSA or relevant market area. The analyses contain all payments for construction, architecture and engineering, professional services, other services, and goods and supplies during FY09 through FY13. **Appendix C – Overall Utilization Analyses** provides the utilization of M/WBEs, inside and outside of the market area, and by each procurement category.

Table 4-6 presents construction expenditures during the study period. The City spent $26.5 million with firms in the market for construction. M/WBE firms received $469 thousand or 1.77 percent for the total dollars paid. Nonminority women-owned firms received approximately $11 thousand (0.04%), and African American-owned firms received $458 thousand (1.73%). Non-M/WBE firms received 98.23 percent of the dollars spent on construction.

TABLE 4-6
CITY OF PORTSMOUTH
CONSTRUCTION
UTILIZATION ANALYSIS

BUSINESS OWNERSHIP CLASSIFICATION	FY2009		FY2010		FY2011		FY2012		FY2013		Total	
	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
W/MBE												
African American	$201,208	0.00%	$33,217	0.00%	$46,940	0.00%	$9,033	0.00%	$168,040	3.65%	$458,439	1.73%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Hispanic American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Nonminority Women	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$10,915	0.24%	$10,915	0.04%
Total M/WBE Firms	**$201,208**	**0.00%**	**$33,217**	**0.00%**	**$46,940**	**0.00%**	**$9,033**	**0.00%**	**$178,955**	**3.89%**	**$469,354**	**1.77%**
Non-M/WBE Firms	$7,352,667	97.34%	$3,230,561	98.98%	$6,797,034	99.31%	$4,254,192	99.79%	$4,422,865	96.11%	$26,057,318	98.23%
Total	**$7,553,875**	**100.00%**	**$3,263,778**	**100.00%**	**$6,843,974**	**100.00%**	**$4,263,225**	**100.00%**	**$4,601,820**	**100.00%**	**$26,526,672**	**100.00%**

Source: MGT developed a Master Payments Database based on payments made by the City between July 1, 2008, and June 30, 2013.

*The classification of M/WBE includes all minority vendors regardless of certification status.

There were no payments made to M/WBE architecture and engineering consultants during the study period as illustrated in **Table 4-7**. As a result, non-M/WBE owned firms received all of the dollars paid by the City in the architecture and engineering procurement category during the study period.

TABLE 4-7
CITY OF PORTSMOUTH
ARCHITECTURE AND ENGINEERING
UTILIZATION ANALYSIS

BUSINESS OWNERSHIP CLASSIFICATION	FY2008		FY2009		FY2010		FY2011		FY2012		Total	
	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
W/MBE												
African American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Hispanic American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Nonminority Women	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Total M/WBE Firms	**$0**	**0.00%**	**$0**	**0.00%**	**$0**	**0.00%**	**$0**	**0.00%**	**$0**	**0.00%**	**$0**	**0.00%**
Non-M/WBE Firms	$136,116	100.00%	$47,488	100.00%	$107,100	0.00%	$328,139	100.00%	$342,356	100.00%	$961,199	100.00%
Total	**$136,116**	**100.00%**	**$47,488**	**100.00%**	**$107,100**	**0.00%**	**$328,139**	**100.00%**	**$342,356**	**100.00%**	**$961,199**	**100.00%**

Source: MGT developed a Master Payments Database based on payments made by the City between July 1, 2008, and June 30, 2013.

*The classification of M/WBE includes all minority vendors regardless of certification status.

Table 4-8 reflects that M/WBE firms received $365,832 (11.73%) of the $3.1 million dollars in payments made to professional services vendors during the study period. African American-owned firms received the largest payments among M/WBE firms securing $193,275 or 6.20 percent. Asian American –owned firms received 5.48 percent, while Nonminority women - owned firms received 0.08 percent.

TABLE 4-8
CITY OF PORTSMOUTH
PROFESSIONAL SERVICES
UTILIZATION ANALYSIS

BUSINESS OWNERSHIP	FY2009		FY2010		FY2011		FY2012		FY2013		Total	
CLASSIFICATION	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
W/MBE												
African American	$37,200	5.66%	$38,588	5.11%	$34,163	6.74%	$40,613	6.13%	$42,713	7.95%	$193,275	6.20%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$70,965	10.80%	$72,010	9.54%	$21,090	4.16%	$6,840	1.03%	$0	0.00%	$170,905	5.48%
Hispanic American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Nonminority Women	$482	0.07%	$330	0.04%	$0	0.00%	$331	0.05%	$509	0.09%	$1,652	0.05%
Total M/WBE Firms	**$108,647**	**16.53%**	**$110,928**	**14.70%**	**$55,253**	**10.90%**	**$47,784**	**7.21%**	**$43,221**	**8.05%**	**$365,832**	**11.73%**
Non-M/WBE Firms	$548,631	83.47%	$643,701	85.30%	$451,778	89.10%	$614,912	92.79%	$493,868	91.95%	$2,752,889	88.27%
Total	**$657,278**	**100.00%**	**$754,629**	**100.00%**	**$507,030**	**100.00%**	**$662,695**	**100.00%**	**$537,089**	**100.00%**	**$3,118,721**	**100.00%**

Source: MGT developed a Master Payments Database based on payments made by the City between July 1, 2008, and June 30, 2013.

*The classification of M/WBE includes all minority vendors regardless of certification status.

Table 4-9 reflects that M/WBE firms received $3 million (22.16%) of the $13.6 million dollars in payments made to other services vendors during the study period. African American-owned firms received the largest total of payments among M/WBE firms securing $2.4 million or 17.51 percent. Nonminority women received 4.62 percent, while Asian American-owned firms received 0.03 percent.

TABLE 4-9
CITY OF PORTSMOUTH
OTHER SERVICES
UTILIZATION ANALYSIS

BUSINESS OWNERSHIP CLASSIFICATION	FY2009		FY2010		FY2011		FY2012		FY2013		Total	
	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
W/MBE												
African American	$217,961	10.18%	$382,915	13.53%	$730,259	21.33%	$405,886	16.98%	$645,090	22.88%	$2,382,111	17.51%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$400	0.02%	$578	0.02%	$265	0.01%	$1,959	0.08%	$283	0.01%	$3,485	0.03%
Hispanic American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Nonminority Women	$31,872	1.49%	$14,295	0.50%	$11,881	0.35%	$181,805	7.61%	$389,018	13.80%	$628,871	4.62%
Total M/WBE Firms	**$250,232**	**11.69%**	**$397,788**	**14.05%**	**$742,406**	**21.68%**	**$589,651**	**24.67%**	**$1,034,391**	**36.69%**	**$3,014,467**	**22.16%**
Non-M/WBE Firms	$1,891,183	88.31%	$2,433,131	85.95%	$2,681,999	78.32%	$1,800,684	75.33%	$1,784,609	63.31%	$10,591,606	77.84%
Total	**$2,141,416**	**100.00%**	**$2,830,918**	**100.00%**	**$3,424,405**	**100.00%**	**$2,390,335**	**100.00%**	**$2,818,999**	**100.00%**	**$13,606,073**	**100.00%**

Source: MGT developed a Master Payments Database based on payments made by the City between July 1, 2008, and June 30, 2013.

*The classification of M/WBE includes all minority vendors regardless of certification status.

The City spent $14.3 million with goods and supplies vendors located in the relevant market area. **Table 4-10** shows that non-M/WBE firms received 99.45 percent of the dollars spent, while M/WBE firms received 0.55 percent or $78,187. Hispanic American-owned firms received 0.53 percent or $75,610, followed by African American-owned and nonminority women-owned firms both receiving 0.01 percent of the total dollars spent during the study period.

TABLE 4-10
CITY OF PORTSMOUTH
GOODS AND SUPPLIES
UTILIZATION ANALYSIS

BUSINESS OWNERSHIP	FY2009		FY2010		FY2011		FY2012		FY2013		Total	
CLASSIFICATION	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
W/MBE												
African American	$0	0.00%	$725	0.04%	$0	0.00%	$0	0.00%	$0	0.00%	$725	0.01%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Hispanic American	$8,562	0.45%	$4,225	0.22%	$17,669	0.50%	$20,649	0.58%	$24,504	0.72%	$75,610	0.53%
Nonminority Women	$216	0.01%	$61	0.00%	$367	0.01%	$20	0.00%	$1,189	0.04%	$1,852	0.01%
Total M/WBE Firms	**$8,777**	**0.46%**	**$5,011**	**0.26%**	**$18,037**	**0.51%**	**$20,669**	**0.58%**	**$25,693**	**0.76%**	**$78,187**	**0.55%**
Non-M/WBE Firms	$1,907,183	99.54%	$1,927,120	99.74%	$3,489,388	99.49%	$3,567,940	99.42%	$3,356,230	99.24%	$14,247,861	99.45%
Total	**$1,915,960**	**100.00%**	**$1,932,131**	**100.00%**	**$3,507,424**	**100.00%**	**$3,588,608**	**100.00%**	**$3,381,923**	**100.00%**	**$14,326,048**	**100.00%**

Source: MGT developed a Master Payments Database based on payments made by the City between July 1, 2008, and June 30, 2013.

*The classification of M/WBE includes all minority vendors regardless of certification status.

6. SUMMARY

Table 4-11 provides a summary of the prime utilization for the City of Portsmouth. M/WBE firms as a group received the highest participation in the other services procurement category and the lowest in the architecture and engineering category. Overall, non-M/WBE firms received the majority of the payments made for services and goods by the City between FY09 through FY13.

TABLE 4-11
CITY OF PORTSMOUTH
PRIME UTILIZATION SUMMARY

BUSINESS OWNER CLASSIFICATION	% Utilization
CONSTRUCTION	
African American	1.73%
Native American	0.00%
Asian American	0.00%
Hispanic American	0.00%
Nonminority Women	0.04%
Non W/MBEs	98.23%
Architeture and Engineering	
African American	0.00%
Native American	0.00%
Asian American	0.00%
Hispanic American	0.00%
Nonminority Women	0.00%
Non W/MBEs	100.00%
Professional Services	
African American	6.20%
Native American	0.00%
Asian American	5.48%
Hispanic American	0.00%
Nonminority Women	0.05%
Non W/MBEs	88.27%
Other Services	
African American	17.51%
Native American	0.00%
Asian American	0.03%
Hispanic American	0.00%
Nonminority Women	4.62%
Non W/MBEs	77.84%
Goods and Supplies	
African American	0.01%
Native American	0.00%
Asian American	0.00%
Hispanic American	0.53%
Nonminority Women	0.01%
Non W/MBEs	99.45%

Source: MGT developed a Master Payments Database based on payments made by the City between July 1, 2008, and June 30, 2013.

As a comparison to utilization with other public agencies in the market area, **Table 4-12** below shows a comparison between percent SWaM or M/WBE utilization for the City of Hampton and the City of Portsmouth. The top half of **Table 4-12** is the Hampton SWaM percentage utilization in Hampton's 2014 disparity study. The bottom half of **Table 4-12** is amount by which Portsmouth SWaM utilization exceeds (or falls short of) Hampton SWaM percent utilization. It is worth noting here that the City of Hampton has a SWaM subcontractor program, but does not have a prime SWaM program.

MBE percentage prime utilization is substantially higher for Portsmouth in professional services and other services and roughly the same for the other procurement categories. WBE percentage prime utilization is substantially lower for Portsmouth in construction, other services, and goods and supplies, and somewhat lower in professional services. Neither Hampton nor Portsmouth were able to achieve SWaM utilization in architecture and engineering.

TABLE 4-12
COMPARISON OF PRIME CONTRACTOR UTILIZATION
BY PROCUREMENT TYPE
BUSINESS OWNERSHIP CLASSIFICATION
PORTSMOUTH AND HAMPTON
JULY 1, 2008 THROUGH JUNE 30, 2013

BUSINESS OWNERSHIP CLASSIFICATION	Construction	Architecture and Engineering	Professional Services	Other Services	Goods and Supplies
	(%)	(%)	(%)	(%)	(%)
City of Portsmouth					
Minority Business	1.73%	0.00%	11.68%	17.54%	0.54%
Nonminority Women	0.05%	0.00%	0.05%	4.62%	0.01%
Total M/WBE Firms	1.77%	0.00%	11.73%	22.16%	0.55%
City of Hampton					
Minority Business	3.70%	0.00%	4.90%	6.91%	2.35%
Nonminority Women	8.18%	0.00%	2.43%	15.49%	13.03%
Total M/WBE Firms	11.88%	0.00%	7.33%	22.40%	15.38%
Portsmouth % - Hampton %	(%)	(%)	(%)	(%)	(%)
Minority Business	-1.97%	0.00%	6.78%	10.63%	-1.81%
Nonminority Women	-8.13%	0.00%	-2.38%	-10.87%	-13.02%
Total M/WBE Firms	-10.11%	0.00%	4.40%	-0.24%	-14.83%

CHAPTER 5 | AVAILABILITY AND DISPARITY ANALYSES

CHAPTER SECTIONS

1. Introduction
2. Chapter Definitions
3. Availability Analyses
4. Disparity Analyses
5. Summary

1. INTRODUCTION

This chapter presents the results of MGT's analyses on availability and disparity for the City expenditures made for construction, architecture and engineering, professional services, other services, and goods and supplies between July 1, 2008 and June 30, 2013.

To understand the analyses presented in this chapter, it is important to provide definitions to key terms discussed in this chapter. The following section presents these definitions.

2. CHAPTER DEFINITIONS

Availability Analysis Methodology. There is no single approach to estimating the availability of firms that has been adopted by the post-*Croson* case law. As a whole, the case law has emphasized firms being qualified, ready, willing, and able to pursue work with an agency. Therefore, MGT staff analyzed the availability of firms using the vendor database provided by the City. The following explains how the data source was used to measure the estimates of available firms:

- **Vendor Data**. Vendor data was collected for prime vendors in the construction, architecture and engineering, professional services, other services, and goods and supplies procurement categories.[1] Vendor information was extracted from the City's data management system on vendors that received a payment for work performed on City projects. There is case law where studies estimating availability based on vendor data have been upheld in federal court[2].

Disparity Analysis Methodology. Disparity, in this context, is the analysis of the differences between the utilization of minority- and women-owned firms and the availability of those firms. As a result, MGT calculated disparity indices to examine whether minority- and women-owned firms received a proportional share of dollars based on the availability of minority- and women-owned firms located in the study's relevant market area, which is Virginia Beach-Norfolk-Newport News, VA-NC Metropolitan Statistical Area (MSA). The following explains MGT's disparity methodology in more detail.

---

[1] As explained in Chapter 4, Market Area and Utilization Analyses subcontractor data were not available. Therefore, MGT could not calculate disparity for subcontractors.

[2] *H.B.Rowe v. North Carolina DOT*, 589 FSupp.2d 587 (ED NC 2008).

Due to the mathematical properties involved in the calculations, a disparity index value of zero (0.00) indicates absolutely no utilization and, therefore, absolute disparity. An index of 100 indicates that utilization is perfectly proportionate to availability, therefore indicating the absence of disparity (that is, all things being equal). Generally, firms are considered underutilized if the disparity indices are less than 100, and overutilized if the indices are above 100.

Since there is no standardized measurement to evaluate the levels of underutilization or overutilization within a procurement context, MGT's methodology to measure disparity, if disparity is found, is based on the Equal Employment Opportunity Commission's (EEOC) "80 percent rule."[3] In the employment discrimination framework, an employment disparity ratio below 80 indicates a "substantial disparity." The Supreme Court has accepted the use of the "80 percent rule" in *Connecticut* v. *Teal* (*Teal*), 457 U.S. 440 (1982).[4] Therefore, firms are considered substantially underutilized (substantial disparity) if the disparity indices is 80 or less.

3. AVAILABILITY ANALYSES

The analysis of prime vendor availability estimates is presented first in this chapter and is presented for each procurement category. MGT developed a Master Availability database by utilizing the list of vendors provided by the City which includes those vendors that have provided work services for the City. However, it is important to note here that there is evidence of certified firm availability in the SWaM certification lists in the City of Portsmouth and in the Hampton Roads area. This evidence is presented in **Chapter 3, Review of Policies, Procedures, and Programs** of this report and in **Chapter 3** of the 2014 disparity study for the City of Hampton. Therefore, while the City vendor list may

DISPARITY CALCULATION

MGT pioneered the use of disparity indices as a means of quantifying the disparity in utilization comparative to availability. The use of disparity indices for such calculations is supported by several post-Croson cases, most notably *Contractors Association of Eastern Pennsylvania v. City of Philadelphia*. Although a variety of similar indices could be utilized, MGT's standard for choosing a particular index methodology is that it must yield a value that is easily calculable, understandable in its interpretation, and universally comparable such that a disparity in utilization within minorities- and women-owned firms can be assessed with reference to the utilization of nonminority- and women-owned firms. The following formula shows the ratio of the percentage of utilization to the percentage of availability multiplied by 100:

$$\text{Disparity Index} = \frac{\%Um_1p_1}{\%Am_1p_1} \times 100$$

Where:

Um_1p_1 = utilization of minorities- and women-owned $firms_1$ for $procurement_1$

Am_1p_1 = availability of minorities- and women-owned $firms_1$ for $procurement_1$

[3] Equal Employment Opportunity Commission, *Uniform Guidelines on Employee Selection Procedures*.

[4] In *Teal* and other affirmative action cases, the terms "adverse impact," "disparate impact," and "discriminatory impact" are used interchangeably to characterize values of 80 and below.

show low or negligible SWaM availability, there is evidence of larger certified SWaM availability.

Table 5-1 presents the results for each M/WBE group using vendor data to estimate the availability of construction primes where M/WBE availability was 8.11 percent. Estimated availability for M/WBE primes includes Nonminority Women-owned firms at 5.41 percent and African American-owned firms at 2.70 percent. Non-M/WBE estimated availability is 91.89 percent.

TABLE 5-1
ESTIMATED AVAILABILITY
CONSTRUCTION

Business Ownership Classification	Construction	
	#	Percent
M/WBE Firms		
African American	3	2.70%
Native American	0	0.00%
Asian American	0	0.00%
Hispanic American	0	0.00%
Nonminority Women	6	5.41%
Total M/WBE Firms	**9**	**8.11%**
Non-M/WBE Firms	102	91.89%
Total	**111**	**100.00%**

Source: MGT developed a Master Availability Database based on the City's vendor data.

MGT used vendor data to estimate the availability of architecture and engineering prime consultants. **Table 5-2** presents the results for each M/WBE group. Overall, M/WBE availability for prime architecture and engineering consultants was 5.56 percent. Nonminority women-owned firms received the 5.56 percent of M/WBE availability. Non- M/WBE showed 94.44 percent availability.

TABLE 5-2
ESTIMATED AVAILABILITY
ARCHITECTURE AND ENGINEERING

Business Ownership Classification	Architecture and Engineering	
	#	Percent
M/WBE Firms		
African American	0	0.00%
Native American	0	0.00%
Asian American	0	0.00%
Hispanic American	0	0.00%
Nonminority Women	1	5.56%
Total M/WBE Firms	**1**	**5.56%**
Non-M/WBE Firms	17	94.44%
Total	**18**	**100.00%**

Source: MGT developed a Master Availability Database based on the City's vendor data.

MGT used vendor data to estimate the availability of professional services prime consultants. **Table 5-3** presents the results for each M/WBE group. Overall, M/WBE availability estimates for professional services consultants was 4.81 percent. Nonminority women- and Asian American-owned firms had the highest availability (1.92% respectively) of the W/ MBE groups, followed by African American-owned firms (0.96%). Non- M/WBE showed 95.19 percent availability.

TABLE 5-3
ESTIMATED AVAILABILITY
PROFESSIONAL SERVICES

Business Ownership Classification	Professional Services	
	#	Percent
M/WBE Firms		
African American	1	0.96%
Native American	0	0.00%
Asian American	2	1.92%
Hispanic American	0	0.00%
Nonminority Women	2	1.92%
Total M/WBE Firms	**5**	**4.81%**
Non-M/WBE Firms	99	95.19%
Total	**104**	**100.00%**

Source: MGT developed a Master Availability Database based on the City's vendor data.

As previously mentioned, vendor data was used to estimate the availability of other services prime vendors. **Table 5-4** shows overall M/WBE estimated availability for prime other services vendors was 6.63 percent, and Non-M/WBE availability was 93.37 percent. Nonminority women firm's estimated availability (3.17%) was higher than any other W/ MBE group, followed by African American-owned firms at 2.31 percent, and Hispanic- and Asian American owned firms, both at 0.58 percent.

TABLE 5-4
ESTIMATED AVAILABILITY
OTHER SERVICES

BUSINESS OWNERSHIP CLASSIFICATION	OTHER SERVICES	
	#	Percent
M/WBE Firms		
African American	8	2.31%
Native American	0	0.00%
Asian American	2	0.58%
Hispanic American	2	0.58%
Nonminority Women	11	3.17%
Total M/WBE Firms	**23**	**6.63%**
Non-M/WBE Firms	324	93.37%
Total	**347**	**100.00%**

Source: MGT developed a Master Availability Database based on the City's vendor data.

Table 5-5 presents the estimated availability results for goods and supplies vendors for each M/WBE group based on vendor data. Estimated availability for M/WBE goods and supplies primes was 4.98 percent. In terms of M/WBE availability, Nonminority Women owned availability (3.07%) was higher than any other W/ MBE availability, followed by African American owned firms with 1.53 percent availability, and Hispanic American owned firms at 0.38 percent. Non- M/WBE showed 95.02 percent availability.

TABLE 5-5
ESTIMATED AVAILABILITY
GOODS AND SUPPLIES

BUSINESS OWNERSHIP CLASSIFICATION	GOODS AND SUPPLIES	
	#	Percent
M/WBE Firms		
African American	4	1.53%
Native American	0	0.00%
Asian Pacific American	0	0.00%
Hispanic American	1	0.38%
Nonminority Women	8	3.07%
Total M/WBE Firms	**13**	**4.98%**
Non-M/WBE Firms	248	95.02%
Total	**261**	**100.00%**

Source: MGT developed a Master Availability Database based on the City's vendor data.

4. DISPARITY ANALYSES

Tables 5-6 through **5-10** are the disparity analyses for each procurement category. The disparity ratios below are disaggregated by the racial, ethnic, and gender classification and calculated using the availability estimates presented earlier in this chapter, and the utilization percentages of M/WBEs and non-M/WBEs in the City's relevant market areas as shown in **Chapter 4, Market Area and Utilization**.

Table 5-6 shows the disparity results for the construction procurement category. Both African American- and Nonminority Women-owned firms were underutilized during the study period. African American owned firms had a disparity index of 63.94 and Nonminority Women owned firms had a disparity index of 0.76. Non-M/WBE firms were over-utilized indicating a disparity index of 106.90.

TABLE 5-6
DISPARITY ANALYSIS
CONSTRUCTION

Business Ownership Classification	% of Dollars	% of Availability	Disparity Index	Disparate Impact of Utilization	
CONSTRUCTION					
African American	1.73%	2.70%	63.94	UNDERUTILIZATION	*
Native American	0.00%	0.00%	0.00	NOT APPLICABLE	1
Asian American	0.00%	0.00%	0.00	NOT APPLICABLE	1
Hispanic Americans	0.00%	0.00%	0.00	NOT APPLICABLE	1
Nonminority Women	0.04%	5.41%	0.76	UNDERUTILIZATION	*
Non-M/WBE Firms	98.23%	91.89%	106.90	OVERUTILIZATION	

Source: The percentage of dollars is taken from the utilization analyses calculated in Chapter 4, Market Area and Utilization Analyses. The percentage of availability is taken from previously shown availability of vendors analyses.

[1]Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

*The disparity index is the ratio of percent utilization to percent availability times 100. An asterisk is used to indicate a substantial level of disparity index below 80.00.

Based on the analyzed data, in the architecture and engineering procurement category, African American-, Native American-, Asian American, and Hispanic American- owned firms did not have any utilization or availability as shown in **Table 5-7**. Nonminority Women-owned firms were underutilized and Non- M/WBE firms were over-utilized during the study period.

TABLE 5-7
DISPARITY ANALYSIS
ARCHITECTURE AND ENGINEERING

Business Ownership Classification	% of Dollars	% of Availability	Disparity Index	Disparate Impact of Utilization	
ARCHITECTURE AND ENGINEERING					
African American	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Native American	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Asian American	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Hispanic Americans	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Nonminority Women	0.00%	5.56%	0.00	UNDERUTILIZATION	*
Non-M/WBE Firms	100.00%	94.44%	105.88	OVERUTILIZATION	

Source: The percentage of dollars is taken from the utilization analyses calculated in Chapter 4, Market Area and Utilization Analyses. The percentage of availability is taken from previously shown availability of vendors analyses.

The percentage of availability is taken from previously shown availability of vendors analyses.

[1]Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

*The disparity index is the ratio of percent utilization to percent availability times 100. An asterisk is used to indicate a substantial level of disparity index below 80.00.

African American- and Asian American-owned firms were over-utilized as professional service consultants during the study period as shown in **Table 5-8**. Their disparity indices were 644.51 and 284.96, respectively. Nonminority Women-owned firms and Non- M/WBE firms were underutilized, with disparity indices of 2.75 and 92.73, during the study period.

TABLE 5-8
DISPARITY ANALYSIS
PROFESSIONAL SERVICES

Business Ownership Classification	% of Dollars	% of Availability	Disparity Index	Disparate Impact of Utilization	
PROFESSIONAL SERVICES					
African American	6.20%	0.96%	644.51	OVERUTILIZATION	
Native American	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Asian American	5.48%	1.92%	284.96	OVERUTILIZATION	
Hispanic Americans	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Nonminority Women	0.05%	1.92%	2.75	UNDERUTILIZATION	*
Non-M/WBE Firms	88.27%	95.19%	92.73	UNDERUTILIZATION	

Source: The percentage of dollars is taken from the utilization analyses calculated in Chapter 4, Market Area and Utilization Analyses. The percentage of availability is taken from previously shown availability of vendors analyses.

The percentage of availability is taken from previously shown availability of vendors analyses.

[1]Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

*The disparity index is the ratio of percent utilization to percent availability times 100. An asterisk is used to indicate a substantial level of disparity index below 80.00.

The disparity results for the other services procurement category is presented in **Table 5-9**. African American- and Nonminority Women-owned firms were over-utilized as other services vendors during the study period. Asian American-, Hispanic American-owned firms and Non-M/WBE firms were underutilized.

TABLE 5-9
DISPARITY ANALYSIS
OTHER SERVICES

Business Ownership Classification	% of Dollars	% of Availability	Disparity Index	Disparate Impact of Utilization	
OTHER SERVICES					
African American	17.51%	2.31%	759.40	OVERUTILIZATION	
Native American	0.00%	0.00%	0.00	NOT APPLICABLE	[1]
Asian American	0.03%	0.58%	0.00	UNDERUTILIZATION	*
Hispanic Americans	0.00%	0.58%	0.00	UNDERUTILIZATION	*
Nonminority Women	4.62%	3.17%	145.80	OVERUTILIZATION	
Non-M/WBE Firms	77.84%	93.37%	83.37	UNDERUTILIZATION	

Source: The percentage of dollars is taken from the utilization analyses calculated in Chapter 4, Market Area and Utilization Analyses. The percentage of availability is taken from previously shown availability of vendors analyses.

The percentage of availability is taken from previously shown availability of vendors analyses.

[1]Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

*The disparity index is the ratio of percent utilization to percent availability times 100. An asterisk is used to indicate a substantial level of disparity index below 80.00.

As shown in **Table 5-10**, African American- and Nonminority Women-owned firms were underutilized as goods and supplies vendors during the study period, with disparity indices of 0.33 and 0.42, respectively. Hispanic American-owned firms and Non- M/WBE firms were over-utilized, with disparity indices of 137.75 and 104.67, during the study period.

TABLE 5-10
DISPARITY ANALYSIS
GOODS AND SUPPLIES

Business Ownership Classification	% of Dollars	% of Availability	Disparity Index	Disparate Impact of Utilization	
GOODS					
African American	0.01%	1.53%	0.33	UNDERUTILIZATION	*
Native American	0.00%	0.00%	0.00	NOT APPLICABLE	1
Asian American	0.00%	0.00%	0.00	NOT APPLICABLE	1
Hispanic Americans	0.53%	0.38%	137.75	OVERUTILIZATION	
Nonminority Women	0.01%	3.07%	0.42	UNDERUTILIZATION	*
Non-M/WBE Firms	99.45%	95.02%	104.67	OVERUTILIZATION	

Source: The percentage of dollars is taken from the utilization analyses calculated in Chapter 4, Market Area and Utilization Analyses. The percentage of availability is taken from previously shown availability of vendors analyses.

The percentage of availability is taken from previously shown availability of vendors analyses.

[1]Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

*The disparity index is the ratio of percent utilization to percent availability times 100. An asterisk is used to indicate a substantial level of disparity index below 80.00.

5. SUMMARY

The availability and disparity results are presented below in **Table 5-11**.

TABLE 5-11
ESTIMATED AVAILABILITY AND DISPARITY
SUMMARY CHART

BUSINESS OWNER CLASSIFICATION	% Utilization	% Availability	Disparity Index	Disparity
CONSTRUCTION				
African American	1.73%	2.70%	63.94	UNDERUTILIZATION
Native American	0.00%	0.00%	0.00	NOT APPLICABLE
Asian American	0.00%	0.00%	0.00	NOT APPLICABLE
Hispanic American	0.00%	0.00%	0.00	NOT APPLICABLE
Nonminority Women	0.04%	5.41%	0.76	UNDERUTILIZATION
Non W/MBEs	98.23%	91.89%	106.90	OVERUTILIZATION
Architecture and Engineering				
African American	0.00%	0.00%	0.00	NOT APPLICABLE
Native American	0.00%	0.00%	0.00	NOT APPLICABLE
Asian American	0.00%	0.00%	0.00	NOT APPLICABLE
Hispanic American	0.00%	0.00%	0.00	NOT APPLICABLE
Nonminority Women	0.00%	5.56%	0.00	UNDERUTILIZATION
Non W/MBEs	100.00%	94.44%	105.88	OVERUTILIZATION
Professional Services				
African American	6.20%	0.96%	644.51	OVERUTILIZATION
Native American	0.00%	0.00%	0.00	NOT APPLICABLE
Asian American	5.48%	1.92%	284.96	OVERUTILIZATION
Hispanic American	0.00%	0.00%	0.00	NOT APPLICABLE
Nonminority Women	0.05%	1.92%	2.75	UNDERUTILIZATION
Non W/MBEs	88.27%	95.19%	92.73	UNDERUTILIZATION
Other Services				
African American	17.51%	2.31%	759.40	OVERUTILIZATION
Native American	0.00%	0.00%	0.00	NOT APPLICABLE
Asian American	0.03%	0.58%	0.00	UNDERUTILIZATION
Hispanic American	0.00%	0.58%	0.00	UNDERUTILIZATION
Nonminority Women	4.62%	3.17%	145.80	OVERUTILIZATION
Non W/MBEs	77.84%	93.37%	83.37	UNDERUTILIZATION
Goods and Supplies				
African American	0.01%	1.53%	0.33	UNDERUTILIZATION
Native American	0.00%	0.00%	0.00	NOT APPLICABLE
Asian American	0.00%	0.00%	0.00	NOT APPLICABLE
Hispanic American	0.53%	0.38%	137.75	OVERUTILIZATION
Nonminority Women	0.01%	3.07%	0.42	UNDERUTILIZATION
Non W/MBEs	99.45%	95.02%	104.67	OVERUTILIZATION

Source: The percentage of dollars is taken from the utilization analyses calculated in Chapter 4, Market Area and Utilization Analyses. The percentage of availability is taken from previously shown availability of vendors analyses.

CHAPTER 6 | PRIVATE SECTOR ANALYSES

CHAPTER SECTIONS

1. Introduction
2. Collection and Management of Data
3. Private Sector Utilization Analysis, Commercial Permits
4. Private Sector Disparity Analysis, Commercial Permits
5. Nexus between Commercial and Public Construction
6. Conclusion

1. INTRODUCTION

MGT detailed in **Chapter 2, Legal Framework** that the government entity enacting a minority- and women-owned business enterprise (M/WBE) program must have shown to have actively or passively perpetuated discrimination. The questions this chapter attempts to answer are: 1) *Does the City passively engage in practices that result in disparities?* 2) *Are there statistically significant disparities in the utilization of M/WBEs by prime contractors on projects where there are no M/WBE goals?* The private sector analysis presented evaluates the presence or absence of discrimination in the private sector marketplace, and to determine if there is evidence to support anecdotal comments from **Chapter 7, Anecdotal Analysis** regarding difficulties M/WBEs have in securing work on private sector projects. The analyses examine M/WBE utilization and availability in the City of Portsmouth (City) market area private commercial construction industry in order to determine disparities in M/WBE utilization at the prime contractor and subcontractor levels. Once the record of private sector utilization was established, we were also able to compare the rates of M/WBE and non-M/WBE utilization in the private sector to their utilization by the City for public sector construction procurement.

Methodology

Our methodology for the collection of data and the calculation of the City's market area as the basis for our analysis of private sector utilization of minority-, woman-, and nonminority-owned firms and their availability are described in this section.

Private Sector Analysis - Rationale

In *City of Richmond v J.A. Croson* (*Croson*), the Court established that a "municipality has a compelling government interest in redressing not only discrimination committed by the municipality itself, but also discrimination committed by private parties within the municipality's legislative jurisdiction, so long as the municipality in some way participated in the discrimination to be remedied by the program."[1] This argument was reinforced by the Court of Appeals decision in *Adarand Construction, Inc. v Rodney Slater*, concluding that there was a compelling interest for a government Disadvantaged Business Enterprise (DBE) program, based primarily on evidence of private sector discrimination.[2] According to this argument, discriminatory practices found in the

[1] *Croson*, 488 U.S. 46, 109 S.Ct. at 720-21, 744-45.
[2] *Adarand v. Slater*, 228 F.3d 1147 (10th Cir. 2000).

private sector marketplace may be indicative of government's passive or, in some cases, active participation in local discrimination. To remedy such discrimination, *Croson* provided that government "can use its spending powers to remedy private discrimination, if it identifies that discrimination with the particularity required by the Fourteenth Amendment." [3] Passive discrimination was examined in a disparity analysis of the utilization of M/WBE construction subcontractors by majority prime contractors on projects funded in the City construction market. A comparison of public sector M/WBE utilization with private sector utilization enables an assessment of the extent to which majority prime contractors have tended to hire M/WBE subcontractors only to satisfy public sector requirements. Thus, the following questions are addressed:

- Are there disparities in utilization of M/WBEs as prime contractors for commercial private sector construction projects relative to their availability in the City market area?
- Are there disparities in utilization of M/WBEs as subcontractors for commercial private sector construction projects relative to their availability in the City market area?
- To what extent are contractors utilized for City projects also utilized in private sector construction projects?

2. COLLECTION AND MANAGEMENT OF DATA

The source of data for the City's private sector analysis was the commercial construction permit data (such as building, electrical, plumbing) provided by the City's Community Development Department for commercial construction projects permitted between July 1, 2008 and June 30, 2013. The value in examining permits is that it offers the most complete and up-to-date record of actual construction activity undertaken in these market areas.

The City's Community Development Department transmitted permit data requested for the study period. In order to isolate only commercial construction projects as the focus of analysis, public sector and residential building permit records were excluded. The data provided include the following but not limited to:

- External File Number
- Permit Address
- Construction Cost
- Permit Type
- Project Number
- Project Name
- Owner Tenant
- Issue Date
- Total Amount Payments

[3] See *Richmond v. Croson*, 488 U.S. 492 (1989).

- Total Fee
- Building Cost
- Electrical Cost
- Mechanical Cost
- Plumbing Cost
- Building Contractor Name
- Building Contractor Address
- Description of Work
- Sub Trades Contract Cost
- Electrical Contractor
- Electrical Contractor Address
- Mechanical Contractor
- Mechanical Contractor Address
- Plumbing Contractor
- Plumbing Contractor Address

Based on the permit type text description, permits were categorized according to two types of work-performed: prime contractor work and subcontractor work. Upon further assessment and review of the City's commercial construction permits data, permits associated with subcontractor trades and/or level of work, such as electrical, plumbing captured construction value dollars.

Market Area Methodology

Our private sector analysis for commercial permit data is based on firms located in the City's market area of Virginia Beach-Norfolk-Newport News, VA-NC.

M/WBE Classifications and Business Categories

In **Chapter 4, Market Area and Utilization Analysis**, the five M/WBE classifications described—African American, Hispanic American, Asian American, Native American, and nonminority women—were used as the basis of MGT's private sector analysis of utilization and disparity. Since the permit data did not contain the contractor's race, ethnic, or gender information, we conducted a vendor match procedure using information contained in vendor lists obtained from the City and research conducted by MGT. This procedure allowed us to identify ethnic, gender, and racial classifications of firms in the permit databases. In order to obtain the greatest number of potential match combinations, a conservative manual match was conducted.

For the procurement category analysis, findings reported in this chapter deal only with private sector construction for two reasons: (1) permit data, by its nature, pertains only to construction activities, which is also the category for which data tends to be most extensive and reliable, and (2) in the courts, historically, construction activity in a given jurisdiction has been scrutinized more than any other procurement category because, in both public and private sector business activity, it tends to be the most financially lucrative in terms of its impact on a local economy.

Availability Data Collection

To calculate the availability of firms for the private sector analysis MGT used the counties and states identified for the firms in the permit data. MGT ascertained which firms were classified as M/WBEs within the City's market area. There are no vendor lists or bidder lists for the private sector construction. Consequently, census and custom census data was used as the measures of construction firm estimated availability.

3. PRIVATE SECTOR UTILIZATION ANALYSIS, COMMERCIAL PERMITS

The utilization dollars of permits issued during the study period was $28,625 for projects other than City of Portsmouth projects. The utilization of M/WBE and non-M/WBE firms for private commercial construction permit data inside the City's market area are presented in **Tables 6-1** through **6-2**. As illustrated in **Table 6-1**, from July 1, 2008 through June 30, 2013, minority and women business enterprises (M/WBEs) were issued 2.0 percent of the permits and non-MWBEs were issued 98 percent of the permits as prime contractors during the study period.

TABLE 6-1
UTILIZATION ANALYSIS OF FIRMS
COMMERCIAL CONSTRUCTION AT THE PRIME CONTRACTOR LEVEL

BUSINESS OWNERSHIP CLASSIFICATION	COMMERCIAL CONSTRUCTION	
	PERMIT DOLLARS	PERCENT OF DOLLARS
African American	$0	0.00%
Asian American	$0	0.00%
Hispanic American	$0	0.00%
Native American	$0	0.00%
Nonminority Female	$714	2.00%
TOTAL M/WBE	$714	2.00%
Non-M/WBE Firms	$27,911	98.00%
TOTAL	$28,625	100.00%

Source: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2008 and June 30, 2013.

M/WBE subcontractors were issued one percent of subcontracting permits and non-M/WBEs 99 percent of subcontracting permits as shown in **Table 6-2**.

TABLE 6-2
UTILIZATION ANALYSIS OF FIRMS
COMMERCIAL CONSTRUCTION AT THE SUBCONTRACTOR LEVEL

BUSINESS OWNERSHIP CLASSIFICATION	COMMERCIAL CONSTRUCTION	
	PERMIT DOLLARS	PERCENT OF DOLLARS
African American	$0	0.00%
Asian American	$0	0.00%
Hispanic American	$0	0.00%
Native American	$0	0.00%
Nonminority Female	$189	1.00%
TOTAL M/WBE	$189	1.00%
Non-M/WBE Firms	$22,625	99.00%
TOTAL	$22,814	100.00%

Source: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2007 and June 30, 2012.

4. PRIVATE SECTOR DISPARITY ANALYSIS, COMMERCIAL PERMITS

Once utilization was calculated from the permit data it could be compared to the market area estimated availability for construction to derive an index of disparity in private sector utilization for a given M/WBE category at the prime contractor and subcontractor level. **Tables 6-3** and **6-4** present the results of the disparity analysis. As a whole, M/WBE firms were substantially underutilized and non-M/WBEs were over utilized at the prime contractor and subcontractor levels.

TABLE 6-3
DISPARITY ANALYSIS OF FIRMS
COMMERCIAL CONSTRUCTION AT THE PRIME CONTRACTOR LEVEL

BUSINESS OWNERSHIP CLASSIFICATION	COMMERCIAL CONSTRUCTION				
	PERCENT OF DOLLARS	PERCENT OF AVAILABLE FIRMS	DISPARITY IMPACT	DISPARATE IMPACT OF UTILIZATION	
African American	0.00%	2.70%	0.00	*	Underutilization
Asian American	0.00%	0.00%	0.00		Not Applicable[1]
Hispanic American	0.00%	0.00%	0.00		Not Applicable[1]
Native American	0.00%	0.00%	0.00		Not Applicable[1]
Nonminority Female	2.00%	5.41%	37.00	*	Underutilization
Non-M/WBE Firms	98.00%	91.89%	106.65		Overutilization
TOTAL	100.00%	100.00%	100.00		

Source: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2008 and June 30, 2013.
*Indicated substantial underutilization.
[1] Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

EXHIBIT 6-4
DISPARITY ANALYSIS OF FIRMS
COMMERCIAL CONSTRUCTION AT THE SUBCONTRACTOR LEVEL

BUSINESS OWNERSHIP CLASSIFICATION	COMMERCIAL CONSTRUCTION				
	PERCENT OF DOLLARS	PERCENT OF AVAILABLE FIRMS	DISPARITY IMPACT	DISPARATE IMPACT OF UTILIZATION	
African American	0.00%	0.00%	0.00	*	Underutilization
Asian American	0.00%	0.00%	0.00	*	Underutilization
Hispanic American	0.00%	0.00%	0.00	*	Underutilization
Native American	0.00%	0.00%	0.00	*	Underutilization
Nonminority Female	1.00%	0.00%	0.00	*	Underutilization
Non-M/WBE Firms	99.00%	0.00%	0.00		Overutilization
TOTAL	100.00%	100.00%	100.00		

Source: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2008 and June 30, 2013.
*Indicated substantial underutilization.
[1] Not Applicable indicates that there was no utilization or availability of vendors in this ethnic group.

5. NEXUS BETWEEN COMMERCIAL AND PUBLIC CONSTRUCTION

The courts have ruled that disparate treatment in the private sector need to be sufficiently connected to the agency (the "nexus"). For example, do primes working for an agency fail to hire M/WBEs in the private sector when there are no goals? The purpose of this analysis is to examine public sector and private sector contracting patterns for construction. In doing so, we compared the public sector construction utilization of firms on City projects with the private sector commercial permitting data. **Table 6-7** provide answers to these general questions:

- To what extent do utilized prime contractors that appear in the City's construction analysis also appear in the private sector permitting data for commercial construction projects?
- What is the utilization of subcontractors that are in the City's construction data also in the permitting data for commercial construction projects?

To conduct the nexus analysis MGT utilized two data sets to compare the utilization of firms. The first data set contained a listing of permits issued to firms in the City's market area. The second data set contained firms utilized on the City's public sector construction projects during the study period. The two data sets are then cross-referenced to identify the number of firms that participate in both City construction and private sector construction projects as illustrated in **Table 6-5**. There were 38 firms (primes and subcontractors) utilized on the City's public sector construction projects that were also identified in the private sector commercial construction projects. **Table 6-6** illustrates that out of these 38 firms, 17 of these contractors were utilized at the prime level. Of the 17 contractors, 6.0 percent were M/WBE primes and 94.0 percent were non-M/WBE primes. **Table 6-7** shows that out of these 38 firms, 21 subcontractors participated on City commercial construction projects. Of the 21 subcontractors, 5.0 percent were M/WBE subcontractors and 95.0 percent were non-M/WBE subcontractors. Those firms that were designated as a prime contractor were not counted as a subcontractor, but as a prime only.

TABLE 6-5
NEXUS ANALYSIS OF CONSTRUCTION FIRMS
PARTICIPATING IN BOTH CITY CONSTRUCTION PUBLIC AND COMMERCIAL PROJECTS

BUSINESS OWNERSHIP CLASSIFICATION	NUMBER OF FIRMS	PERCENT OF FIRMS
African American	0	0.00%
Asian American	0	0.00%
Hispanic American	0	0.00%
Native American	0	0.00%
Nonminority Female	2	5.00%
TOTAL M/WBE	2	5.00%
Non-M/WBE Firms	36	95.00%
TOTAL FIRMS	38	100.00%

Sources: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2008 and June 30, 2013.

EXHIBIT 6-6
NEXUS ANALYSIS OF CONSTRUCTION FIRMS
PARTICIPATING IN BOTH CITY CONSTRUCTION AND PRIVATE COMMERCIAL PROJECTS
AT THE PRIME CONTRACTOR LEVEL

BUSINESS OWNERSHIP CLASSIFICATION	NUMBER OF FIRMS	PERCENT OF FIRMS
African American	0	0.00%
Asian American	0	0.00%
Hispanic American	0	0.00%
Native American	0	0.00%
Nonminority Female	1	6.00%
TOTAL M/WBE	1	6.00%
Non-M/WBE Firms	16	94.00%
TOTAL FIRMS	17	100.00%

Sources: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2008 and June 30, 2013.

EXHIBIT 6-7
NEXUS ANALYSIS OF CONSTRUCTION FIRMS
PARTICIPATING IN BOTH CITY CONSTRUCTION AND PRIVATE COMMERCIAL PROJECTS
AT THE SUBCONTRACTOR LEVEL

BUSINESS OWNERSHIP CLASSIFICATION	NUMBER OF FIRMS	PERCENT OF FIRMS
African American	0	0.00%
Asian American	0	0.00%
Hispanic American	0	0.00%
Native American	0	0.00%
Nonminority Female	1	5.00%
TOTAL M/WBE	1	5.00%
Non-MWBE Firms	20	95.00%
TOTAL FIRMS	21	100.00%

Sources: MGT developed a Master Commercial Private sector Database based on City's permitting data awarded between July 1, 2008 and June 30, 2013.

6. CONCLUSION

MGT presented a summary of firm utilization at the prime contractor and subcontractor by comparing M/WBE utilization on the City's public construction projects with private sector commercial construction projects between July 1, 2008 and June 30, 2013. Based on the findings from our analysis, substantial M/WBE underutilization was evident for each M/WBE group in the private sector.

Capacity alone is not a sufficient explanation for these differences, especially at the subcontractor level in the construction business category, where capacity is a lesser consideration and availability far exceeds the record of utilization, especially in the private sector. Moreover, the evidence of low M/WBE utilization on private commercial construction projects supports the claim that M/WBEs face a number of barriers in seeking work on private sector construction projects. To the extent that M/WBE subcontractor utilization is all but absent in the private sector, credence may be given to the proposition established in *Croson* that government could be a passive participant in private sector discrimination if it did not require contractors who apply for public sector construction projects to solicit and negotiate with M/WBE subcontractors in good faith.

Appendix P – Public Use Microdata Regression Analysis (PUMS) provides a second analysis which delves more deeply into the dynamics of the marketplace to determine their impact on M/WBE competitiveness. This analysis examines the effects of race, ethnicity and gender on business formation and earnings to test the hypothesis that M/WBEs are treated differently than nonminority-owned firms when attempting to create and conduct business in the City's marketplace.

CHAPTER 7 | ANECDOTAL ANALYSIS

CHAPTER SECTIONS

1. Introduction
2. Methodology
3. Demographics
4. Barriers to Doing Business with the City of Portsmouth
5. Access to Capital
6. Discrimination and Disparate Treatment
7. Suggested Remedies from Anecdotal Participants
8. Conclusion

1. INTRODUCTION

The collection of anecdotal information is a widely accepted research methodology that is based upon interviews, data collected during the focus group, survey responses, and other anecdotal data collection methods. The collection and analysis of anecdotal data is used in conjunction with other research tools to provide context, and to help explain findings based on quantitative data analysis. During the execution of this study MGT sought to answer one of our basic research questions: *Is there qualitative/anecdotal evidence of disparate treatment of M/WBE subcontractors by prime contractors?* Much of the anecdotal findings indicate that lack of awareness of procurement opportunities and restrictive bid/proposal specifications contribute significantly to perceptions and opinions about disparate treatment in contract awards.

Unlike conclusions derived from other types of analysis in this report, the conclusions derived from anecdotal analysis do not rely solely on quantitative data. Anecdotal analysis also utilizes qualitative data to describe the context of the examined social, political, and economic environment in which all businesses and other relevant entities applicable to the study operate.

The following sections present MGT's approach to collecting anecdotal data, the methods employed, and the quantitative and qualitative results of the data collected.

2. METHODOLOGY

The blueprint for collecting and analyzing anecdotal information for this study was provided by the U.S. Supreme Court in *City of Richmond v. J.A. Croson, 488 U.S. 469, 109 S.Ct. 706 (1989)* (*Croson*). Specifically, race-conscious programs must be supported by strong documentation of discrimination, including evidentiary findings that go beyond the demographics of a community. Anecdotal information can bolster the quantitative analyses of contract expenditures to explain whether or not minority business creation, growth, and retention are negatively affected by discrimination. In *Croson*, the Court held that anecdotal accounts of discrimination could help establish a compelling interest for a local government to institute a race-conscious remedy. Moreover, such information can provide a local entity with a firm basis for fashioning a program that is narrowly tailored to remedy identified forms of marketplace discrimination and other barriers to M/WBE participation in contract opportunities. Further discussion of anecdotal testimony is contained in **Chapter 2, Legal Framework**.

MGT's experience conducting disparity studies has shown that utilizing multiple methods of anecdotal data collection provide more comprehensive information than methodologies using a single-pronged approach. For this reason, MGT used a combination of surveys, a focus group, a public hearing, and personal interviews with business owners to collect anecdotal information

and to identify issues that were common to businesses in the market area between the fiscal years of July 1, 2008, and June 30, 2013. To ensure a broad representation of firms in the market place, MGT's sample methodology for the focus group, interviews, and survey of vendors included randomly selecting firms from the City's Master Vendor Database (discussed in **Chapter 4**). Sample sets were double checked to ensure that firms do not participate in more than one anecdotal activity. The public hearing was open to the public; therefore, chances are that firms that attended the public hearing may have been randomly selected for other anecdotal activities. In conjunction with the quantitative data, MGT was also able to draw inferences from these data as to the prevalence of obstacles perceived as limiting the participation of M/WBEs and other firms in the City of Portsmouth procurement transactions.

The collective responses from the personal interviews, public hearing, and focus group provided in this chapter are not altered for context but are edited for grammar. Otherwise responses were unfiltered or unedited. However, readers should be cautioned that anecdotal comments in this chapter detail the perceptions and opinions of individuals, and the evidentiary weight of these opinions depends on how much they are corroborated by statements of others and the quantitative data in the report.

Survey of Vendors

The survey of vendors gathered information on business ownership, work performed and/or bid with the City, work bid and/or performed in the private sector, and barriers, perceived or real, that prevented firms from doing business with the City during the study period. During the months of November 2013 through January 2014, a randomly selected list of businesses from the Master Vendor database were surveyed to solicit information about their firm and experiences with the City. MGT attempted to collect data in proportion to the distribution of M/WBEs and non-M/WBEs in the relevant market area. Oppenheim Research, Inc., a Florida-based woman-owned business research firm administered a controlled survey using the **Appendix F – Survey of Vendors Instrument** which resulted in 514 completed surveys with owners and representatives. On average, six attempts were made to contact firms in the 1,799 sample set. Throughout this chapter, several charts detail selected survey results. See **Appendix G – Survey of Vendors Results** for the complete survey results.

In most municipalities, disparity study surveys are commonly plagued by sample size limitations, especially in the case of attempting to gather a representative sample from minority business populations where low minority numbers tend to be insufficient in number to permit a valid and representative sample. This problem is compounded when analyses are stratified further by business type. Insufficient sample size can pose problems for the statistical confidence of the results. For the City, Native American-, Hispanic American, and Asian American-owned business representation was extremely low. Although MGT's goal is to report data that can satisfy the 95 percent confidence level, this does not mean that data should not be reported because of slightly reduced confidence intervals, especially when extreme due diligence has been exercised in attempting to meet the 95 percent standard.

Focus Groups

MGT facilitated one focus group with M/WBE and non-M/WBE firms with the assistance of Transformation Consultants, a Virginia-based SWAM certified woman-owned firm. The focus group was held at 801 Crawford St. in the Portsmouth Public School Board Conference Room, Portsmouth VA, on June 24, 2014. Transformation Consultants provided recruitment assistance, administrative support, and coordination. Using the Master Vendor database, 252 randomly selected firms were provided to Transformation Consultants to recruit for the focus group. The focus group discussion was voice recorded after all participants agreed to be recorded. During the focus group session, participants completed a brief questionnaire, **Appendix I – Focus Group Survey**, to capture basic demographic information and the business capacity of the group, which is discussed further in this chapter.

Public Hearing

Area firms, M/WBEs included, that have done business with or attempted to do business with the City of Portsmouth were invited to attend a public hearing. The public hearing was designed to accept anecdotal testimony on their experiences. Anecdotal testimony received during the public hearing was recorded by Zahn Court Reporting, a Virginia-based court reporting firm. Prior to the collection of testimonies from attendees, MGT provided an overview of the disparity study objectives, work tasks, timeline to complete the study, and answered questions about the study. Transformation Consultants co-facilitated the meetings and provided administrative support and management. The public hearing was held on November 20, 2013, at the Renaissance Hotel, 425 Water Street, Portsmouth, VA. The public meeting was advertised in the *Virginia Pilot, Daily Press, Inside Business*, and *Virginia Business*. The City also advertised on an electronic outdoor bulletin board on Interstate 264, notices posted throughout City Hall, particularly the Permits and Inspections, Treasurer's and Commissioner's Offices, electronic notices were sent to vendors listed in the City directory, and placed on the City's and Economic Development's websites using **Appendix L – Public Forum Notice**.

MGT contacted the associations and organizations listed below to solicit their participation and input. Although MGT did not receive any membership or vendor lists from these organizations, the organizations were included on the distribution of the public notices and were requested to distribute the notices to their members:

- Tidewater Builders Association
- Hampton Roads Chamber of Commerce
- NAWIC-Greater Tidewater Chapter 137
- AGC of Virginia
- National Association of Minority Contractors-DC
- American Subcontractors Association of Metro Washington
- Virginia Minority Suppliers Development Council
- NAACP Virginia Beach
- NAACP Hampton Chapter
- Hampton Roads Hispanic Chamber of Commerce

- Department of Minority Business Enterprise
- Hampton Roads Committee of 200+ Black Men
- Hampton Road Messenger

Personal Interviews

The personal interviews gathered information regarding the firm's primary line of business, ethnicity and education/training background of the owner, business history, size and gross revenues during selected calendar and/or fiscal years, and information about the firms' experiences in attempting to do, and conducting business with, the City (both directly as a prime and/or as a subcontractor). The personal interviews—which are structured settings where an interviewer or facilitator uses an interview guide to solicit input from participants—provided more latitude for additional information gathering on issues that are unique to the respondents' experiences. Interviews were conducted with M/WBEs and non-M/WBEs. The Personal Interview Guide (**Appendix J**) included questions designed to establish a profile for each business. Additionally, MGT asked questions related to experiences with the M/WBE program, and instances of disparate treatment and/or discrimination experienced or perceived by the firm while attempting to do or conducting business with the City. Transformation Consultants conducted the M/WBE and non-M/WBE interviews. The interviewer made no attempt to prompt or guide responses from the participants, although follow-up questions were asked to obtain further clarification or information as necessary and appropriate. At the conclusion of the interviews, each participant was asked to sign an affidavit attesting that their responses were given freely and was true and accurate reflections of their experience with the City.

The personal interviews were conducted during the months of June through July 2014. To obtain interviewees, 239 firms were randomly selected from the City's Master Vendor database that were not selected for other anecdotal activities and provided to Transformation Consultants to contact. The interviews were conducted either at the firm owner's office, at a location designated by the firm's owner, or via telephone.

3. DEMOGRAPHICS

Public Meetings Demographics

The public hearing was relatively well attended. In total, there were 36 attendees. Eleven individual provided anecdotal testimony of their experiences doing business or attempting to do business with the City and/or primes contracted with the City.

Focus Group Demographics

MGT provided Transformation Consultants a randomly selected list of firms from the City's Master Vendor database to solicit focus group participants. Transformation Consultants contacted 87 firms to participate, of which 17 firms participated in the focus group.

DEMOGRAPHICS

Collectively, 595 firms participated in the anecdotal data collection.

1. Public Hearing
2. Focus Group
3. Personal Interviews
4. Survey of Vendors

The recruitment efforts of Transformation Consultants resulted in 12 M/WBE and five non-M/WBE firms that participated in the focus group.

- Business owner's or representative's business industries included towing, landscaping, consulting services, demolition, construction, civil engineering, graphic design, architectural, and abatement. The ethnic and gender composition of the participants included eight African Americans, one Hispanic Americans, three nonminority woman, and five nonminority males. There were no Native American or Asian American firms in attendance.

Focus group participants completed a short survey to gather additional demographic characteristics of their businesses. A few of the responses indicate that almost all of the participants were experienced but small firms with 66.6 percent of the participants having 20 or more years of experience in business; and 33.3 percent tied in having 0-10 number of employees, and 11-20 employees.

Personal Interview Demographics

The recruitment efforts of Transformation Consultants resulted in 28 firms that were interviewed out of the 83 firms that were contacted. During the interview, participants responded to questions related to the firm's capacity, gross revenues, and other demographic characteristics. Their responses indicated that 57.1 percent of the firms have been in business 20 or more years and 25 percent had an average gross revenue in 2013 of "$100,001 to $300,000." Again indicating that most of the firms participating in the interviews were small firms. Other demographics characteristics include the following:

- Of the 28 firms that were interviewed, the ethnic and gender composition included 21 African Americans, two Hispanic Americans, two Nonminority Women, and three nonminority males.

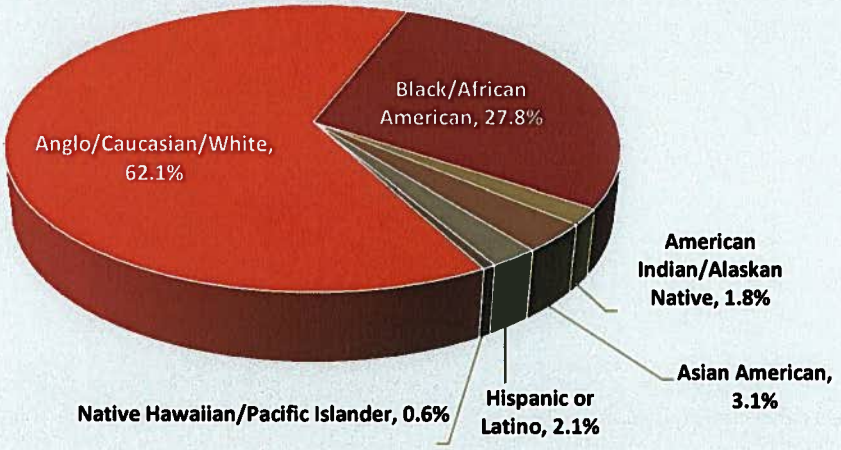
- There were no Native American or Asian American firms interviewed.

The industries represented included, but were not limited to, general contracting, specialty trade contractors, photography, architectural and engineering, software development consulting, carpet cleaning, printing, landscaping, equipment repair, etc.

Survey of Vendors Demographics

The Survey of Vendors allowed MGT to reach a broader segment of the business population in a more time-efficient and cost-effective manner. **Figure 7A** provides the race, ethnicity, and gender of the respondents that participated in the survey.

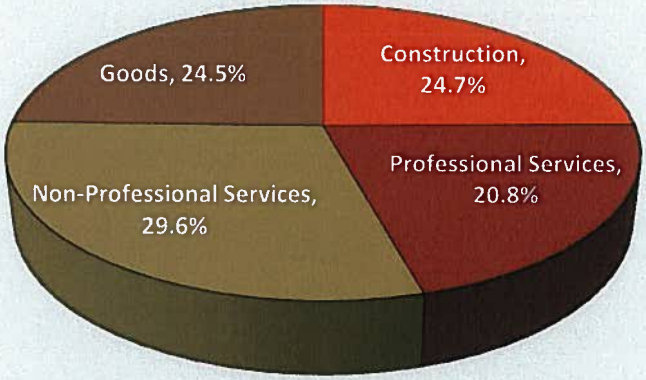
FIGURE 7A
SURVEY OF VENDORS DEMOGRAPHICS
RACE/ETHNICITY/GENDER



Source: Survey of Vendors Responses conducted by Oppenheim Research, 2014.

Figures 7B-7F provide additional demographic details of the survey respondents by each procurement category analyzed for the study. **Figure 7B** illustrates the percentage of survey respondents in each procurement category: Construction 24.7 percent, Professional Services 20.8 percent, Nonprofessional Services 29.6 percent, and Goods 24.5 percent.

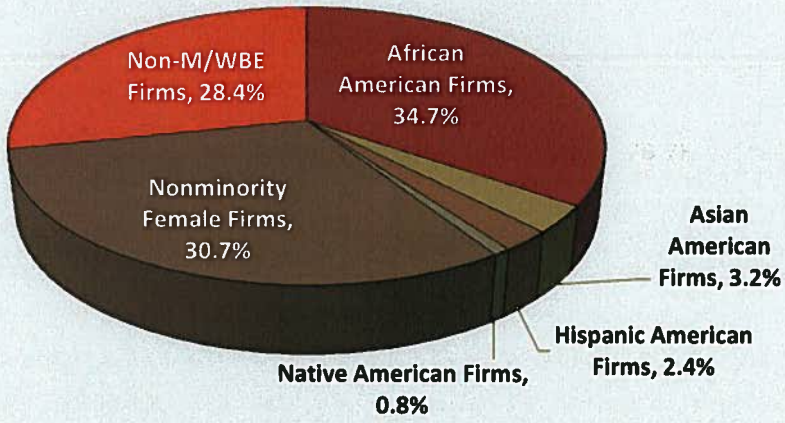
FIGURE 7B
SURVEY OF VENDORS DEMOGRAPHICS
PRIMARY LINE OF BUSINESS



Source: Survey of Vendors Responses conducted by Oppenheim Research, 2014.

African American and Nonminority Females, 34.7 percent and 30.7 percent respectfully, were the largest M/WBE respondents in the construction category as illustrated in **Figure 7C** which breaks down the race/ethnicity/gender of construction survey respondents.

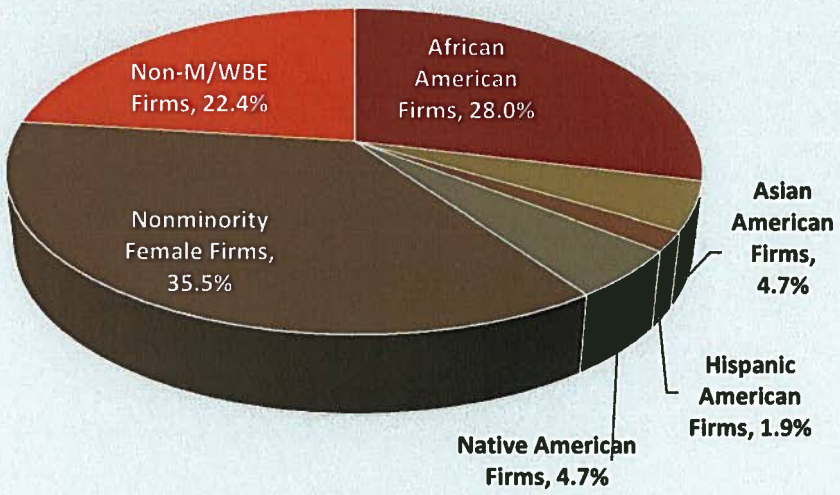
FIGURE 7C
SURVEY OF VENDORS DEMOGRAPHICS
PRIMARY LINE OF BUSINESS - CONSTRUCTION
BY RACE/ETHNICITY/GENDER



Source: Survey of Vendors Responses conducted by Oppenheim Research, 2014.

Nonminority Females represented 35.5 percent of the M/WBE survey respondents followed by African American firms at 28 percent shown in **Figure 7D.**

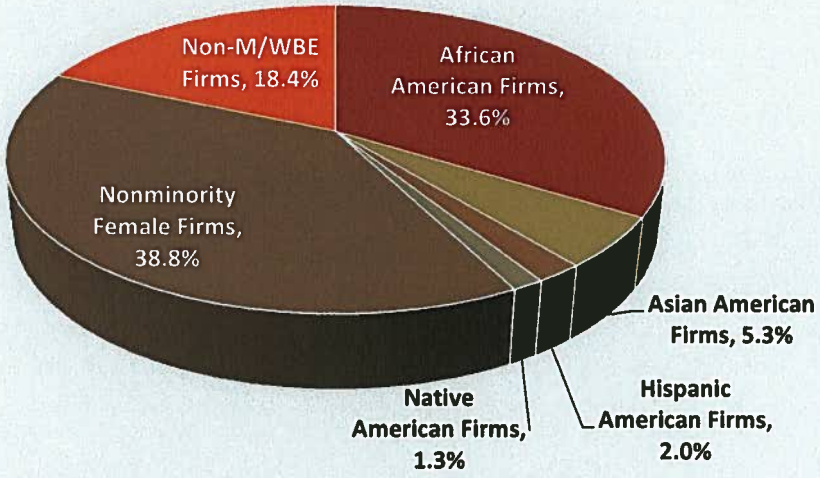
FIGURE 7D
SURVEY OF VENDORS DEMOGRAPHICS
PRIMARY LINE OF BUSINESS – PROFESSIONAL SERVICES
BY RACE/ETHNICITY/GENDER



Source: Survey of Vendors Responses conducted by Oppenheim Research, 2014.

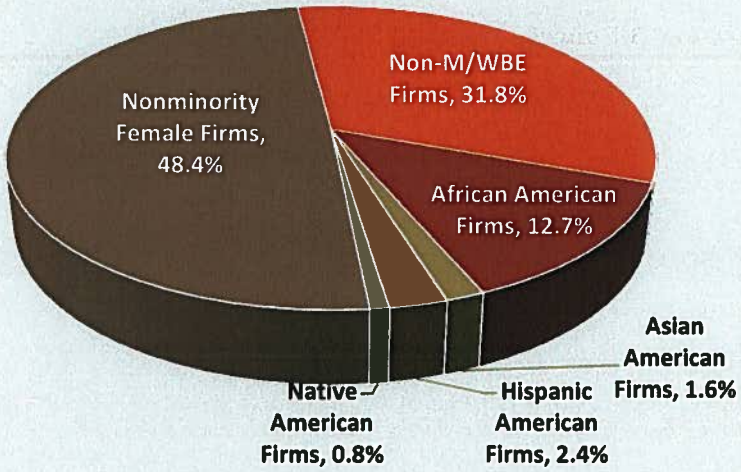
Figure 7E also shows that Nonminority Females represented the largest M/WBE group in Nonprofessional services with 38.8 percent of the respondents.

FIGURE 7E
SURVEY OF VENDORS DEMOGRAPHICS
PRIMARY LINE OF BUSINESS – NON-PROFESSIONAL SERVICES
BY RACE/ETHNICITY/GENDER



Source: Survey of Vendors Responses conducted by Oppenheim Research, 2014.

FIGURE 7F
SURVEY OF VENDORS DEMOGRAPHICS
PRIMARY LINE OF BUSINESS – GOODS AND SUPPLIES
BY RACE/ETHNICITY/GENDER



Source: Survey of Vendors Responses conducted by Oppenheim Research, 2014.

Table 7-1 shows that 26.9 percent of M/WBE respondents the largest prime contract awarded during the study period ranged up to $50,000. Non-M/WBE respondents also indicated that the range of their largest prime contract was also up to $50,000.

TABLE 7-1
SURVEY OF VENDORS DEMOGRAPHICS
LARGEST CONTRACT AWARDED - PRIME

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Not applicable (not a prime)	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
None	Count	10	3	0	1	8	3	0	25
	Row %	40.00%	12.00%	0.00%	4.00%	32.00%	12.00%	0.00%	100.00%
	Column %	6.99%	15.79%	0.00%	11.11%	4.06%	2.34%	0.00%	4.86%
	Total %	1.95%	0.58%	0.00%	0.19%	1.56%	0.58%	0.00%	4.86%
Up to $50,000?	Count	46	3	1	0	52	29	0	131
	Row %	35.11%	2.29%	0.76%	0.00%	39.69%	22.14%	0.00%	100.00%
	Column %	32.17%	15.79%	9.09%	0.00%	26.40%	22.66%	0.00%	25.49%
	Total %	8.95%	0.58%	0.19%	0.00%	10.12%	5.64%	0.00%	25.49%
$50,001 to $100,000?	Count	15	1	2	0	17	14	2	51
	Row %	29.41%	1.96%	3.92%	0.00%	33.33%	27.45%	3.92%	100.00%
	Column %	10.49%	5.26%	18.18%	0.00%	8.63%	10.94%	28.57%	9.92%
	Total %	2.92%	0.19%	0.39%	0.00%	3.31%	2.72%	0.39%	9.92%
$100,001 to $200,000?	Count	11	2	1	0	16	9	1	40
	Row %	27.50%	5.00%	2.50%	0.00%	40.00%	22.50%	2.50%	100.00%
	Column %	7.69%	10.53%	9.09%	0.00%	8.12%	7.03%	14.29%	7.78%
	Total %	2.14%	0.39%	0.19%	0.00%	3.11%	1.75%	0.19%	7.78%
$200,001 to $300,000?	Count	4	1	0	0	13	6	0	24
	Row %	16.67%	4.17%	0.00%	0.00%	54.17%	25.00%	0.00%	100.00%
	Column %	2.80%	5.26%	0.00%	0.00%	6.60%	4.69%	0.00%	4.67%
	Total %	0.78%	0.19%	0.00%	0.00%	2.53%	1.17%	0.00%	4.67%
$300,001 to $400,000?	Count	10	0	0	0	12	2	0	24
	Row %	41.67%	0.00%	0.00%	0.00%	50.00%	8.33%	0.00%	100.00%
	Column %	6.99%	0.00%	0.00%	0.00%	6.09%	1.56%	0.00%	4.67%
	Total %	1.95%	0.00%	0.00%	0.00%	2.33%	0.39%	0.00%	4.67%
	Count	4	1	1	1	3	6	0	16

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
$400,001 to $500,000?	Row %	25.00%	6.25%	6.25%	6.25%	18.75%	37.50%	0.00%	100.00%
	Column %	2.80%	5.26%	9.09%	11.11%	1.52%	4.69%	0.00%	3.11%
	Total %	0.78%	0.19%	0.19%	0.19%	0.58%	1.17%	0.00%	3.11%
$500,001 to $1 million?	Count	9	0	0	1	6	11	0	27
	Row %	33.33%	0.00%	0.00%	3.70%	22.22%	40.74%	0.00%	100.00%
	Column %	6.29%	0.00%	0.00%	11.11%	3.05%	8.59%	0.00%	5.25%
	Total %	1.75%	0.00%	0.00%	0.19%	1.17%	2.14%	0.00%	5.25%
Over $1 million?	Count	16	6	4	5	20	25	2	78
	Row %	20.51%	7.69%	5.13%	6.41%	25.64%	32.05%	2.56%	100.00%
	Column %	11.19%	31.58%	36.36%	55.56%	10.15%	19.53%	28.57%	15.18%
	Total %	3.11%	1.17%	0.78%	0.97%	3.89%	4.86%	0.39%	15.18%
Don't Know	Count	1	0	0	0	7	2	0	10
	Row %	10.00%	0.00%	0.00%	0.00%	70.00%	20.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	3.55%	1.56%	0.00%	1.95%
	Total %	0.19%	0.00%	0.00%	0.00%	1.36%	0.39%	0.00%	1.95%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Table 7-2 also shows that the largest subcontract range for M/WBE respondents was up to $50,000 representing 17.2 percent. Non-M/WBE subcontractors also indicated that the range of their largest subcontract was also up to $50,000.

TABLE 7-2
SURVEY OF VENDORS DEMOGRAPHICS
LARGEST CONTRACT AWARDED - SUBCONTRACTOR

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Not applicable (not a subcontractor)	Count	66	7	3	5	101	53	4	239
	Row %	27.62%	2.93%	1.26%	2.09%	42.26%	22.18%	1.67%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	51.27%	41.41%	57.14%	46.50%
	Total %	12.84%	1.36%	0.58%	0.97%	19.65%	10.31%	0.78%	46.50%
None	Count	12	1	0	2	7	2	0	24
	Row %	50.00%	4.17%	0.00%	8.33%	29.17%	8.33%	0.00%	100.00%
	Column %	8.39%	5.26%	0.00%	22.22%	3.55%	1.56%	0.00%	4.67%
	Total %	2.33%	0.19%	0.00%	0.39%	1.36%	0.39%	0.00%	4.67%
Up to $50,000?	Count	35	3	1	0	26	19	0	84
	Row %	41.67%	3.57%	1.19%	0.00%	30.95%	22.62%	0.00%	100.00%
	Column %	24.48%	15.79%	9.09%	0.00%	13.20%	14.84%	0.00%	16.34%
	Total %	6.81%	0.58%	0.19%	0.00%	5.06%	3.70%	0.00%	16.34%
$50,001 to $100,000?	Count	7	2	1	0	12	11	1	34
	Row %	20.59%	5.88%	2.94%	0.00%	35.29%	32.35%	2.94%	100.00%
	Column %	4.90%	10.53%	9.09%	0.00%	6.09%	8.59%	14.29%	6.61%
	Total %	1.36%	0.39%	0.19%	0.00%	2.33%	2.14%	0.19%	6.61%
$100,001 to $200,000?	Count	8	0	2	0	11	5	0	26
	Row %	30.77%	0.00%	7.69%	0.00%	42.31%	19.23%	0.00%	100.00%
	Column %	5.59%	0.00%	18.18%	0.00%	5.58%	3.91%	0.00%	5.06%
	Total %	1.56%	0.00%	0.39%	0.00%	2.14%	0.97%	0.00%	5.06%
$200,001 to $300,000?	Count	3	1	1	1	11	7	0	24
	Row %	12.50%	4.17%	4.17%	4.17%	45.83%	29.17%	0.00%	100.00%
	Column %	2.10%	5.26%	9.09%	11.11%	5.58%	5.47%	0.00%	4.67%
	Total %	0.58%	0.19%	0.19%	0.19%	2.14%	1.36%	0.00%	4.67%
$300,001 to $400,000?	Count	2	0	0	0	3	1	0	6
	Row %	33.33%	0.00%	0.00%	0.00%	50.00%	16.67%	0.00%	100.00%

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
	Column %	1.40%	0.00%	0.00%	0.00%	1.52%	0.78%	0.00%	1.17%
	Total %	0.39%	0.00%	0.00%	0.00%	0.58%	0.19%	0.00%	1.17%
$400,001 to $500,000?	Count	2	1	0	0	5	5	0	13
	Row %	15.38%	7.69%	0.00%	0.00%	38.46%	38.46%	0.00%	100.00%
	Column %	1.40%	5.26%	0.00%	0.00%	2.54%	3.91%	0.00%	2.53%
	Total %	0.39%	0.19%	0.00%	0.00%	0.97%	0.97%	0.00%	2.53%
$500,001 to $1 million?	Count	3	1	1	0	9	7	0	21
	Row %	14.29%	4.76%	4.76%	0.00%	42.86%	33.33%	0.00%	100.00%
	Column %	2.10%	5.26%	9.09%	0.00%	4.57%	5.47%	0.00%	4.09%
	Total %	0.58%	0.19%	0.19%	0.00%	1.75%	1.36%	0.00%	4.09%
Over $1 million?	Count	3	3	2	1	6	16	2	33
	Row %	9.09%	9.09%	6.06%	3.03%	18.18%	48.48%	6.06%	100.00%
	Column %	2.10%	15.79%	18.18%	11.11%	3.05%	12.50%	28.57%	6.42%
	Total %	0.58%	0.58%	0.39%	0.19%	1.17%	3.11%	0.39%	6.42%
Don't Know	Count	2	0	0	0	6	2	0	10
	Row %	20.00%	0.00%	0.00%	0.00%	60.00%	20.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	3.05%	1.56%	0.00%	1.95%
	Total %	0.39%	0.00%	0.00%	0.00%	1.17%	0.39%	0.00%	1.95%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

4. BARRIERS TO DOING BUSINESS WITH THE CITY OF PORTSMOUTH

MGT documented participant responses concerning barriers faced in the procurement process and factors that frequently prevented businesses from winning contracts or being awarded purchase orders. In the normal course of business, entrepreneurs may face certain barriers when establishing and operating a business enterprise and several factors may prevent a business from being selected for a contract or awarded a purchase order. This section summarize the anecdotal responses from the survey of vendors, focus group, public hearing, and interviews.

Procurement Process

Survey of Vendors

Questions for the survey of vendors were designed to gather business owners' perceptions about the procurement process and their experiences when doing business or attempting to do business with the Authority. An analysis of the responses showed that the majority of firms responded to questions about barriers to doing business.

There were 379 minority and women business firms that participated in the survey of vendors. Twenty-two percent (22%) of those M/WBEs received between one to ten contracts or purchase orders with the City during the study period. Among the 379 M/WBEs who responded to survey questions about barriers to doing business, the biggest concern for M/WBE primes was competing with large firms (34.30% or 130 of M/WBE primes). Similarly, the biggest concern for M/WBE subcontractors was also competing with large firms (18.73% or 71 of M/WBE subcontractors). Other key issues for M/WBE respondents participating in the survey are noted as follows. Detailed results for survey respondents and statistically significant differences in MBE and WBE responses to questions are located in **Appendix G – Survey of Vendors Results.**

Primes:

- Limited time given to prepare bid or quote – 16.89 percent or 64 respondents
- Contracts too large – 15.04 percent or 57 respondents
- Selection Process – 15.04 percent or 57 respondents
- Unnecessary restrictive contract specification – 14.78 percent or 56 respondents

Subcontractors:

- Limited time given to prepare bid or quote – 10.55 percent or 40 respondents
- Contracts too large – 8.18 percent or 31 respondents
- Slow Payment or nonpayment – 5.28 percent or 20 respondents

The Hampton Roads area has many public sector agencies similar in size and services as the City of Portsmouth. We asked the 514 survey respondents about their success in winning contracts in other public sector agencies in the market area. **Table 7-3** compares the results of M/WBE responses.

TABLE 7-3
UTILIZATION IN MARKET AREA

	Portsmouth Public Schools	City of Hampton	Hampton City Schools	Newport News	Virginia Beach
M/WBE	8.44%	23.22%	13.72%	19.26%	21.11%
Non-M/WBE	10.16%	26.56%	9.38%	27.34%	28.91%

Anecdotal Responses

The following section provides a summary of anecdotal comments from firms provided during the focus group, personal interviews, or public hearing when asked about barriers they face in doing business or attempting to do business with the City.

Obstacles in the Procurement Process

- An African American Architectural firm stated that bundling of projects is a barrier for their firm. Unbundling components of a large project allows the firm to compete on a small level and build capacity.
- An African American services firms also stated that unbundling will help smaller firms get work with the City.
- A nonminority male services firm stated that Demand Star is not useful because it is hard to find opportunities in their industry and they find out about project too late.
- A nonminority female owned professional services firms stated that Demand Star is not easy to navigate and businesses have to be "computer savvy" to use it.
- An African American consulting firm owner stated that they believe that term contract proposal specifications are written for the firm that is the successor. This locks out other firms because they cannot meet the qualifications.
- A nonminority male engineering firm owner stated that personal relationships with selection committee member should be prohibited.
- An African American specialty contracting firm owner stated that small purchases are being missed by local firms because it's too difficult to locate them or even find out about them. These purchases should be awarded to small local firms.

5. ACCESS TO CAPITAL

The following sections provide survey results and a summary of anecdotal comments concerning participants' experiences accessing financial capital during the study period.

Survey of VENDORS' Responses

Survey respondents were asked if they applied for a commercial loan during the study period and whether they were approved or denied. If their loan was denied, they were asked what they believed was the basis of their denial. Of the 514 (23.15% of total) respondents that applied for a commercial loan, 17.51 percent or 90 respondents were M/WBEs. No non-MWBE loan applicants reported being denied commercial bank loans, as compared to 35.0 percent of African American applicants and 11.6 percent of nonminority woman applicants

6. DISCRIMINATION AND DISPARATE TREATMENT

Survey, focus group, interview, and public hearing participants were asked if they experienced discriminatory or disparate behavior by the City, their primes, or in the private sector during the study period.

Survey of VENDORS' Responses

Table 7-4 illustrates the percentage of survey respondents who stated that they experienced discriminatory behavior from either the City, prime contractors/professional consultants contracted by the City, or while conducting business in the private sector marketplace. As it relates to the City or its primes firms do not overwhelming feel they have been discriminated against. However, more W/M/DBEs feel they have been discriminated against in the private sector.

TABLE 7-4
CITY OF PORTSMOUTH
SURVEY RESULTS
DISCRIMINATION

	By City	# of Respondents	By Primes	# of Respondents	Private Sector	# of Respondents
M/WBE (Prime)	3.50%	18				
Non-M/WBE (Prime)	0.19%	1				
M/WBE (Subcontractor)			0.97%	5		
Non-M/WBE (Subcontractor)			0.00%	0		
M/WBE Firms					8.37%	43
Non-M/WBE Firms					1.17%	6

Source: Responses from telephone survey conducted by Oppenheim Research, 2014.

With respect to disparate treatment M/WBE respondents reported:

- An informal network precluded their firms from obtaining work in the private sector – 21.37 percent or 81 respondents.
- Seldom or never being solicited when there were no M/WBE goals – 9.23 percent or 35 respondents.

- Being dropped from a project after being included to satisfy good faith efforts requirements – 10.29 percent or 39 respondents.

7. SUGGESTED REMEDIES FROM ANECDOTAL PARTICIPANTS

While collecting anecdotal data, participants were asked to provide their suggestions and recommendations for improving the procurement process, or increasing M/WBE utilization. A few recurring suggestions and/or recommendations provided by participants were:

1. Publish a bid/proposal list so firms can determine if they want to go to Demand Star to get more information about the opportunity.
2. Strategically unbundle contracts where unbundling will make sense and easy to manage.
3. Utilize small local firms.
4. More effective use of all means of notification, including direct mailings, calls (rotated in the case of small purchases), electronic notices, etc.
5. Synchronize procurement system with other agencies by utilizing the standard NICS and NIGP contact information and classifications.

8. CONCLUSIONS

Overall, participants in the anecdotal data collection testified that notification of procurement opportunities with the City is a barrier to participating on City contracts. Minority- and women – owned businesses are not aware or notified of opportunities in time to competitively submit quotes, bids, or proposals.

CHAPTER 8 | FINDINGS AND RECOMMENDATIONS

CHAPTER SECTIONS

1. Introduction
2. Findings
3. Commendations and Recommendations
4. Conclusions

1. INTRODUCTION

In September 2013, MGT of America, Inc. (MGT), was retained to conduct a Disparity Study for the City of Portsmouth (Portsmouth) to provide current data on Portsmouth programs. In this chapter, MGT provides findings for Portsmouth on minority and women business enterprise (M/WBE) utilization and availability. This study consisted of fact-finding to analyze Portsmouth procurement trends and practices for the period of July 1, 2008 through June 30, 2013; to evaluate the impact of race- and gender-neutral remedial efforts; and to evaluate various options for future program development.

The results of this study and conclusions drawn are presented in detail in **Chapters 3** through **6** of this report. This chapter will summarize the evidence on the central research question: *is there factual predicate evidence to support a race- and gender-conscious M/WBE program for Portsmouth?*

2. FINDINGS

FINDING A: RECENT M/WBE POLICY

The City has started developing policy for a Community Business Initiative (CBI), which is similar to a M/WBE program. The objectives of the CBI are to:

- Engage with and support the existing Community Businesses in the City.
- Attract firms that exhibit the potential to thrive within the City's business landscape.
- Eliminate any barriers Community Businesses may encounter in securing local government contracts.
- Encourage Community Businesses to partner together to pursue all government procurement opportunities.
- Ensure the City's position at the forefront of emerging issues affecting Community Businesses.[1]

[1] City of Portsmouth Department of Economic Development, Community Business Initiative, 2012, page 16.

FINDING B: M/WBE PRIME UTILIZATION

The dollar value of M/WBE prime contractor utilization on Portsmouth projects over the period of July 1, 2008 through June 30, 2013 within the relevant market was as follows:

- MBEs received payments on construction prime contracts totaling $458,439, 1.73 percent of the total construction prime contract dollars; WBEs were paid $10,915 in on construction prime contracts, 0.04 percent of the total construction prime contract dollars (**Table 8-1**). There was disparity for African Americans and Nonminority Women.
- MBEs and WBEs received no payments on Architecture and Engineering prime contracts. (**Table 8-1**). There was disparity for Nonminority Women.
- MBEs received payments on professional service prime contracts totaling 364,180, 11.68 percent of the total professional service prime contract dollars; WBEs were paid $1,652 on professional service prime contracts, 0.05 percent of the total professional service prime contract dollars (**Table 8-1**). There was disparity for Nonminority Women.
- MBEs received payments on other services prime contracts totaling $2.38 million, 17.54 percent of the total other services prime contract dollars; WBEs were paid $628,871 on other services prime contracts, 4.62 percent of the total other services prime contract dollars (**Table 8-1**). There was disparity for Asian Americans and Hispanic Americans.
- MBEs received payments on goods and supplies prime contracts totaling $74,990, 0.54 percent of the total goods and supplies prime contract dollars; WBEs were paid $1,852 on goods and supplies contracts, 0.01 percent of the total goods and supplies prime contract dollars (**Table 8-1**). There was disparity for African Americans and Nonminority Women.

TABLE 8-1
SUMMARY OF PRIME CONTRACTOR UTILIZATION
BY PROCUREMENT TYPE
BUSINESS OWNERSHIP CLASSIFICATION
PORTSMOUTH
JULY 1, 2008 THROUGH JUNE 30, 2013

BUSINESS OWNERSHIP CLASSIFICATION	Construction	Architecture and Engineering	Professional Services	Other Services	Goods and Supplies
	($)	($)	($)	($)	($)
Minority Business	$ 458,439	$ -	$ 364,180	$ 2,385,596	$ 74,990
Nonminority Women	$ 10,915	$ -	$ 1,652	$ 628,871	$ 1,852
Total M/WBE Firms	$ 469,354	$ -	$ 365,832	$ 3,014,467	$ 76,842
	(%)	(%)	(%)	(%)	(%)
Minority Business	1.73%	0.00%	11.68%	17.54%	0.54%
Nonminority Women	0.05%	0.00%	0.05%	4.62%	0.01%
Total M/WBE Firms	1.77%	0.00%	11.73%	22.16%	0.55%

Source: MGT developed a master database based on dollars awarded and expended by Portsmouth between July 1, 2008, and June 30, 2013.

FINDING C: COMPARISON BETWEEN PERCENT M/WBE UTILIZATION BY THE CITY OF PORTMOUTH AND BY THE CITY OF HAMPTON

Table 8-2 below shows a comparison between percent M/WBE utilization for the City of Hampton and the City of Portsmouth. The top half of **Table 8-2** is the Portsmouth and Hampton M/WBE percentage utilization in Hampton's 2014 disparity study. The bottom half of **Table 8-2** is amount by which Portsmouth M/WBE utilization exceeds (or falls short of) Hampton M/WBE percent utilization. It is worth noting here that the City of Hampton has an M/WBE subcontractor program, but does not have a prime M/WBE program.

MBE percentage prime utilization is substantially higher for Portsmouth in Professional Services and Other Services and roughly the same for the other procurement categories. WBE percentage prime utilization is substantially lower for Portsmouth in Construction, Other Services and Goods, and somewhat lower in Professional Services. Neither Hampton nor Portsmouth were able to achieve M/WBE utilization in Architecture and Engineering.

TABLE 8-2
COMPARISON OF PRIME CONTRACTOR UTILIZATION
BY PROCUREMENT TYPE
BUSINESS OWNERSHIP CLASSIFICATION
PORTSMOUTH AND HAMPTON

BUSINESS OWNERSHIP CLASSIFICATION	Construction	Architecture and Engineering	Professional Services	Other Services	Goods and Supplies
	(%)	(%)	(%)	(%)	(%)
City of Portsmouth					
Minority Business	1.73%	0.00%	11.68%	17.54%	0.54%
Nonminority Women	0.05%	0.00%	0.05%	4.62%	0.01%
Total M/WBE Firms	1.77%	0.00%	11.73%	22.16%	0.55%
City of Hampton					
Minority Business	3.70%	0.00%	4.90%	6.91%	2.35%
Nonminority Women	8.18%	0.00%	2.43%	15.49%	13.03%
Total M/WBE Firms	11.88%	0.00%	7.33%	22.40%	15.38%
Portsmouth % - Hampton %	(%)	(%)	(%)	(%)	(%)
Minority Business	-1.97%	0.00%	6.78%	10.63%	-1.81%
Nonminority Women	-8.13%	0.00%	-2.38%	-10.87%	-13.02%
Total M/WBE Firms	-10.11%	0.00%	4.40%	-0.24%	-14.83%

FINDING D: M/WBE SUBCONTRACTOR UTILIZATION AND DISPARITY

With limited data from building permits there was negligible utilization of M/WBEs as subcontractors on City projects.

FINDING E: REGRESSION ANALYSIS

In a statistical analysis of survey data in the Hampton area that controlled for the effects of variables related to company demographics (such as, company capacity, ownership level of education, and experience), M/WBE status had a negative effect on 2013 company earnings of African American owned firms.

FINDING F: PRIVATE SECTOR COMMERCIAL CONSTRUCTION

M/WBE utilization in private sector commercial construction in the Hampton Metropolitan Statistical Area (MSA) was very low, as measured by data from building permits. From January 1, 2008 through December 31, 2012, MBE prime contractors won 0.18 percent of prime permit dollars and WBEs received 1.23 percent of prime permits dollars. MBE subcontractors were issued 0.68 percent of all subcontracting permit dollars and WBEs 0.54 percent of subcontracting permit dollars. This result is consistent with the anecdotal finding of the difficulty of M/WBEs securing construction work in the absence of a remedial program.

FINDING G: DISPARITIES IN SELF-EMPLOYMENT AND REVENUE EARNINGS

Econometric analysis using data from American Community Survey data for the Hampton Roads area found statistically significant disparities for entry into self-employment: for African Americans, and nonminority women. There were statistically significant disparities in earnings from self-employment for African Americans and nonminority women.

FINDING H: ACCESS TO CAPITAL

An econometric analysis of data in the most recent National Survey of Small Business Finance (NSSBF) found a statistically significant positive relationship between the probability of loan denial and African American ownership. These results are consistent with data in the 2014 local survey. No non-M/WBE loan applicants reported being denied commercial bank loans, as compared to 35.0 percent of African American applicants and 11.6 percent of nonminority woman applicants.

FINDING I: ANECDOTAL COMMENTS

Among the M/WBEs who responded to questions about barriers to doing business, the biggest concern for was competing with large firms (34.3% of M/WBE primes). Other key issues noted by M/WBE respondents included:

Primes:

- Selection process – 15.0 percent.
- Contracts too large – 15.0 percent.
- Specifications – 14.8 percent

Subcontractors:

- Competing with large firms– 18.7 percent.
- Contracts too large – 8.2 percent.

With respect to disparate treatment M/WBE respondents reported:

- An informal network precluded their firms from obtaining work in the private sector – 21.37 percent or 81 respondents.
- Seldom or never being solicited when there were no M/WBE goals – 9.23 percent or 35 respondents.
- Being dropped from a project after being included to satisfy good faith efforts requirements – 10.29 percent or 39 respondents.

3. COMMENDATIONS AND RECOMMENDATIONS

Most of the following commendations and recommendations are based on multiple findings and do not necessarily tie to one finding.

COMMENDATION AND RECOMMENDATION A: OUTREACH

The City should be commended for the outreach activities that it undertakes, such as the joint trade fair with Portsmouth Public Schools. There is, however, M/WBE availability in the Hampton Roads area as demonstrated by the registered M/WBEs in the Commonwealth of Virginia, City of Hampton and Portsmouth Public Schools M/WBE programs in the Hampton Roads area. More of these firms should be encouraged to become registered City vendors.

RECOMMENDATION B: VENDOR ROTATION

The City should consider the selective use of vendor rotation to expand utilization of underutilized M/WBE groups. Some political jurisdictions use vendor rotation arrangements to limit habitual repetitive purchases from incumbent majority firms and to ensure that M/WBEs have an opportunity to bid along with majority firms. Generally, a diverse team of firms is prequalified for work and then teams alternate undertaking projects. A number of agencies, including the Port Authority of New York and New Jersey; Memphis Light gas and Water, City of Indianapolis; Fairfax County, Virginia; and Miami-Dade County, Florida use vendor rotation to encourage utilization of underutilized M/WBE groups, particularly in professional services.

COMMENDATION AND RECOMMENDATION C: SBE PROGRAM

The City should be commended for its Community Business Initiative, which is a step in the direction of an SBE program. SBE programs, including SBE project goals and SBE set-asides, have the advantage that they are generally not subject to constitutional challenge. Combining SBE programs and M/WBE programs has become common across agencies that maintain MBE programs. The City should seriously consider the approach of combining M/WBE and SBE program. Further ideas on SBE programs are discussed in **Appendix L – Selected Practices**.

RECOMMENDATION D: SUBCONTRACTOR PROJECT GOALS

In response to the primary research question this study provides evidence to support a Portsmouth M/WBE program containing subcontractor goals. This conclusion is based primarily on statistical disparities in current M/WBE utilization; evidence of discrimination in business formation and revenue earned from self-employment; very low M/WBE utilization in the building permit evidence; credit disparities; and anecdotal evidence of disparate treatment. Portsmouth should tailor its M/WBE participation policy to remedy these disparities. The core theme should be that prime contractors should document their outreach efforts and the reasons why they may have rejected qualified M/WBEs that were the low-bidding subcontractors.

RECOMMENDATION E: ASPIRATIONAL M/WBE GOALS

Proposed aspirational M/WBE goals are proposed in **Table 8-3** below. These proposed aspirational goals are similar in design to the DBE goal setting process in that the goals are a weighted average of estimated M/WBE availability and utilization.

TABLE 8-3
PORTSMOUTH
PROPOSED ASPIRATIONAL M/WBE GOALS
2015

	MBE	WBE
Prime Contracting		
Construction	6.4%	3.4%
Architecture and Engineering	6.9%	3.8%
Professional Services	14.5%	4.1%
Other Services	17.4%	6.8%
Goods and Supplies	11.9%	8.6%
Subcontracting		
Construction	6.4%	7.7%
Architecture and Engineering	6.9%	9.0%
Professional Services	8.8%	14.1%

Source: MGT developed proposed aspirational M/WBE goals.

RECOMMENDATION F: NARROW TAILORED M/WBE PROGRAM

Developments in court cases involving federal disadvantaged business enterprise (DBE) programs provide important insight into the design of local M/WBE programs. In January 1999, the United States Department of Transportation (USDOT) published its final DBE rule in Title 49, Code of Federal Regulations, Part 26 (49 CFR 26). Federal courts found have consistently found new DBE regulations to be narrowly tailored.[2] The federal DBE program has the features in **Table 8-4** that

[2] *Adarand v. Slater*, 228 F.3d 1147 (10th Cir. 2000), *Gross Seed. v.State of Nebraska*, 345 F.3d 968 (8th Cir. 2003); cert denied, 158 L.Ed. 2d 729 (2004).

contribute to this characterization as a narrowly tailored remedial procurement preference program. Portsmouth should adopt these features in any new narrowly tailored M/WBE program.

TABLE 8-4
NARROWLY TAILORED M/WBE PROGRAM FEATURES

	Narrowly Tailored Goal-setting Features	DBE Regulations
1.	Portsmouth should not use M/WBE quotas.	49 CFR 26(43)(a)
2.	Portsmouth should use race- or gender-conscious set-asides only in extreme cases.	49 CFR 26(43)(b)
3.	Portsmouth should meet the maximum amount of M/WBE goals through race-neutral means.	49 CFR 26(51)(a)

Source: Suggested features in a proposed narrowly tailored M/WBE program based on USDOT 49 CFR 26.

RECOMMENDATION G: DATA MANAGEMENT

Portsmouth could improve the collection and reporting of the data along the following lines:

- Expand use of existing MUNIS system to capture race, ethnicity, gender of vendors, and use of NIGP or NAICS codes.
- Request and capture: 1) bidder/proposer data, 2) proposed subcontractors/subconsultants.
- Request and capture payment data for all subcontractors/suppliers.
- Expand website to include M/WBE Program initiatives, policies and guidelines, and procurement forecast. Also, update website so that procurement opportunities are easier to locate.

COMMENDATION AND RECOMMENDATION H: PORTSMOUTH WEBSITE

Portsmouth should be commended for having bid opportunities, how to do business information and ordinances on its website. A survey of agencies has found the following information on their M/WBE Web sites, which serves as a source of additional ideas for Portsmouth: directory of certified firms, uniform certification application, M/WBE program description, SBE program description, comprehensive contracting guides, M/WBE ordinance, bid tabulations, status of certification applications, links to management and technical assistance providers, information on the loan programs, newsletters, data on SBE and M/WBE utilization, annual M/WBE program reports, capacity, bonding, qualifications and experience data on certified firms, and 90-day forecasts of business opportunities, prequalification information, and direct links to on-line purchasing manuals.

RECOMMENDATION I: STAFFING

In order to increase its efforts on M/WBE inclusion Portsmouth will probably need an increase in staffing. Other programs in the Hampton area, such as the city of Hampton and Portsmouth Schools have one staff person devoted to the M/WBE program. Some agencies approach increased staffing needs by having some existing staff become M/WBE liaisons for their departments. Portsmouth should also consider collaboration with Portsmouth Public Schools new M/WBE program as a means of enhancing staff resources for new M/WBE initiatives.

As for organizational structure, the primary alternatives are for M/WBE staff to report:

- directly to the agency chief executive officer.
- to the Purchasing/Procurement Department.
- to the Economic Development department.

There are arguments favoring any of these organization locations and the ultimate resolution depends on the specifics of the agency in question.

4. CONCLUSION

This study provides factual predicate evidence for establishing a Portsmouth M/WBE program. This evidence is based on quantitative and qualitative data from public and private sources. While Portsmouth has made progress in M/WBE inclusion, any future efforts must be narrowly tailored to rectify the issues identified in this report.

APPENDIX A | SUBCONTRACTOR UTILIZATION USING COMMERCIAL PERMITS

CITY OF PORTSMOUTH
COMMERCIAL BUILDING PERMITS
SUBCONTRACTOR UTILIZATION

BUSINESS OWNERSHIP	FY2009		FY2010		FY2011		FY2012		FY2013		Total	
CLASSIFICATION	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
M/WBE												
African American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Hispanic American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Nonminority Women	$0	0.00%	$0	0.00%	$0	0.00%	$21,800	0.00%	$0	0.00%	$21,800	0.62%
Total M/WBE Firms	**$0**	**0.00%**	**$0**	**0.00%**	**$0**	**0.00%**	**$21,800**	**0.00%**	**$0**	**0.00%**	**$21,800**	**0.62%**
Non-M/WBE Firms	$857,521	100.00%	$593,630	100.00%	$199,900	100.00%	$390,284	94.71%	$1,430,186	100.00%	$3,471,521	99.38%
Total	**$857,521**	**100.00%**	**$593,630**	**100.00%**	**$199,900**	**100.00%**	**$412,084**	**100.00%**	**$1,430,186**	**100.00%**	**$3,493,321**	**100.00%**

Source: City of Portsmouth commercial building permits data for the period of July 1, 2008 to June 30, 2013.

APPENDIX B | MARKET AREA AVAILABILITY

PRELIMINARY CHARTS
CITY OF PORTSMOUTH
CONSTRUCTION
MARKET AREA ANALYSIS
FISCAL YEARS 2008-2012

County, State	# of Payments	% of Payments	# of Firms	% of Firms	Dollars	% of Dollars	Cum% [2]
CHESAPEAKE CITY, VA	**771**	**49.65%**	**15**	**25.86%**	**$18,090,314**	**66.35%**	**66.35%**
VIRGINIA BEACH CITY, VA	**35**	**2.25%**	**10**	**17.24%**	**$620,222**	**2.27%**	**68.62%**
NORFOLK CITY, VA	**602**	**38.76%**	**9**	**15.52%**	**$2,068,302**	**7.59%**	**76.21%** [1]
PORTSMOUTH CITY, VA	**46**	**2.96%**	**9**	**15.52%**	**$269,215**	**0.99%**	**77.20%**
NEWPORT NEWS CITY, VA	**17**	**1.09%**	**2**	**3.45%**	**$3,372,494**	**12.37%**	**89.56%**
SUFFOLK CITY, VA	**16**	**1.03%**	**2**	**3.45%**	**$33,970**	**0.12%**	**89.69%**
YORK COUNTY, VA	**10**	**0.64%**	**1**	**1.72%**	**$1,800,056**	**6.60%**	**96.29%**
JAMES CITY, VA	**5**	**0.32%**	**1**	**1.72%**	**$264,335**	**0.97%**	**97.26%**
HAMPTON CITY, VA	**12**	**0.77%**	**1**	**1.72%**	**$4,761**	**0.02%**	**97.28%**
POQUOSON CITY, VA	**1**	**0.06%**	**1**	**1.72%**	**$2,988**	**0.01%**	**97.29%**
NEW YORK, NY	9	0.58%	1	1.72%	$225,134	0.83%	98.11%
WAKE, NC	8	0.52%	1	1.72%	$201,678	0.74%	98.85%
SEMINOLE, GA	1	0.06%	1	1.72%	$155,350	0.57%	99.42%
FORSYTH, NC	3	0.19%	1	1.72%	$83,770	0.31%	99.73%
HILLSBOROUGH, NH	2	0.13%	1	1.72%	$59,087	0.22%	99.95%
FRANKLIN CITY, VA	14	0.90%	1	1.72%	$7,568	0.03%	99.98%
RICHMOND CITY, VA	1	0.06%	1	1.72%	$6,567	0.02%	100.00%
Total	1,553	100.00%	58	100.00%	$27,265,811	100.00%	

Source: City of Portsmouth

[1] Cumulative total of percent of dollars in market area.

[2] Counties above the line are included in the relevant market area.

*MSA Counties

PRELIMINARY CHARTS
CITY OF PORTSMOUTH
ARCHITECTURE AND ENGINEERING
MARKET AREA ANALYSIS
FISCAL YEARS 2008-2012

County, State	# of Payments	% of Payments	# of Firms	% of Firms	Dollars	% of Dollars	Cum% [2]	
NORFOLK CITY, VA	**35**	**39.77%**	**6**	**40.00%**	**$342,213**	**32.79%**	**32.79%**	[1]
VIRGINIA BEACH CITY, VA	**38**	**43.18%**	**4**	**26.67%**	**$618,985**	**59.32%**	**59.32%**	
FAIRFAX, VA	9	10.23%	1	6.67%	$59,980	5.75%	5.75%	
LYNCHBURG CITY, VA	3	3.41%	1	6.67%	$11,500	1.10%	1.10%	
WASHTENAW, MI	1	1.14%	1	6.67%	$5,950	0.57%	0.57%	
RICHMOND CITY, VA	1	1.14%	1	6.67%	$4,450	0.43%	0.43%	
HENRICO, VA	1	1.14%	1	6.67%	$428	0.04%	0.04%	
Total	88	100.00%	15	100.00%	$1,043,506	100.00%		

Source: City of Portsmouth

[1] Cumulative total of percent of dollars in market area.

[2] Counties above the line are included in the relevant market area.

*MSA Counties

PRELIMINARY CHARTS
CITY OF PORTSMOUTH
PROFESSIONAL SERVICES
MARKET AREA ANALYSIS
FISCAL YEARS 2008-2012

County, State	# of Payments	% of Payments	# of Firms	% of Firms	Dollars	% of Dollars	Cum% [2]
PORTSMOUTH CITY, VA	**144**	**4.99%**	**10**	**14.71%**	**$295,954**	**2.83%**	**2.83%**
VIRGINIA BEACH CITY, VA	**928**	**32.17%**	**9**	**13.24%**	**$881,385**	**8.43%**	**11.26%**
NORFOLK CITY, VA	**315**	**10.92%**	**8**	**11.76%**	**$589,006**	**5.63%**	**16.89%**
CHESAPEAKE CITY, VA	**1,028**	**35.63%**	**6**	**8.82%**	**$740,964**	**7.09%**	**23.98%**
SUFFOLK CITY, VA	**17**	**0.59%**	**2**	**2.94%**	**$8,117**	**0.08%**	**24.06%**
NEWPORT NEWS CITY, VA	**13**	**0.45%**	**2**	**2.94%**	**$3,620**	**0.03%**	**24.09%**
ISLE OF WIGHT, VA	**60**	**2.08%**	**1**	**1.47%**	**$598,025**	**5.72%**	**29.81%**
HAMPTON CITY, VA	**6**	**0.21%**	**1**	**1.47%**	**$1,652**	**0.02%**	**29.83%**
RICHMOND CITY, VA	181	6.27%	5	7.35%	$1,219,838	11.67%	41.49%
DAVIDSON, TN	48	1.66%	1	1.47%	$4,309,325	41.21%	82.71% [1]
WILLIAMSON, TN	16	0.55%	1	1.47%	$1,262,452	12.07%	94.78%
HILLSBOROUGH, NH	6	0.21%	1	1.47%	$117,460	1.12%	95.90%
ARLINGTON, VA	5	0.17%	1	1.47%	$98,176	0.94%	96.84%
NEW YORK, NY	5	0.17%	1	1.47%	$70,950	0.68%	97.52%
DISTRICT OF COLUMBIA, DC	11	0.38%	1	1.47%	$60,889	0.58%	98.10%
FULTON, GA	8	0.28%	1	1.47%	$44,855	0.43%	98.53%
SUSSEX, VA	41	1.42%	1	1.47%	$32,800	0.31%	98.85%
POWHATAN, VA	1	0.03%	1	1.47%	$31,457	0.30%	99.15%
SACRAMENTO, CA	2	0.07%	1	1.47%	$22,000	0.21%	99.36%
FAIRFAX, VA	3	0.10%	1	1.47%	$15,468	0.15%	99.50%
SOMERSET, NJ	3	0.10%	1	1.47%	$12,065	0.12%	99.62%
VOLUSIA, FL	1	0.03%	1	1.47%	$11,171	0.11%	99.73%
BLAIR, PA	13	0.45%	1	1.47%	$7,169	0.07%	99.80%
NEW HAVEN, CT	10	0.35%	1	1.47%	$6,671	0.06%	99.86%
HENRY, VA	2	0.07%	1	1.47%	$4,550	0.04%	99.90%
BREVARD, FL	1	0.03%	1	1.47%	$2,500	0.02%	99.93%
STAUNTON CITY, VA	1	0.03%	1	1.47%	$2,100	0.02%	99.95%
ESSEX, MA	2	0.07%	1	1.47%	$1,597	0.02%	99.96%
PIERCE, WA	1	0.03%	1	1.47%	$1,500	0.01%	99.98%
CRAWFORD, KS	9	0.31%	1	1.47%	$1,022	0.01%	99.99%
DOUGLAS, CO	1	0.03%	1	1.47%	$727	0.01%	99.99%
OLDHAM, KY	1	0.03%	1	1.47%	$375	0.00%	100.00%
SKAMANIA, WA	2	0.07%	1	1.47%	$342	0.00%	100.00%
Total	2,885	100.00%	68	100.00 %	$10,456,180	100.00 %	

Source: City of Portsmouth

[1] Cumulative total of percent of dollars in market area.

[2] Counties above the line are included in the relevant market area.

*MSA Counties

PRELIMINARY CHARTS
CITY OF PORTSMOUTH
OTHER SERVICES
MARKET AREA ANALYSIS
FISCAL YEARS 2008-2012

County, State	# of Payments	% of Payments	# of Firms	% of Firms	Dollars	% of Dollars	Cum% [2]
VIRGINIA BEACH CITY, VA	**1,704**	**16.45%**	**101**	**14.35%**	**$2,359,166**	**11.21%**	**11.21%**
PORTSMOUTH CITY, VA	**2,777**	**26.81%**	**97**	**13.78%**	**$3,475,266**	**16.51%**	**27.71%**
CHESAPEAKE CITY, VA	**1,657**	**16.00%**	**95**	**13.49%**	**$3,850,273**	**18.29%**	**46.00%**
NORFOLK CITY, VA	**974**	**9.40%**	**71**	**10.09%**	**$1,877,625**	**8.92%**	**54.92%**
SUFFOLK CITY, VA	**181**	**1.75%**	**28**	**3.98%**	**$163,214**	**0.78%**	**55.69%**
HAMPTON CITY, VA	**256**	**2.47%**	**25**	**3.55%**	**$909,616**	**4.32%**	**60.02%**
NEWPORT NEWS CITY, VA	**175**	**1.69%**	**16**	**2.27%**	**$696,139**	**3.31%**	**63.32%**
ISLE OF WIGHT COUNTY, VA	**28**	**0.27%**	**8**	**1.14%**	**$16,544**	**0.08%**	**63.40%**
JAMES CITY, VA	**58**	**0.56%**	**6**	**0.85%**	**$250,375**	**1.19%**	**64.59%**
POQUOSON CITY, VA	**6**	**0.06%**	**2**	**0.28%**	**$6,836**	**0.03%**	**64.62%**
GLOUCESTER COUNTY, VA	**5**	**0.05%**	**2**	**0.28%**	**$1,018**	**0.00%**	**64.63%**
HENRICO, VA	248	2.39%	12	1.70%	$238,297	1.13%	65.76%
RICHMOND CITY, VA	70	0.68%	9	1.28%	$124,177	0.59%	66.35%
MONTGOMERY, MD	88	0.85%	8	1.14%	$99,064	0.47%	66.82%
COOK, IL	969	9.36%	5	0.71%	$951,250	4.52%	71.34%
DALLAS, TX	142	1.37%	5	0.71%	$792,531	3.76%	75.10% [1]
HANOVER, VA	10	0.10%	5	0.71%	$51,413	0.24%	75.35%
SANTA CLARA, CA	13	0.13%	4	0.57%	$89,168	0.42%	75.77%
ORANGE, CA	10	0.10%	4	0.57%	$38,225	0.18%	75.95%
NEW YORK, NY	10	0.10%	4	0.57%	$19,275	0.09%	76.04%
WAKE, NC	12	0.12%	4	0.57%	$11,328	0.05%	76.10%
ORANGE, FL	7	0.07%	4	0.57%	$8,824	0.04%	76.14%
ANNE ARUNDEL, MD	11	0.11%	4	0.57%	$5,362	0.03%	76.16%
HAMILTON, OH	6	0.06%	4	0.57%	$1,952	0.01%	76.17%
DISTRICT OF COLUMBIA, DC	37	0.36%	3	0.43%	$406,482	1.93%	78.10%
BALTIMORE CITY, MD	20	0.19%	3	0.43%	$116,663	0.55%	78.66%
ALAMANCE, NC	34	0.33%	3	0.43%	$92,327	0.44%	79.10%
FULTON, GA	13	0.13%	3	0.43%	$80,971	0.38%	79.48%
HOWARD, MD	54	0.52%	3	0.43%	$24,935	0.12%	79.60%
GUILFORD, NC	12	0.12%	3	0.43%	$16,188	0.08%	79.68%
MIDDLESEX, MA	7	0.07%	3	0.43%	$11,152	0.05%	79.73%
CHESTERFIELD, VA	9	0.09%	3	0.43%	$6,691	0.03%	79.76%
BALTIMORE, MD	4	0.04%	3	0.43%	$2,617	0.01%	79.77%
FAIRFAX, VA	6	0.06%	3	0.43%	$2,496	0.01%	79.79%
NEW KENT, VA	24	0.23%	2	0.28%	$181,786	0.86%	80.65%
DELAWARE, PA	8	0.08%	2	0.28%	$73,230	0.35%	81.00%
CONTRA COSTA, CA	7	0.07%	2	0.28%	$66,440	0.32%	81.31%

LYNCHBURG CITY, VA	9	0.09%	2	0.28%	$53,326	0.25%	81.57%
MONROE, NY	14	0.14%	2	0.28%	$49,332	0.23%	81.80%
DOUGLAS, NE	7	0.07%	2	0.28%	$43,074	0.20%	82.01%
PINELLAS, FL	4	0.04%	2	0.28%	$20,584	0.10%	82.10%
JACKSON, MO	3	0.03%	2	0.28%	$16,913	0.08%	82.18%
PRINCE WILLIAM, VA	7	0.07%	2	0.28%	$12,379	0.06%	82.24%
ROANOKE CITY, VA	7	0.07%	2	0.28%	$12,339	0.06%	82.30%
HILLSBOROUGH, FL	12	0.12%	2	0.28%	$11,704	0.06%	82.36%
DEKALB, GA	3	0.03%	2	0.28%	$7,749	0.04%	82.39%
OTHER	640	6.18%	127	18.04%	$3,706,835	17.61%	100.00 %
Total	10,358	100.00%	704	100.00 %	$21,053,151	100.00 %	

Source: City of Portsmouth

[1] Cumulative total of percent of dollars in market area.

[2] Counties above the line are included in the relevant market area.

*MSA Counties

PRELIMINARY CHARTS
CITY OF PORTSMOUTH
GOODS AND SUPPLIES
MARKET AREA ANALYSIS
FISCAL YEARS 2008-2012

County, State	# of Contracts	% of Contracts	# of Firms	% of Firms	Dollars	% of Dollars	Cum%[2]
CHESAPEAKE CITY, VA	**4,847**	**14.86%**	**80**	**11.28%**	**$1,833,090.16**	**6.98%**	**6.98%**
NORFOLK CITY, VA	**5,460**	**16.74%**	**69**	**9.73%**	**$1,854,217.07**	**7.06%**	**14.04%**
VIRGINIA BEACH CITY, VA	**1,718**	**5.27%**	**68**	**9.59%**	**$2,626,708.99**	**10.00%**	**24.04%**
PORTSMOUTH CITY, VA	**9,347**	**28.66%**	**62**	**8.74%**	**$1,378,942.15**	**5.25%**	**29.29%**
SUFFOLK CITY, VA	**821**	**2.52%**	**23**	**3.24%**	**$6,298,522.97**	**23.98%**	**53.27%**
HAMPTON CITY, VA	**307**	**0.94%**	**8**	**1.13%**	**$201,467.56**	**0.77%**	**54.03%**
NEWPORT NEWS CITY, VA	**195**	**0.60%**	**5**	**0.71%**	**$36,084.39**	**0.14%**	**54.17%**
ISLE OF WIGHT COUNTY, VA	**54**	**0.17%**	**4**	**0.56%**	**$17,727.99**	**0.07%**	**54.24%**
POQUOSON CITY, VA	**3**	**0.01%**	**2**	**0.28%**	**$28,237.00**	**0.11%**	**54.35%**
JAMES CITY, VA	**21**	**0.06%**	**2**	**0.28%**	**$9,415.50**	**0.04%**	**54.38%**
YORK COUNTY, VA	**27**	**0.08%**	**1**	**0.14%**	**$33,564.00**	**0.13%**	**54.51%**
CURRITUCK, NC	**4**	**0.01%**	**1**	**0.14%**	**$8,069.84**	**0.03%**	**54.54%**
CHESTERFIELD, VA	1,348	4.13%	15	2.12%	$3,556,172.53	13.54%	68.08%
RICHMOND CITY, VA	69	0.21%	10	1.41%	$382,483.43	1.46%	69.53%
HENRICO, VA	560	1.72%	9	1.27%	$375,837.73	1.43%	70.96%
LOS ANGELES, CA	42	0.13%	9	1.27%	$172,904.78	0.66%	71.62%
COOK, IL	36	0.11%	9	1.27%	$19,090.52	0.07%	71.70%
ORANGE, CA	23	0.07%	8	1.13%	$517,507.74	1.97%	73.67%
DUPAGE, IL	19	0.06%	6	0.85%	$60,545.26	0.23%	73.90%
FULTON, GA	43	0.13%	6	0.85%	$31,925.13	0.12%	74.02%
MONTGOMERY, MD	565	1.73%	5	0.71%	$171,317.20	0.65%	74.67%
BERGEN, NJ	30	0.09%	5	0.71%	$127,223.75	0.48%	75.15% [1]
HILLSBOROUGH, FL	16	0.05%	5	0.71%	$92,499.01	0.35%	75.51%
CUYAHOGA, OH	30	0.09%	5	0.71%	$72,310.70	0.28%	75.78%
NEW HAVEN, CT	34	0.10%	5	0.71%	$32,324.39	0.12%	75.91%
GWINNETT, GA	26	0.08%	5	0.71%	$26,831.02	0.10%	76.01%
PHILADELPHIA, PA	22	0.07%	5	0.71%	$24,134.01	0.09%	76.10%
KING, WA	16	0.05%	4	0.56%	$231,965.02	0.88%	76.98%
FAIRFAX, VA	132	0.40%	4	0.56%	$132,458.64	0.50%	77.49%
MECKLENBURG, NC	11	0.03%	4	0.56%	$82,724.56	0.31%	77.80%
KENT, MI	18	0.06%	4	0.56%	$43,900.12	0.17%	77.97%
SUFFOLK, NY	36	0.11%	4	0.56%	$25,550.44	0.10%	78.07%
DALLAS, TX	13	0.04%	4	0.56%	$24,343.76	0.09%	78.16%
ALAMANCE, NC	24	0.07%	4	0.56%	$21,809.36	0.08%	78.24%
SHELBY, TN	16	0.05%	4	0.56%	$10,785.43	0.04%	78.28%
ALAMEDA, CA	25	0.08%	4	0.56%	$3,390.35	0.01%	78.30%
SONOMA, CA	44	0.13%	3	0.42%	$130,624.21	0.50%	78.79%
NASSAU, NY	90	0.28%	3	0.42%	$32,903.27	0.13%	78.92%
COBB, GA	5	0.02%	3	0.42%	$19,029.57	0.07%	78.99%

MILWAUKEE, WI	28	0.09%	3	0.42%	$18,599.96	0.07%	79.06%
ESSEX, MA	7	0.02%	3	0.42%	$6,433.89	0.02%	79.09%
MARICOPA, AZ	36	0.11%	3	0.42%	$6,120.53	0.02%	79.11%
JOHNSON, KS	12	0.04%	3	0.42%	$5,905.82	0.02%	79.13%
ROANOKE CITY, VA	15	0.05%	2	0.28%	$413,282.05	1.57%	80.70%
DISTRICT OF COLUMBIA, DC	5	0.02%	2	0.28%	$251,271.00	0.96%	81.66%
FRANKLIN, OH	144	0.44%	2	0.28%	$247,165.73	0.94%	82.60%
BURLINGTON, NJ	38	0.12%	2	0.28%	$135,527.46	0.52%	83.12%
SAN MATEO, CA	20	0.06%	2	0.28%	$62,219.34	0.24%	83.36%
PRINCE GEORGES, MD	99	0.30%	2	0.28%	$40,670.96	0.15%	83.51%
JEFFERSON, KY	25	0.08%	2	0.28%	$39,823.45	0.15%	83.66%
SAINT LOUIS CITY, MO	7	0.02%	2	0.28%	$34,330.91	0.13%	83.79%
PINELLAS, FL	15	0.05%	2	0.28%	$33,940.00	0.13%	83.92%
HANOVER, VA	21	0.06%	2	0.28%	$31,200.47	0.12%	84.04%
DANE, WI	53	0.16%	2	0.28%	$16,933.72	0.06%	84.10%
DUVAL, FL	73	0.22%	2	0.28%	$16,455.59	0.06%	84.17%
RANKIN, MS	23	0.07%	2	0.28%	$14,505.39	0.06%	84.22%
CARROLL, GA	3	0.01%	2	0.28%	$12,798.10	0.05%	84.27%
HENRY, VA	10	0.03%	2	0.28%	$11,888.39	0.05%	84.32%
TULSA, OK	6	0.02%	2	0.28%	$10,490.86	0.04%	84.36%
LYNCHBURG CITY, VA	7	0.02%	2	0.28%	$9,885.18	0.04%	84.39%
SAN FRANCISCO, CA	6	0.02%	2	0.28%	$9,540.00	0.04%	84.43%
FAIRFIELD, CT	18	0.06%	2	0.28%	$9,131.58	0.03%	84.47%
LEHIGH, PA	15	0.05%	2	0.28%	$9,062.64	0.03%	84.50%
EL PASO, CO	14	0.04%	2	0.28%	$7,532.62	0.03%	84.53%
CHARLESTON, SC	10	0.03%	2	0.28%	$7,149.51	0.03%	84.56%
LAKE, IL	9	0.03%	2	0.28%	$6,654.24	0.03%	84.58%
GUILFORD, NC	12	0.04%	2	0.28%	$6,278.15	0.02%	84.60%
MONROE, NY	3	0.01%	2	0.28%	$5,244.95	0.02%	84.62%
HAMPDEN, MA	14	0.04%	2	0.28%	$4,495.70	0.02%	84.64%
WASHINGTON, OR	3	0.01%	2	0.28%	$4,112.26	0.02%	84.66%
BRISTOL, MA	69	0.21%	2	0.28%	$4,035.39	0.02%	84.67%
DAVIDSON, TN	12	0.04%	2	0.28%	$3,453.84	0.01%	84.69%
BEDFORD, VA	6	0.02%	2	0.28%	$2,812.74	0.01%	84.70%
MIDDLESEX, MA	8	0.02%	2	0.28%	$2,714.92	0.01%	84.71%
LUCAS, OH	2	0.01%	2	0.28%	$1,042.50	0.00%	84.71%
KNOX, TN	2	0.01%	2	0.28%	$891.42	0.00%	84.71%
WAKE, NC	6	0.02%	2	0.28%	$838.17	0.00%	84.72%
NORFOLK, MA	2	0.01%	2	0.28%	$563.31	0.00%	84.72%
BUCKS, PA	2	0.01%	2	0.28%	$172.66	0.00%	84.72%
DEKALB, GA	3,292	10.09%	1	0.14%	$879,002.64	3.35%	88.07%
UTAH, UT	7	0.02%	1	0.14%	$490,998.75	1.87%	89.94%
MARION, FL	13	0.04%	1	0.14%	$315,116.92	1.20%	91.14%
ADAMS, CO	15	0.05%	1	0.14%	$260,825.89	0.99%	92.13%
RICHMOND, NC	66	0.20%	1	0.14%	$246,273.52	0.94%	93.07%
MCLENNAN, TX	2	0.01%	1	0.14%	$224,440.00	0.85%	93.92%
SOMERSET, NJ	28	0.09%	1	0.14%	$174,585.00	0.66%	94.59%
MERCER, NJ	1	0.00%	1	0.14%	$143,800.00	0.55%	95.13%
OTHER	2,232	6.84%	140	19.75%	$1,278,429.07	4.87%	100.00%

Total	32,613	100.00%	709	100.00 %	$26,267,286.74	100.00 %	

Source: City of Portsmouth
[1] Cumulative total of percent of dollars in market area.
[2] Counties above the line are included in the relevant market area.
*MSA Counties

APPENEDIX C: OVERALL UTILIZATION

OVERALL UTILIZATION

BUSINESS OWNERSHIP CLASSIFICATION	FY2009		FY2010		FY2011		FY2012		FY2013		Total	
	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent	$	Percent
W/MBE												
African American	$456,369	0.00%	$462,602	0.00%	$811,362	0.00%	$455,532	0.00%	$860,475	5.04%	$3,046,340	3.52%
Native American	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%	$0	0.00%
Asian American	$71,365	0.00%	$72,588	0.00%	$21,355	0.00%	$8,799	0.00%	$283	0.00%	$174,390	0.20%
Hispanic American	$8,562	0.00%	$4,225	0.00%	$17,669	0.00%	$20,649	0.00%	$24,504	0.14%	$75,610	0.09%
Nonminority Women	$32,892	0.00%	$14,686	0.00%	$12,248	0.00%	$182,156	0.00%	$447,060	2.62%	$689,041	0.80%
Total M/WBE Firms	**$569,187**	**0.00%**	**$554,101**	**0.00%**	**$862,635**	0.00%	**$667,136**	**0.00%**	**$1,332,322**	**7.80%**	**$3,985,381**	**4.61%**
Non-M/WBE Firms	$17,085,829	96.78%	$13,687,170	96.11%	$19,276,020	95.72%	$16,696,059	96.16%	$15,749,085	92.20%	$82,494,163	95.39%
Total	**$17,655,016**	**100.00%**	**$14,241,271**	**100.00%**	**$20,138,654**	100.00%	**$17,363,195**	**100.00%**	**$17,081,407**	**100.00%**	**$86,479,544**	**100.00%**

Source: City of Portsmouth payment data for dollars spent during the study period of July 1, 2008 through June 30, 2013.

APPENDIX D | CUSTOM CENSUS AVAILABILITY

CONSTRUCTION

BUSINESS OWNERSHIP CLASSIFICATION	CONSTRUCTION	
	#	Percent
W/M/DBE Firms		
African American	89	18.86%
Native American	0	0.00%
Asian American	12	2.54%
Hispanic American	18	3.81%
Nonminority Women	120	25.42%
Total W/MBE Firms	**239**	**50.64%**
Non-W/MBE Firms	233	49.36%
Total	**472**	**100.00%**

Custom Census Plus Utilized

ARCHITECTURE AND ENGINEERING

BUSINESS OWNERSHIP CLASSIFICATION	ARCHITECTURE AND ENGINEERING	
W/M/DBE Firms		
African American	29	6.35%
Native American	0	0.00%
Asian American	6	1.31%
Hispanic American	10	2.19%
Nonminority Women	184	40.26%
Total W/MBE Firms	**229**	**50.11%**
Non-W/MBE Firms	228	49.89%
Total	**457**	**100.00%**

Custom Census Plus Utilized

PROFESSIONAL SERVICES

BUSINESS OWNERSHIP CLASSIFICATION	PROFESSIONAL SERVICES	
	#	Percent
W/M/DBE Firms		
African American	143	31.71%
Native American	0	0.00%
Asian American	14	3.10%
Hispanic American	11	2.44%
Nonminority Women	134	29.71%
Total W/MBE Firms	**302**	**66.96%**
Non-W/MBE Firms	149	33.04%
Total	**451**	**100.00%**

Custom Census Plus Utilized

APPENDIX E-1 | CUSTOM CENSUS SURVEY INSTRUMENT – CONSTRUCTION

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
CONSTRUCTION

_____? (VERIFY TELEPHONE NUMBER)

ENTER THE D&B D-U-N-S NUMBER

_____

Hello. My name is _____, the City of Portsmouth (City) has contracted MGT of America to conduct a 5 minute survey to help the City know more about which businesses might be interested and available for business opportunities with the City.

Is this _____ (Company's name)? **IF COMPANY NAME VERIFIED, CONTINUE.**

Are you the owner or authorized decision maker in your company please?
[IF NO] May I speak with that person? [IF NO, SCHEDULE CALL-BACK]

Your company's information has been provided to us from Dun & Bradstreet.

Thank you for agreeing to do the survey. Your opinions are important to us, and all of your responses will be kept confidential. *If you have any questions regarding the survey, I will be happy to provide you a contact at the end of the survey.*

Q1. What is your title? [REQUIRE ANSWER]

- o Owner/CEO/President 1
- o Manager/Financial Officer 2
- o Other (Specify) 3 _____

Q2. Please provide the following in case we have any further questions.
[REQUIRE ANSWER]

Name (First and Last Name) (1)

1

Interviewer Id# [REQUIRE ANSWER]_____

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
CONSTRUCTION

Q3. Is your company interested in submitting a bid as a prime contractor or subcontractor, for a construction contract or project to the City of Portsmouth over the next 12 months or near future?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

[IF THE ANSWER TO QUESTION 3 IS NO TERMINATE THE CALL AND PLEASE GO BACK TO Q2 AND TYPE "DISQUALIFIED" AFTER THE FIRST AND LAST NAME.]
Disqualification statement

Thank you for your input; however, you do not qualify for this survey

Q4. Let us confirm that your company still provide construction services.

Examples include but are not limited to building construction (general contractors or builders), construction management, construction special trade contractors plumbing, heating, and air conditioning, painting, electrical work, masonry, stonework, tile setting and plastering, excavation work, structural steel erection, demolition, trucking or hauling services.

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

IF THE ANSWER TO QUESTION 4 IS NO TERMINATE THE CALL AND PLEASE SELECT "DISQUALIFIED" BELOW.

Disqualification statement
Thank you for your input; however, you do not qualify for this survey.

Q5. Please provide your primary type of construction services.

Specify:_____

Q6. Does your company bid primarily as prime contractor? Subcontractor? or both?

[REQUIRE ANSWER]

- o Prime Contractor 1
- o Subcontractor 2
- o Both 3
- o Don't Know 9

2

Interviewer Id# [REQUIRE ANSWER]_____

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
CONSTRUCTION

Q7. Between July 1, 2008 and June 30, 2013 has your company submitted a bid as a prime contractor or subcontractor for a construction contract or project for City of Portsmouth? [REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

Q8. Do you or one of your employees have a current Virginia-issued contractor license?

- o Yes 1
- o No 2
- o Don't Know 9

Q9. Do you have a current Virginia State Corporation Commission (SCC) license?

- o Yes 1
- o No 2
- o Don't Know 9

Q10. Is more than 50 percent of your company owned and controlled by a woman or women? [REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 3

Q11. Is more than 50 percent of your company owned and controlled by a person or people from one of the following racial or ethnic groups? [REQUIRE ANSWER]

- o Anglo/Caucasian 1
- o Black or African American 2
- o Asian 3
- o Hispanic or Latino 4
- o American Indian/Alaska Native 5
- o Native Hawaiian /Other 6
- o Pacific Islander Groups 7
- o Other (Specify) 8_____
- o Don't Know 9

That completes our interview. Thank you for your input and your participation in this important survey.
If you would like more information on the Disparity Study, please contact Michael Ammons at (757) 393-8858 ext6148.

3

Interviewer Id# [REQUIRE ANSWER]_____

APPENDIX E-2 | CUSTOM CENSUS SURVEY INSTRUMENT – ARCHITECTURE AND ENGINEERING

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
ARCHITECTURE AND ENGINEERING

_____? (VERIFY TELEPHONE NUMBER)

ENTER THE D&B D-U-N-S NUMBER

_____

Hello. My name is _____, the City of Portsmouth (City) has contracted MGT of America to conduct a 5 minute survey to help the City know more about which businesses might be interested and available for business opportunities with the City.

Is this _____ (Company's name)? **IF COMPANY NAME VERIFIED, CONTINUE.**

Are you the owner or authorized decision maker in your company please?
[IF NO] May I speak with that person? [IF NO, SCHEDULE CALL-BACK]

Your company's information has been provided to us from Dun & Bradstreet.

Thank you for agreeing to do the survey. Your opinions are important to us, and all of your responses will be kept confidential. *If you have any questions regarding the survey, I will be happy to provide you a contact at the end of the survey.*

Q1. What is your title? [REQUIRE ANSWER]

- o Owner/CEO/President 1
- o Manager/Financial Officer 2
- o Other (Specify) 3 _____

Q2. Please provide the following in case we have any further questions.
[REQUIRE ANSWER]

Name (First and Last Name) (1)

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
ARCHITECTURE AND ENGINEERING

Q3. Is your company interested in submitting a bid as a prime consultant or subconsultant, for an architecture or engineering contract or project to the City of Portsmouth over the next 12 months or near future?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

[IF THE ANSWER TO QUESTION 3 IS NO TERMINATE THE CALL AND PLEASE GO BACK TO Q2 AND TYPE "DISQUALIFIED" AFTER THE FIRST AND LAST NAME.]
Disqualification statement

Thank you for your input; however, you do not qualify for this survey

Q4. Let us confirm that your company still provides architecture or engineering services.

Examples include but are not limited to architecture, engineering, land surveying, landscape architecture, etc.

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

IF THE ANSWER TO QUESTION 4 IS NO TERMINATE THE CALL AND PLEASE SELECT "DISQUALIFIED" BELOW.

Disqualification statement
Thank you for your input; however, you do not qualify for this survey.

Q5. Please provide your primary type of architecture or engineering services.

Specify:_____

Q6. Does your company bid primarily as prime consultant? Subconsultant? or both?

[REQUIRE ANSWER]

- o Prime Consultant 1
- o Subconsultant 2
- o Both 3
- o Don't Know 9

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
ARCHITECTURE AND ENGINEERING

Q7. Between July 1, 2008 and June 30, 2013 has your company submitted a bid as a prime consultant or sub consultant for an architecture or engineering contract or project for City of Portsmouth?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

Q8. Do you have a current APELSCINLA* license?

- o Yes 1
- o No 2
- o Don't Know 9

* *Architect, Professional Engineer, Land Surveyors, Certified Interior Designers, and Landscape Architects*

Q9. Do you have a current Virginia State Corporation Commission (SCC) license?

- o Yes 1
- o No 2
- o Don't Know 9

Q10. Is more than 50 percent of your company owned and controlled by a woman or women?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 3

Q11. Is more than 50 percent of your company owned and controlled by a person or people from one of the following racial or ethnic groups? [REQUIRE ANSWER]

- o Anglo/Caucasian 1
- o Black or African American 2
- o Asian 3
- o Hispanic or Latino 4
- o American Indian/Alaska Native 5
- o Native Hawaiian /Other 6
- o Pacific Islander Groups 7
- o Other (Specify) 8_____
- o Don't Know 9

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
ARCHITECTURE AND ENGINEERING

That completes our interview. Thank you for your input and your participation in this important survey.
If you would like more information on the Disparity Study, please contact Michael Ammons at (757) 393-8858 ext6148.

Interviewer Id# [REQUIRE ANSWER]_____

APPENDIX E-3 | CUSTOM CENSUS SURVEY INSTRUMENT – PROFESSIONAL SERVICES

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
PROFESSIONAL SERVICES

_____? (VERIFY TELEPHONE NUMBER)

ENTER THE D&B D-U-N-S NUMBER

_____

Hello. My name is _____, the City of Portsmouth (City) has contracted MGT of America to conduct a 5 minute survey to help the City know more about which businesses might be interested and available for business opportunities with the City..

Is this _____(Company's name)? **IF COMPANY NAME VERIFIED, CONTINUE.**

Are you the owner or authorized decision maker in your company please?
[IF NO] May I speak with that person? [IF NO, SCHEDULE CALL-BACK]

Your company's information has been provided to us from Dun & Bradstreet.

Thank you for agreeing to do the survey. Your opinions are important to us, and all of your responses will be kept confidential. *If you have any questions regarding the survey, I will be happy to provide you a contact at the end of the survey.*

Q1. What is your title? [REQUIRE ANSWER]

- o Owner/CEO/President 1
- o Manager/Financial Officer 2
- o Other (Specify) 3 _____

Q2. Please provide the following in case we have any further questions.
[REQUIRE ANSWER]

Name (First and Last Name) (1)

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
PROFESSIONAL SERVICES

Q3. Is your company interested in submitting a bid as a prime consultant or subconsultant, for a professional services contract to the City of Portsmouth over the next 12 months or near future?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

[IF THE ANSWER TO QUESTION 3 IS NO TERMINATE THE CALL AND PLEASE GO BACK TO Q2 AND TYPE "DISQUALIFIED" AFTER THE FIRST AND LAST NAME.]

Disqualification statement
Thank you for your input; however, you do not qualify for this survey.

Q4. Let us confirm that your company still provide professional services.

Examples include, but are not limited to, legal services, consulting, accounting services, auditing, information technology, etc.

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

IF THE ANSWER TO QUESTION 4 IS NO TERMINATE THE CALL AND PLEASE SELECT "DISQUALIFIED" BELOW.

Disqualification statement
Thank you for your input; however, you do not qualify for this survey.

Q5. Please provide your primary type of professional services.

Specify:_____

Q6. Does your company bid primarily as prime consultant? Subconsultant? or both?

[REQUIRE ANSWER]

- o Prime Consultant 1
- o Subconsultant 2
- o Both 3
- o Don't Know 9

CITY OF PORTSMOUTH
CUSTOM CENSUS SURVEY
PROFESSIONAL SERVICES

Q7. Between July 1, 2008 and June 30, 2013 has your company submitted a bid as a prime consultant or sub consultant for a professional services contract or project for City of Portsmouth?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 9

Q8. Do you have a current Virginia State Corporation Commission (SCC) license?

- o Yes 1
- o No 2
- o Don't Know 9

Q10. Is more than 50 percent of your company owned and controlled by a woman or women?

[REQUIRE ANSWER]

- o Yes 1
- o No 2
- o Don't Know 3

Q11. Is more than 50 percent of your company owned and controlled by a person or people from one of the following racial or ethnic groups? [REQUIRE ANSWER]

- o Anglo/Caucasian 1
- o Black or African American 2
- o Asian 3
- o Hispanic or Latino 4
- o American Indian/Alaska Native 5
- o Native Hawaiian /Other 6
- o Pacific Islander Groups 7
- o Other (Specify) 8_____
- o Don't Know 9

That completes our interview. Thank you for your input and your participation in this important survey.
If you would like more information on the Disparity Study, please contact Michael Ammons at (757) 393-8858 ext6148.

Interviewer Id# [REQUIRE ANSWER]_____

APPENDIX F | SURVEY OF VENDORS INSTRUMENT

Portsmouth Vendors

Pre-Test 11/24/14

Hello, my name is _____ and I am calling on behalf of the City of Portsmouth to conduct a disparity study update. Is this &&_ (company name)? IF YES CONTINUE. Have I reached ___ (verify telephone number)? IF YES CONTINUE.

The City of Portsmouth (City) has contracted MGT of America to conduct a disparity study update. Your firm has been selected to participate in a survey to determine the current business climate and help evaluate the procurement of goods and services for the City, the subcontracting practices of prime contractors/consultants who do business with the City and the anecdotal evidence collected from a broad cross section of all interested businesses.

The following survey will gather information on business ownership, work performed and/or bid with the City, work bid and/or performed in the private sector, and barriers, perceived or real, that prevented your firm from doing business with the City between July 1, 2008 and June 30, 2013. The results of the study will provide the basis, if warranted, will result in recommendations to improve the Cityt's current procurement programs.

This is a great opportunity for you to provide feedback regarding your experience doing business with or attempting to do business with the City by agreeing to carefully complete this survey. The survey will only take a few minutes of your time to complete. Your information is aggregated for the overall analysis and used only for the purposes of conducting this study. Individual information is kept confidential.

Questionnaire # _____ (1-4)

Q.1 What is your title?

[REQUIRE ANSWER]

(5)

Owner 1
CEO/President 2
Manager/Financial Officer .. 3
Other 4

[A - IF THE ANSWER TO QUESTION 1 IS NOT 4, THEN SKIP TO QUESTION 3]

Q.2 Please SPECIFY Other

[REQUIRE ANSWER]

_____ (6-30)

Q.3 May I have your name in case we have any further questions? REQUIRE ANSWER. Contact Name:

[REQUIRE ANSWER]

_____ (31-80)

Q.4 What is your company's primary line of business? Is it:

[REQUIRE ANSWER]

(81)

Construction (general contractor, carpentry, electrical, site work, HVAC, drywall, mechanical, hauling, painting, concrete, etc.) 1
Professional services (architecture, engineering, structural, land surveying, accounting, legal services, etc.) 2
Non-Professional Services (consulting, hazardous waste removal and remediation, janitorial services, security services, printing etc.) 3
Goods (books, computers, furniture, auto parts, etc.) 4
Other 5

[S - IF THE ANSWER IS 2, THEN SKIP TO QUESTION 6]
[S - IF THE ANSWER IS 3, THEN SKIP TO QUESTION 7]
[S - IF THE ANSWER IS 4, THEN SKIP TO QUESTION 8]
[S - IF THE ANSWER IS 5, THEN SKIP TO QUESTION 9]
[A - IF THE ANSWER TO QUESTION 4 IS NOT 1, THEN SKIP TO QUESTION 10]

1

Q.5 Please SPECIFY Construction Type

[REQUIRE ANSWER]

_____ (82-381)

[A - IF THE ANSWER TO QUESTION 4 IS NOT 2, THEN SKIP TO QUESTION 10]

Q.6 Please SPECIFY Professional Services Type

[REQUIRE ANSWER]

_____ (382-681)

[A - IF THE ANSWER TO QUESTION 4 IS NOT 3, THEN SKIP TO QUESTION 10]

Q.7 Please SPECIFY Non-Professional Services

[REQUIRE ANSWER]

_____ (682-981)

[A - IF THE ANSWER TO QUESTION 4 IS NOT 4, THEN SKIP TO QUESTION 10]

Q.8 Please SPECIFY Goods Type

[REQUIRE ANSWER]

_____ (982-1281)

[A - IF THE ANSWER TO QUESTION 4 IS NOT 5, THEN SKIP TO QUESTION 10]

Q.9 Please SPECIFY Other

[REQUIRE ANSWER]

_____ (1282-1581)

Q.10 Do you have a current Virginia issued contractor license?

[REQUIRE ANSWER]

(1582)
Yes 1
No 2
Don't Know .. 3

Q.11 Do you have a current APELSCINLA (*architect, Professional Engineer, Land Surveyors, Certified Interior Designers, and Landscape Architects) license?*

[REQUIRE ANSWER]

(1583)
Yes 1
No 2
Don't Know .. 3

Q.12 Do you have a current Virginia State Corporation Commission (SCC) license?

[REQUIRE ANSWER]

(1584)
Yes 1
No 2
Don't Know .. 3

Q.13 Is more than 50% of your company owned and operated by a woman or women?

[REQUIRE ANSWER]

(1585)
Yes 1
No 2
Don't Know .. 3

2

Q.14 Is more than 50% of the company owned and controlled by one of the following racial or ethnic groups?
[REQUIRE ANSWER]

(1586)

Anglo/Caucasian/White	1
Black/African American	2
American Indian/Alaskan Native	3
Asian	4
Hispanic or Latino	5
Native Hawaiian/Pacific Islander	6
Don't Know	7
Other	8

[A - IF THE ANSWER TO QUESTION 14 IS NOT 8, THEN SKIP TO QUESTION 16]

Q.15 Please SPECIFY Other

_____ (1587-1886)

Q.16 What is the highest level of education completed by the primary owner of your company?
[REQUIRE ANSWER]

(1887)

Some high school	1
High School graduate	2
Trade or technical education	3
Some college	4
College degree	5
Post graduate degree	6
Don't Know	7

Q.17 What year was your company established?

[REQUIRE ANSWER]

_____ (1888-1891)

Q.18 How many combined years of experience do you or the primary owner(s) of your firm have in the line of business?
[REQUIRE ANSWER]

(1892)

0-5 years	1
6-10 years	2
11-15 years	3
16-20 years	4
20+ years	5
Don't Know	6

Q.19 In the last three years, what was the average number of employees your company kept on payroll, including full-time and part-time staff?

[REQUIRE ANSWER]

(1893)

0-10	1
11-20	2
21-30	3
31-40	4
41+	5
Don't Know	6

3

Q.20 Which of the following categories best approximates your company's gross revenues for calendar year 2013?
[REQUIRE ANSWER]

(1894-1895)

Up to $50,000	1
$50,001 to $100,000	2
$100,001 to $300,000	3
$300,001 to $500,000	4
$500,001 to $1 million	5
$1,000,001 to $3 million	6
$3,000,001 to $5 million	7
$5,000,001 to $10 million	8
Over $10 million	9
Don't Know	10

Q.21 In the past five years, have you been awarded a contract with any of the following public agencies or been awarded a subcontract to a prime contractor with any of these agencies:

CHECK ALL THAT APPLY

[REQUIRE ANSWER: 3]

	Yes	No	DK
Portsmouth Public Schools	1	2	3 (1896)
City of Hampton	1	2	3 (1897)
Hampton City Schools	1	2	3 (1898)
City of Virginia Beach	1	2	3 (1899)
City of Newport News	1	2	3 (1900)

Q.22 Does your company hold any of the following certifications from a recognized certification agency?

CHECK ALL THAT APPLY

[REQUIRE ANSWER]

	Yes	No	DK
Minority Business Enterprise (MBE)	1	2	3 (1901)
Small Business Enterprise (SBE)	1	2	3 (1902)
Woman Business Enterprise (WBE)	1	2	3 (1903)
Disadvantaged Business Enterprise (DBE)	1	2	3 (1904)
Small, Woman, and Minority Business (SWaM)	1	2	3
HubZone	1	2	3 (1905)
8A	1	2	3 (1906)
Don't Know	1	2	3 (1907)
Other	1	2	3 (1908)

[A - IF THE ANSWER TO SUB-QUESTION 9 OF QUESTION 22 IS NOT 1, THEN SKIP TO QUESTION 24]

Q.23 Please SPECIFY Other

[REQUIRE ANSWER]

_____ (1909-2208)

Q24 As a prime contractor/vendor which of the following dollar ranges best approximates your company's largest contract awarded between *July 1, 2008 and June 30, 2013*?

[REQUIRE ANSWER]

	(2217-2218)
Not applicable (not a prime) Skip to Q37	1
None	2
Up to $50,000?	3
$50,001 to $100,000?	4
$100,001 to $200,000?	5
$200,001 to $300,000?	6
$300,001 to $400,000?	7
$400,001 to $500,000?	8
$500,001 to $1 million?	9
Over $1 million?	10
Don't Know	11

[S - IF THE ANSWER IS 1, THEN SKIP TO QUESTION 37]

Q.25 Between *July 1, 2008 and June 30, 2013* how many times has your company been awarded a City project as a prime contractor/vendor?

[REQUIRE ANSWER]

	(2219)
None	1
1-10 times	2
11-25 times	3
26-50 times	4
51-100 times	5
Over 100 times	6
Don't know	7

Q.26 In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor:

[REQUIRE ANSWER]

	Yes	No DK	
Prequalification requirements	1	2	3 (2220)
Bid bond requirement	1	2	3 (2221)
Performance/payment bond requirement	1	2	3 (2222)
Cost of bidding/proposing	1	2	3 (2223)
Financing	1	2	3 (2224)
Insurance (general liability, professional liability, etc.)	1	2	3 (2225)
Price of supplies/materials	1	2	3 (2226)
Proposal/Bid specifications	1	2	3 (2227)
Limited time given to prepare bid package or quote	1	2	3 (2228)
Limited knowledge of purchasing contracting policies and procedures	1	2	3 (2229)
Lack of experience	1	2	3 (2230)
Lack of personnel	1	2	3 (2231)
Contract too large	1	2	3 (2232)
Selection process	1	2	3 (2233)
Unnecessary restrictive contract specifications	1	2	3 (2234)
Slow payment or nonpayment	1	2	3 (2235)
Competing with large companies	1	2	3 (2236)

Q.27 Between July *1,2007 and June 30, 2013*, have you ever submitted a bid, quote, or proposal for a City contract, were informed that you were the lowest bidder/selected firm, and then found out that another firm was actually doing the work?

[REQUIRE ANSWER]

(2237)
Yes 1
No 2
Don't Know .. 3

Q.28 As a prime contractor/vendor are you required to have bonding?

[REQUIRE ANSWER]

(2238)
Yes 1
No 2
Don't Know .. 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 31]

Q.29 What is your current aggregate bonding capacity?

[REQUIRE ANSWER]

(2239)
Below $100,000 1
$100,001 to $250,000 2
$250,001 to $500,000 3
$500,001 to $1,000,000 4
$1,000,001 to $1,500,000 .. 5
$1,500,001 to $3,000,000 .. 6
$3,000,001 to $5,000,000 .. 7
Over $ 5 million 8
Don't know 9

Q.30 What is your current single limit bonding capacity?

[REQUIRE ANSWER]

(2240)
Below $100,000 1
$100,001 to $250,000 2
$250,001 to $500,000 3
$500,001 to $1,000,000 4
$1,000,001 to $1,500,000 .. 5
$1,500,001 to $3,000,000 .. 6
$3,000,001 to $5,000,000 .. 7
Over$ 5 million 8
Don't know 9

Q.31 As a prime contractor/vendor did you experience discriminatory behavior by the City when bidding or working on a project between 2008 and 2013?

[REQUIRE ANSWER]

(2241)
Yes 1
No 2
Don't Know 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 36]

6

Q.32 What was the most noticeable way you became aware of the discrimination against your company?
[REQUIRE ANSWER]

(2242)
Verbal Comment 1
Written Statement 2
Action taken against the company .. 3
Don't Know 4

Q.33 Which of the following do you consider to be the primary reason for your company being discriminated against?
[REQUIRE ANSWER]

(2243)
Owner's race or ethnicity .. 1
Owner's gender 2
Both 3
Don't Know 4

Q.34 When did the discrimination first occur?
[REQUIRE ANSWER]

(2244)
During the bidding process .. 1
After contract awarded 2
Both 3
Don't know 4

Q.35 Did you file a complaint?
[REQUIRE ANSWER]

(2245)
Yes 1
No 2
Don't Know .. 3

Q.36 While doing business or attempting to do business with the City, have you experienced any of the following as a form of discrimination from the City?

[REQUIRE ANSWER]

	Yes	No DK	
Harassment	1	2	3 (2273)
Unequal or unfair treatment	1	2	3 (2274)
Bid shopping or bid manipulation	1	2	3 (2275)
Double standards in performance	1	2	3 (2276)
Denial of opportunity to bid	1	2	3 (2277)
Unfair denial of contract award	1	2	3 (2278)
Unfair termination	1	2	3 (2279)
Unequal price quotes from suppliers	1	2	3 (2280)

7

Q.37 As a subcontractor/supplier, which of the following dollar ranges best approximates your company's largest subcontract awarded between *July 1, 2008 and June 30, 2013?*

[REQUIRE ANSWER]

(2246-2247)

Not applicable (not a subcontractor) Skip to Q50 1
None 2
Up to $50,000? 3
$50,001 to $100,000? 4
$100,001 to $200,000 5
$200,001 to $300,000 6
$300,001 to $400,000 7
$400,001 to $500,000 8
$500,001 to $1 million? 9
Over $1 million? 10
Don't Know 11

[S - IF THE ANSWER IS 1, THEN SKIP TO QUESTION 50]

Q.38 In your experience as a subcontractor, have any of the following been a barrier to obtaining work with primes on City projects?

[REQUIRE ANSWER]

	Yes	No	DK
Performance/payment bond requirement	1	2	3 [2248]
Cost of bidding/proposing	1	2	3 [2249]
Financing	1	2	3 [2250]
Insurance (general liability, professional liability, ect)	1	2	3 [2251]
Price of supplies/materials	1	2	3 [2252]
Limited time given to prepare bid estimate or quote	1	2	3 [2253]
Lack of experience	1	2	3 [2254]
Lack of personnel	1	2	3 [2255]
Contracts too large	1	2	3 [2256]
Slow payment or nonpayment	1	2	3 [2257]
Competing with large companies	1	2	3 [2258]

Q.39 Between *July 1, 2008 and June 30, 2013*, how many times has your company been awarded a subcontract with a prime contractor/vendor on a City project?

[REQUIRE ANSWER]

[2259]

None 1
1-10 times 2
11-25 times 3
26-50 times 4
51-100 times 5
Over 100 times ... 6
Don't know 7

Q.40 Between *July1, 2008 and June 30, 2013*, have you ever submitted a bid to a prime contractor/vendor on a City project, were informed that you were the lowest bidder, and then found out that another subcontractor was actually doing the work?

[REQUIRE ANSWER]

[2261]

Yes 1
No 2
Don't Know ... 3

8

Q.41 As a subcontractor, are you required to have bonding for company's type of work?
[REQUIRE ANSWER]

(2262)
Yes 1
No 2
Don't Know .. 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 44]

Q.42 What is your current aggregate bonding limit?
[REQUIRE ANSWER]

(2263)
Below $100,000 1
$100,001 to $250,000 2
$250,001 to $500,000 3
$500,001 to $1,000,000 4
$1,000,001 to $1,500,000 .. 5
$1,500,001 to $3,000,000 .. 6
$3,000,001 to $5,000,000 .. 7
Over$ 5 million 8
Don't know 9

Q.43 What is your current single project bonding limit?
[REQUIRE ANSWER]

(2264)
Below $100,000 1
$100,001 to $250,000 2
$250,001 to $500,000 3
$500,001 to $1,000,000 4
$1,000,001 to $1,500,000 .. 5
$1,500,001 to $3,000,000 .. 6
$3,000,001 to $5,000,000 .. 7
Over$ 5 million 8
Don't know 9

Q.44 As a subcontractor did you experience discriminatory behavior between *July 1, 2008 and June 30, 2013* from a prime contractor/vendor working or bidding/proposing on a City project?
[REQUIRE ANSWER]

(2265)
Yes 1
No 2
Don't Know 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 49]

Q.45 What was the most noticeable way you became aware of the discrimination against your company?
[REQUIRE ANSWER]

(2266)
Verbal Comment 1
Written Statement 2
Action taken against the company .. 3
Don't Know 4

Q.46 Which of the following do you consider the primary reason for your company being discriminated against?
[REQUIRE ANSWER]

(2267)
Owner's race or ethnicity .. 1
Owner's gender 2
Both 3
Don't Know 4

Q.47 When did the discrimination first occur?
[REQUIRE ANSWER]

(2268)
During the bidding process .. 1
After contract awarded 2
Both 3
Don't Know 4

Q.48 Did you file a complaint?
[REQUIRE ANSWER]

(2269)
Yes 1
No 2
Don't Know .. 3

Q.49 Have you experienced any of the following as a form of discrimination from prime contractors/vendors while working on City projects?
[REQUIRE ANSWER]

	yes	No	DK
Harassment	1	2	3 (2281)
Unequal or unfair treatment	1	2	3 (2282)
Bid shopping or bid manipulation	1	2	3 (2283)
Double standards in performance	1	2	3 (2284)
Denial of opportunity to bid	1	2	3 (2285)
Unfair denial of contract award	1	2	3 (2286)
Unfair termination	1	2	3 (2287)
Unequal price quotes from suppliers	1	2	3 (2288)

10

Q.50 Have you experienced or observed a situation in which a prime contractor/vendor includes minority or woman subcontractors on non-City bid or proposal to satisfy the "good faith effort" requirements, and then drops the company as a subcontractor after winning the award for no legitimate reason?

[REQUIRE ANSWER]

(2271)
Yes ... 1
No 2
DK 3

Q.51 How often do prime contractors/vendors who use your firm as a subcontractor on public-sector projects with M/WBE goals solicit your firm on projects (private or public) without M/WBE goals?

[REQUIRE ANSWER]

(2272)
Very Often 1
Sometimes 2
Seldom 3
Never 4
Not Applicable .. 5
Don't know 6

Q.52 Has your company applied for a commercial (business) bank loan between *July 1, 2008 and June 30, 2013?*

[REQUIRE ANSWER]

(2290)
Yes 1
No 2
Don't know .. 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 56]

Q.53 Were you approved or denied for a commercial (business) bank loan?

[REQUIRE ANSWER]

(2291)
Approved 1
Denied 2
Don't' Know .. 3

[S - IF THE ANSWER IS 1 OR 3, THEN SKIP TO QUESTION 56]

Q.54 Which of the following do you believe was the primary reason for your being denied a loan?

[REQUIRE ANSWER]

(2292)
Insufficient Documentation 1
Insufficient Business History 2
Confusion about the Process ... 3
Race or Ethnicity of Owner 4
Gender of Owner 5
Don't Know 6
Other 7

[A - IF THE ANSWER TO QUESTION 54 IS NOT 7, THEN SKIP TO QUESTION 56]

11

Q.55 Please SPECIFY Other

[REQUIRE ANSWER]

_____ (2293-2592)

Q.56 The following questions are related to work you have done or attempted to do in the private sector marketplace. Private sector is defined as non-governmental businesses or companies.

Q.57 For the following statement, please indicate whether you either agree or disagree:
There is an informal network of prime contractors / vendors and subcontractors that has excluded my company from doing business in the private sector.

[REQUIRE ANSWER]

(2289)
Strongly Agree 1
Somewhat Agree 2
Neither Agree Nor Disagree ... 3
Somewhat Disagree 4
Strongly Disagree 5
Don't know 6

Q.58 Have you experienced discriminatory behavior while doing business or attempting to do business in the private sector between *July 1, 2008 and June 30, 2013*?

[REQUIRE ANSWER]

(2593)
Yes 1
No 2
Don't Know .. 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 62]

Q.59 What was the most noticeable way you became aware of the discrimination against your company?
[REQUIRE ANSWER]

(2594)
Verbal comment 1
Written statement 2
Action taken against company .. 3
Don't Know 4

Q.60 Which of the following do you consider the primary reason for your company being discriminated against?
[REQUIRE ANSWER]

(2595)
Owner's race or ethnicity .. 1
Owner's gender 2
Both 3
Don't know 4

Q.61 When did the discrimination first occur?

[REQUIRE ANSWER]

(2596)
During the bidding process .. 1
After contract award 2
Both 3
Dont Know 4

Q.62 In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination:

[REQUIRE ANSWER]

	yes	No	DK
Harassment	1	2	3 (2597)
Unequal or unfair treatment	1	2	3 (2598)
Bid shopping or bid manipulation	1	2	3 (2599)
Double standards in performance	1	2	3 (2600)
Denial of opportunity to bid	1	2	3 (2601)
Unfair denial of contract award	1	2	3 (2602)
Unfair termination	1	2	3 (2603)
Unequal price quotes from suppliers	1	2	3 (2604)

Q.63 Are you willing to speak directly to MGT to provide more detail of the alleged discrimination you have experienced by the City or its prime contractors/vendors?

[REQUIRE ANSWER]

(2605)
Yes (MGT contact Vernetta Mitchell vmitchell@mgtamer.com) . 1
No 2

Q.64 That completes the survey. On behalf of the City of Portsmouth, thank you very much for sharing your time and thoughts in this important project. If you would like more information on the disparity study, please contact Mr. Michael Ammons, City of Portsmouth Purchasing Administrator (757) 393- 8858 ext. 6148 or ammonsm@portsmouthva.gov .

Q.65 Comments _____ (2607-2756)
Q.66 Telephone Number_____ (3000-3015)
Q.67 Ref Name _____ (3016-3020)
Q.68 Ref # _____ (3021-3030)
Q.69 CO Name _____ (3031-3080)
Q.70 Business Type _____ (3081-3120)
Q.71 Contact Name _____ (3231-3280)
Q.72 Street _____ (3171-3220)
Q.73 City _____ (3221-3255)
Q.74 State ____ (32256-32257)
Q.75 Zip _____ (3258-3262)
Q.76 Vendor # _____ (3020-3029)
Q.77 Ethnicity _____ (3273-3282)
Q.78 Gender _____ (3298-3307)
Q.79 Interviewer _____ (3302-3305)
Q.80 Date _____ (3306-3314)
Q.81 Time _____ (3315-3320)
Q.82 Duration _____ (3321-3326)
Q.83 Call Result____ (3327-3328)

13

APPENDIX G | SURVEY OF VENDORS SURVEY RESULTS

What is your title?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Owner	Count	81	5	4	4	96	42	0	232
	Row %	34.91%	2.16%	1.72%	1.72%	41.38%	18.10%	0.00%	100.00%
	Column %	56.64%	26.32%	36.36%	44.44%	48.73%	32.81%	0.00%	45.14%
	Total %	15.76%	0.97%	0.78%	0.78%	18.68%	8.17%	0.00%	45.14%
CEO/President	Count	35	5	3	2	46	25	2	118
	Row %	29.66%	4.24%	2.54%	1.69%	38.98%	21.19%	1.69%	100.00%
	Column %	24.48%	26.32%	27.27%	22.22%	23.35%	19.53%	28.57%	22.96%
	Total %	6.81%	0.97%	0.58%	0.39%	8.95%	4.86%	0.39%	22.96%
Manager/Financial Officer	Count	25	9	4	3	52	58	4	155
	Row %	16.13%	5.81%	2.58%	1.94%	33.55%	37.42%	2.58%	100.00%
	Column %	17.48%	47.37%	36.36%	33.33%	26.40%	45.31%	57.14%	30.16%
	Total %	4.86%	1.75%	0.78%	0.58%	10.12%	11.28%	0.78%	30.16%
Other, Please Specify	Count	2	0	0	0	3	3	1	9
	Row %	22.22%	0.00%	0.00%	0.00%	33.33%	33.33%	11.11%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.52%	2.34%	14.29%	1.75%
	Total %	0.39%	0.00%	0.00%	0.00%	0.58%	0.58%	0.19%	1.75%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Please specify your company's primary line of business.									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Construction	Count	44	4	3	1	39	36	0	127
	Row %	34.65%	3.15%	2.36%	0.79%	30.71%	28.35%	0.00%	100.00%
	Column %	30.77%	21.05%	27.27%	11.11%	19.80%	28.13%	0.00%	24.71%
	Total %	8.56%	0.78%	0.58%	0.19%	7.59%	7.00%	0.00%	24.71%

Professional Services	Count	30	5	2	5	38	24	3	107
	Row %	28.04%	4.67%	1.87%	4.67%	35.51%	22.43%	2.80%	100.00%
	Column %	20.98%	26.32%	18.18%	55.56%	19.29%	18.75%	42.86%	20.82%
	Total %	5.84%	0.97%	0.39%	0.97%	7.39%	4.67%	0.58%	20.82%
Non-Professional Services	Count	51	8	3	2	59	28	1	152
	Row %	33.55%	5.26%	1.97%	1.32%	38.82%	18.42%	0.66%	100.00%
	Column %	35.66%	42.11%	27.27%	22.22%	29.95%	21.88%	14.29%	29.57%
	Total %	9.92%	1.56%	0.58%	0.39%	11.48%	5.45%	0.19%	29.57%
Goods	Count	16	2	3	1	61	40	3	126
	Row %	12.70%	1.59%	2.38%	0.79%	48.41%	31.75%	2.38%	100.00%
	Column %	11.19%	10.53%	27.27%	11.11%	30.96%	31.25%	42.86%	24.51%
	Total %	3.11%	0.39%	0.58%	0.19%	11.87%	7.78%	0.58%	24.51%
Other	Count	2	0	0	0	0	0	0	2
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
	Total %	0.39%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Do you have a current Virginia issued contractor license?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	68	13	6	3	77	72	2	241
	Row %	28.22%	5.39%	2.49%	1.24%	31.95%	29.88%	0.83%	100.00%
	Column %	47.55%	68.42%	54.55%	33.33%	39.09%	56.25%	28.57%	46.89%
	Total %	13.23%	2.53%	1.17%	0.58%	14.98%	14.01%	0.39%	46.89%
No	Count	74	5	5	6	118	56	5	269
	Row %	27.51%	1.86%	1.86%	2.23%	43.87%	20.82%	1.86%	100.00%
	Column %	51.75%	26.32%	45.45%	66.67%	59.90%	43.75%	71.43%	52.33%
	Total %	14.40%	0.97%	0.97%	1.17%	22.96%	10.89%	0.97%	52.33%
Don't Know	Count	1	1	0	0	2	0	0	4
	Row %	25.00%	25.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	0.00%	1.02%	0.00%	0.00%	0.78%
	Total %	0.19%	0.19%	0.00%	0.00%	0.39%	0.00%	0.00%	0.78%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Do you have a current APELSCINLA license?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	11	2	3	0	7	16	2	41
	Row %	26.83%	4.88%	7.32%	0.00%	17.07%	39.02%	4.88%	100.00%
	Column %	7.69%	10.53%	27.27%	0.00%	3.55%	12.50%	28.57%	7.98%
	Total %	2.14%	0.39%	0.58%	0.00%	1.36%	3.11%	0.39%	7.98%
No	Count	131	16	8	9	190	111	5	470
	Row %	27.87%	3.40%	1.70%	1.91%	40.43%	23.62%	1.06%	100.00%
	Column %	91.61%	84.21%	72.73%	100.00%	96.45%	86.72%	71.43%	91.44%
	Total %	25.49%	3.11%	1.56%	1.75%	36.96%	21.60%	0.97%	91.44%
Don't Know	Count	1	1	0	0	0	1	0	3
	Row %	33.33%	33.33%	0.00%	0.00%	0.00%	33.33%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	0.00%	0.00%	0.78%	0.00%	0.58%
	Total %	0.19%	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Do you have a current Virginia State Corporation Commission (SCC) license?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	108	17	10	7	165	112	7	426
	Row %	25.35%	3.99%	2.35%	1.64%	38.73%	26.29%	1.64%	100.00%
	Column %	75.52%	89.47%	90.91%	77.78%	83.76%	87.50%	100.00%	82.88%
	Total %	21.01%	3.31%	1.95%	1.36%	32.10%	21.79%	1.36%	82.88%
	Count	35	2	1	2	29	13	0	82

No	Row %	42.68%	2.44%	1.22%	2.44%	35.37%	15.85%	0.00%	100.00%
	Column %	24.48%	10.53%	9.09%	22.22%	14.72%	10.16%	0.00%	15.95%
	Total %	6.81%	0.39%	0.19%	0.39%	5.64%	2.53%	0.00%	15.95%
Don't Know	Count	0	0	0	0	3	3	0	6
	Row %	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.52%	2.34%	0.00%	1.17%
	Total %	0.00%	0.00%	0.00%	0.00%	0.58%	0.58%	0.00%	1.17%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Is more than 50% of your company owned and controlled by a woman or women?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	66	8	4	3	197	1	1	280
	Row %	23.57%	2.86%	1.43%	1.07%	70.36%	0.36%	0.36%	100.00%
	Column %	46.15%	42.11%	36.36%	33.33%	100.00%	0.78%	14.29%	54.47%
	Total %	12.84%	1.56%	0.78%	0.58%	38.33%	0.19%	0.19%	54.47%
No	Count	77	11	7	6	0	127	6	234
	Row %	32.91%	4.70%	2.99%	2.56%	0.00%	54.27%	2.56%	100.00%
	Column %	53.85%	57.89%	63.64%	66.67%	0.00%	99.22%	85.71%	45.53%
	Total %	14.98%	2.14%	1.36%	1.17%	0.00%	24.71%	1.17%	45.53%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Is more than 50% of the company owned and controlled by one of the following racial or ethnic groups?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Anglo/Caucasian/White	Count	0	0	0	0	197	122	0	319
	Row %	0.00%	0.00%	0.00%	0.00%	61.76%	38.24%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	100.00%	95.31%	0.00%	62.06%
	Total %	0.00%	0.00%	0.00%	0.00%	38.33%	23.74%	0.00%	62.06%
Black/African American	Count	143	0	0	0	0	0	0	143
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	27.82%
	Total %	27.82%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	27.82%
American Indian/Alaskan Native	Count	0	0	0	9	0	0	0	9
	Row %	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	1.75%
	Total %	0.00%	0.00%	0.00%	1.75%	0.00%	0.00%	0.00%	1.75%
Asian	Count	0	16	0	0	0	0	0	16
	Row %	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.00%	84.21%	0.00%	0.00%	0.00%	0.00%	0.00%	3.11%
	Total %	0.00%	3.11%	0.00%	0.00%	0.00%	0.00%	0.00%	3.11%
Hispanic or Latino	Count	0	0	11	0	0	0	0	11
	Row %	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	2.14%
	Total %	0.00%	0.00%	2.14%	0.00%	0.00%	0.00%	0.00%	2.14%
Native Hawaiian/Pacific Islander	Count	0	3	0	0	0	0	0	3
	Row %	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.00%	15.79%	0.00%	0.00%	0.00%	0.00%	0.00%	0.58%
	Total %	0.00%	0.58%	0.00%	0.00%	0.00%	0.00%	0.00%	0.58%
Don't Know	Count	0	0	0	0	0	6	0	6
	Row %	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.00%	4.69%	0.00%	1.17%
	Total %	0.00%	0.00%	0.00%	0.00%	0.00%	1.17%	0.00%	1.17%
Other	Count	0	0	0	0	0	0	7	7
	Row %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	1.36%
	Total %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.36%	1.36%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Please specify other.									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
	Count	143	19	11	9	197	128	0	507
	Row %	28.21%	3.75%	2.17%	1.78%	38.86%	25.25%	0.00%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	0.00%	98.64%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	0.00%	98.64%
Board of	Count	0	0	0	0	0	0	5	5
	Row %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	71.43%	0.97%
	Total %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.97%	0.97%
Indian (	Count	0	0	0	0	0	0	1	1
	Row %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	14.29%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%	0.19%
Refused	Count	0	0	0	0	0	0	1	1
	Row %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	14.29%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What is the highest level education completed by the primary owner of your company?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Some High School	Count	2	0	0	0	0	1	0	3
	Row %	66.67%	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.00%	0.78%	0.00%	0.58%
	Total %	0.39%	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.58%
High School Graduate	Count	11	0	2	0	29	18	0	60
	Row %	18.33%	0.00%	3.33%	0.00%	48.33%	30.00%	0.00%	100.00%
	Column %	7.69%	0.00%	18.18%	0.00%	14.72%	14.06%	0.00%	11.67%
	Total %	2.14%	0.00%	0.39%	0.00%	5.64%	3.50%	0.00%	11.67%
Trade or Technical Education	Count	1	0	0	0	2	2	0	5
	Row %	20.00%	0.00%	0.00%	0.00%	40.00%	40.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	1.56%	0.00%	0.97%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.39%	0.00%	0.97%
Some College	Count	23	3	1	1	30	19	1	78
	Row %	29.49%	3.85%	1.28%	1.28%	38.46%	24.36%	1.28%	100.00%
	Column %	16.08%	15.79%	9.09%	11.11%	15.23%	14.84%	14.29%	15.18%
	Total %	4.47%	0.58%	0.19%	0.19%	5.84%	3.70%	0.19%	15.18%
College Degree	Count	53	5	5	1	89	64	4	221
	Row %	23.98%	2.26%	2.26%	0.45%	40.27%	28.96%	1.81%	100.00%
	Column %	37.06%	26.32%	45.45%	11.11%	45.18%	50.00%	57.14%	43.00%
	Total %	10.31%	0.97%	0.97%	0.19%	17.32%	12.45%	0.78%	43.00%
Post Graduate Degree	Count	52	10	3	6	43	17	2	133
	Row %	39.10%	7.52%	2.26%	4.51%	32.33%	12.78%	1.50%	100.00%
	Column %	36.36%	52.63%	27.27%	66.67%	21.83%	13.28%	28.57%	25.88%
	Total %	10.12%	1.95%	0.58%	1.17%	8.37%	3.31%	0.39%	25.88%
Don't Know	Count	1	1	0	1	4	7	0	14
	Row %	7.14%	7.14%	0.00%	7.14%	28.57%	50.00%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	11.11%	2.03%	5.47%	0.00%	2.72%
	Total %	0.19%	0.19%	0.00%	0.19%	0.78%	1.36%	0.00%	2.72%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What year was your company established?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Prior to 1960	Count	5	1	0	0	10	20	3	39
	Row %	12.82%	2.56%	0.00%	0.00%	25.64%	51.28%	7.69%	100.00%
	Column %	3.50%	5.26%	0.00%	0.00%	5.08%	15.63%	42.86%	7.59%
	Total %	0.97%	0.19%	0.00%	0.00%	1.95%	3.89%	0.58%	7.59%
1961 to 1980	Count	12	1	2	1	27	30	1	74
	Row %	16.22%	1.35%	2.70%	1.35%	36.49%	40.54%	1.35%	100.00%
	Column %	8.39%	5.26%	18.18%	11.11%	13.71%	23.44%	14.29%	14.40%
	Total %	2.33%	0.19%	0.39%	0.19%	5.25%	5.84%	0.19%	14.40%
1981 to 2000	Count	33	7	3	0	68	51	2	164
	Row %	20.12%	4.27%	1.83%	0.00%	41.46%	31.10%	1.22%	100.00%
	Column %	23.08%	36.84%	27.27%	0.00%	34.52%	39.84%	28.57%	31.91%
	Total %	6.42%	1.36%	0.58%	0.00%	13.23%	9.92%	0.39%	31.91%
2001 to 2007	Count	47	6	5	6	40	18	0	122
	Row %	38.52%	4.92%	4.10%	4.92%	32.79%	14.75%	0.00%	100.00%
	Column %	32.87%	31.58%	45.45%	66.67%	20.30%	14.06%	0.00%	23.74%
	Total %	9.14%	1.17%	0.97%	1.17%	7.78%	3.50%	0.00%	23.74%
2008 to 2014	Count	46	4	1	2	52	9	1	115
	Row %	40.00%	3.48%	0.87%	1.74%	45.22%	7.83%	0.87%	100.00%
	Column %	32.17%	21.05%	9.09%	22.22%	26.40%	7.03%	14.29%	22.37%
	Total %	8.95%	0.78%	0.19%	0.39%	10.12%	1.75%	0.19%	22.37%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

How many combined years of experience do you or the primary owner(s) of your firm have in the line of business?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
0-5 years	Count	7	1	0	0	5	0	0	13
	Row %	53.85%	7.69%	0.00%	0.00%	38.46%	0.00%	0.00%	100.00%
	Column %	4.90%	5.26%	0.00%	0.00%	2.54%	0.00%	0.00%	2.53%
	Total %	1.36%	0.19%	0.00%	0.00%	0.97%	0.00%	0.00%	2.53%
6-10 years	Count	14	0	0	0	14	2	0	30
	Row %	46.67%	0.00%	0.00%	0.00%	46.67%	6.67%	0.00%	100.00%
	Column %	9.79%	0.00%	0.00%	0.00%	7.11%	1.56%	0.00%	5.84%
	Total %	2.72%	0.00%	0.00%	0.00%	2.72%	0.39%	0.00%	5.84%
11-15 years	Count	18	1	1	0	14	5	1	40
	Row %	45.00%	2.50%	2.50%	0.00%	35.00%	12.50%	2.50%	100.00%
	Column %	12.59%	5.26%	9.09%	0.00%	7.11%	3.91%	14.29%	7.78%
	Total %	3.50%	0.19%	0.19%	0.00%	2.72%	0.97%	0.19%	7.78%
16-20 years	Count	8	1	2	0	10	6	0	27
	Row %	29.63%	3.70%	7.41%	0.00%	37.04%	22.22%	0.00%	100.00%
	Column %	5.59%	5.26%	18.18%	0.00%	5.08%	4.69%	0.00%	5.25%
	Total %	1.56%	0.19%	0.39%	0.00%	1.95%	1.17%	0.00%	5.25%
20+ years	Count	96	16	8	8	154	115	6	403
	Row %	23.82%	3.97%	1.99%	1.99%	38.21%	28.54%	1.49%	100.00%
	Column %	67.13%	84.21%	72.73%	88.89%	78.17%	89.84%	85.71%	78.40%
	Total %	18.68%	3.11%	1.56%	1.56%	29.96%	22.37%	1.17%	78.40%
Don't Know	Count	0	0	0	1	0	0	0	1
	Row %	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	11.11%	0.00%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.00%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the last three years, what was the average number of employees your company kept on payroll, including full-time and part-time staff?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
0-10	Count	110	9	4	3	129	57	1	313
	Row %	35.14%	2.88%	1.28%	0.96%	41.21%	18.21%	0.32%	100.00%
	Column %	76.92%	47.37%	36.36%	33.33%	65.48%	44.53%	14.29%	60.89%
	Total %	21.40%	1.75%	0.78%	0.58%	25.10%	11.09%	0.19%	60.89%
11-20	Count	14	1	3	3	29	27	1	78
	Row %	17.95%	1.28%	3.85%	3.85%	37.18%	34.62%	1.28%	100.00%
	Column %	9.79%	5.26%	27.27%	33.33%	14.72%	21.09%	14.29%	15.18%
	Total %	2.72%	0.19%	0.58%	0.58%	5.64%	5.25%	0.19%	15.18%
21-30	Count	6	2	1	2	15	11	1	38
	Row %	15.79%	5.26%	2.63%	5.26%	39.47%	28.95%	2.63%	100.00%
	Column %	4.20%	10.53%	9.09%	22.22%	7.61%	8.59%	14.29%	7.39%
	Total %	1.17%	0.39%	0.19%	0.39%	2.92%	2.14%	0.19%	7.39%
31-40	Count	3	0	0	0	10	6	0	19
	Row %	15.79%	0.00%	0.00%	0.00%	52.63%	31.58%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	5.08%	4.69%	0.00%	3.70%
	Total %	0.58%	0.00%	0.00%	0.00%	1.95%	1.17%	0.00%	3.70%
41+	Count	9	7	3	1	14	27	3	64
	Row %	14.06%	10.94%	4.69%	1.56%	21.88%	42.19%	4.69%	100.00%
	Column %	6.29%	36.84%	27.27%	11.11%	7.11%	21.09%	42.86%	12.45%
	Total %	1.75%	1.36%	0.58%	0.19%	2.72%	5.25%	0.58%	12.45%
Don't Know	Count	1	0	0	0	0	0	1	2
	Row %	50.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	14.29%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Which of the following categories best approximate your company's gross revenues for calendar year 2013?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Up to $50,000?	Count	26	0	0	1	19	4	0	50
	Row %	52.00%	0.00%	0.00%	2.00%	38.00%	8.00%	0.00%	100.00%
	Column %	18.18%	0.00%	0.00%	11.11%	9.64%	3.13%	0.00%	9.73%
	Total %	5.06%	0.00%	0.00%	0.19%	3.70%	0.78%	0.00%	9.73%
$50,001 to $100,000?	Count	30	3	0	1	14	7	0	55
	Row %	54.55%	5.45%	0.00%	1.82%	25.45%	12.73%	0.00%	100.00%
	Column %	20.98%	15.79%	0.00%	11.11%	7.11%	5.47%	0.00%	10.70%
	Total %	5.84%	0.58%	0.00%	0.19%	2.72%	1.36%	0.00%	10.70%
$100,001 to $300,000?	Count	24	2	1	1	29	15	0	72
	Row %	33.33%	2.78%	1.39%	1.39%	40.28%	20.83%	0.00%	100.00%
	Column %	16.78%	10.53%	9.09%	11.11%	14.72%	11.72%	0.00%	14.01%
	Total %	4.67%	0.39%	0.19%	0.19%	5.64%	2.92%	0.00%	14.01%
$300,001 to $500,000?	Count	19	1	1	0	26	10	0	57
	Row %	33.33%	1.75%	1.75%	0.00%	45.61%	17.54%	0.00%	100.00%
	Column %	13.29%	5.26%	9.09%	0.00%	13.20%	7.81%	0.00%	11.09%
	Total %	3.70%	0.19%	0.19%	0.00%	5.06%	1.95%	0.00%	11.09%
$500,001 to $1 million?	Count	18	2	3	1	38	18	0	80
	Row %	22.50%	2.50%	3.75%	1.25%	47.50%	22.50%	0.00%	100.00%
	Column %	12.59%	10.53%	27.27%	11.11%	19.29%	14.06%	0.00%	15.56%
	Total %	3.50%	0.39%	0.58%	0.19%	7.39%	3.50%	0.00%	15.56%
$1,000,001 to $3 million?	Count	14	4	2	1	33	39	2	95
	Row %	14.74%	4.21%	2.11%	1.05%	34.74%	41.05%	2.11%	100.00%
	Column %	9.79%	21.05%	18.18%	11.11%	16.75%	30.47%	28.57%	18.48%
	Total %	2.72%	0.78%	0.39%	0.19%	6.42%	7.59%	0.39%	18.48%
$3,000,001 to $5 million?	Count	3	2	1	0	16	15	1	38
	Row %	7.89%	5.26%	2.63%	0.00%	42.11%	39.47%	2.63%	100.00%
	Column %	2.10%	10.53%	9.09%	0.00%	8.12%	11.72%	14.29%	7.39%
	Total %	0.58%	0.39%	0.19%	0.00%	3.11%	2.92%	0.19%	7.39%
$5,000,001 to $10 million?	Count	1	1	1	2	6	8	1	20
	Row %	5.00%	5.00%	5.00%	10.00%	30.00%	40.00%	5.00%	100.00%
	Column %	0.70%	5.26%	9.09%	22.22%	3.05%	6.25%	14.29%	3.89%
	Total %	0.19%	0.19%	0.19%	0.39%	1.17%	1.56%	0.19%	3.89%

Over $10 million?	Count	2	4	2	2	5	5	2	22
	Row %	9.09%	18.18%	9.09%	9.09%	22.73%	22.73%	9.09%	100.00%
	Column %	1.40%	21.05%	18.18%	22.22%	2.54%	3.91%	28.57%	4.28%
	Total %	0.39%	0.78%	0.39%	0.39%	0.97%	0.97%	0.39%	4.28%
Don't Know	Count	6	0	0	0	11	7	1	25
	Row %	24.00%	0.00%	0.00%	0.00%	44.00%	28.00%	4.00%	100.00%
	Column %	4.20%	0.00%	0.00%	0.00%	5.58%	5.47%	14.29%	4.86%
	Total %	1.17%	0.00%	0.00%	0.00%	2.14%	1.36%	0.19%	4.86%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the past five years, have you been awarded a contract with any of the following public agencies or been awarded a subcontract to a prime contractor with any of these agencies?
Portsmouth Public Schools

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	6	1	1	1	23	13	0	45
	Row %	13.33%	2.22%	2.22%	2.22%	51.11%	28.89%	0.00%	100.00%
	Column %	4.20%	5.26%	9.09%	11.11%	11.68%	10.16%	0.00%	8.75%
	Total %	1.17%	0.19%	0.19%	0.19%	4.47%	2.53%	0.00%	8.75%
No	Count	137	18	10	8	173	114	7	467
	Row %	29.34%	3.85%	2.14%	1.71%	37.04%	24.41%	1.50%	100.00%
	Column %	95.80%	94.74%	90.91%	88.89%	87.82%	89.06%	100.00%	90.86%
	Total %	26.65%	3.50%	1.95%	1.56%	33.66%	22.18%	1.36%	90.86%
Don't Know	Count	0	0	0	0	1	1	0	2
	Row %	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.39%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the past five years, have you been awarded a contract with any of the following public agencies or been awarded a subcontract to a prime contractor with any of these agencies? City of Hampton									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	27	3	1	0	57	34	1	123
	Row %	21.95%	2.44%	0.81%	0.00%	46.34%	27.64%	0.81%	100.00%
	Column %	18.88%	15.79%	9.09%	0.00%	28.93%	26.56%	14.29%	23.93%
	Total %	5.25%	0.58%	0.19%	0.00%	11.09%	6.61%	0.19%	23.93%
No	Count	116	16	10	9	139	94	6	390
	Row %	29.74%	4.10%	2.56%	2.31%	35.64%	24.10%	1.54%	100.00%
	Column %	81.12%	84.21%	90.91%	100.00%	70.56%	73.44%	85.71%	75.88%
	Total %	22.57%	3.11%	1.95%	1.75%	27.04%	18.29%	1.17%	75.88%
Don't Know	Count	0	0	0	0	1	0	0	1
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the past five years, have you been awarded a contract with any of the following public agencies or been awarded a subcontract to a prime contractor with any of these agencies? Hampton City Schools									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	9	2	1	0	40	12	1	65
	Row %	13.85%	3.08%	1.54%	0.00%	61.54%	18.46%	1.54%	100.00%
	Column %	6.29%	10.53%	9.09%	0.00%	20.30%	9.38%	14.29%	12.65%
	Total %	1.75%	0.39%	0.19%	0.00%	7.78%	2.33%	0.19%	12.65%
No	Count	134	17	10	9	155	115	6	446
	Row %	30.04%	3.81%	2.24%	2.02%	34.75%	25.78%	1.35%	100.00%
	Column %	93.71%	89.47%	90.91%	100.00%	78.68%	89.84%	85.71%	86.77%
	Total %	26.07%	3.31%	1.95%	1.75%	30.16%	22.37%	1.17%	86.77%
Don't Know	Count	0	0	0	0	1	1	0	2
	Row %	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.39%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.39%
No Response	Count	0	0	0	0	1	0	0	1
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the past five years, have you been awarded a contract with any of the following public agencies or been awarded a subcontract to a prime contractor with any of these agencies?
City of Virginia Beach

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	19	2	4	0	55	37	2	119
	Row %	15.97%	1.68%	3.36%	0.00%	46.22%	31.09%	1.68%	100.00%
	Column %	13.29%	10.53%	36.36%	0.00%	27.92%	28.91%	28.57%	23.15%
	Total %	3.70%	0.39%	0.78%	0.00%	10.70%	7.20%	0.39%	23.15%
No	Count	123	17	7	9	141	91	5	393
	Row %	31.30%	4.33%	1.78%	2.29%	35.88%	23.16%	1.27%	100.00%
	Column %	86.01%	89.47%	63.64%	100.00%	71.57%	71.09%	71.43%	76.46%
	Total %	23.93%	3.31%	1.36%	1.75%	27.43%	17.70%	0.97%	76.46%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the past five years, have you been awarded a contract with any of the following public agencies or been awarded a subcontract to a prime contractor with any of these agencies?
City of Newport News

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	18	2	1	1	51	35	2	110
	Row %	16.36%	1.82%	0.91%	0.91%	46.36%	31.82%	1.82%	100.00%
	Column %	12.59%	10.53%	9.09%	11.11%	25.89%	27.34%	28.57%	21.40%
	Total %	3.50%	0.39%	0.19%	0.19%	9.92%	6.81%	0.39%	21.40%
	Count	123	17	10	8	144	93	5	400

No	Row %	30.75%	4.25%	2.50%	2.00%	36.00%	23.25%	1.25%	100.00%
	Column %	86.01%	89.47%	90.91%	88.89%	73.10%	72.66%	71.43%	77.82%
	Total %	23.93%	3.31%	1.95%	1.56%	28.02%	18.09%	0.97%	77.82%
Don't Know	Count	1	0	0	0	2	0	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.58%
No Response	Count	1	0	0	0	0	0	0	1
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? Minority Business Enterprise (MBE)

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	94	7	8	4	47	7	0	167
	Row %	56.29%	4.19%	4.79%	2.40%	28.14%	4.19%	0.00%	100.00%
	Column %	65.73%	36.84%	72.73%	44.44%	23.86%	5.47%	0.00%	32.49%
	Total %	18.29%	1.36%	1.56%	0.78%	9.14%	1.36%	0.00%	32.49%
No	Count	49	12	3	5	148	121	7	345
	Row %	14.20%	3.48%	0.87%	1.45%	42.90%	35.07%	2.03%	100.00%
	Column %	34.27%	63.16%	27.27%	55.56%	75.13%	94.53%	100.00%	67.12%
	Total %	9.53%	2.33%	0.58%	0.97%	28.79%	23.54%	1.36%	67.12%
Don't Know	Count	0	0	0	0	2	0	0	2
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.39%
	Total %	0.00%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.39%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? Small Business Enterprise (SBE)									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	91	11	8	6	123	62	3	304
	Row %	29.93%	3.62%	2.63%	1.97%	40.46%	20.39%	0.99%	100.00%
	Column %	63.64%	57.89%	72.73%	66.67%	62.44%	48.44%	42.86%	59.14%
	Total %	17.70%	2.14%	1.56%	1.17%	23.93%	12.06%	0.58%	59.14%
No	Count	50	7	3	3	72	64	4	203
	Row %	24.63%	3.45%	1.48%	1.48%	35.47%	31.53%	1.97%	100.00%
	Column %	34.97%	36.84%	27.27%	33.33%	36.55%	50.00%	57.14%	39.49%
	Total %	9.73%	1.36%	0.58%	0.58%	14.01%	12.45%	0.78%	39.49%
Don't Know	Count	2	1	0	0	2	2	0	7
	Row %	28.57%	14.29%	0.00%	0.00%	28.57%	28.57%	0.00%	100.00%
	Column %	1.40%	5.26%	0.00%	0.00%	1.02%	1.56%	0.00%	1.36%
	Total %	0.39%	0.19%	0.00%	0.00%	0.39%	0.39%	0.00%	1.36%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? Woman Business Enterprise (WBE)									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	43	3	3	2	126	4	0	181
	Row %	23.76%	1.66%	1.66%	1.10%	69.61%	2.21%	0.00%	100.00%
	Column %	30.07%	15.79%	27.27%	22.22%	63.96%	3.13%	0.00%	35.21%
	Total %	8.37%	0.58%	0.58%	0.39%	24.51%	0.78%	0.00%	35.21%
No	Count	100	16	8	7	70	124	7	332
	Row %	30.12%	4.82%	2.41%	2.11%	21.08%	37.35%	2.11%	100.00%
	Column %	69.93%	84.21%	72.73%	77.78%	35.53%	96.88%	100.00%	64.59%
	Total %	19.46%	3.11%	1.56%	1.36%	13.62%	24.12%	1.36%	64.59%
Don't Know	Count	0	0	0	0	1	0	0	1
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? Disadvantaged Business Enterprise (DBE)									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	66	6	4	4	19	6	0	105
	Row %	62.86%	5.71%	3.81%	3.81%	18.10%	5.71%	0.00%	100.00%
	Column %	46.15%	31.58%	36.36%	44.44%	9.64%	4.69%	0.00%	20.43%
	Total %	12.84%	1.17%	0.78%	0.78%	3.70%	1.17%	0.00%	20.43%

No	Count	76	13	7	5	177	122	7	407
	Row %	18.67%	3.19%	1.72%	1.23%	43.49%	29.98%	1.72%	100.00%
	Column %	53.15%	68.42%	63.64%	55.56%	89.85%	95.31%	100.00%	79.18%
	Total %	14.79%	2.53%	1.36%	0.97%	34.44%	23.74%	1.36%	79.18%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? Small, Woman, and Minority Business (SWaM)

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	109	10	8	4	145	39	2	317
	Row %	34.38%	3.15%	2.52%	1.26%	45.74%	12.30%	0.63%	100.00%
	Column %	76.22%	52.63%	72.73%	44.44%	73.60%	30.47%	28.57%	61.67%
	Total %	21.21%	1.95%	1.56%	0.78%	28.21%	7.59%	0.39%	61.67%
No	Count	34	9	3	5	50	88	5	194
	Row %	17.53%	4.64%	1.55%	2.58%	25.77%	45.36%	2.58%	100.00%
	Column %	23.78%	47.37%	27.27%	55.56%	25.38%	68.75%	71.43%	37.74%
	Total %	6.61%	1.75%	0.58%	0.97%	9.73%	17.12%	0.97%	37.74%
Don't Know	Count	0	0	0	0	2	1	0	3
	Row %	0.00%	0.00%	0.00%	0.00%	66.67%	33.33%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.02%	0.78%	0.00%	0.58%
	Total %	0.00%	0.00%	0.00%	0.00%	0.39%	0.19%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? HUBZone									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	16	1	0	2	6	10	1	36
	Row %	44.44%	2.78%	0.00%	5.56%	16.67%	27.78%	2.78%	100.00%
	Column %	11.19%	5.26%	0.00%	22.22%	3.05%	7.81%	14.29%	7.00%
	Total %	3.11%	0.19%	0.00%	0.39%	1.17%	1.95%	0.19%	7.00%
No	Count	127	18	11	7	188	118	6	475
	Row %	26.74%	3.79%	2.32%	1.47%	39.58%	24.84%	1.26%	100.00%
	Column %	88.81%	94.74%	100.00%	77.78%	95.43%	92.19%	85.71%	92.41%
	Total %	24.71%	3.50%	2.14%	1.36%	36.58%	22.96%	1.17%	92.41%
Don't Know	Count	0	0	0	0	3	0	0	3
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	0.58%
	Total %	0.00%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? 8A									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	19	3	4	4	3	0	1	34
	Row %	55.88%	8.82%	11.76%	11.76%	8.82%	0.00%	2.94%	100.00%
	Column %	13.29%	15.79%	36.36%	44.44%	1.52%	0.00%	14.29%	6.61%
	Total %	3.70%	0.58%	0.78%	0.78%	0.58%	0.00%	0.19%	6.61%

No	Count	123	16	7	5	191	127	6	475
	Row %	25.89%	3.37%	1.47%	1.05%	40.21%	26.74%	1.26%	100.00%
	Column %	86.01%	84.21%	63.64%	55.56%	96.95%	99.22%	85.71%	92.41%
	Total %	23.93%	3.11%	1.36%	0.97%	37.16%	24.71%	1.17%	92.41%
Don't Know	Count	1	0	0	0	3	1	0	5
	Row %	20.00%	0.00%	0.00%	0.00%	60.00%	20.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.52%	0.78%	0.00%	0.97%
	Total %	0.19%	0.00%	0.00%	0.00%	0.58%	0.19%	0.00%	0.97%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency?
Don't Know

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
No	Count	141	19	11	9	196	127	7	510
	Row %	27.65%	3.73%	2.16%	1.76%	38.43%	24.90%	1.37%	100.00%
	Column %	98.60%	100.00%	100.00%	100.00%	99.49%	99.22%	100.00%	99.22%
	Total %	27.43%	3.70%	2.14%	1.75%	38.13%	24.71%	1.36%	99.22%
Don't Know	Count	2	0	0	0	1	1	0	4
	Row %	50.00%	0.00%	0.00%	0.00%	25.00%	25.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.78%
	Total %	0.39%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.78%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Does your company hold any of the following certifications from a recognized certification agency? Other									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	6	1	0	1	5	5	0	18
	Row %	33.33%	5.56%	0.00%	5.56%	27.78%	27.78%	0.00%	100.00%
	Column %	4.20%	5.26%	0.00%	11.11%	2.54%	3.91%	0.00%	3.50%
	Total %	1.17%	0.19%	0.00%	0.19%	0.97%	0.97%	0.00%	3.50%
No	Count	136	18	11	8	191	122	7	493
	Row %	27.59%	3.65%	2.23%	1.62%	38.74%	24.75%	1.42%	100.00%
	Column %	95.10%	94.74%	100.00%	88.89%	96.95%	95.31%	100.00%	95.91%
	Total %	26.46%	3.50%	2.14%	1.56%	37.16%	23.74%	1.36%	95.91%
Don't Know	Count	1	0	0	0	1	1	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

As a prime contractor/vendor which of the following dollar ranges best approximates your company's largest contract awarded between July 1, 2008 and June 30, 2013?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Not applicable (not a prime)	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%

None	Count	10	3	0	1	8	3	0	25
	Row %	40.00%	12.00%	0.00%	4.00%	32.00%	12.00%	0.00%	100.00%
	Column %	6.99%	15.79%	0.00%	11.11%	4.06%	2.34%	0.00%	4.86%
	Total %	1.95%	0.58%	0.00%	0.19%	1.56%	0.58%	0.00%	4.86%
Up to $50,000?	Count	46	3	1	0	52	29	0	131
	Row %	35.11%	2.29%	0.76%	0.00%	39.69%	22.14%	0.00%	100.00%
	Column %	32.17%	15.79%	9.09%	0.00%	26.40%	22.66%	0.00%	25.49%
	Total %	8.95%	0.58%	0.19%	0.00%	10.12%	5.64%	0.00%	25.49%
$50,001 to $100,000?	Count	15	1	2	0	17	14	2	51
	Row %	29.41%	1.96%	3.92%	0.00%	33.33%	27.45%	3.92%	100.00%
	Column %	10.49%	5.26%	18.18%	0.00%	8.63%	10.94%	28.57%	9.92%
	Total %	2.92%	0.19%	0.39%	0.00%	3.31%	2.72%	0.39%	9.92%
$100,001 to $200,000?	Count	11	2	1	0	16	9	1	40
	Row %	27.50%	5.00%	2.50%	0.00%	40.00%	22.50%	2.50%	100.00%
	Column %	7.69%	10.53%	9.09%	0.00%	8.12%	7.03%	14.29%	7.78%
	Total %	2.14%	0.39%	0.19%	0.00%	3.11%	1.75%	0.19%	7.78%
$200,001 to $300,000?	Count	4	1	0	0	13	6	0	24
	Row %	16.67%	4.17%	0.00%	0.00%	54.17%	25.00%	0.00%	100.00%
	Column %	2.80%	5.26%	0.00%	0.00%	6.60%	4.69%	0.00%	4.67%
	Total %	0.78%	0.19%	0.00%	0.00%	2.53%	1.17%	0.00%	4.67%
$300,001 to $400,000?	Count	10	0	0	0	12	2	0	24
	Row %	41.67%	0.00%	0.00%	0.00%	50.00%	8.33%	0.00%	100.00%
	Column %	6.99%	0.00%	0.00%	0.00%	6.09%	1.56%	0.00%	4.67%
	Total %	1.95%	0.00%	0.00%	0.00%	2.33%	0.39%	0.00%	4.67%
$400,001 to $500,000?	Count	4	1	1	1	3	6	0	16
	Row %	25.00%	6.25%	6.25%	6.25%	18.75%	37.50%	0.00%	100.00%
	Column %	2.80%	5.26%	9.09%	11.11%	1.52%	4.69%	0.00%	3.11%
	Total %	0.78%	0.19%	0.19%	0.19%	0.58%	1.17%	0.00%	3.11%
$500,001 to $1 million?	Count	9	0	0	1	6	11	0	27
	Row %	33.33%	0.00%	0.00%	3.70%	22.22%	40.74%	0.00%	100.00%
	Column %	6.29%	0.00%	0.00%	11.11%	3.05%	8.59%	0.00%	5.25%
	Total %	1.75%	0.00%	0.00%	0.19%	1.17%	2.14%	0.00%	5.25%
Over $1 million?	Count	16	6	4	5	20	25	2	78
	Row %	20.51%	7.69%	5.13%	6.41%	25.64%	32.05%	2.56%	100.00%
	Column %	11.19%	31.58%	36.36%	55.56%	10.15%	19.53%	28.57%	15.18%
	Total %	3.11%	1.17%	0.78%	0.97%	3.89%	4.86%	0.39%	15.18%
Don't Know	Count	1	0	0	0	7	2	0	10
	Row %	10.00%	0.00%	0.00%	0.00%	70.00%	20.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	3.55%	1.56%	0.00%	1.95%
	Total %	0.19%	0.00%	0.00%	0.00%	1.36%	0.39%	0.00%	1.95%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Between July 1, 2008 and June 30, 2013 how many times has your company been awarded a City project as a prime contractor/vendor?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
None	Count	88	15	4	6	81	63	1	258
	Row %	34.11%	5.81%	1.55%	2.33%	31.40%	24.42%	0.39%	100.00%
	Column %	61.54%	78.95%	36.36%	66.67%	41.12%	49.22%	14.29%	50.19%
	Total %	17.12%	2.92%	0.78%	1.17%	15.76%	12.26%	0.19%	50.19%
1-10 Times	Count	33	2	5	2	42	29	1	114
	Row %	28.95%	1.75%	4.39%	1.75%	36.84%	25.44%	0.88%	100.00%
	Column %	23.08%	10.53%	45.45%	22.22%	21.32%	22.66%	14.29%	22.18%
	Total %	6.42%	0.39%	0.97%	0.39%	8.17%	5.64%	0.19%	22.18%
11-25 Times	Count	4	0	0	0	14	3	0	21
	Row %	19.05%	0.00%	0.00%	0.00%	66.67%	14.29%	0.00%	100.00%
	Column %	2.80%	0.00%	0.00%	0.00%	7.11%	2.34%	0.00%	4.09%
	Total %	0.78%	0.00%	0.00%	0.00%	2.72%	0.58%	0.00%	4.09%
26-50 Times	Count	1	0	0	0	7	5	1	14
	Row %	7.14%	0.00%	0.00%	0.00%	50.00%	35.71%	7.14%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	3.55%	3.91%	14.29%	2.72%
	Total %	0.19%	0.00%	0.00%	0.00%	1.36%	0.97%	0.19%	2.72%
51-100 Times	Count	0	0	0	0	2	2	1	5
	Row %	0.00%	0.00%	0.00%	0.00%	40.00%	40.00%	20.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.02%	1.56%	14.29%	0.97%
	Total %	0.00%	0.00%	0.00%	0.00%	0.39%	0.39%	0.19%	0.97%
Over 100 Times	Count	0	0	0	0	5	5	1	11
	Row %	0.00%	0.00%	0.00%	0.00%	45.45%	45.45%	9.09%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	2.54%	3.91%	14.29%	2.14%
	Total %	0.00%	0.00%	0.00%	0.00%	0.97%	0.97%	0.19%	2.14%

Don't Know	Count	0	0	0	0	3	0	0	3
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	0.58%
	Total %	0.00%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor?
Prequalification Requirements

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	25	2	1	1	8	7	0	44
	Row %	56.82%	4.55%	2.27%	2.27%	18.18%	15.91%	0.00%	100.00%
	Column %	17.48%	10.53%	9.09%	11.11%	4.06%	5.47%	0.00%	8.56%
	Total %	4.86%	0.39%	0.19%	0.19%	1.56%	1.36%	0.00%	8.56%
No	Count	100	15	8	7	143	100	5	378
	Row %	26.46%	3.97%	2.12%	1.85%	37.83%	26.46%	1.32%	100.00%
	Column %	69.93%	78.95%	72.73%	77.78%	72.59%	78.13%	71.43%	73.54%
	Total %	19.46%	2.92%	1.56%	1.36%	27.82%	19.46%	0.97%	73.54%
Don't Know	Count	1	0	0	0	3	0	0	4
	Row %	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	0.78%
	Total %	0.19%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	0.78%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor?
Bid bond requirements

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	25	3	1	0	9	8	1	47
	Row %	53.19%	6.38%	2.13%	0.00%	19.15%	17.02%	2.13%	100.00%
	Column %	17.48%	15.79%	9.09%	0.00%	4.57%	6.25%	14.29%	9.14%
	Total %	4.86%	0.58%	0.19%	0.00%	1.75%	1.56%	0.19%	9.14%
No	Count	99	14	8	8	144	99	4	376
	Row %	26.33%	3.72%	2.13%	2.13%	38.30%	26.33%	1.06%	100.00%
	Column %	69.23%	73.68%	72.73%	88.89%	73.10%	77.34%	57.14%	73.15%
	Total %	19.26%	2.72%	1.56%	1.56%	28.02%	19.26%	0.78%	73.15%
Don't Know	Count	2	0	0	0	1	0	0	3
	Row %	66.67%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.58%
	Total %	0.39%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Performance/payment bond requirement		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	17	2	1	0	8	8	0	36
	Row %	47.22%	5.56%	2.78%	0.00%	22.22%	22.22%	0.00%	100.00%
	Column %	11.89%	10.53%	9.09%	0.00%	4.06%	6.25%	0.00%	7.00%
	Total %	3.31%	0.39%	0.19%	0.00%	1.56%	1.56%	0.00%	7.00%
No	Count	107	15	8	8	145	99	5	387
	Row %	27.65%	3.88%	2.07%	2.07%	37.47%	25.58%	1.29%	100.00%
	Column %	74.83%	78.95%	72.73%	88.89%	73.60%	77.34%	71.43%	75.29%
	Total %	20.82%	2.92%	1.56%	1.56%	28.21%	19.26%	0.97%	75.29%
Don't Know	Count	2	0	0	0	1	0	0	3
	Row %	66.67%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.58%
	Total %	0.39%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Cost of bidding/proposing									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	20	3	1	1	15	3	1	44
	Row %	45.45%	6.82%	2.27%	2.27%	34.09%	6.82%	2.27%	100.00%
	Column %	13.99%	15.79%	9.09%	11.11%	7.61%	2.34%	14.29%	8.56%
	Total %	3.89%	0.58%	0.19%	0.19%	2.92%	0.58%	0.19%	8.56%
No	Count	105	14	8	7	138	103	4	379
	Row %	27.70%	3.69%	2.11%	1.85%	36.41%	27.18%	1.06%	100.00%
	Column %	73.43%	73.68%	72.73%	77.78%	70.05%	80.47%	57.14%	73.74%
	Total %	20.43%	2.72%	1.56%	1.36%	26.85%	20.04%	0.78%	73.74%
Don't Know	Count	1	0	0	0	1	1	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Financing									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	23	2	0	1	13	1	0	40
	Row %	57.50%	5.00%	0.00%	2.50%	32.50%	2.50%	0.00%	100.00%
	Column %	16.08%	10.53%	0.00%	11.11%	6.60%	0.78%	0.00%	7.78%
	Total %	4.47%	0.39%	0.00%	0.19%	2.53%	0.19%	0.00%	7.78%
No	Count	102	15	9	7	140	106	5	384
	Row %	26.56%	3.91%	2.34%	1.82%	36.46%	27.60%	1.30%	100.00%
	Column %	71.33%	78.95%	81.82%	77.78%	71.07%	82.81%	71.43%	74.71%
	Total %	19.84%	2.92%	1.75%	1.36%	27.24%	20.62%	0.97%	74.71%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Insurance (general liability, professional liability, etc.)		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	8	1	0	1	5	1	0	16
	Row %	50.00%	6.25%	0.00%	6.25%	31.25%	6.25%	0.00%	100.00%
	Column %	5.59%	5.26%	0.00%	11.11%	2.54%	0.78%	0.00%	3.11%
	Total %	1.56%	0.19%	0.00%	0.19%	0.97%	0.19%	0.00%	3.11%
No	Count	117	16	9	7	147	106	5	407
	Row %	28.75%	3.93%	2.21%	1.72%	36.12%	26.04%	1.23%	100.00%
	Column %	81.82%	84.21%	81.82%	77.78%	74.62%	82.81%	71.43%	79.18%
	Total %	22.76%	3.11%	1.75%	1.36%	28.60%	20.62%	0.97%	79.18%
Don't Know	Count	1	0	0	0	2	0	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Price of supplies/materials									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	12	2	0	1	14	6	0	35
	Row %	34.29%	5.71%	0.00%	2.86%	40.00%	17.14%	0.00%	100.00%
	Column %	8.39%	10.53%	0.00%	11.11%	7.11%	4.69%	0.00%	6.81%
	Total %	2.33%	0.39%	0.00%	0.19%	2.72%	1.17%	0.00%	6.81%
No	Count	113	15	9	7	139	101	5	389
	Row %	29.05%	3.86%	2.31%	1.80%	35.73%	25.96%	1.29%	100.00%
	Column %	79.02%	78.95%	81.82%	77.78%	70.56%	78.91%	71.43%	75.68%
	Total %	21.98%	2.92%	1.75%	1.36%	27.04%	19.65%	0.97%	75.68%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Proposal/Bid specifications		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	24	2	0	2	20	11	1	60
	Row %	40.00%	3.33%	0.00%	3.33%	33.33%	18.33%	1.67%	100.00%
	Column %	16.78%	10.53%	0.00%	22.22%	10.15%	8.59%	14.29%	11.67%
	Total %	4.67%	0.39%	0.00%	0.39%	3.89%	2.14%	0.19%	11.67%
No	Count	101	15	9	6	133	96	4	364
	Row %	27.75%	4.12%	2.47%	1.65%	36.54%	26.37%	1.10%	100.00%
	Column %	70.63%	78.95%	81.82%	66.67%	67.51%	75.00%	57.14%	70.82%
	Total %	19.65%	2.92%	1.75%	1.17%	25.88%	18.68%	0.78%	70.82%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Limited time given to prepare bid package or quote		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	31	3	1	3	26	16	0	80
	Row %	38.75%	3.75%	1.25%	3.75%	32.50%	20.00%	0.00%	100.00%
	Column %	21.68%	15.79%	9.09%	33.33%	13.20%	12.50%	0.00%	15.56%
	Total %	6.03%	0.58%	0.19%	0.58%	5.06%	3.11%	0.00%	15.56%
No	Count	94	14	8	5	127	91	5	344
	Row %	27.33%	4.07%	2.33%	1.45%	36.92%	26.45%	1.45%	100.00%
	Column %	65.73%	73.68%	72.73%	55.56%	64.47%	71.09%	71.43%	66.93%
	Total %	18.29%	2.72%	1.56%	0.97%	24.71%	17.70%	0.97%	66.93%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Limited knowledge of purchasing contracting policies and procedures		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	24	4	1	0	11	14	1	55
	Row %	43.64%	7.27%	1.82%	0.00%	20.00%	25.45%	1.82%	100.00%
	Column %	16.78%	21.05%	9.09%	0.00%	5.58%	10.94%	14.29%	10.70%
	Total %	4.67%	0.78%	0.19%	0.00%	2.14%	2.72%	0.19%	10.70%
No	Count	101	13	8	8	142	93	4	369
	Row %	27.37%	3.52%	2.17%	2.17%	38.48%	25.20%	1.08%	100.00%
	Column %	70.63%	68.42%	72.73%	88.89%	72.08%	72.66%	57.14%	71.79%
	Total %	19.65%	2.53%	1.56%	1.56%	27.63%	18.09%	0.78%	71.79%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Lack of experience		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	16	2	1	2	6	5	0	32
	Row %	50.00%	6.25%	3.13%	6.25%	18.75%	15.63%	0.00%	100.00%
	Column %	11.19%	10.53%	9.09%	22.22%	3.05%	3.91%	0.00%	6.23%
	Total %	3.11%	0.39%	0.19%	0.39%	1.17%	0.97%	0.00%	6.23%
No	Count	109	15	8	6	147	102	5	392
	Row %	27.81%	3.83%	2.04%	1.53%	37.50%	26.02%	1.28%	100.00%
	Column %	76.22%	78.95%	72.73%	66.67%	74.62%	79.69%	71.43%	76.26%
	Total %	21.21%	2.92%	1.56%	1.17%	28.60%	19.84%	0.97%	76.26%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Lack of personnel		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	17	0	0	2	9	3	0	31
	Row %	54.84%	0.00%	0.00%	6.45%	29.03%	9.68%	0.00%	100.00%
	Column %	11.89%	0.00%	0.00%	22.22%	4.57%	2.34%	0.00%	6.03%
	Total %	3.31%	0.00%	0.00%	0.39%	1.75%	0.58%	0.00%	6.03%
No	Count	108	17	9	6	144	104	5	393
	Row %	27.48%	4.33%	2.29%	1.53%	36.64%	26.46%	1.27%	100.00%
	Column %	75.52%	89.47%	81.82%	66.67%	73.10%	81.25%	71.43%	76.46%
	Total %	21.01%	3.31%	1.75%	1.17%	28.02%	20.23%	0.97%	76.46%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Contract too large		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	29	1	3	1	23	9	0	66
	Row %	43.94%	1.52%	4.55%	1.52%	34.85%	13.64%	0.00%	100.00%
	Column %	20.28%	5.26%	27.27%	11.11%	11.68%	7.03%	0.00%	12.84%
	Total %	5.64%	0.19%	0.58%	0.19%	4.47%	1.75%	0.00%	12.84%
No	Count	96	16	6	7	130	98	5	358
	Row %	26.82%	4.47%	1.68%	1.96%	36.31%	27.37%	1.40%	100.00%
	Column %	67.13%	84.21%	54.55%	77.78%	65.99%	76.56%	71.43%	69.65%
	Total %	18.68%	3.11%	1.17%	1.36%	25.29%	19.07%	0.97%	69.65%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Selection process		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	30	1	0	2	24	9	0	66
	Row %	45.45%	1.52%	0.00%	3.03%	36.36%	13.64%	0.00%	100.00%
	Column %	20.98%	5.26%	0.00%	22.22%	12.18%	7.03%	0.00%	12.84%
	Total %	5.84%	0.19%	0.00%	0.39%	4.67%	1.75%	0.00%	12.84%
No	Count	94	16	9	6	127	97	5	354
	Row %	26.55%	4.52%	2.54%	1.69%	35.88%	27.40%	1.41%	100.00%
	Column %	65.73%	84.21%	81.82%	66.67%	64.47%	75.78%	71.43%	68.87%
	Total %	18.29%	3.11%	1.75%	1.17%	24.71%	18.87%	0.97%	68.87%
Don't Know	Count	2	0	0	0	3	1	0	6
	Row %	33.33%	0.00%	0.00%	0.00%	50.00%	16.67%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.52%	0.78%	0.00%	1.17%
	Total %	0.39%	0.00%	0.00%	0.00%	0.58%	0.19%	0.00%	1.17%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Unnecessary restrictive contract specifications		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	25	3	0	4	24	14	1	71
	Row %	35.21%	4.23%	0.00%	5.63%	33.80%	19.72%	1.41%	100.00%
	Column %	17.48%	15.79%	0.00%	44.44%	12.18%	10.94%	14.29%	13.81%
	Total %	4.86%	0.58%	0.00%	0.78%	4.67%	2.72%	0.19%	13.81%
No	Count	99	14	9	4	128	92	4	350
	Row %	28.29%	4.00%	2.57%	1.14%	36.57%	26.29%	1.14%	100.00%
	Column %	69.23%	73.68%	81.82%	44.44%	64.97%	71.88%	57.14%	68.09%
	Total %	19.26%	2.72%	1.75%	0.78%	24.90%	17.90%	0.78%	68.09%
Don't Know	Count	2	0	0	0	2	1	0	5
	Row %	40.00%	0.00%	0.00%	0.00%	40.00%	20.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.02%	0.78%	0.00%	0.97%
	Total %	0.39%	0.00%	0.00%	0.00%	0.39%	0.19%	0.00%	0.97%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Slow payment or nonpayment		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	15	0	1	0	15	6	1	38
	Row %	39.47%	0.00%	2.63%	0.00%	39.47%	15.79%	2.63%	100.00%
	Column %	10.49%	0.00%	9.09%	0.00%	7.61%	4.69%	14.29%	7.39%
	Total %	2.92%	0.00%	0.19%	0.00%	2.92%	1.17%	0.19%	7.39%
No	Count	110	17	8	8	138	100	4	385
	Row %	28.57%	4.42%	2.08%	2.08%	35.84%	25.97%	1.04%	100.00%
	Column %	76.92%	89.47%	72.73%	88.89%	70.05%	78.13%	57.14%	74.90%
	Total %	21.40%	3.31%	1.56%	1.56%	26.85%	19.46%	0.78%	74.90%
Don't Know	Count	1	0	0	0	1	1	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience, have any of the following been a barrier to obtaining work on City projects as a prime contractor/vendor? Competing with large companies		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	65	3	3	5	54	26	1	157
	Row %	41.40%	1.91%	1.91%	3.18%	34.39%	16.56%	0.64%	100.00%
	Column %	45.45%	15.79%	27.27%	55.56%	27.41%	20.31%	14.29%	30.54%
	Total %	12.65%	0.58%	0.58%	0.97%	10.51%	5.06%	0.19%	30.54%
No	Count	59	14	6	3	98	81	4	265
	Row %	22.26%	5.28%	2.26%	1.13%	36.98%	30.57%	1.51%	100.00%
	Column %	41.26%	73.68%	54.55%	33.33%	49.75%	63.28%	57.14%	51.56%
	Total %	11.48%	2.72%	1.17%	0.58%	19.07%	15.76%	0.78%	51.56%
Don't Know	Count	2	0	0	0	2	0	0	4
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.78%
	Total %	0.39%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.78%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Between July 1, 2008 and June 30, 2013, have you ever submitted a bid or quote for a City contract, were informed that you were the lowest bidder, and then found out that another firm was actually doing the work?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	18	0	0	1	11	5	1	36
	Row %	50.00%	0.00%	0.00%	2.78%	30.56%	13.89%	2.78%	100.00%
	Column %	12.59%	0.00%	0.00%	11.11%	5.58%	3.91%	14.29%	7.00%
	Total %	3.50%	0.00%	0.00%	0.19%	2.14%	0.97%	0.19%	7.00%
No	Count	107	17	9	7	141	102	4	387
	Row %	27.65%	4.39%	2.33%	1.81%	36.43%	26.36%	1.03%	100.00%
	Column %	74.83%	89.47%	81.82%	77.78%	71.57%	79.69%	57.14%	75.29%
	Total %	20.82%	3.31%	1.75%	1.36%	27.43%	19.84%	0.78%	75.29%
Don't Know	Count	1	0	0	0	2	0	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

As a prime contractor/vendor, are you required to have bonding?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	48	7	3	3	34	41	2	138
	Row %	34.78%	5.07%	2.17%	2.17%	24.64%	29.71%	1.45%	100.00%
	Column %	33.57%	36.84%	27.27%	33.33%	17.26%	32.03%	28.57%	26.85%
	Total %	9.34%	1.36%	0.58%	0.58%	6.61%	7.98%	0.39%	26.85%
	Count	77	9	6	5	116	64	3	280

No	Row %	27.50%	3.21%	2.14%	1.79%	41.43%	22.86%	1.07%	100.00%
	Column %	53.85%	47.37%	54.55%	55.56%	58.88%	50.00%	42.86%	54.47%
	Total %	14.98%	1.75%	1.17%	0.97%	22.57%	12.45%	0.58%	54.47%
Don't Know	Count	1	1	0	0	4	2	0	8
	Row %	12.50%	12.50%	0.00%	0.00%	50.00%	25.00%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	0.00%	2.03%	1.56%	0.00%	1.56%
	Total %	0.19%	0.19%	0.00%	0.00%	0.78%	0.39%	0.00%	1.56%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What is your current aggregate bonding limit?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Below $100,000	Count	8	0	0	0	1	3	0	12
	Row %	66.67%	0.00%	0.00%	0.00%	8.33%	25.00%	0.00%	100.00%
	Column %	5.59%	0.00%	0.00%	0.00%	0.51%	2.34%	0.00%	2.33%
	Total %	1.56%	0.00%	0.00%	0.00%	0.19%	0.58%	0.00%	2.33%
$100,001 to $250,000	Count	7	2	0	1	2	2	0	14
	Row %	50.00%	14.29%	0.00%	7.14%	14.29%	14.29%	0.00%	100.00%
	Column %	4.90%	10.53%	0.00%	11.11%	1.02%	1.56%	0.00%	2.72%
	Total %	1.36%	0.39%	0.00%	0.19%	0.39%	0.39%	0.00%	2.72%
$250,001 to $500,000	Count	5	0	0	0	2	5	0	12
	Row %	41.67%	0.00%	0.00%	0.00%	16.67%	41.67%	0.00%	100.00%
	Column %	3.50%	0.00%	0.00%	0.00%	1.02%	3.91%	0.00%	2.33%
	Total %	0.97%	0.00%	0.00%	0.00%	0.39%	0.97%	0.00%	2.33%
$500,001 to $1 million	Count	8	1	0	0	5	9	0	23
	Row %	34.78%	4.35%	0.00%	0.00%	21.74%	39.13%	0.00%	100.00%
	Column %	5.59%	5.26%	0.00%	0.00%	2.54%	7.03%	0.00%	4.47%
	Total %	1.56%	0.19%	0.00%	0.00%	0.97%	1.75%	0.00%	4.47%
	Count	3	0	1	1	8	3	0	16

$1,000,001 to $1.5 million	Row %	18.75%	0.00%	6.25%	6.25%	50.00%	18.75%	0.00%	100.00%
	Column %	2.10%	0.00%	9.09%	11.11%	4.06%	2.34%	0.00%	3.11%
	Total %	0.58%	0.00%	0.19%	0.19%	1.56%	0.58%	0.00%	3.11%
$1,500,001 to $3 million	Count	6	1	0	0	4	4	2	17
	Row %	35.29%	5.88%	0.00%	0.00%	23.53%	23.53%	11.76%	100.00%
	Column %	4.20%	5.26%	0.00%	0.00%	2.03%	3.13%	28.57%	3.31%
	Total %	1.17%	0.19%	0.00%	0.00%	0.78%	0.78%	0.39%	3.31%
$3,00,001 to $5 million	Count	4	0	1	0	2	4	0	11
	Row %	36.36%	0.00%	9.09%	0.00%	18.18%	36.36%	0.00%	100.00%
	Column %	2.80%	0.00%	9.09%	0.00%	1.02%	3.13%	0.00%	2.14%
	Total %	0.78%	0.00%	0.19%	0.00%	0.39%	0.78%	0.00%	2.14%
Over $5 million	Count	5	0	1	1	5	10	0	22
	Row %	22.73%	0.00%	4.55%	4.55%	22.73%	45.45%	0.00%	100.00%
	Column %	3.50%	0.00%	9.09%	11.11%	2.54%	7.81%	0.00%	4.28%
	Total %	0.97%	0.00%	0.19%	0.19%	0.97%	1.95%	0.00%	4.28%
Don't Know	Count	2	3	0	0	5	1	0	11
	Row %	18.18%	27.27%	0.00%	0.00%	45.45%	9.09%	0.00%	100.00%
	Column %	1.40%	15.79%	0.00%	0.00%	2.54%	0.78%	0.00%	2.14%
	Total %	0.39%	0.58%	0.00%	0.00%	0.97%	0.19%	0.00%	2.14%
No Response	Count	95	12	8	6	163	87	5	376
	Row %	25.27%	3.19%	2.13%	1.60%	43.35%	23.14%	1.33%	100.00%
	Column %	66.43%	63.16%	72.73%	66.67%	82.74%	67.97%	71.43%	73.15%
	Total %	18.48%	2.33%	1.56%	1.17%	31.71%	16.93%	0.97%	73.15%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What is your current single project bonding limit?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Below $100,000	Count	8	0	0	0	1	5	0	14
	Row %	57.14%	0.00%	0.00%	0.00%	7.14%	35.71%	0.00%	100.00%
	Column %	5.59%	0.00%	0.00%	0.00%	0.51%	3.91%	0.00%	2.72%
	Total %	1.56%	0.00%	0.00%	0.00%	0.19%	0.97%	0.00%	2.72%
	Count	7	2	0	0	3	2	0	14

$100,001 to $250,000	Row %	50.00%	14.29%	0.00%	0.00%	21.43%	14.29%	0.00%	100.00%
	Column %	4.90%	10.53%	0.00%	0.00%	1.52%	1.56%	0.00%	2.72%
	Total %	1.36%	0.39%	0.00%	0.00%	0.58%	0.39%	0.00%	2.72%
$250,001 to $500,000	Count	8	0	0	1	3	5	0	17
	Row %	47.06%	0.00%	0.00%	5.88%	17.65%	29.41%	0.00%	100.00%
	Column %	5.59%	0.00%	0.00%	11.11%	1.52%	3.91%	0.00%	3.31%
	Total %	1.56%	0.00%	0.00%	0.19%	0.58%	0.97%	0.00%	3.31%
$500,001 to $1 million	Count	7	1	0	0	9	8	1	26
	Row %	26.92%	3.85%	0.00%	0.00%	34.62%	30.77%	3.85%	100.00%
	Column %	4.90%	5.26%	0.00%	0.00%	4.57%	6.25%	14.29%	5.06%
	Total %	1.36%	0.19%	0.00%	0.00%	1.75%	1.56%	0.19%	5.06%
$1,000,001 to $1.5 million	Count	3	0	0	1	4	4	1	13
	Row %	23.08%	0.00%	0.00%	7.69%	30.77%	30.77%	7.69%	100.00%
	Column %	2.10%	0.00%	0.00%	11.11%	2.03%	3.13%	14.29%	2.53%
	Total %	0.58%	0.00%	0.00%	0.19%	0.78%	0.78%	0.19%	2.53%
$1,500,001 to $3 million	Count	5	1	2	0	3	3	0	14
	Row %	35.71%	7.14%	14.29%	0.00%	21.43%	21.43%	0.00%	100.00%
	Column %	3.50%	5.26%	18.18%	0.00%	1.52%	2.34%	0.00%	2.72%
	Total %	0.97%	0.19%	0.39%	0.00%	0.58%	0.58%	0.00%	2.72%
$3,00,001 to $5 million	Count	5	0	1	0	3	4	0	13
	Row %	38.46%	0.00%	7.69%	0.00%	23.08%	30.77%	0.00%	100.00%
	Column %	3.50%	0.00%	9.09%	0.00%	1.52%	3.13%	0.00%	2.53%
	Total %	0.97%	0.00%	0.19%	0.00%	0.58%	0.78%	0.00%	2.53%
Over $5 million	Count	2	0	0	1	3	8	0	14
	Row %	14.29%	0.00%	0.00%	7.14%	21.43%	57.14%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	11.11%	1.52%	6.25%	0.00%	2.72%
	Total %	0.39%	0.00%	0.00%	0.19%	0.58%	1.56%	0.00%	2.72%
Don't Know	Count	3	3	0	0	5	2	0	13
	Row %	23.08%	23.08%	0.00%	0.00%	38.46%	15.38%	0.00%	100.00%
	Column %	2.10%	15.79%	0.00%	0.00%	2.54%	1.56%	0.00%	2.53%
	Total %	0.58%	0.58%	0.00%	0.00%	0.97%	0.39%	0.00%	2.53%
No Response	Count	95	12	8	6	163	87	5	376
	Row %	25.27%	3.19%	2.13%	1.60%	43.35%	23.14%	1.33%	100.00%
	Column %	66.43%	63.16%	72.73%	66.67%	82.74%	67.97%	71.43%	73.15%
	Total %	18.48%	2.33%	1.56%	1.17%	31.71%	16.93%	0.97%	73.15%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

As a prime contractor/consultant did you experience discriminatory behavior by the City when bidding or working on a project between 2008 and 2013?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	1	0	1	6	1	0	19
	Row %	52.63%	5.26%	0.00%	5.26%	31.58%	5.26%	0.00%	100.00%
	Column %	6.99%	5.26%	0.00%	11.11%	3.05%	0.78%	0.00%	3.70%
	Total %	1.95%	0.19%	0.00%	0.19%	1.17%	0.19%	0.00%	3.70%
No	Count	113	16	9	7	147	106	5	403
	Row %	28.04%	3.97%	2.23%	1.74%	36.48%	26.30%	1.24%	100.00%
	Column %	79.02%	84.21%	81.82%	77.78%	74.62%	82.81%	71.43%	78.40%
	Total %	21.98%	3.11%	1.75%	1.36%	28.60%	20.62%	0.97%	78.40%
Not Applicable	Count	3	0	0	0	1	0	0	4
	Row %	75.00%	0.00%	0.00%	0.00%	25.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.78%
	Total %	0.58%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.78%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What was the most noticeable way you became aware of the discrimination against your company?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Verbal Comment	Count	9	1	0	1	4	1	0	16
	Row %	56.25%	6.25%	0.00%	6.25%	25.00%	6.25%	0.00%	100.00%
	Column %	6.29%	5.26%	0.00%	11.11%	2.03%	0.78%	0.00%	3.11%
	Total %	1.75%	0.19%	0.00%	0.19%	0.78%	0.19%	0.00%	3.11%
Written Statement	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
Action Taken Against the Company	Count	0	0	0	0	1	0	0	1
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.19%
No Response	Count	133	18	11	8	191	127	7	495
	Row %	26.87%	3.64%	2.22%	1.62%	38.59%	25.66%	1.41%	100.00%
	Column %	93.01%	94.74%	100.00%	88.89%	96.95%	99.22%	100.00%	96.30%
	Total %	25.88%	3.50%	2.14%	1.56%	37.16%	24.71%	1.36%	96.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Which of the following do you consider the primary reason for your company being discriminated against?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Owner's Race or Ethnicity	Count	4	1	0	0	1	0	0	6
	Row %	66.67%	16.67%	0.00%	0.00%	16.67%	0.00%	0.00%	100.00%
	Column %	2.80%	5.26%	0.00%	0.00%	0.51%	0.00%	0.00%	1.17%
	Total %	0.78%	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	1.17%

Owner's Gender	Count	1	0	0	0	2	0	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.58%
Both	Count	5	0	0	0	2	0	0	7
	Row %	71.43%	0.00%	0.00%	0.00%	28.57%	0.00%	0.00%	100.00%
	Column %	3.50%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	1.36%
	Total %	0.97%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	1.36%
Don't Know	Count	0	0	0	1	1	1	0	3
	Row %	0.00%	0.00%	0.00%	33.33%	33.33%	33.33%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	11.11%	0.51%	0.78%	0.00%	0.58%
	Total %	0.00%	0.00%	0.00%	0.19%	0.19%	0.19%	0.00%	0.58%
No Response	Count	133	18	11	8	191	127	7	495
	Row %	26.87%	3.64%	2.22%	1.62%	38.59%	25.66%	1.41%	100.00%
	Column %	93.01%	94.74%	100.00%	88.89%	96.95%	99.22%	100.00%	96.30%
	Total %	25.88%	3.50%	2.14%	1.56%	37.16%	24.71%	1.36%	96.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

When did the discrimination first occur?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
During Bidding Process	Count	3	0	0	0	4	0	0	7
	Row %	42.86%	0.00%	0.00%	0.00%	57.14%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	2.03%	0.00%	0.00%	1.36%
	Total %	0.58%	0.00%	0.00%	0.00%	0.78%	0.00%	0.00%	1.36%
After Contract Award	Count	1	0	0	1	0	0	0	2
	Row %	50.00%	0.00%	0.00%	50.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	11.11%	0.00%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	0.00%	0.39%
Both	Count	5	1	0	0	1	1	0	8
	Row %	62.50%	12.50%	0.00%	0.00%	12.50%	12.50%	0.00%	100.00%
	Column %	3.50%	5.26%	0.00%	0.00%	0.51%	0.78%	0.00%	1.56%
	Total %	0.97%	0.19%	0.00%	0.00%	0.19%	0.19%	0.00%	1.56%

Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	133	18	11	8	191	127	7	495
	Row %	26.87%	3.64%	2.22%	1.62%	38.59%	25.66%	1.41%	100.00%
	Column %	93.01%	94.74%	100.00%	88.89%	96.95%	99.22%	100.00%	96.30%
	Total %	25.88%	3.50%	2.14%	1.56%	37.16%	24.71%	1.36%	96.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Did you file a complaint?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	2	0	0	0	2	0	0	4
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.78%
	Total %	0.39%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.78%
No	Count	8	1	0	1	4	1	0	15
	Row %	53.33%	6.67%	0.00%	6.67%	26.67%	6.67%	0.00%	100.00%
	Column %	5.59%	5.26%	0.00%	11.11%	2.03%	0.78%	0.00%	2.92%
	Total %	1.56%	0.19%	0.00%	0.19%	0.78%	0.19%	0.00%	2.92%
No Response	Count	133	18	11	8	191	127	7	495
	Row %	26.87%	3.64%	2.22%	1.62%	38.59%	25.66%	1.41%	100.00%
	Column %	93.01%	94.74%	100.00%	88.89%	96.95%	99.22%	100.00%	96.30%
	Total %	25.88%	3.50%	2.14%	1.56%	37.16%	24.71%	1.36%	96.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Harassment		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	3	0	0	1	1	1	0	6
	Row %	50.00%	0.00%	0.00%	16.67%	16.67%	16.67%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	11.11%	0.51%	0.78%	0.00%	1.17%
	Total %	0.58%	0.00%	0.00%	0.19%	0.19%	0.19%	0.00%	1.17%
No	Count	122	17	9	7	152	106	5	418
	Row %	29.19%	4.07%	2.15%	1.67%	36.36%	25.36%	1.20%	100.00%
	Column %	85.31%	89.47%	81.82%	77.78%	77.16%	82.81%	71.43%	81.32%
	Total %	23.74%	3.31%	1.75%	1.36%	29.57%	20.62%	0.97%	81.32%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Unequal or unfair treatment		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	1	0	1	6	1	2	21
	Row %	47.62%	4.76%	0.00%	4.76%	28.57%	4.76%	9.52%	100.00%
	Column %	6.99%	5.26%	0.00%	11.11%	3.05%	0.78%	28.57%	4.09%
	Total %	1.95%	0.19%	0.00%	0.19%	1.17%	0.19%	0.39%	4.09%
No	Count	114	16	9	7	146	106	3	401
	Row %	28.43%	3.99%	2.24%	1.75%	36.41%	26.43%	0.75%	100.00%
	Column %	79.72%	84.21%	81.82%	77.78%	74.11%	82.81%	42.86%	78.02%
	Total %	22.18%	3.11%	1.75%	1.36%	28.40%	20.62%	0.58%	78.02%
Don't Know	Count	2	0	0	0	2	0	0	4
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.78%
	Total %	0.39%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.78%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Bid shopping or bid manipulation		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	1	0	2	7	1	0	21
	Row %	47.62%	4.76%	0.00%	9.52%	33.33%	4.76%	0.00%	100.00%
	Column %	6.99%	5.26%	0.00%	22.22%	3.55%	0.78%	0.00%	4.09%
	Total %	1.95%	0.19%	0.00%	0.39%	1.36%	0.19%	0.00%	4.09%
No	Count	116	16	9	6	145	106	5	403
	Row %	28.78%	3.97%	2.23%	1.49%	35.98%	26.30%	1.24%	100.00%
	Column %	81.12%	84.21%	81.82%	66.67%	73.60%	82.81%	71.43%	78.40%
	Total %	22.57%	3.11%	1.75%	1.17%	28.21%	20.62%	0.97%	78.40%
Don't Know	Count	0	0	0	0	2	0	0	2
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.39%
	Total %	0.00%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Double standards in performance		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	13	1	0	1	9	1	1	26
	Row %	50.00%	3.85%	0.00%	3.85%	34.62%	3.85%	3.85%	100.00%
	Column %	9.09%	5.26%	0.00%	11.11%	4.57%	0.78%	14.29%	5.06%
	Total %	2.53%	0.19%	0.00%	0.19%	1.75%	0.19%	0.19%	5.06%
No	Count	112	16	9	7	144	106	4	398
	Row %	28.14%	4.02%	2.26%	1.76%	36.18%	26.63%	1.01%	100.00%
	Column %	78.32%	84.21%	81.82%	77.78%	73.10%	82.81%	57.14%	77.43%
	Total %	21.79%	3.11%	1.75%	1.36%	28.02%	20.62%	0.78%	77.43%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Denial of opportunity to bid									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	1	0	0	1	6	1	0	9
	Row %	11.11%	0.00%	0.00%	11.11%	66.67%	11.11%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	11.11%	3.05%	0.78%	0.00%	1.75%
	Total %	0.19%	0.00%	0.00%	0.19%	1.17%	0.19%	0.00%	1.75%
No	Count	124	17	9	7	147	106	5	415
	Row %	29.88%	4.10%	2.17%	1.69%	35.42%	25.54%	1.20%	100.00%
	Column %	86.71%	89.47%	81.82%	77.78%	74.62%	82.81%	71.43%	80.74%
	Total %	24.12%	3.31%	1.75%	1.36%	28.60%	20.62%	0.97%	80.74%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Unfair denial of contract award		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	5	1	0	1	6	0	0	13
	Row %	38.46%	7.69%	0.00%	7.69%	46.15%	0.00%	0.00%	100.00%
	Column %	3.50%	5.26%	0.00%	11.11%	3.05%	0.00%	0.00%	2.53%
	Total %	0.97%	0.19%	0.00%	0.19%	1.17%	0.00%	0.00%	2.53%
No	Count	120	16	9	7	147	107	5	411
	Row %	29.20%	3.89%	2.19%	1.70%	35.77%	26.03%	1.22%	100.00%
	Column %	83.92%	84.21%	81.82%	77.78%	74.62%	83.59%	71.43%	79.96%
	Total %	23.35%	3.11%	1.75%	1.36%	28.60%	20.82%	0.97%	79.96%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Unfair termination		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	2	0	0	1	1	0	0	4
	Row %	50.00%	0.00%	0.00%	25.00%	25.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	11.11%	0.51%	0.00%	0.00%	0.78%
	Total %	0.39%	0.00%	0.00%	0.19%	0.19%	0.00%	0.00%	0.78%
No	Count	122	17	9	7	152	107	5	419
	Row %	29.12%	4.06%	2.15%	1.67%	36.28%	25.54%	1.19%	100.00%
	Column %	85.31%	89.47%	81.82%	77.78%	77.16%	83.59%	71.43%	81.52%
	Total %	23.74%	3.31%	1.75%	1.36%	29.57%	20.82%	0.97%	81.52%
Don't Know	Count	2	0	0	0	1	0	0	3
	Row %	66.67%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.58%
	Total %	0.39%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.58%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

While doing business or attempting to do business with the City, have you experienced any of the following as a form in discrimination from the City? Unequal price quotes from suppliers		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	6	1	0	1	7	2	0	17
	Row %	35.29%	5.88%	0.00%	5.88%	41.18%	11.76%	0.00%	100.00%
	Column %	4.20%	5.26%	0.00%	11.11%	3.55%	1.56%	0.00%	3.31%
	Total %	1.17%	0.19%	0.00%	0.19%	1.36%	0.39%	0.00%	3.31%
No	Count	119	16	9	7	143	105	5	404
	Row %	29.46%	3.96%	2.23%	1.73%	35.40%	25.99%	1.24%	100.00%
	Column %	83.22%	84.21%	81.82%	77.78%	72.59%	82.03%	71.43%	78.60%
	Total %	23.15%	3.11%	1.75%	1.36%	27.82%	20.43%	0.97%	78.60%
Don't Know	Count	1	0	0	0	4	0	0	5
	Row %	20.00%	0.00%	0.00%	0.00%	80.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	2.03%	0.00%	0.00%	0.97%
	Total %	0.19%	0.00%	0.00%	0.00%	0.78%	0.00%	0.00%	0.97%
No Response	Count	17	2	2	1	43	21	2	88
	Row %	19.32%	2.27%	2.27%	1.14%	48.86%	23.86%	2.27%	100.00%
	Column %	11.89%	10.53%	18.18%	11.11%	21.83%	16.41%	28.57%	17.12%
	Total %	3.31%	0.39%	0.39%	0.19%	8.37%	4.09%	0.39%	17.12%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

As a subcontractor/supplier, which of the following dollar ranges best approximates your company's largest subcontract awarded between July 1, 2008 and June 30, 2013?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Not applicable (not a subcontractor)	Count	66	7	3	5	101	53	4	239
	Row %	27.62%	2.93%	1.26%	2.09%	42.26%	22.18%	1.67%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	51.27%	41.41%	57.14%	46.50%
	Total %	12.84%	1.36%	0.58%	0.97%	19.65%	10.31%	0.78%	46.50%
None	Count	12	1	0	2	7	2	0	24
	Row %	50.00%	4.17%	0.00%	8.33%	29.17%	8.33%	0.00%	100.00%
	Column %	8.39%	5.26%	0.00%	22.22%	3.55%	1.56%	0.00%	4.67%
	Total %	2.33%	0.19%	0.00%	0.39%	1.36%	0.39%	0.00%	4.67%
Up to $50,000?	Count	35	3	1	0	26	19	0	84
	Row %	41.67%	3.57%	1.19%	0.00%	30.95%	22.62%	0.00%	100.00%
	Column %	24.48%	15.79%	9.09%	0.00%	13.20%	14.84%	0.00%	16.34%
	Total %	6.81%	0.58%	0.19%	0.00%	5.06%	3.70%	0.00%	16.34%
$50,001 to $100,000?	Count	7	2	1	0	12	11	1	34
	Row %	20.59%	5.88%	2.94%	0.00%	35.29%	32.35%	2.94%	100.00%
	Column %	4.90%	10.53%	9.09%	0.00%	6.09%	8.59%	14.29%	6.61%
	Total %	1.36%	0.39%	0.19%	0.00%	2.33%	2.14%	0.19%	6.61%
$100,001 to $200,000?	Count	8	0	2	0	11	5	0	26
	Row %	30.77%	0.00%	7.69%	0.00%	42.31%	19.23%	0.00%	100.00%
	Column %	5.59%	0.00%	18.18%	0.00%	5.58%	3.91%	0.00%	5.06%
	Total %	1.56%	0.00%	0.39%	0.00%	2.14%	0.97%	0.00%	5.06%
$200,001 to $300,000?	Count	3	1	1	1	11	7	0	24
	Row %	12.50%	4.17%	4.17%	4.17%	45.83%	29.17%	0.00%	100.00%
	Column %	2.10%	5.26%	9.09%	11.11%	5.58%	5.47%	0.00%	4.67%
	Total %	0.58%	0.19%	0.19%	0.19%	2.14%	1.36%	0.00%	4.67%
$300,001 to $400,000?	Count	2	0	0	0	3	1	0	6
	Row %	33.33%	0.00%	0.00%	0.00%	50.00%	16.67%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	1.52%	0.78%	0.00%	1.17%
	Total %	0.39%	0.00%	0.00%	0.00%	0.58%	0.19%	0.00%	1.17%
$400,001 to $500,000?	Count	2	1	0	0	5	5	0	13
	Row %	15.38%	7.69%	0.00%	0.00%	38.46%	38.46%	0.00%	100.00%
	Column %	1.40%	5.26%	0.00%	0.00%	2.54%	3.91%	0.00%	2.53%
	Total %	0.39%	0.19%	0.00%	0.00%	0.97%	0.97%	0.00%	2.53%

$500,001 to $1 million?	Count	3	1	1	0	9	7	0	21
	Row %	14.29%	4.76%	4.76%	0.00%	42.86%	33.33%	0.00%	100.00%
	Column %	2.10%	5.26%	9.09%	0.00%	4.57%	5.47%	0.00%	4.09%
	Total %	0.58%	0.19%	0.19%	0.00%	1.75%	1.36%	0.00%	4.09%
Over $1 million?	Count	3	3	2	1	6	16	2	33
	Row %	9.09%	9.09%	6.06%	3.03%	18.18%	48.48%	6.06%	100.00%
	Column %	2.10%	15.79%	18.18%	11.11%	3.05%	12.50%	28.57%	6.42%
	Total %	0.58%	0.58%	0.39%	0.19%	1.17%	3.11%	0.39%	6.42%
Don't Know	Count	2	0	0	0	6	2	0	10
	Row %	20.00%	0.00%	0.00%	0.00%	60.00%	20.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	3.05%	1.56%	0.00%	1.95%
	Total %	0.39%	0.00%	0.00%	0.00%	1.17%	0.39%	0.00%	1.95%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects?
Performance/payment bond requirement

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	7	1	1	0	2	5	0	16
	Row %	43.75%	6.25%	6.25%	0.00%	12.50%	31.25%	0.00%	100.00%
	Column %	4.90%	5.26%	9.09%	0.00%	1.02%	3.91%	0.00%	3.11%
	Total %	1.36%	0.19%	0.19%	0.00%	0.39%	0.97%	0.00%	3.11%
No	Count	69	11	7	4	94	70	3	258
	Row %	26.74%	4.26%	2.71%	1.55%	36.43%	27.13%	1.16%	100.00%
	Column %	48.25%	57.89%	63.64%	44.44%	47.72%	54.69%	42.86%	50.19%
	Total %	13.42%	2.14%	1.36%	0.78%	18.29%	13.62%	0.58%	50.19%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%

No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects?
Cost of bidding/proposing

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	8	2	1	0	7	3	0	21
	Row %	38.10%	9.52%	4.76%	0.00%	33.33%	14.29%	0.00%	100.00%
	Column %	5.59%	10.53%	9.09%	0.00%	3.55%	2.34%	0.00%	4.09%
	Total %	1.56%	0.39%	0.19%	0.00%	1.36%	0.58%	0.00%	4.09%
No	Count	69	10	7	4	90	72	3	255
	Row %	27.06%	3.92%	2.75%	1.57%	35.29%	28.24%	1.18%	100.00%
	Column %	48.25%	52.63%	63.64%	44.44%	45.69%	56.25%	42.86%	49.61%
	Total %	13.42%	1.95%	1.36%	0.78%	17.51%	14.01%	0.58%	49.61%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work primes on City projects? Financing									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	13	1	1	0	4	3	0	22
	Row %	59.09%	4.55%	4.55%	0.00%	18.18%	13.64%	0.00%	100.00%
	Column %	9.09%	5.26%	9.09%	0.00%	2.03%	2.34%	0.00%	4.28%
	Total %	2.53%	0.19%	0.19%	0.00%	0.78%	0.58%	0.00%	4.28%
No	Count	64	11	7	4	93	72	3	254
	Row %	25.20%	4.33%	2.76%	1.57%	36.61%	28.35%	1.18%	100.00%
	Column %	44.76%	57.89%	63.64%	44.44%	47.21%	56.25%	42.86%	49.42%
	Total %	12.45%	2.14%	1.36%	0.78%	18.09%	14.01%	0.58%	49.42%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier,, have any of the following been a barrier to obtaining work with primes on City projects? Insurance (general liability, professional liability, etc.)									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	6	0	0	0	1	2	0	9
	Row %	66.67%	0.00%	0.00%	0.00%	11.11%	22.22%	0.00%	100.00%
	Column %	4.20%	0.00%	0.00%	0.00%	0.51%	1.56%	0.00%	1.75%
	Total %	1.17%	0.00%	0.00%	0.00%	0.19%	0.39%	0.00%	1.75%
	Count	71	12	8	4	96	73	3	267

No	Row %	26.59%	4.49%	3.00%	1.50%	35.96%	27.34%	1.12%	100.00%
	Column %	49.65%	63.16%	72.73%	44.44%	48.73%	57.03%	42.86%	51.95%
	Total %	13.81%	2.33%	1.56%	0.78%	18.68%	14.20%	0.58%	51.95%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects?
Price of supplies/materials

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	4	2	0	0	7	4	0	17
	Row %	23.53%	11.76%	0.00%	0.00%	41.18%	23.53%	0.00%	100.00%
	Column %	2.80%	10.53%	0.00%	0.00%	3.55%	3.13%	0.00%	3.31%
	Total %	0.78%	0.39%	0.00%	0.00%	1.36%	0.78%	0.00%	3.31%
No	Count	73	10	8	4	90	71	3	259
	Row %	28.19%	3.86%	3.09%	1.54%	34.75%	27.41%	1.16%	100.00%
	Column %	51.05%	52.63%	72.73%	44.44%	45.69%	55.47%	42.86%	50.39%
	Total %	14.20%	1.95%	1.56%	0.78%	17.51%	13.81%	0.58%	50.39%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects? Limited time given to prepare bid package or quote									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	19	3	1	2	15	9	0	49
	Row %	38.78%	6.12%	2.04%	4.08%	30.61%	18.37%	0.00%	100.00%
	Column %	13.29%	15.79%	9.09%	22.22%	7.61%	7.03%	0.00%	9.53%
	Total %	3.70%	0.58%	0.19%	0.39%	2.92%	1.75%	0.00%	9.53%
No	Count	58	9	7	2	82	66	3	227
	Row %	25.55%	3.96%	3.08%	0.88%	36.12%	29.07%	1.32%	100.00%
	Column %	40.56%	47.37%	63.64%	22.22%	41.62%	51.56%	42.86%	44.16%
	Total %	11.28%	1.75%	1.36%	0.39%	15.95%	12.84%	0.58%	44.16%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects? Lack of experience									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	1	0	1	1	3	0	16
	Row %	62.50%	6.25%	0.00%	6.25%	6.25%	18.75%	0.00%	100.00%
	Column %	6.99%	5.26%	0.00%	11.11%	0.51%	2.34%	0.00%	3.11%
	Total %	1.95%	0.19%	0.00%	0.19%	0.19%	0.58%	0.00%	3.11%
	Count	67	11	8	3	96	72	3	260

No	Row %	25.77%	4.23%	3.08%	1.15%	36.92%	27.69%	1.15%	100.00%
	Column %	46.85%	57.89%	72.73%	33.33%	48.73%	56.25%	42.86%	50.58%
	Total %	13.04%	2.14%	1.56%	0.58%	18.68%	14.01%	0.58%	50.58%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects?
Lack of personnel

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	14	0	0	1	4	2	0	21
	Row %	66.67%	0.00%	0.00%	4.76%	19.05%	9.52%	0.00%	100.00%
	Column %	9.79%	0.00%	0.00%	11.11%	2.03%	1.56%	0.00%	4.09%
	Total %	2.72%	0.00%	0.00%	0.19%	0.78%	0.39%	0.00%	4.09%
No	Count	63	12	8	3	93	73	3	255
	Row %	24.71%	4.71%	3.14%	1.18%	36.47%	28.63%	1.18%	100.00%
	Column %	44.06%	63.16%	72.73%	33.33%	47.21%	57.03%	42.86%	49.61%
	Total %	12.26%	2.33%	1.56%	0.58%	18.09%	14.20%	0.58%	49.61%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects? Contracts too large									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	17	1	1	1	11	4	0	35
	Row %	48.57%	2.86%	2.86%	2.86%	31.43%	11.43%	0.00%	100.00%
	Column %	11.89%	5.26%	9.09%	11.11%	5.58%	3.13%	0.00%	6.81%
	Total %	3.31%	0.19%	0.19%	0.19%	2.14%	0.78%	0.00%	6.81%
No	Count	60	11	7	3	86	71	3	241
	Row %	24.90%	4.56%	2.90%	1.24%	35.68%	29.46%	1.24%	100.00%
	Column %	41.96%	57.89%	63.64%	33.33%	43.65%	55.47%	42.86%	46.89%
	Total %	11.67%	2.14%	1.36%	0.58%	16.73%	13.81%	0.58%	46.89%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects? Slow payment or nonpayment									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	1	2	1	6	5	1	26
	Row %	38.46%	3.85%	7.69%	3.85%	23.08%	19.23%	3.85%	100.00%
	Column %	6.99%	5.26%	18.18%	11.11%	3.05%	3.91%	14.29%	5.06%
	Total %	1.95%	0.19%	0.39%	0.19%	1.17%	0.97%	0.19%	5.06%
No	Count	67	11	6	3	91	70	2	250
	Row %	26.80%	4.40%	2.40%	1.20%	36.40%	28.00%	0.80%	100.00%
	Column %	46.85%	57.89%	54.55%	33.33%	46.19%	54.69%	28.57%	48.64%
	Total %	13.04%	2.14%	1.17%	0.58%	17.70%	13.62%	0.39%	48.64%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In your experience as a subcontractor/supplier, have any of the following been a barrier to obtaining work with primes on City projects? Competing with large companies									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	41	2	4	1	23	16	0	87
	Row %	47.13%	2.30%	4.60%	1.15%	26.44%	18.39%	0.00%	100.00%
	Column %	28.67%	10.53%	36.36%	11.11%	11.68%	12.50%	0.00%	16.93%
	Total %	7.98%	0.39%	0.78%	0.19%	4.47%	3.11%	0.00%	16.93%
	Count	36	10	4	3	74	59	3	189

No	Row %	19.05%	5.29%	2.12%	1.59%	39.15%	31.22%	1.59%	100.00%
	Column %	25.17%	52.63%	36.36%	33.33%	37.56%	46.09%	42.86%	36.77%
	Total %	7.00%	1.95%	0.78%	0.58%	14.40%	11.48%	0.58%	36.77%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Between July 1, 2008 and June 30, 2013, have you ever submitted a bid with a prime contractor/vendor on a City project, were informed that you were the lowest bidder, and then found out that another subcontractor was actually doing the work?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	6	0	0	0	5	1	0	12
	Row %	50.00%	0.00%	0.00%	0.00%	41.67%	8.33%	0.00%	100.00%
	Column %	4.20%	0.00%	0.00%	0.00%	2.54%	0.78%	0.00%	2.33%
	Total %	1.17%	0.00%	0.00%	0.00%	0.97%	0.19%	0.00%	2.33%
No	Count	71	12	8	4	91	74	3	263
	Row %	27.00%	4.56%	3.04%	1.52%	34.60%	28.14%	1.14%	100.00%
	Column %	49.65%	63.16%	72.73%	44.44%	46.19%	57.81%	42.86%	51.17%
	Total %	13.81%	2.33%	1.56%	0.78%	17.70%	14.40%	0.58%	51.17%
Don't Know	Count	0	0	0	0	1	0	0	1
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.19%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

As a subcontractor, are you required to have bonding for company's type of work?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	30	1	2	1	26	33	1	94
	Row %	31.91%	1.06%	2.13%	1.06%	27.66%	35.11%	1.06%	100.00%
	Column %	20.98%	5.26%	18.18%	11.11%	13.20%	25.78%	14.29%	18.29%
	Total %	5.84%	0.19%	0.39%	0.19%	5.06%	6.42%	0.19%	18.29%
No	Count	45	11	6	3	70	41	2	178
	Row %	25.28%	6.18%	3.37%	1.69%	39.33%	23.03%	1.12%	100.00%
	Column %	31.47%	57.89%	54.55%	33.33%	35.53%	32.03%	28.57%	34.63%
	Total %	8.75%	2.14%	1.17%	0.58%	13.62%	7.98%	0.39%	34.63%
Don't Know	Count	2	0	0	0	1	1	0	4
	Row %	50.00%	0.00%	0.00%	0.00%	25.00%	25.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	0.78%
	Total %	0.39%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	0.78%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What is your current aggregate bonding limit?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Below $100,000	Count	6	0	0	0	2	4	0	12
	Row %	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
	Column %	4.20%	0.00%	0.00%	0.00%	1.02%	3.13%	0.00%	2.33%
	Total %	1.17%	0.00%	0.00%	0.00%	0.39%	0.78%	0.00%	2.33%
$100,001 to $250,000	Count	6	0	0	0	0	1	0	7
	Row %	85.71%	0.00%	0.00%	0.00%	0.00%	14.29%	0.00%	100.00%
	Column %	4.20%	0.00%	0.00%	0.00%	0.00%	0.78%	0.00%	1.36%
	Total %	1.17%	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	1.36%
$250,001 to $500,000	Count	2	0	0	1	2	3	0	8
	Row %	25.00%	0.00%	0.00%	12.50%	25.00%	37.50%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	11.11%	1.02%	2.34%	0.00%	1.56%
	Total %	0.39%	0.00%	0.00%	0.19%	0.39%	0.58%	0.00%	1.56%
$500,001 to $1 million	Count	7	0	0	0	4	5	0	16
	Row %	43.75%	0.00%	0.00%	0.00%	25.00%	31.25%	0.00%	100.00%
	Column %	4.90%	0.00%	0.00%	0.00%	2.03%	3.91%	0.00%	3.11%
	Total %	1.36%	0.00%	0.00%	0.00%	0.78%	0.97%	0.00%	3.11%
$1,000,001 to $1.5 million	Count	1	0	0	0	7	4	0	12
	Row %	8.33%	0.00%	0.00%	0.00%	58.33%	33.33%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	3.55%	3.13%	0.00%	2.33%
	Total %	0.19%	0.00%	0.00%	0.00%	1.36%	0.78%	0.00%	2.33%
$1,500,001 to $3 million	Count	4	0	0	0	5	4	1	14
	Row %	28.57%	0.00%	0.00%	0.00%	35.71%	28.57%	7.14%	100.00%
	Column %	2.80%	0.00%	0.00%	0.00%	2.54%	3.13%	14.29%	2.72%
	Total %	0.78%	0.00%	0.00%	0.00%	0.97%	0.78%	0.19%	2.72%
$3,00,001 to $5 million	Count	1	0	1	0	0	3	0	5
	Row %	20.00%	0.00%	20.00%	0.00%	0.00%	60.00%	0.00%	100.00%
	Column %	0.70%	0.00%	9.09%	0.00%	0.00%	2.34%	0.00%	0.97%
	Total %	0.19%	0.00%	0.19%	0.00%	0.00%	0.58%	0.00%	0.97%
Over $5 million	Count	3	0	1	0	3	7	0	14
	Row %	21.43%	0.00%	7.14%	0.00%	21.43%	50.00%	0.00%	100.00%
	Column %	2.10%	0.00%	9.09%	0.00%	1.52%	5.47%	0.00%	2.72%
	Total %	0.58%	0.00%	0.19%	0.00%	0.58%	1.36%	0.00%	2.72%

Don't Know	Count	0	1	0	0	3	2	0	6
	Row %	0.00%	16.67%	0.00%	0.00%	50.00%	33.33%	0.00%	100.00%
	Column %	0.00%	5.26%	0.00%	0.00%	1.52%	1.56%	0.00%	1.17%
	Total %	0.00%	0.19%	0.00%	0.00%	0.58%	0.39%	0.00%	1.17%
No Response	Count	113	18	9	8	171	95	6	420
	Row %	26.90%	4.29%	2.14%	1.90%	40.71%	22.62%	1.43%	100.00%
	Column %	79.02%	94.74%	81.82%	88.89%	86.80%	74.22%	85.71%	81.71%
	Total %	21.98%	3.50%	1.75%	1.56%	33.27%	18.48%	1.17%	81.71%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What is your current single project bonding limit?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Below $100,000	Count	6	0	0	0	1	5	0	12
	Row %	50.00%	0.00%	0.00%	0.00%	8.33%	41.67%	0.00%	100.00%
	Column %	4.20%	0.00%	0.00%	0.00%	0.51%	3.91%	0.00%	2.33%
	Total %	1.17%	0.00%	0.00%	0.00%	0.19%	0.97%	0.00%	2.33%
$100,001 to $250,000	Count	7	0	0	0	1	1	0	9
	Row %	77.78%	0.00%	0.00%	0.00%	11.11%	11.11%	0.00%	100.00%
	Column %	4.90%	0.00%	0.00%	0.00%	0.51%	0.78%	0.00%	1.75%
	Total %	1.36%	0.00%	0.00%	0.00%	0.19%	0.19%	0.00%	1.75%
$250,001 to $500,000	Count	3	0	0	1	3	4	0	11
	Row %	27.27%	0.00%	0.00%	9.09%	27.27%	36.36%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	11.11%	1.52%	3.13%	0.00%	2.14%
	Total %	0.58%	0.00%	0.00%	0.19%	0.58%	0.78%	0.00%	2.14%
$500,001 to $1 million	Count	4	0	0	0	7	7	0	18
	Row %	22.22%	0.00%	0.00%	0.00%	38.89%	38.89%	0.00%	100.00%
	Column %	2.80%	0.00%	0.00%	0.00%	3.55%	5.47%	0.00%	3.50%
	Total %	0.78%	0.00%	0.00%	0.00%	1.36%	1.36%	0.00%	3.50%
$1,000,001 to $1.5 million	Count	1	0	0	0	4	3	1	9
	Row %	11.11%	0.00%	0.00%	0.00%	44.44%	33.33%	11.11%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	2.03%	2.34%	14.29%	1.75%
	Total %	0.19%	0.00%	0.00%	0.00%	0.78%	0.58%	0.19%	1.75%

$1,500,001 to $3 million	Count	4	0	1	0	3	3	0	11
	Row %	36.36%	0.00%	9.09%	0.00%	27.27%	27.27%	0.00%	100.00%
	Column %	2.80%	0.00%	9.09%	0.00%	1.52%	2.34%	0.00%	2.14%
	Total %	0.78%	0.00%	0.19%	0.00%	0.58%	0.58%	0.00%	2.14%
$3,00,001 to $5 million	Count	3	0	0	0	1	3	0	7
	Row %	42.86%	0.00%	0.00%	0.00%	14.29%	42.86%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	0.51%	2.34%	0.00%	1.36%
	Total %	0.58%	0.00%	0.00%	0.00%	0.19%	0.58%	0.00%	1.36%
Over $5 million	Count	2	0	1	0	2	5	0	10
	Row %	20.00%	0.00%	10.00%	0.00%	20.00%	50.00%	0.00%	100.00%
	Column %	1.40%	0.00%	9.09%	0.00%	1.02%	3.91%	0.00%	1.95%
	Total %	0.39%	0.00%	0.19%	0.00%	0.39%	0.97%	0.00%	1.95%
Don't Know	Count	0	1	0	0	4	2	0	7
	Row %	0.00%	14.29%	0.00%	0.00%	57.14%	28.57%	0.00%	100.00%
	Column %	0.00%	5.26%	0.00%	0.00%	2.03%	1.56%	0.00%	1.36%
	Total %	0.00%	0.19%	0.00%	0.00%	0.78%	0.39%	0.00%	1.36%
No Response	Count	113	18	9	8	171	95	6	420
	Row %	26.90%	4.29%	2.14%	1.90%	40.71%	22.62%	1.43%	100.00%
	Column %	79.02%	94.74%	81.82%	88.89%	86.80%	74.22%	85.71%	81.71%
	Total %	21.98%	3.50%	1.75%	1.56%	33.27%	18.48%	1.17%	81.71%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

As a subcontractor did you experience discriminatory behavior between July 1, 2008 and June 30, 2013 from a prime contractor/vendor working or bidding/proposing on a City project?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	3	0	0	0	2	0	0	5
	Row %	60.00%	0.00%	0.00%	0.00%	40.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.97%
	Total %	0.58%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.97%

No	Count	73	12	8	4	95	74	3	269
	Row %	27.14%	4.46%	2.97%	1.49%	35.32%	27.51%	1.12%	100.00%
	Column %	51.05%	63.16%	72.73%	44.44%	48.22%	57.81%	42.86%	52.33%
	Total %	14.20%	2.33%	1.56%	0.78%	18.48%	14.40%	0.58%	52.33%
Not Applicable	Count	1	0	0	0	0	1	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.78%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.39%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What was the most noticeable way you became aware of the discrimination against your company?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Verbal Comment	Count	3	0	0	0	2	0	0	5
	Row %	60.00%	0.00%	0.00%	0.00%	40.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.97%
	Total %	0.58%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.97%
No Response	Count	140	19	11	9	195	128	7	509
	Row %	27.50%	3.73%	2.16%	1.77%	38.31%	25.15%	1.38%	100.00%
	Column %	97.90%	100.00%	100.00%	100.00%	98.98%	100.00%	100.00%	99.03%
	Total %	27.24%	3.70%	2.14%	1.75%	37.94%	24.90%	1.36%	99.03%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Which of the following do you consider the primary reason for your company being discriminated against?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Owner's Race or Ethnicity	Count	2	0	0	0	0	0	0	2
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
	Total %	0.39%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
Owner's Gender	Count	0	0	0	0	2	0	0	2
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.39%
	Total %	0.00%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.39%
Both	Count	1	0	0	0	0	0	0	1
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
No Response	Count	140	19	11	9	195	128	7	509
	Row %	27.50%	3.73%	2.16%	1.77%	38.31%	25.15%	1.38%	100.00%
	Column %	97.90%	100.00%	100.00%	100.00%	98.98%	100.00%	100.00%	99.03%
	Total %	27.24%	3.70%	2.14%	1.75%	37.94%	24.90%	1.36%	99.03%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

When did the discrimination first occur?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
During the bidding process	Count	2	0	0	0	1	0	0	3
	Row %	66.67%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.58%
	Total %	0.39%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.58%

Both	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	140	19	11	9	195	128	7	509
	Row %	27.50%	3.73%	2.16%	1.77%	38.31%	25.15%	1.38%	100.00%
	Column %	97.90%	100.00%	100.00%	100.00%	98.98%	100.00%	100.00%	99.03%
	Total %	27.24%	3.70%	2.14%	1.75%	37.94%	24.90%	1.36%	99.03%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Did you file a complaint?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
No	Count	3	0	0	0	2	0	0	5
	Row %	60.00%	0.00%	0.00%	0.00%	40.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.97%
	Total %	0.58%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.97%
No Response	Count	140	19	11	9	195	128	7	509
	Row %	27.50%	3.73%	2.16%	1.77%	38.31%	25.15%	1.38%	100.00%
	Column %	97.90%	100.00%	100.00%	100.00%	98.98%	100.00%	100.00%	99.03%
	Total %	27.24%	3.70%	2.14%	1.75%	37.94%	24.90%	1.36%	99.03%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects? Harassment									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
No	Count	77	12	8	4	97	75	3	276
	Row %	27.90%	4.35%	2.90%	1.45%	35.14%	27.17%	1.09%	100.00%
	Column %	53.85%	63.16%	72.73%	44.44%	49.24%	58.59%	42.86%	53.70%
	Total %	14.98%	2.33%	1.56%	0.78%	18.87%	14.59%	0.58%	53.70%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects? Unequal or unfair treatment									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	3	0	0	0	2	0	0	5
	Row %	60.00%	0.00%	0.00%	0.00%	40.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.97%
	Total %	0.58%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.97%
No	Count	74	12	8	4	95	75	3	271
	Row %	27.31%	4.43%	2.95%	1.48%	35.06%	27.68%	1.11%	100.00%
	Column %	51.75%	63.16%	72.73%	44.44%	48.22%	58.59%	42.86%	52.72%
	Total %	14.40%	2.33%	1.56%	0.78%	18.48%	14.59%	0.58%	52.72%
	Count	66	7	3	5	100	53	4	238

No Response	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects?
Bid shopping or bid manipulation

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	4	1	0	0	2	0	0	7
	Row %	57.14%	14.29%	0.00%	0.00%	28.57%	0.00%	0.00%	100.00%
	Column %	2.80%	5.26%	0.00%	0.00%	1.02%	0.00%	0.00%	1.36%
	Total %	0.78%	0.19%	0.00%	0.00%	0.39%	0.00%	0.00%	1.36%
No	Count	73	11	8	4	94	75	3	268
	Row %	27.24%	4.10%	2.99%	1.49%	35.07%	27.99%	1.12%	100.00%
	Column %	51.05%	57.89%	72.73%	44.44%	47.72%	58.59%	42.86%	52.14%
	Total %	14.20%	2.14%	1.56%	0.78%	18.29%	14.59%	0.58%	52.14%
Don't Know	Count	0	0	0	0	1	0	0	1
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.19%
	Total %	0.00%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.19%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects? Double standards in performance									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	3	1	0	0	2	2	0	8
	Row %	37.50%	12.50%	0.00%	0.00%	25.00%	25.00%	0.00%	100.00%
	Column %	2.10%	5.26%	0.00%	0.00%	1.02%	1.56%	0.00%	1.56%
	Total %	0.58%	0.19%	0.00%	0.00%	0.39%	0.39%	0.00%	1.56%
No	Count	74	11	8	4	95	73	3	268
	Row %	27.61%	4.10%	2.99%	1.49%	35.45%	27.24%	1.12%	100.00%
	Column %	51.75%	57.89%	72.73%	44.44%	48.22%	57.03%	42.86%	52.14%
	Total %	14.40%	2.14%	1.56%	0.78%	18.48%	14.20%	0.58%	52.14%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects? Denial of opportunity to bid									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	1	0	0	0	2	1	0	4
	Row %	25.00%	0.00%	0.00%	0.00%	50.00%	25.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	0.78%	0.00%	0.78%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.19%	0.00%	0.78%
No	Count	76	12	8	4	95	74	3	272
	Row %	27.94%	4.41%	2.94%	1.47%	34.93%	27.21%	1.10%	100.00%
	Column %	53.15%	63.16%	72.73%	44.44%	48.22%	57.81%	42.86%	52.92%
	Total %	14.79%	2.33%	1.56%	0.78%	18.48%	14.40%	0.58%	52.92%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects? Unfair denial of contract award									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	3	0	0	0	3	0	0	6
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	1.17%
	Total %	0.58%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	1.17%
	Count	73	12	8	4	94	75	3	269

No	Row %	27.14%	4.46%	2.97%	1.49%	34.94%	27.88%	1.12%	100.00%
	Column %	51.05%	63.16%	72.73%	44.44%	47.72%	58.59%	42.86%	52.33%
	Total %	14.20%	2.33%	1.56%	0.78%	18.29%	14.59%	0.58%	52.33%
Don't Know	Count	1	0	0	0	0	0	0	1
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects?
Unfair termination

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
No	Count	76	12	8	4	97	75	3	275
	Row %	27.64%	4.36%	2.91%	1.45%	35.27%	27.27%	1.09%	100.00%
	Column %	53.15%	63.16%	72.73%	44.44%	49.24%	58.59%	42.86%	53.50%
	Total %	14.79%	2.33%	1.56%	0.78%	18.87%	14.59%	0.58%	53.50%
Don't Know	Count	1	0	0	0	0	0	0	1
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%

Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects?
Unequal price quotes from suppliers

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	3	1	0	0	4	2	0	10
	Row %	30.00%	10.00%	0.00%	0.00%	40.00%	20.00%	0.00%	100.00%
	Column %	2.10%	5.26%	0.00%	0.00%	2.03%	1.56%	0.00%	1.95%
	Total %	0.58%	0.19%	0.00%	0.00%	0.78%	0.39%	0.00%	1.95%
No	Count	73	11	8	4	92	73	3	264
	Row %	27.65%	4.17%	3.03%	1.52%	34.85%	27.65%	1.14%	100.00%
	Column %	51.05%	57.89%	72.73%	44.44%	46.70%	57.03%	42.86%	51.36%
	Total %	14.20%	2.14%	1.56%	0.78%	17.90%	14.20%	0.58%	51.36%
Don't Know	Count	1	0	0	0	1	0	0	2
	Row %	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
No Response	Count	66	7	3	5	100	53	4	238
	Row %	27.73%	2.94%	1.26%	2.10%	42.02%	22.27%	1.68%	100.00%
	Column %	46.15%	36.84%	27.27%	55.56%	50.76%	41.41%	57.14%	46.30%
	Total %	12.84%	1.36%	0.58%	0.97%	19.46%	10.31%	0.78%	46.30%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced or observed a situation in which a prime contractor/vendor includes minority or woman subcontractors on non-City bids or proposals to satisfy the good faith effort requirements, and then drops the company as a subcontractor after winning the award for no legitimate reason?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	18	1	1	3	16	0	0	39
	Row %	46.15%	2.56%	2.56%	7.69%	41.03%	0.00%	0.00%	100.00%
	Column %	12.59%	5.26%	9.09%	33.33%	8.12%	0.00%	0.00%	7.59%
	Total %	3.50%	0.19%	0.19%	0.58%	3.11%	0.00%	0.00%	7.59%
No	Count	124	18	10	6	179	128	7	472
	Row %	26.27%	3.81%	2.12%	1.27%	37.92%	27.12%	1.48%	100.00%
	Column %	86.71%	94.74%	90.91%	66.67%	90.86%	100.00%	100.00%	91.83%
	Total %	24.12%	3.50%	1.95%	1.17%	34.82%	24.90%	1.36%	91.83%
Don't Know	Count	1	0	0	0	2	0	0	3
	Row %	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	0.58%
	Total %	0.19%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

How often do prime contractors/vendors who use your firm as a subcontractor on public-sector projects with M/WBE goals solicit your firm on projects (private or public) without M/WBE goals?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Very Often	Count	6	1	2	1	25	15	4	54
	Row %	11.11%	1.85%	3.70%	1.85%	46.30%	27.78%	7.41%	100.00%
	Column %	4.20%	5.26%	18.18%	11.11%	12.69%	11.72%	57.14%	10.51%
	Total %	1.17%	0.19%	0.39%	0.19%	4.86%	2.92%	0.78%	10.51%

Sometimes	Count	12	1	2	0	11	17	0	43
	Row %	27.91%	2.33%	4.65%	0.00%	25.58%	39.53%	0.00%	100.00%
	Column %	8.39%	5.26%	18.18%	0.00%	5.58%	13.28%	0.00%	8.37%
	Total %	2.33%	0.19%	0.39%	0.00%	2.14%	3.31%	0.00%	8.37%
Seldom	Count	9	0	1	0	24	5	0	39
	Row %	23.08%	0.00%	2.56%	0.00%	61.54%	12.82%	0.00%	100.00%
	Column %	6.29%	0.00%	9.09%	0.00%	12.18%	3.91%	0.00%	7.59%
	Total %	1.75%	0.00%	0.19%	0.00%	4.67%	0.97%	0.00%	7.59%
Never	Count	70	12	4	3	72	50	1	212
	Row %	33.02%	5.66%	1.89%	1.42%	33.96%	23.58%	0.47%	100.00%
	Column %	48.95%	63.16%	36.36%	33.33%	36.55%	39.06%	14.29%	41.25%
	Total %	13.62%	2.33%	0.78%	0.58%	14.01%	9.73%	0.19%	41.25%
Not Applicable	Count	41	4	2	5	55	36	2	145
	Row %	28.28%	2.76%	1.38%	3.45%	37.93%	24.83%	1.38%	100.00%
	Column %	28.67%	21.05%	18.18%	55.56%	27.92%	28.13%	28.57%	28.21%
	Total %	7.98%	0.78%	0.39%	0.97%	10.70%	7.00%	0.39%	28.21%
Don't Know	Count	5	1	0	0	10	5	0	21
	Row %	23.81%	4.76%	0.00%	0.00%	47.62%	23.81%	0.00%	100.00%
	Column %	3.50%	5.26%	0.00%	0.00%	5.08%	3.91%	0.00%	4.09%
	Total %	0.97%	0.19%	0.00%	0.00%	1.95%	0.97%	0.00%	4.09%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Has your company applied for a commercial (business) bank loan?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	40	2	3	2	43	29	0	119
	Row %	33.61%	1.68%	2.52%	1.68%	36.13%	24.37%	0.00%	100.00%
	Column %	27.97%	10.53%	27.27%	22.22%	21.83%	22.66%	0.00%	23.15%
	Total %	7.78%	0.39%	0.58%	0.39%	8.37%	5.64%	0.00%	23.15%
No	Count	101	15	8	6	147	91	6	374
	Row %	27.01%	4.01%	2.14%	1.60%	39.30%	24.33%	1.60%	100.00%
	Column %	70.63%	78.95%	72.73%	66.67%	74.62%	71.09%	85.71%	72.76%
	Total %	19.65%	2.92%	1.56%	1.17%	28.60%	17.70%	1.17%	72.76%

Don't Know	Count	2	2	0	1	7	8	1	21
	Row %	9.52%	9.52%	0.00%	4.76%	33.33%	38.10%	4.76%	100.00%
	Column %	1.40%	10.53%	0.00%	11.11%	3.55%	6.25%	14.29%	4.09%
	Total %	0.39%	0.39%	0.00%	0.19%	1.36%	1.56%	0.19%	4.09%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Were you approved or denied for a commercial (business) bank loan?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Approved	Count	23	1	2	2	38	29	0	95
	Row %	24.21%	1.05%	2.11%	2.11%	40.00%	30.53%	0.00%	100.00%
	Column %	16.08%	5.26%	18.18%	22.22%	19.29%	22.66%	0.00%	18.48%
	Total %	4.47%	0.19%	0.39%	0.39%	7.39%	5.64%	0.00%	18.48%
Denied	Count	14	1	1	0	5	0	0	21
	Row %	66.67%	4.76%	4.76%	0.00%	23.81%	0.00%	0.00%	100.00%
	Column %	9.79%	5.26%	9.09%	0.00%	2.54%	0.00%	0.00%	4.09%
	Total %	2.72%	0.19%	0.19%	0.00%	0.97%	0.00%	0.00%	4.09%
Don't Know	Count	3	0	0	0	0	0	0	3
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.58%
	Total %	0.58%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.58%
No Response	Count	103	17	8	7	154	99	7	395
	Row %	26.08%	4.30%	2.03%	1.77%	38.99%	25.06%	1.77%	100.00%
	Column %	72.03%	89.47%	72.73%	77.78%	78.17%	77.34%	100.00%	76.85%
	Total %	20.04%	3.31%	1.56%	1.36%	29.96%	19.26%	1.36%	76.85%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Which of the following do you believe was the primary reason for your being denied a loan?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Insufficient Documentation	Count	2	0	0	0	0	0	0	2
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
	Total %	0.39%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
Insufficient Business History	Count	7	0	0	0	2	0	0	9
	Row %	77.78%	0.00%	0.00%	0.00%	22.22%	0.00%	0.00%	100.00%
	Column %	4.90%	0.00%	0.00%	0.00%	1.02%	0.00%	0.00%	1.75%
	Total %	1.36%	0.00%	0.00%	0.00%	0.39%	0.00%	0.00%	1.75%
Race or Ethnicity of Owner	Count	2	0	1	0	0	0	0	3
	Row %	66.67%	0.00%	33.33%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	1.40%	0.00%	9.09%	0.00%	0.00%	0.00%	0.00%	0.58%
	Total %	0.39%	0.00%	0.19%	0.00%	0.00%	0.00%	0.00%	0.58%
Other, please specify	Count	2	1	0	0	3	0	0	6
	Row %	33.33%	16.67%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	1.40%	5.26%	0.00%	0.00%	1.52%	0.00%	0.00%	1.17%
	Total %	0.39%	0.19%	0.00%	0.00%	0.58%	0.00%	0.00%	1.17%
Don't Know	Count	1	0	0	0	0	0	0	1
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
No Response	Count	129	18	10	9	192	128	7	493
	Row %	26.17%	3.65%	2.03%	1.83%	38.95%	25.96%	1.42%	100.00%
	Column %	90.21%	94.74%	90.91%	100.00%	97.46%	100.00%	100.00%	95.91%
	Total %	25.10%	3.50%	1.95%	1.75%	37.35%	24.90%	1.36%	95.91%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Please specify, which of the following do you believe was the primary reason for your being denied a loan. Other									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
No Response	Count	142	19	11	9	197	128	7	513
	Row %	27.68%	3.70%	2.14%	1.75%	38.40%	24.95%	1.36%	100.00%
	Column %	99.30%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.81%
	Total %	27.63%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	99.81%
Insufficient credit	Count	1	0	0	0	0	0	0	1
	Row %	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
	Total %	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.19%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

There is an informal network of prime contractors/vendors and subcontractors that has excluded my company from doing business in the private sector.									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Strongly Agree	Count	27	0	1	1	16	5	0	50
	Row %	54.00%	0.00%	2.00%	2.00%	32.00%	10.00%	0.00%	100.00%
	Column %	18.88%	0.00%	9.09%	11.11%	8.12%	3.91%	0.00%	9.73%
	Total %	5.25%	0.00%	0.19%	0.19%	3.11%	0.97%	0.00%	9.73%
Somewhat Agree	Count	20	1	0	1	14	3	1	40
	Row %	50.00%	2.50%	0.00%	2.50%	35.00%	7.50%	2.50%	100.00%
	Column %	13.99%	5.26%	0.00%	11.11%	7.11%	2.34%	14.29%	7.78%
	Total %	3.89%	0.19%	0.00%	0.19%	2.72%	0.58%	0.19%	7.78%

Neither Agree Nor Disagree	Count	31	7	6	2	48	41	3	138
	Row %	22.46%	5.07%	4.35%	1.45%	34.78%	29.71%	2.17%	100.00%
	Column %	21.68%	36.84%	54.55%	22.22%	24.37%	32.03%	42.86%	26.85%
	Total %	6.03%	1.36%	1.17%	0.39%	9.34%	7.98%	0.58%	26.85%
Somewhat Disagree	Count	25	2	2	2	34	23	0	88
	Row %	28.41%	2.27%	2.27%	2.27%	38.64%	26.14%	0.00%	100.00%
	Column %	17.48%	10.53%	18.18%	22.22%	17.26%	17.97%	0.00%	17.12%
	Total %	4.86%	0.39%	0.39%	0.39%	6.61%	4.47%	0.00%	17.12%
Strongly Disagree	Count	37	9	2	3	80	54	3	188
	Row %	19.68%	4.79%	1.06%	1.60%	42.55%	28.72%	1.60%	100.00%
	Column %	25.87%	47.37%	18.18%	33.33%	40.61%	42.19%	42.86%	36.58%
	Total %	7.20%	1.75%	0.39%	0.58%	15.56%	10.51%	0.58%	36.58%
Don't Know	Count	3	0	0	0	5	2	0	10
	Row %	30.00%	0.00%	0.00%	0.00%	50.00%	20.00%	0.00%	100.00%
	Column %	2.10%	0.00%	0.00%	0.00%	2.54%	1.56%	0.00%	1.95%
	Total %	0.58%	0.00%	0.00%	0.00%	0.97%	0.39%	0.00%	1.95%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced discriminatory behavior while doing business or attempting do business in the private sector between July 1, 2008 and June 30, 2013?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	23	2	2	1	15	6	0	49
	Row %	46.94%	4.08%	4.08%	2.04%	30.61%	12.24%	0.00%	100.00%
	Column %	16.08%	10.53%	18.18%	11.11%	7.61%	4.69%	0.00%	9.53%
	Total %	4.47%	0.39%	0.39%	0.19%	2.92%	1.17%	0.00%	9.53%
No	Count	119	16	9	8	182	122	7	463
	Row %	25.70%	3.46%	1.94%	1.73%	39.31%	26.35%	1.51%	100.00%
	Column %	83.22%	84.21%	81.82%	88.89%	92.39%	95.31%	100.00%	90.08%
	Total %	23.15%	3.11%	1.75%	1.56%	35.41%	23.74%	1.36%	90.08%

Don't Know	Count	1	1	0	0	0	0	0	2
	Row %	50.00%	50.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
	Total %	0.19%	0.19%	0.00%	0.00%	0.00%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

What was the most noticeable way you became aware of the discrimination against your company?

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Verbal comment	Count	16	1	1	1	9	4	0	32
	Row %	50.00%	3.13%	3.13%	3.13%	28.13%	12.50%	0.00%	100.00%
	Column %	11.19%	5.26%	9.09%	11.11%	4.57%	3.13%	0.00%	6.23%
	Total %	3.11%	0.19%	0.19%	0.19%	1.75%	0.78%	0.00%	6.23%
Written statement	Count	1	0	0	0	1	2	0	4
	Row %	25.00%	0.00%	0.00%	0.00%	25.00%	50.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	0.51%	1.56%	0.00%	0.78%
	Total %	0.19%	0.00%	0.00%	0.00%	0.19%	0.39%	0.00%	0.78%
Action taken against the company	Count	6	1	1	0	3	0	0	11
	Row %	54.55%	9.09%	9.09%	0.00%	27.27%	0.00%	0.00%	100.00%
	Column %	4.20%	5.26%	9.09%	0.00%	1.52%	0.00%	0.00%	2.14%
	Total %	1.17%	0.19%	0.19%	0.00%	0.58%	0.00%	0.00%	2.14%
Don't Know	Count	0	0	0	0	3	0	0	3
	Row %	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Column %	0.00%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	0.58%
	Total %	0.00%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	0.58%
No Response	Count	120	17	9	8	181	122	7	464
	Row %	25.86%	3.66%	1.94%	1.72%	39.01%	26.29%	1.51%	100.00%
	Column %	83.92%	89.47%	81.82%	88.89%	91.88%	95.31%	100.00%	90.27%
	Total %	23.35%	3.31%	1.75%	1.56%	35.21%	23.74%	1.36%	90.27%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Which of the following do you consider the primary reason for your company being discriminated against?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Owner's race or ethnicity	Count	12	1	0	1	0	0	0	14
	Row %	85.71%	7.14%	0.00%	7.14%	0.00%	0.00%	0.00%	100.00%
	Column %	8.39%	5.26%	0.00%	11.11%	0.00%	0.00%	0.00%	2.72%
	Total %	2.33%	0.19%	0.00%	0.19%	0.00%	0.00%	0.00%	2.72%
Owner's gender	Count	1	0	0	0	3	0	0	4
	Row %	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
	Column %	0.70%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	0.78%
	Total %	0.19%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	0.78%
Both	Count	10	0	1	0	5	2	0	18
	Row %	55.56%	0.00%	5.56%	0.00%	27.78%	11.11%	0.00%	100.00%
	Column %	6.99%	0.00%	9.09%	0.00%	2.54%	1.56%	0.00%	3.50%
	Total %	1.95%	0.00%	0.19%	0.00%	0.97%	0.39%	0.00%	3.50%
Don't Know	Count	0	1	1	0	7	4	0	13
	Row %	0.00%	7.69%	7.69%	0.00%	53.85%	30.77%	0.00%	100.00%
	Column %	0.00%	5.26%	9.09%	0.00%	3.55%	3.13%	0.00%	2.53%
	Total %	0.00%	0.19%	0.19%	0.00%	1.36%	0.78%	0.00%	2.53%
No Response	Count	120	17	9	8	182	122	7	465
	Row %	25.81%	3.66%	1.94%	1.72%	39.14%	26.24%	1.51%	100.00%
	Column %	83.92%	89.47%	81.82%	88.89%	92.39%	95.31%	100.00%	90.47%
	Total %	23.35%	3.31%	1.75%	1.56%	35.41%	23.74%	1.36%	90.47%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

When did the discrimination first occur?									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
During Bidding Process	Count	9	0	1	0	4	4	0	18
	Row %	50.00%	0.00%	5.56%	0.00%	22.22%	22.22%	0.00%	100.00%
	Column %	6.29%	0.00%	9.09%	0.00%	2.03%	3.13%	0.00%	3.50%
	Total %	1.75%	0.00%	0.19%	0.00%	0.78%	0.78%	0.00%	3.50%
After Contract Award	Count	7	0	0	0	3	0	0	10
	Row %	70.00%	0.00%	0.00%	0.00%	30.00%	0.00%	0.00%	100.00%
	Column %	4.90%	0.00%	0.00%	0.00%	1.52%	0.00%	0.00%	1.95%
	Total %	1.36%	0.00%	0.00%	0.00%	0.58%	0.00%	0.00%	1.95%
Both	Count	7	1	0	1	5	2	0	16
	Row %	43.75%	6.25%	0.00%	6.25%	31.25%	12.50%	0.00%	100.00%
	Column %	4.90%	5.26%	0.00%	11.11%	2.54%	1.56%	0.00%	3.11%
	Total %	1.36%	0.19%	0.00%	0.19%	0.97%	0.39%	0.00%	3.11%
Don't Know	Count	0	1	1	0	3	0	0	5
	Row %	0.00%	20.00%	20.00%	0.00%	60.00%	0.00%	0.00%	100.00%
	Column %	0.00%	5.26%	9.09%	0.00%	1.52%	0.00%	0.00%	0.97%
	Total %	0.00%	0.19%	0.19%	0.00%	0.58%	0.00%	0.00%	0.97%
No Response	Count	120	17	9	8	182	122	7	465
	Row %	25.81%	3.66%	1.94%	1.72%	39.14%	26.24%	1.51%	100.00%
	Column %	83.92%	89.47%	81.82%	88.89%	92.39%	95.31%	100.00%	90.47%
	Total %	23.35%	3.31%	1.75%	1.56%	35.41%	23.74%	1.36%	90.47%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination? Harassment									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	5	0	1	2	3	0	0	11
	Row %	45.45%	0.00%	9.09%	18.18%	27.27%	0.00%	0.00%	100.00%
	Column %	3.50%	0.00%	9.09%	22.22%	1.52%	0.00%	0.00%	2.14%
	Total %	0.97%	0.00%	0.19%	0.39%	0.58%	0.00%	0.00%	2.14%
No	Count	138	18	10	7	193	128	7	501
	Row %	27.54%	3.59%	2.00%	1.40%	38.52%	25.55%	1.40%	100.00%
	Column %	96.50%	94.74%	90.91%	77.78%	97.97%	100.00%	100.00%	97.47%
	Total %	26.85%	3.50%	1.95%	1.36%	37.55%	24.90%	1.36%	97.47%
Don't Know	Count	0	1	0	0	1	0	0	2
	Row %	0.00%	50.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.00%	5.26%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.00%	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination? Unequal or unfair treatment									
		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	16	2	1	2	14	4	1	40
	Row %	40.00%	5.00%	2.50%	5.00%	35.00%	10.00%	2.50%	100.00%
	Column %	11.19%	10.53%	9.09%	22.22%	7.11%	3.13%	14.29%	7.78%
	Total %	3.11%	0.39%	0.19%	0.39%	2.72%	0.78%	0.19%	7.78%
	Count	126	16	10	7	182	124	6	471

No	Row %	26.75%	3.40%	2.12%	1.49%	38.64%	26.33%	1.27%	100.00%
	Column %	88.11%	84.21%	90.91%	77.78%	92.39%	96.88%	85.71%	91.63%
	Total %	24.51%	3.11%	1.95%	1.36%	35.41%	24.12%	1.17%	91.63%
Don't Know	Count	1	1	0	0	1	0	0	3
	Row %	33.33%	33.33%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	0.00%	0.51%	0.00%	0.00%	0.58%
	Total %	0.19%	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination?
Bid shopping or bid manipulation

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	21	2	0	1	23	5	1	53
	Row %	39.62%	3.77%	0.00%	1.89%	43.40%	9.43%	1.89%	100.00%
	Column %	14.69%	10.53%	0.00%	11.11%	11.68%	3.91%	14.29%	10.31%
	Total %	4.09%	0.39%	0.00%	0.19%	4.47%	0.97%	0.19%	10.31%
No	Count	121	16	9	8	173	123	6	456
	Row %	26.54%	3.51%	1.97%	1.75%	37.94%	26.97%	1.32%	100.00%
	Column %	84.62%	84.21%	81.82%	88.89%	87.82%	96.09%	85.71%	88.72%
	Total %	23.54%	3.11%	1.75%	1.56%	33.66%	23.93%	1.17%	88.72%
Don't Know	Count	1	1	2	0	1	0	0	5
	Row %	20.00%	20.00%	40.00%	0.00%	20.00%	0.00%	0.00%	100.00%
	Column %	0.70%	5.26%	18.18%	0.00%	0.51%	0.00%	0.00%	0.97%
	Total %	0.19%	0.19%	0.39%	0.00%	0.19%	0.00%	0.00%	0.97%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination? Double standards in performance		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	19	2	0	1	14	3	1	40
	Row %	47.50%	5.00%	0.00%	2.50%	35.00%	7.50%	2.50%	100.00%
	Column %	13.29%	10.53%	0.00%	11.11%	7.11%	2.34%	14.29%	7.78%
	Total %	3.70%	0.39%	0.00%	0.19%	2.72%	0.58%	0.19%	7.78%
No	Count	123	16	11	8	182	125	6	471
	Row %	26.11%	3.40%	2.34%	1.70%	38.64%	26.54%	1.27%	100.00%
	Column %	86.01%	84.21%	100.00%	88.89%	92.39%	97.66%	85.71%	91.63%
	Total %	23.93%	3.11%	2.14%	1.56%	35.41%	24.32%	1.17%	91.63%
Don't Know	Count	1	1	0	0	1	0	0	3
	Row %	33.33%	33.33%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	0.70%	5.26%	0.00%	0.00%	0.51%	0.00%	0.00%	0.58%
	Total %	0.19%	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	0.58%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination? Denial of opportunity to bid		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	12	1	0	1	12	1	1	28
	Row %	42.86%	3.57%	0.00%	3.57%	42.86%	3.57%	3.57%	100.00%
	Column %	8.39%	5.26%	0.00%	11.11%	6.09%	0.78%	14.29%	5.45%
	Total %	2.33%	0.19%	0.00%	0.19%	2.33%	0.19%	0.19%	5.45%
No	Count	131	17	11	8	184	127	6	484
	Row %	27.07%	3.51%	2.27%	1.65%	38.02%	26.24%	1.24%	100.00%
	Column %	91.61%	89.47%	100.00%	88.89%	93.40%	99.22%	85.71%	94.16%
	Total %	25.49%	3.31%	2.14%	1.56%	35.80%	24.71%	1.17%	94.16%
Don't Know	Count	0	1	0	0	1	0	0	2
	Row %	0.00%	50.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.00%	5.26%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.00%	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination? Unfair denial of contract award		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	1	1	1	9	1	0	23
	Row %	43.48%	4.35%	4.35%	4.35%	39.13%	4.35%	0.00%	100.00%
	Column %	6.99%	5.26%	9.09%	11.11%	4.57%	0.78%	0.00%	4.47%
	Total %	1.95%	0.19%	0.19%	0.19%	1.75%	0.19%	0.00%	4.47%
	Count	131	16	10	8	187	127	7	486

No	Row %	26.95%	3.29%	2.06%	1.65%	38.48%	26.13%	1.44%	100.00%
	Column %	91.61%	84.21%	90.91%	88.89%	94.92%	99.22%	100.00%	94.55%
	Total %	25.49%	3.11%	1.95%	1.56%	36.38%	24.71%	1.36%	94.55%
Don't Know	Count	2	2	0	0	1	0	0	5
	Row %	40.00%	40.00%	0.00%	0.00%	20.00%	0.00%	0.00%	100.00%
	Column %	1.40%	10.53%	0.00%	0.00%	0.51%	0.00%	0.00%	0.97%
	Total %	0.39%	0.39%	0.00%	0.00%	0.19%	0.00%	0.00%	0.97%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

In the private sector, non-City projects, while doing business or attempting to do business, have you experienced any of the following as a form of discrimination?
Unfair termination

		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	8	1	0	1	6	0	0	16
	Row %	50.00%	6.25%	0.00%	6.25%	37.50%	0.00%	0.00%	100.00%
	Column %	5.59%	5.26%	0.00%	11.11%	3.05%	0.00%	0.00%	3.11%
	Total %	1.56%	0.19%	0.00%	0.19%	1.17%	0.00%	0.00%	3.11%
No	Count	135	17	11	8	190	128	7	496
	Row %	27.22%	3.43%	2.22%	1.61%	38.31%	25.81%	1.41%	100.00%
	Column %	94.41%	89.47%	100.00%	88.89%	96.45%	100.00%	100.00%	96.50%
	Total %	26.26%	3.31%	2.14%	1.56%	36.96%	24.90%	1.36%	96.50%
Don't Know	Count	0	1	0	0	1	0	0	2
	Row %	0.00%	50.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
	Column %	0.00%	5.26%	0.00%	0.00%	0.51%	0.00%	0.00%	0.39%
	Total %	0.00%	0.19%	0.00%	0.00%	0.19%	0.00%	0.00%	0.39%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Have you experienced any of the following as a form in discrimination prime contractors/vendors while working on City projects? Unequal price quotes from suppliers		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	10	2	2	1	16	3	0	34
	Row %	29.41%	5.88%	5.88%	2.94%	47.06%	8.82%	0.00%	100.00%
	Column %	6.99%	10.53%	18.18%	11.11%	8.12%	2.34%	0.00%	6.61%
	Total %	1.95%	0.39%	0.39%	0.19%	3.11%	0.58%	0.00%	6.61%
No	Count	131	15	9	8	179	125	7	474
	Row %	27.64%	3.16%	1.90%	1.69%	37.76%	26.37%	1.48%	100.00%
	Column %	91.61%	78.95%	81.82%	88.89%	90.86%	97.66%	100.00%	92.22%
	Total %	25.49%	2.92%	1.75%	1.56%	34.82%	24.32%	1.36%	92.22%
Don't Know	Count	2	2	0	0	2	0	0	6
	Row %	33.33%	33.33%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
	Column %	1.40%	10.53%	0.00%	0.00%	1.02%	0.00%	0.00%	1.17%
	Total %	0.39%	0.39%	0.00%	0.00%	0.39%	0.00%	0.00%	1.17%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

Are you willing to speak directly to MGT to provide more detail of the alleged discrimination you have experienced by the City or its prime contractors/vendors?		African American Firms	Asian American Firms	Hispanic American Firms	Native American Firms	Nonminority Female Firms	Non-M/WBE Firms	Other Firms	Total
Yes	Count	6	1	0	0	4	1	0	12
	Row %	50.00%	8.33%	0.00%	0.00%	33.33%	8.33%	0.00%	100.00%
	Column %	4.20%	5.26%	0.00%	0.00%	2.03%	0.78%	0.00%	2.33%
	Total %	1.17%	0.19%	0.00%	0.00%	0.78%	0.19%	0.00%	2.33%
No	Count	9	0	0	1	9	5	1	25
	Row %	36.00%	0.00%	0.00%	4.00%	36.00%	20.00%	4.00%	100.00%

No	Column %	6.29%	0.00%	0.00%	11.11%	4.57%	3.91%	14.29%	4.86%
	Total %	1.75%	0.00%	0.00%	0.19%	1.75%	0.97%	0.19%	4.86%
No Response	Count	128	18	11	8	184	122	6	477
	Row %	26.83%	3.77%	2.31%	1.68%	38.57%	25.58%	1.26%	100.00%
	Column %	89.51%	94.74%	100.00%	88.89%	93.40%	95.31%	85.71%	92.80%
	Total %	24.90%	3.50%	2.14%	1.56%	35.80%	23.74%	1.17%	92.80%
Total	Count	143	19	11	9	197	128	7	514
	Row %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%
	Column %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Total %	27.82%	3.70%	2.14%	1.75%	38.33%	24.90%	1.36%	100.00%

APPENDIX H | SURVEY OF VENDOR REGRESSION ANALYSIS

APPENDIX SECTIONS

1. Introduction
2. Overview
3. Regression Model Variables
4. Assessing Variables in the Model

1. INTRODUCTION

Chapters 4 and **5** reported findings of disparity and non-disparity related to the utilization of vendors in the City of Portsmouth, Virginia (City) contracting and procurement activities according to selected race, ethnicity, and gender categories, this section reports findings from a telephone survey of a sample of 501[1] firms representative of the City's vendors examined in the study to assess race, ethnicity, and gender effects on vendor revenue during 2013. To determine these effects, MGT of America, Inc. (MGT) applied a multivariate regression model to survey findings.

There are two key questions for consideration in this analysis:

1. Do minority- and woman-owned firms tend to earn significantly less revenue than firms owned by nonminority males?
2. If "yes," are their lower revenues due to race or gender classification or to other factors?

Case law and social science research provide some guidance for addressing these questions. From research literature, we know that in addition to race and gender, factors such as firm capacity, owner experience, and education bear a relation to a firm's gross revenues. When multiple factors come into play, sometimes a multivariate statistical analysis can improve our understanding of more complex relationships among factors affecting company earnings. In this study, we employ linear regression to analyze variables, including race and gender that can affect a firm's success.

2. OVERVIEW OF MULTIVARIATE REGRESSION AND DESCRIPTION OF ANALYTICAL MODEL

Multivariate regression was employed to examine the influence of selected company and business characteristics, especially owner race and gender, on 2013 gross revenues reported by 501 firms participating in a telephone survey administered during November 2014 through January 2015. For this analysis, gross revenue was the dependent variable, or the variable to be explained by the presence, absence, or strength of "selected characteristics" variables, known as "independent" or "explanatory" variables.

Since disparity analysis is an established domain of research, the selection of the independent company characteristics variables for this study was based on an extensive review of disparity study research literature. Most economic studies of discrimination are based on the seminal work of Nobel Prize recipient Gary Becker, "The Economics of Discrimination."[2] Becker was the first to define discrimination in financial and economic terms. Since Becker, labor economists and statistical researchers including Blinder and Oaxaca, Corcoran and Duncan, Gwaltney and Long, Reimers, Saunders, Darity and Myers, Hanuschek, Hirsch, Topel and Blau, and others have

[1] In order to provide an accurate and complete regression analysis some responses had to be removed. For example if a person surveyed did not answer the revenue or race question, this response was removed. This number reflects those changes.

[2] Becker, Gary. 1971, second edition. "The Economics of Discrimination." The University of Chicago Press, Chicago, p. 167.

adopted a standard in disparity study research of using company earnings, or revenue, as the dependent variable in race and gender discrimination analysis.[3] Comparable worth studies have also proposed regression models using gross revenue as the dependent variable for policy analysis,[4] and the U.S. Department of Commerce employs regression analysis (included in 48 CFR 19) to establish price evaluation adjustments for small disadvantaged businesses in federal procurement programs.[5]

3. REGRESSION MODEL VARIABLES

Timothy Bates[6] used at least five general determinants, including firm capacity, managerial ability, manager/owner experience, and demographic characteristics such as race and gender, to explain statistical variations in firm gross revenues. These are elaborated below in terms of the dependent/independent variable relationship regression seeks to resolve.

Dependent Variable

For this analysis, the dependent variable (the variable to be explained by the independent variables in the model) was defined operationally as "firm 2013 gross revenues." Ideally, this variable is measured as the exact dollar figure for gross revenues. However, years of experience in conducting information and opinion surveys with companies have shown us that firms tend to be reluctant to release precise dollar figures but more responsive when inquiries about earnings are presented as a dollar range. Accordingly, to encourage greater participation in this study's telephone survey, nine company gross revenue categories were defined, ranging from Category 1, "Up to $50,000" to Category 9, "More than $10 million."

Independent Variable

The independent (i.e., explanatory) variables were those characteristics hypothesized as contributing to the variation in the dependent variable (2013 gross revenues). For this study, independent variables included:

- ***Number of full-time employees*** – The more employees a company has, the greater product volume it is likely to have to generate higher revenues.
- ***Owner's years of experience*** – The longer a company owner has been in a particular business, the more likely it is that the owner has knowledge of how to acquire contracts and the skills and experience to succeed in that business.
- ***Owner's level of education*** – The research literature consistently reports a positive relationship between education and level of income.
- ***Age of company*** – It is argued that a company's longevity is an indicator of both success and the owner's managerial ability.

---

[3] "Race and Gender Discrimination Across Urban Labor Markets," 1996. Ed. Susan Schmitz. Garland Publishers, New York, New York, p. 184.

[4] Gunderson, Morley. 1994. "Male-Female Wage Differentials and Policy Responses." In "Equal Employment Opportunity: Labor Market Discrimination and Public Policy," pp. 207-227.

[5] "Federal Acquisition Regulations for Small Disadvantaged Businesses; Notice and Rules." June 30, 1998. Memorandum for Office of Federal Procurement Policy, Economic and Statistics Administration, Department of Commerce.

[6] Bates, Timothy. "The Declining Status of Minorities in the New York City Construction Industry." Reprinted from *Economic Development Quarterly*, Vol. 12., No. 1, February 1998, pp. 88-100.

- ***Race/ethnic group/gender of firm owners*** – The proposition to be tested was whether there was a statistically significant relationship between race, ethnicity, and gender classification of minority firm owners and firm revenue. In the analysis, the category Non-M/WBE firm or nonminority male firms served as a reference group against which all other race and gender groups were compared.

Lastly, since companies tend to be organized around a business concentration (e.g., construction or professional services), type of business was introduced as a moderator variable to determine if the model, given adequate sample size, behaved differently as a predictor of gross revenue when respondents' line of business was considered.

Participants' responses to the survey provided the data to examine the relative importance of these factors. The operational relationship between these constructs (i.e., firm capacity, capability, experience, race, and gender) and measures derived from survey items is presented in

TABLE 1
MODEL CONSTRUCTS, VARIABLES, AND MEASURES

MODEL CONSTRUCTS	TELEPHONE SURVEY VARIABLES	TELEPHONE SURVEY MEASURES
Capacity	Number of Employees	Number of Full-time and Part-time Employees Reported
Owner's Managerial Ability	Owner's Education	Level of Education (from "some high school" to "postgraduate degree")
	Owner's Experience	Years of Experience
	Company Age	2014 Minus Reported "Year of Establishment"
Demographics	Business Owner Groups	African American, Hispanic American, Asian American, Native American, Nonminority Woman, and Non-M/WBE Firms
	Gender of Company Owner	Gender of Company Majority Owner or Shareholder

Source: City of Portsmouth, Virginia survey of vendors.

Exploring Variable Relationships: How Regression Analysis Works

Multiple regression analysis permits simultaneous examination not only of the effects on the dependent variable of ***all*** independent variables in the multivariate model, but also the effect of each unique variable (i.e., controlling for the effects of the other independent variables in the equation). The effect of each predictor (independent) variable on the dependent variable is expressed as the magnitude of the change in the dependent variable (Y) for each unit change in the independent variable (X) plus an "error term." Since the independent variable is never a perfect predictor of the dependent variable—that is, X is expressed as an imperfect predictor of Y such that one unit change in X ***never*** leads to one unit change in Y—the "error term," ε, is postulated to acknowledge the residual change in the value of Y that X cannot explain.

The goal in sound regression modeling, therefore, is to minimize residual values associated with the independent variables and to maximize their explanatory power. In other words, a good model that seeks to explain what causes revenue earnings, in this case, will hypothesize a combination of independent variables based on solid research findings having sufficient explanatory power to account for case-by-case differences in company revenue, while minimizing that portion of variation in revenue values that the independent variable cannot explain (i.e., minimizing the difference between Y values predicted by the X's in the model and *actual* Y values).

4. ASSESSING VARIABLES IN THE MODEL

As suggested earlier, in a model with multiple independent, or predictor, variables, the effect of each individual independent variable is expressed as the expected change in the dependent variable (Y) for each unit change in the independent variable (X), holding constant (or controlling for) the values of all the other independent variables (i.e., the effect on Y of the other X's in the equation). When X and Y values are plotted on a graph, linear regression attempts to find a straight line of best fit (also known as the least-squares line) that minimizes the differences between actual Y and predicted Y values as a function of X. The slope of this line represents the statistical relationship between the predicted values of Y based on X. The point at which this regression line crosses the Y axis (otherwise known as the constant) represents the predicted value of Y when X = 0. If the effect of X on Y is determined to be statistically significant (e.g., a significance level of $p < 0.05$ asserts that the calculated relationship between X and Y could occur due to chance only 5 times in 100), it can be asserted that X may indeed play a role in determining the value of Y (in the case of this study, company revenues). For example, if the slope coefficient of the variable representing one of the specific racial groups is determined to be statistically significant, then, all other things being equal, the hypothesis that race of the owner of a firm affects the annual revenue of the firm has only a 5 percent chance of being false. In disparity research, theory asserts that the negative effect of race on revenue earnings associated with being a minority-owned business is likely a product of discrimination.

Multivariate Regression Model

Mathematically, the multivariate linear regression model is expressed as:

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \ldots + \varepsilon$$

Where: Y = annual firm gross revenues

β_0 = the constant, representing the value of Y when $X_I = 0$

β_I = coefficient representing the magnitude of X_I's effect on Y

X_I = the independent variables, such as capacity, experience, managerial ability, race, and gender

ε = the error term, representing the variance in Y unexplained by X_I

This equation describes the hypothesized relationship between the dependent variable and the independent variables and was used to test the hypothesis that there is no difference in 2013 gross revenue earnings for M/WBE firms when compared with non-M/WBE firms. Traditionally, the hypothesis of no difference (known as the null hypothesis) is represented as: $H_0 : Y_1 = Y_2$.

We can reject the null hypothesis if the analysis indicates that race and gender have been found to affect firm revenue (i.e., $H_1 : Y_1 \neq Y_2$, the alternate hypothesis). Results are statistically significant if it is determined that the probability of achieving this difference due to chance was less than 5 in 100 (i.e., $p < 0.05$).

Multivariate Regression Model Results

The regression model tested the effects of selected demographic and business characteristic variables on revenue earnings elicited from firms participating in the study. According to the following categories:[7]

TABLE 2
CITY OF PORTSMOUTH, SURVEY OF VENDORS DATA
GROSS REVENUE CATEGORIES

GROSS REVENUE CATEGORIES	
1	= Up to $50,000
2	= $50,001 to $100,000
3	= $100,001 to $300,000
4	= $300,001 to $500,000
5	= $500,001 to $1 million
6	= $1,000,001 to $3 million
7	= $3,000,001 to $5 million
8	= $5,000,001 to $10 million
9	= Greater than $10 million

Source: City of Portsmouth, Virginia survey of vendors.

The tests for multicollinearity among independent variables and variance inflation due to outlier observations revealed no substantive problems with the data.[8] An initial analysis also determined that one independent variable, percentage of business in the private sector, made no substantive contribution to the model, and was, therefore, removed. These adjustments yielded values for the variables listed in **Table 3**.

TABLE 3
CITY OF PORTSMOUTH, SURVEY OF VENDORS DATA
RESULTS OF REGRESSION ANALYSIS

MODEL	UNSTANDARDIZED COEFFICIENT		STANDARDIZED COEFFICIENT	t	Sig.
	B	Std. Error	Beta		
(Constant)	2.4622	1.5035	0.0000	1.6377	0.1021
African American (n=143)	**-0.5811**	**0.2462**	**-0.1105**	**-2.3608**	**0.0186**
Asian American (n=19)	0.2921	0.4591	0.0235	0.6362	0.5250
Hispanic American (n=11)	0.8008	0.5781	0.0494	1.3852	0.1666
Native American (n=9)	0.6282	0.6445	0.0351	0.9746	0.3302
Nonminority Female (n=197)	0.1925	0.2198	0.0396	0.8762	0.3814

[7] Despite the ordinal nature of the dependent variable, findings are reported based on a linear regression analysis; specifically, Ordinary Least Squares (OLS). Menard (1995) notes this as an acceptable and common practice, "particularly when the dependent variable has five or more [ordered] categories. Since this [OLS] is probably the easiest approach for readers to understand, sometimes other approaches are tried, just to confirm that the use of OLS does not...distort the findings." In this case, the nine categories of revenue were also analyzed using ordered Logit (SPSS 11.5), with nearly identical findings to those achieved with OLS with respect to magnitude of effect of the independent variables and both sign and significance. For further discussion, see Menard, S., "Applied logistic regression analysis," (Sage university papers series. Quantitative applications in the social sciences; no. 07-106), Thousand Oaks, California: Sage Publications, 1995.

[8] Multicollinearity refers to excessive intercorrelation among the independent variables in a multiple regression model, which obscures the effect of each on the dependent variable to the extent that they behave as one variable and may measure two highly correlated components of the same theoretical factor. Outliers are observations in a data set that are substantially different from the bulk of the data, perhaps because of a data entry error or some other cause that would reasonably explain a data anomaly.

Company Age	**-0.2498**	**0.0808**	**-0.1235**	**-3.0905**	**0.0021**
Number of Employees	**0.8450**	**0.0631**	**0.4923**	**13.3977**	**0.0000**
High School	**-1.7538**	**0.5281**	**-0.2448**	**-3.3208**	**0.0010**
Some College	**-1.6809**	**0.5227**	**-0.2552**	**-3.2157**	**0.0014**
College Degree	**-1.5790**	**0.4862**	**-0.3072**	**-3.2475**	**0.0012**
Owner's Years of Experience	**0.2205**	**0.0839**	**0.0965**	**2.6269**	**0.0089**
Construction	2.4586	1.3111	0.4478	1.8753	0.0614
Professional Services	1.9142	1.3142	0.3256	1.4566	0.1459
Nonprofessional Services	1.7381	1.3100	0.3344	1.3268	0.1852
Goods	2.3658	1.3148	0.4274	1.7994	0.0726

Source: City of Portsmouth, Virginia survey of vendors.
Bold indicates statistically significant results ($p \leq 0.05$).

Results

- The model testing the effects of the variables listed in **Table 1** on revenue reported by companies participating in the telephone survey explained 42.9 percent of the variance of the revenue variable ($R^2_j = 0429$, $F = 24.254$, $df = 15{,}000$, $p \leq 0.000$).
- **Table 3** shows us that when controlling for the effects of variables related to company demographics (i.e., company capacity, owner's level of education and experience), M/WBE status had a significant impact on 2013 company earnings for African Americans.
- Among the company characteristics variables, other than M/WBE status, revenue for all groups increased as a function of age of company, number of employees, owner's education, and owner's experience.

Deriving Predicted Revenue for Race, Ethnicity, Gender Categories

To derive predicted revenue categories for each race, ethnicity, and gender classification, values from **Table 3** were inserted into the regression model in order to derive predicted revenue categories for each race, ethnicity, and gender classification. The following equation illustrates how predicted revenue would be calculated for an African American in the construction industry.[9]

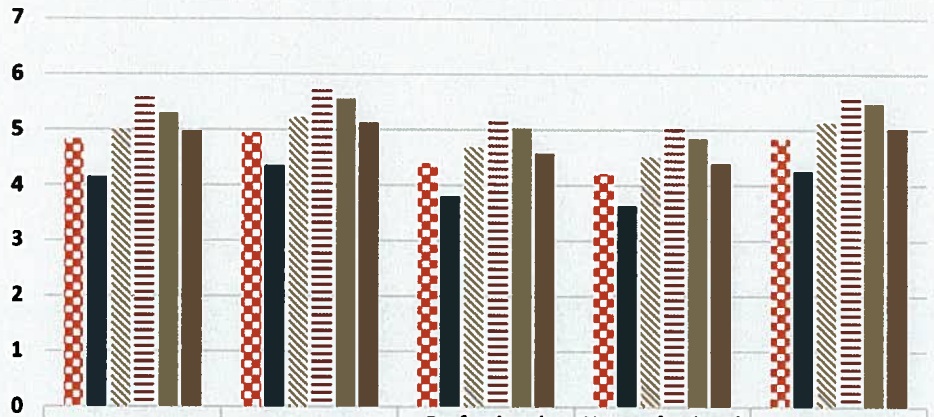
Gross Revenues = 2.4622 + (- 0.5811) African American firm + (-0.2498) Company Age + 0.8450 Number of Employees + (-1.7538) High School + (-1.6809) Some College + (-1.5790) College Degree + 0.2205 Owner's Years of Experience

Figure 1 reports the predicted 2013 gross revenue by business ownership classification and business type. For instance, to interpret the effect or race, ethnicity, and gender classification on predicted gross revenue for an African American firm in the construction industry, holding all other variables constant, we would add the value of the constant (2.4622) to the coefficient value for African American firm (-0.5811) to obtain a predicted revenue value of 4.8259 (rounded to 5, representing the gross revenue category $500,001 to $1 million).

Similarly, to derive the effect or race, ethnicity, and gender classification on predicted gross revenue for an African American firm in the Professional Services industry category, holding all other variables constant, we would simply note the value of the constant (2.4622) and add it to the African American firm coefficient and the Professional Services coefficient (1.9142, rounded to 5, representing the gross revenue category $500,001 to $1 million).

[9] To derive coefficients for the race, ethnicity, and gender classifications, the Non-M/WBE firm category was used as the reference variable, coded as value "0."

FIGURE 1
CITY OF PORTSMOUTH, SURVEY OF VENDORS DATA
PREDICTED GROSS REVENUE CATEGORIES



	Overall	Construction	Professional Services	Nonprofessional Services	Goods
Non-M/WBE (n=122)	5	5	4	4	5
African American (n=143)	4	4	4	4	4
Asian American (n=19)	5	5	5	4	5
Hispanic American (n=11)	6	6	5	5	6
Native American (n=9)	5	6	5	5	5
Nonminority Female (n=197)	5	5	5	4	5

Source: City of Portsmouth, Virginia survey of vendors data.

GROSS REVENUE CATEGORIES			
1	= Up to $50,000	6	= $1,000,001 to $3 million
2	= $50,001 to $100,000	7	= $3,000,001 to $5 million
3	= $100,001 to $300,000	8	= $5,000,001 to $10 million
4	= $300,001 to $500,000	9	= Greater than $10 million
5	= $500,001 to $1 million		

Summary of Survey Findings

Regarding the positive significant effects of the non-race, ethnicity, and gender classification variables—company age and number of employees—it would be expected that a firm's revenue might be positively related to its size and age, supporting the logical conclusion that larger, more established firms tend to do more business. However, even when these impacts were considered, African American firms responding to the telephone survey earned less revenue in 2013 than did their non-M/WBE counterparts, supporting the conclusion that M/WBE status is negatively related to earnings when compared with earnings for non-M/WBE firms.

APPENDIX I | FOCUS GROUP SURVEY INSTRUMENT SUBCONTRACTORS

Q1. Please **specify** your company's primary line of business? [REQUIRE ANSWER]

1. **Construction** *(general contractor, carpentry, electrical, site work, HVAC, drywall, mechanical, hauling, painting, concrete, etc.)*:_____

   [If selected, **SKIP** to Question 2 - then continue with Question 4]

2. **Professional services** *(architecture, engineering, structural, land surveying, accounting, legal services, etc.)*: _____

   [If selected, **SKIP** to Question 3 - then continue with Question 4]

3. **Non-Professional Services** *(consulting, hazardous waste removal and remediation, janitorial services, security services, printing etc.)*:_____

   [If selected, **SKIP** to Question 4]

4. **Goods** *(books, computers, furniture, auto parts, etc.)*_____

   [If selected, **SKIP** to Question 4]

5. **Other**: *Specify*_____

   [If selected, **SKIP** to Question 4]

Q2. Do you have a current Virginia issued contractor license?

- ○ Yes 1
- ○ No 2
- ○ Don't Know 99

Q3. Do you have a current APELSCINLA* license?

- ○ Yes 1
- ○ No 2
- ○ Don't Know 99

** Architect, Professional Engineer, Land Surveyors, Certified Interior Designers, and Landscape Architects*

Q4. Do you have a current Virginia State Corporation Commission (SCC) license?

- ○ Yes 1
- ○ No 2
- ○ Don't Know 99

Q5 What is the highest level of education completed by the primary owner of your company? [REQUIRE ANSWER]

- ○ Some high school 1
- ○ High school graduate 2
- ○ Trade or technical education 3
- ○ Some college 4
- ○ College degree 5
- ○ Post graduate degree 6
- ○ Don't know 99

Q6. In your company's primary line of business, how many years of experience does the primary owner(s) of your firm have? ____ [REQUIRE ANSWER]

- ○ 0 – 5 years 1
- ○ 6 – 10 years 2
- ○ 11 – 15 years 3
- ○ 16 – 20 years 4
- ○ 20 + years 5

Q7. On average, in the last three years how many employees has your company kept on the payroll, including full-time and part-time staff? [REQUIRE ANSWER]

- ○ 0 - 10 1
- ○ 11 - 20 2
- ○ 21 - 30 3
- ○ 31 - 40 4
- ○ 41+ 5

Q8. Does your company hold any of the following certifications? ***Check all that applies.***

O Minority Small (SWaM)	1
O Small Business (SWaM)	2
O Woman Small (SWaM)	3
O Disadvantaged Business Enterprise	4
O HubZone	5
O 8A	6
O Other	7 Specify _____

Q9. Is **more than 50%** of your company owned and controlled by a woman or women? [REQUIRE ANSWER]

O Yes	1
O No	2
O Don't Know	99

Q10. Is **more than 50%** of the company owned and controlled by one of the following racial or ethnic groups?

O Anglo/Caucasian/White	1
O Black or African American	2
O Asian	3
O Hispanic or Latino	4
O American Indian/Alaskan Native	5
O Native Hawaiian/Other	6
O Pacific Islander Group	7
O Other	8 Specify: _____
O No Response/Don't Know	99

Q11. Which of the following categories best approximates your company's gross revenues for calendar year 2013?

○ Up to $50,000?	1
○ $50,001 to $100,000?	2
○ $100,001 to $300,000?	3
○ $300,001 to $500,000?	4
○ $500,001 to $1 million?	5
○ $1,000,001 to $3 million?	6
○ $3,000,001 to $5 million?	7
○ $5,000,001 to $10 million?	8
○ Over $10 million?	9
○ Don't Know	99

Q12. The following list of factors may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to obtaining work on projects as a prime contractor/consultant or subcontractor/subconsultant on projects for the City:

[REQUIRE ANSWER TO EACH OF THE FOLLOWING]

	Yes (1)	No (2)	N/A (3)
Prequalification requirements (1)	O	O	O
Bid bond requirement (2)	O	O	O
Performance/payment bond requirement (3)	O	O	O
Cost of bidding/proposing (4)	O	O	O
Financing (5)	O	O	O
Insurance (general liability, professional liability, etc.) (6)	O	O	O
Price of supplies/materials (7)	O	O	O
Proposal/Bid specifications (8)	O	O	O
Limited time given to prepare bid package or quote (9)	O	O	O
Limited knowledge of purchasing contracting policies and procedures (10)	O	O	O
Lack of experience (11)	O	O	O
Lack of personnel (12)	O	O	O
Contract too large (13)	O	O	O
Selection process (14)	O	O	O
Unnecessary restrictive contract specifications (15)	O	O	O
Slow payment or nonpayment (16)	O	O	O
Competing with large companies (17)	O	O	O

Q13. Between July 1, 2008 and June 30, 2013, has your company applied, been approved, or denied for any of the following items?

		Applied		Approved or Denied			Denial Category					
		Yes[1]	No[2]	Approved[1]	Denied[2]	N/A[9]	ID	IBH	C	RE	G	O
a.	Business start-up loan?	___	___	___	___	___	___	___	___	___	___	___
b.	Operating capital loan?	___	___	___	___	___	___	___	___	___	___	___
c.	Performance bond?	___	___	___	___	___	___	___	___	___	___	___
d.	Bid bond?	___	___	___	___	___	___	___	___	___	___	___
e.	Equipment loan?	___	___	___	___	___	___	___	___	___	___	___
f.	Commercial liability insurance?	___	___	___	___	___	___	___	___	___	___	___
g.	Professional liability insurance?	___	___	___	___	___	___	___	___	___	___	___

Denial Category

(ID)- Insufficient Documentation

(IBH)- Insufficient Business History

(C)- Confusion about Process

(RE)- Race or Ethnic Origin

(G)- Gender of Owner

(O)- Other, please specify

_____

Q14. Please indicate the extent to which you agree that between July 1, 2008 and June 30, 2013, your company experienced discrimination from the City or its prime contractors/consultants due to the race, ethnicity, or gender of the company's owner(s)?

- ○ Strongly Agree 1
- ○ Somewhat Agree 2
- ○ Neither Agree Nor Disagree 3
- ○ Somewhat Disagree 4
- ○ Strongly Disagree 5

Q15. Please indicate your level of agreement or disagreement, on a scale of 1 to 5 where 1 represents "Strongly Agree" and 5 represents "Strongly Disagree" with each of the following statements or "Don't Know" represented as DK*.

	Response	Strongly Agree 1	Agree 2	Neither 3	Disagree 4	Strongly Disagree 5	DK* 99
a	There is an informal network of prime contractors/businesses and subcontractors in Portsmouth.	____	____	____	____	____	____
b	Double standards in qualification and performance make it more difficult for minority-, and women-owned businesses to win bids or contracts.	____	____	____	____	____	____
c	Sometimes, prime contractors/businesses will include minority, or women subcontractors on a bid to meet the "good faith effort" requirement, and then drop the company as a subcontractor after winning the award.	____	____	____	____	____	____
d	In general, minority-, and women-owned businesses tend to be viewed by the general public as less competent than non-minority male businesses.	____	____	____	____	____	____
e	Some non-minority (male) prime contractors/businesses change their bidding procedures when they are not required to hire minority-and women-owned businesses as subcontractor.	____	____	____	____	____	____
f	The time and resources required to respond to an invitation to bid process is lengthy and costly.	____	____	____	____	____	____
g	A non-minority (male) business will hire affiliate companies to circumvent outreach and contracting with legitimate minority-, and women -owned businesses as subcontractors.	____	____	____	____	____	____
H	My firm usually receives unequal price quotes from suppliers than my non-minority competitors.	____	____	____	____	____	____

Q16. Which of the following categories best approximates your company's largest **prime contract** awarded between July 1, 2008 and June 30, 2013?

- ○ Not applicable 1
- ○ Up to $50,000? 2
- ○ $50,001 to $100,000? 3
- ○ $100,001 to $200,000? 4
- ○ $200,001 to $300,000? 5
- ○ $300,001 to $400,000? 6
- ○ $400,001 to $500,000? 7
- ○ $500,001 to $1 million? 8
- ○ Over $1 million? 9
- ○ Don't Know 99

Q17. Which of the following categories best approximates your company's largest **subcontract** awarded between July 1, 2008 and June 30, 2013?

- ○ Not applicable 1
- ○ Up to $50,000? 2
- ○ $50,001 to $100,000? 3
- ○ $100,001 to $200,000? 4
- ○ $200,001 to $300,000? 5
- ○ $300,001 to $400,000? 6
- ○ $400,001 to $500,000? 7
- ○ $500,001 to $1 million? 8
- ○ Over $1 million? 9
- ○ Don't Know 10

Q18. Are you required to have bonding for the type of work your company bids?

- ○ Yes 1
- ○ No 2
- ○ Don't Know 99

Q18a. If yes, what is your current aggregate bonding limit?

- ○ Below $100,000 1
- ○ $100,001 to $250,000 2
- ○ $250,001 to $500,000 3
- ○ $500,001 to $1,000,000 4
- ○ $1,000,001 to $1,500,000 5
- ○ $1,500,001 to $3,000,000 6
- ○ $3,000,001 to $5,000,000 7
- ○ Over$ 5 million 8
- ○ Don't know 99

Q18b. What is your current single project bonding limit?

- ○ Below $100,000 1
- ○ $100,001 to $250,000 2
- ○ $250,001 to $500,000 3
- ○ $500,001 to $1,000,000 4
- ○ $1,000,001 to $1,500,000 5
- ○ $1,500,001 to $3,000,000 6
- ○ $3,000,001 to $5,000,000 7
- ○ Over$ 5 million 8
- ○ Don't know 99

Please provide your contact information just in case we have any further questions?

Company Name:	
Contact Person:	
Contact Person Title:	
Company Address:	
Company Phone Number:	

Thank you for your valuable comments.

APPENDIX J | PERSONAL INTERVIEW GUIDE

READ: *The purpose of this interview is to gather information on your experiences, perceptions, and points of view on doing business or attempting to do business with the City of Portsmouth, its prime vendors, and in the private sector. Your responses and comments should be focused on the time period between July 1, 2008 and June 30, 2013.*

1. Please **specify** your company's primary line of business? *(Try to get a good feel for what they do.)*

   1. **Construction** (*general contractor, carpentry, electrical, site work, HVAC, drywall, mechanical, hauling, painting, concrete, etc.*):_____

   2. **Professional services** (*architecture, engineering, structural, land surveying, accounting, legal services, etc.*): _____

   3. **Non-Professional Services** *(consulting, hazardous waste removal and remediation, janitorial services, security services, printing etc.)*_____

   4. **Goods** *(books, computers, furniture, auto parts, etc.)*_____

   5. **Other**: *Specify*_____

2. How many years of experience do you or the primary owner(s) of your firm have in your primary line of business?

   - ○ 0 – 5 years 1
   - ○ 6 – 10 years 2
   - ○ 11 – 15 years 3
   - ○ 16 – 20 years 4
   - ○ 20 + years 5

3. Excluding yourself, on average, how many employees does your company keep on the payroll, including full-time and part-time staff?

   - ○ 0 - 10 1
   - ○ 11 - 20 2
   - ○ 21 - 30 3
   - ○ 31 - 40 4
   - ○ 41+ 5

4. Is **more than 50 percent** of your company owned and controlled by a woman or women?

- ○ Yes 1
- ○ No 2
- ○ Don't Know 3

5. Is **more than 50 percent** of the company owned and controlled by one of the following racial or ethnic groups? *[Get as much detail as possible.]*

- ○ Anglo/Caucasian/White 1
- ○ Black or African American 2
- ○ Asian 3
- ○ Hispanic or Latino 4
- ○ American Indian/Alaskan Native 5
- ○ Native Hawaiian/Other 6
- ○ Pacific Islander Group 7
- ○ No Response/Don't Know 8
- ○ Other 9 Specify: _____

6. In what year was your business established or purchased by the most recent owner (s)?

7. Have you ever submitted a bid, quote, or proposal to the City in response to a contracting opportunity?

- ○ Yes 1
- ○ No 2
- ○ Don't Know 3

7a. If no, please explain why.

[SKIP – If response is NO and explanation provided, then skip to Q9]

8. Think back to the last time you submitted a bid, quote, or proposal with the City – how did you learn about that opportunity?

8a. Was that notification method helpful?

- ○ Yes 1
- ○ No 2

9. How do you learn about bids, quotes, or proposals for City procurement opportunities?

9a. What other notification methods would you like to see the City incorporate?

10. Has any City staff made attempts to encourage you to respond to invitations to bid or requests for proposal/quote?

- ○ Yes 1
- ○ No 2

10a. If yes, please describe their outreach efforts.

10b. Please indicate any outreach efforts you would like to see implemented.

11. Have you been awarded a contract/purchase order with the City as a prime vendor?

- ○ Yes 1
- ○ No 2

[SKIP – if respondent answers NO, then skip to Question 15.]

12. How many times have you been awarded a contract or purchase order with the City?

- ○ 1-10 times 1
- ○ 11-25 times 2
- ○ 26-50 times 3
- ○ 51-100 times 4
- ○ Over 100 times 5

13. As a prime vendor, have you ever protested a bid, proposal, or contract awarded by the City?

- ○ Yes 1
- ○ No 2

13a. If yes, please provide as much detail as possible.

14. What do you think would be the effect to your business if you filed a complaint regarding a contract award or protesting a bid or proposal with the City?

15. Do you bid or work as a subcontractor/subconsultant on City projects?

- ○ Yes 1
- ○ No 2

[SKIP – if respondent answers NO, then skip to Question 17.]

16. Do prime vendors who use your firm as a subcontractor on other government-sponsored projects with M/WBE goals solicit your firm on projects without M/WBE goals? (Hampton, PPS, Virginia Beach or private)

- ○ Very Often 1
- ○ Sometimes 2
- ○ Seldom 3
- ○ Never 4

17. Do you have any recommendation on how the City can improve the procurement and/or selection process, if applicable?

18. Do you feel the City has ever treated your company unfairly in the bidding, solicitation, or contract award process?

- ○ Yes 1
- ○ No 2

18a. If yes, please provide as much detail as possible.

19. Have any of the following been a barrier to winning or successfully completing contracts for the City.

	Yes (1)	No (2)
Prequalification requirements (1)	O	O
Bid bond requirement (2)	O	O
Performance/payment bond requirement (3)	O	O
Cost to prepare a bid, proposal, or quote(4)	O	O
Financing (5)	O	O
Cost of insurance (general liability, professional liability, etc.) (6)	O	O
Price of supplies/materials (7)	O	O
Proposal/Bid specifications (8)	O	O
Limited time given to prepare bid or quote (9)	O	O
Limited knowledge of purchasing contracting policies and procedures (10)	O	O
Lack of experience (11)	O	O
Lack of personnel (12)	O	O
Contracts or subcontracts too large (13)	O	O
Selection process (14)	O	O
Unnecessary restrictive contract specifications (15)	O	O
Slow payment or nonpayment (16)	O	O
Competing with large companies (17)	O	O

20. Which of the following categories best approximates your company's largest prime **contract** awarded between July 1, 2008 and June 30, 2013?

- ○ Not applicable 1
- ○ Up to $50,000? 2
- ○ $50,001 to $100,000? 3
- ○ $100,001 to $200,000? 4
- ○ $200,001 to $300,000? 5
- ○ $300,001 to $400,000? 6
- ○ $400,001 to $500,000? 7
- ○ $500,001 to $1 million? 8
- ○ Over $1 million? 9
- ○ Don't Know 10

21. Which of the following categories best approximates your company's largest **subcontract** awarded between July 1, 2008 and June 30, 2013?

- ○ Not applicable 1
- ○ Up to $50,000? 2
- ○ $50,001 to $100,000? 3
- ○ $100,001 to $200,000? 4
- ○ $200,001 to $300,000? 5
- ○ $300,001 to $400,000? 6
- ○ $400,001 to $500,000? 7
- ○ $500,001 to $1 million? 8
- ○ Over $1 million? 9
- ○ Don't Know 10

22. What were your company's approximate gross revenues for calendar year 2013?

$_____

[If respondent does not provide an answer, read following ranges for respondent to select one.]

- ○ Up to $50,000? 1
- ○ $50,001 to $100,000? 2
- ○ $100,001 to $300,000? 3
- ○ $300,001 to $500,000? 4
- ○ $500,001 to $1 million? 5
- ○ $1,000,001 to $3 million? 6
- ○ $3,000,001 to $5 million? 7
- ○ $5,000,001 to $10 million? 8
- ○ Over $10 million? 9
- ○ Don't Know 10

23. Is your firm certified as: *(READ CHOICES)*

- ○ Minority Business Enterprise (SWaM) 1
- ○ Small Business Enterprise (SWaM) 2
- ○ Woman Business Enterprise (SWaM) 3
- ○ Disadvantaged Business Enterprise 4
- ○ HubZone 5
- ○ 8A 6
- ○ Other 7 Specify _____

24. In your opinion, what are the biggest obstacles faced by M/WBE businesses in securing contracts with the City?

25. Should the City implement an M/WBE Program in its procurement of goods and services, what recommendations would you want to see in a program?

26. Do you feel there is an informal network of prime contractors or vendors that has excluded your company from doing business in the private sector.

- ○ Yes 1
- ○ No 2

26a. If yes, do you feel the informal network has an effect upon you winning contracts?

- ○ Yes 1
- ○ No 2

27. Do you believe your company experienced discrimination from the City or its prime vendors due to the race, ethnicity, or gender of the company's owner(s)?

	Yes (1)	No (2)
a. Race/ethnicity	O	O
b. Gender	O	O
c. Both	O	O

27a. If yes, explain why. *(Ask if they have documented evidence to support their response*

28. Do you believe your company experienced discrimination with *other public sector agencies or the private sector* in the Portsmouth region (Hampton, Newport News, Virginia Beach, etc.)?

	Yes (1)	No (2)
a. Race/ethnicity	O	O
b. Gender	O	O
c. Both	O	O

28a. If yes, explain why. *(Ask if they have documented evidence to support their response*

29. Have you experienced access to capital as being an impediment to securing contracts with the City or subcontracts on City projects?

O Yes 1
O No 2

29a. If yes, describe how?

30. Have you experienced bonding as being an impediment to securing contracts with the City or subcontracts on City projects (if applicable)?

O Yes 1
O No 2

30a. If yes, describe how?

31. Is there anything that we have not covered that you feel will be helpful to this study?

- ○ Yes 1
- ○ No 2

32a. If yes, please explain.

AFFIDAVIT

_____ (interviewee) HEREBY ACKNOWLEDGE THAT THE TESTIMONY I GAVE IS TRUE AND AN ACCURATE REFLECTION OF MY PAST EXPERIENCES IN PROCUREMENT AND BUSINESS OPPORTUNITIES WITH THE CITY OF PORTSMOUTH. ADDITIONALLY, THIS TESTIMONY WAS GIVEN FREELY AND I HAVE NOT BEEN COERCED OR RECEIVED ANY REMUNERATION FOR MY COMMENTS.

_____

SIGNATURE

_____

DATE

_____

SIGNATURE OF INTERVIEWER AS WITNESS

_____

DATE

DRAFT

APPENDIX K | PUBLIC USE MICRODATA SAMPLE (PUMS)

ANALYSIS OF RACE/GENDER/ETHNICITY EFFECTS ON SELF-EMPLOYMENT PROPENSITY AND EARNINGS

EXECUTIVE SUMMARY

The purpose of this analysis is to examine the effects of race and gender, along with other individual economic and demographic characteristics, on individuals' participation in the private sector as self-employed business operators, and on their earnings as a result of their participation in five categories of private sector business activity in the Virginia Beach-Norfolk-Newport News, VA-NC MSA. Findings for minority business enterprises are compared to the self-employment participation and earnings record of nonminority male business owners to determine if a disparity in self-employment rates and earnings exists, and if it is attributable to differences in race, gender, or ethnicity. Adopting the methodology and variables employed by a City of Denver disparity study (see *Concrete Works v. City and County of Denver* [1]), we use Public Use Microdata Samples (PUMS) data derived from the 2011 American Community Survey, to which we apply appropriate regression statistics to draw conclusions.

To guide this investigation, three general research questions were posed. Questions and variables used to respond to each, followed by a report of findings, are reported below:

1. Are racial, ethnic and gender minority groups less likely than nonminority males to be self-employed?

   This analysis examined the statistical effects of the following variables on the likelihood of being self-employed in the study market area: Race, ethnicity, and gender of business owner (African American, Asian American, Hispanic American, Native American, nonminority women, nonminority men), marital status, age, self-reported health-related disabilities, availability of capital (household property value, monthly total mortgage payments, unearned income) and other characteristics (number of individuals over the age of 65 living in household, number of children under the age of 18 living in household) and level of education.

2. Does racial/gender/ethnic status have an impact on individual's self-employment earnings?

   This analysis examined the statistical effects of the following variables on income from self-employment for business owners in the market area: Race, ethnicity, and gender of business owner (African American, Asian American, Hispanic American, Native American, nonminority women, nonminority men), marital status, age, self-reported health-related disabilities, and availability of capital (household property value, monthly total mortgage payments, unearned income) and level of education.

3. If Minority and Women's Business Enterprises (M/WBEs) and nonminority males shared similar traits and marketplace "conditions" (i.e., similar "rewards" in terms of capital and asset accrual), what would be the effect on rates of self-employment by race, ethnicity and gender?

   Derived from a similar model employed by a city of Denver disparity study, MGT created a model that leveraged statistical findings in response to the first two questions to determine if race, gender, and

[1] *Concrete Works v. City and County of Denver*, 321 F.3 950 (10th Cir. 2003).

ethnic effects derived from those findings would persist if nonminority male demographic and economic characteristics were combined with M/WBE self-employment data. More precisely, in contrast to Question 1, which permitted a comparison of self-employment rates based on demographic and economic characteristics reported by the 2011 census for individual M/WBE categories and nonminority males, respectively, this analysis posed the question, "How would M/WBE rates change, if M/WBE's operated in a nonminority male business world and how much of this change is attributable to race, gender or ethnicity?"

FINDINGS:

1. Are racial, ethnic and gender minority groups less likely than nonminority males to be self-employed?

   - In all industries, nonminority males were nearly two times as nonminority women.[2]
   - In all industries, nonminority males were over twice as likely to be self-employed as African Americans.
   - Nonminority males were nearly two times as likely as nonminority women to be self-employed in professional services.
   - Nonminority males were nearly four times as likely as African Americans in the goods & supplies industry.

2. Does race/gender/ethnic status have an impact on an individual's self-employment earnings?

   - In the Virginia Beach-Norfolk-Newport News, VA-NC MSA, African Americans and nonminority women reported significantly lower earnings in all business type categories.
   - In the professional services, African Americans reported significantly lower earnings than nonminority males in the Virginia Beach-Norfolk-Newport News, VA-NC MSA: 74.6 percent less.
   - The most egregious effect on earnings elasticities was found in other services for Native Americans. In other services, Native Americans earned 149.0 percent less than nonminority males.

3. If M/WBEs and nonminority males shared similar traits and marketplace "conditions" (i.e., similar "rewards" in terms of capital and asset accrual), what would be the effect on rates of self-employment by race, ethnicity, and gender?

   - Overall, comparing self-employed nonminority males with self-employed African Americans, over 84 percent of the disparity in self-employment rates was attributable to race differences.
   - Overall, comparing self-employed nonminority males with self-employed Hispanic Americans, over 74 percent of the disparity in self-employment rates was attributable to race differences.
   - Comparing self-employed nonminority males with self-employed African Americans in the construction industry, over 91 percent of the disparity in self-employment rates was attributable to race differences.

[2] These 'likelihood" characteristics were derived from Exhibit 1 by calculating the inverse of the reported odds ratios.

- Comparing self-employed nonminority males with self-employed African Americans in the other services, over 89 percent of the disparity in self-employment rates was attributable to race differences.
- Comparing self-employed nonminority males with self-employed African Americans in the goods and supplies industry, over 28 percent of the disparity in self-employment rates was attributable to race differences.

INTRODUCTION

This report analyzes the availability of minority, nonminority women, and nonminority male firms in five categories of private sector business activity in the Virginia Beach-Norfolk-Newport News, VA-NC MSA. The goal of this investigation is to examine the effects of race and gender, along with other individual economic and demographic characteristics, on individuals' participation in the private sector as self-employed business operators, and on their earnings as a result of their participation. Ultimately, we will compare these findings to the self-employment participation and earnings record of nonminority male business owners to determine if a disparity in self-employment rates and earnings exists, and if it is attributable to racial or gender discrimination in the marketplace. Data for this investigation are provided by the Public Use Microdata Samples (PUMS) data derived from the 2011 American Community Survey, to which we apply appropriate regression statistics to draw conclusions. **Table K-A** presents a general picture of self-employment rates by race, median earnings, and sample sizes (n's) in the Virginia Beach-Norfolk-Newport News, VA-NC MSA, calculated from the five percent PUMS census sample.

The next section will discuss the research basis for this examination to lay the groundwork for a description of the models and methodologies to be employed. This will be followed by a presentation of findings regarding minority status effects on self-employment rates, self-employment earnings, and attributions of these differences to discrimination, per se.

TABLE K-A
PERCENTAGE SELF-EMPLOYED/2011 EARNINGS BY
RACE/GENDER/ETHNIC CATEGORY
THE VIRGINIA BEACH-NORFOLK-NEWPORT NEWS, VA-NC MSA

Race/Ethnic/Gender Category	Percent of the Population Self-Employed	2011 Sample Census n	2011 Median Earnings
Nonminority Males	13.95%	355	$40,000.00
African American	5.15%	84	$29,000.00
Hispanic American	8.16%	20	$24,500.00
Asian American	12.57%	21	$47,000.00
Native American	7.14%	3	$16,000.00
Nonminority Women	7.46%	120	$30,000.00
TOTAL	9.67%	603	$36,000.00

Source: PUMS data from 2011 American Community Survey.

SELF-EMPLOYMENT RATES AND EARNINGS AS AN ANALOG OF BUSINESS FORMATION AND MAINTENANCE

Research in economics consistently supports the finding of group differences by race and gender in rates of business formation (see *Journal of Econometrics*, Vol. 61, Issue 1, devoted entirely to the econometrics of labor market discrimination and segregation). For a disparity study, however, the fundamental question is "How much of this difference is due to factors that would appear, at least superficially, to be related to group differences other than race, ethnicity, or gender, and how much can be attributed to discrimination effects related to one's race/ethnic/gender affiliation?" We know, for instance, that most minority groups have a lower median age than do non-Hispanic whites (ACS PUMS, 2011). We also know, in general, that the likelihood of being self-employed increases with age (ACS PUMS, 2011). When social scientists speak of nonracial group differences, they are referring to such things as general differences in religious beliefs as these might influence group attitudes toward contraception, and, in turn, both birthrates and median age. A disparity study, therefore, seeks to examine these other important demographic and economic variables in conjunction with race and ethnicity, as they influence group rates of business formation, to determine if we can assert that discrimination against minorities is sufficiently present to warrant consideration of public sector legal remedies such as affirmative action and minority set-aside contracting.

Questions about marketplace dynamics affecting self-employment—or, more specifically, the odds of being able to form one's own business and then to excel (i.e., generate earnings growth)—are at the heart of disparity analysis research. Whereas early disparity studies tended to focus on gross racial disparities, merely documenting these is insufficient for inferring discrimination effects per se without "partialling out" effects due to nondiscriminatory factors. Moreover, to the extent that discrimination exists, it is likely to inhibit both the formation of minority business enterprises and their profits and growth. Consequently, earlier disparity study methodology and analysis have failed to account for the effects of discrimination on minority self-employment in at least two ways: (1) a failure to account adequately for the effects of discriminatory barriers minorities face "up front" in attempting to form businesses; and (2) a failure to isolate and methodologically explain discrimination effects once minority businesses are formed.

The next section addresses these shortcomings, utilizing PUMS data derived from the 2011 U.S. Census to answer research questions about the effects of discrimination on self-employment and self-employment earnings using multiple regression statistics.

RESEARCH QUESTIONS, STATISTICAL MODELS, AND METHODS

Two general research questions were posed in the initial analysis:

- Are racial, ethnic, and gender minority groups less likely than nonminority males to be self-employed?
- Does race/gender/ethnic status have an impact on individuals' earnings?

A third question, to be addressed later—How much does race/ethnic/gender discrimination influence the probability of being self-employed?—draws conclusions based on findings from questions one and two.

To answer the first two questions, we employed two multivariate regression techniques, respectively: logistic regression and linear regression. To understand the appropriate application of these regression techniques, it is helpful to explore in greater detail the questions we are trying to answer. The dependent variables in questions I and II—that is, the phenomena to be explained by influences such as age, race, gender, and disability status, for example (the independent or "explanatory" variables)—are, respectively: the probability of self-employment status (a binary, categorical variable based on two possible values: 0 = not self-employed/1 = self-employed) and 2011 earnings from self-employment (a continuous variable). In our analysis, the choice of regression approach was based on the scale of the dependent variable (in question I, a categorical scale with only two possible values, and in question II, a continuous scale with many possible values). Because binary logistic regression is capable of performing an analysis in which the dependent variable is categorical, it was employed for the analysis of question I.[3] To analyze question II, in which the dependent variable is continuous, we used simple linear regression.

DERIVING THE LOGISTIC REGRESSION MODEL FROM THE SIMPLE LINEAR MODEL

The logistic regression model can be derived with reference to the simple linear regression model expressed mathematically as:

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \ldots + \varepsilon$$

[3] Logistical regression, or logit, models generate predicted probabilities that are almost identical to those calculated by a probit procedure, used in *Concrete Works v. City and County of Denver* case. Logit, however, has the added advantage of dealing more effectively with observations at the extremes of a distribution. For a complete explanation, see *Interpreting Probability Models* (T.F. Liao, Text 101 in the Sage University series).

Where:

Y = a continuous variable (e.g., 2011 earnings from self-employment)

β_0 = the constant, representing the value of Y when $X_I = 0$

β_I = coefficient representing the magnitude of X_I's effect on Y

X_I = the independent variables, such as age, human capital (e.g., level of education), availability of capital, race/ethnicity/gender, etc.

ε = the error term, representing the variance in Y unexplained by X_I

This equation may be summarized as:

$$E(Y) = \mu = \sum_{k=1}^{K} \beta_k \, x_k$$

in which Y is the dependent variable and μ represents the expected values of Y as a result of the effects of β, the explanatory variables. When we study a random distribution of Y using the linear model, we specify its expected values as a linear combination of K unknown parameters and the covariates or explanatory variables. When this model is applied to data in the analysis, we are able to find the statistical link between the dependent variable and the explanatory or independent variables.

Suppose we introduce a new term, η, into the linear model such that:

$$\eta = \mu = \sum_{k=1}^{K} \beta_k \, x_k$$

When the data are randomly distributed, the link between η and μ is linear, and a simple linear regression can be used. However, to answer the first question, the categorical dependent variable was binomially distributed. Therefore, the link between η and μ became $\eta = \log[\mu/(1-\mu)]$ and logistic regression was utilized to determine the relationship between the dependent variable and the explanatory variables, calculated as a probability value (e.g., the probability of being self-employed when one is African American). The logistic regression model is expressed mathematically as:

$$\log[\mu/1(1-\mu)] = \alpha + \beta_i X_n + \varepsilon$$

Where:

$(\mu/1\text{-}\mu)$ = the probability of being self-employed

α = a constant value

β_i = coefficient corresponding to independent variables

X_n = selected individual characteristic variables, such as age, marital status, education, race, and gender

ε = error term, representing the variance in Y unexplained by X_i

This model can now be used to determine the relationship between a single categorical variable (0 = not self-employed/1 = self-employed) and a set of characteristics hypothesized to influence the probability of finding a 0 or 1 value for the categorical variable. The result of this analysis illustrates not only the extent to which a characteristic can increase or decrease the likelihood that the categorical variable will be a 0 or a 1, but also whether the effect of the influencing characteristics is positive or negative in relation to being self-employed.

RESULTS OF THE SELF-EMPLOYMENT ANALYSIS

QUESTION I: ARE RACIAL, ETHNIC, AND GENDER MINORITY GROUPS LESS LIKELY THAN NONMINORITY MALES TO BE SELF-EMPLOYED?

To derive a set of variables known to predict employment status (self-employed/not self-employed), we used the 5 percent PUMS data from Census 2011. Binary logistic regression was used to calculate the probability of being self-employed, the dependent variable, with respect to socioeconomic and demographic characteristics selected for their potential to influence the likelihood of self-employment. The sample for the analysis was limited to labor force participants who met to the following criteria:

- Resident of the Virginia Beach-Norfolk-Newport News, VA-NC MSA
- Self-employed in construction, professional services, other services, architecture and engineering,[4] or goods and supplies
- Employed full-time (more than 35 hours a week)
- 18 years of age or older
- Employed in the private sector

Next, we derived the following variables hypothesized as predictors of employment status:

- ***Race and Sex:*** African American, Asian American, Hispanic American, Native American, nonminority woman, nonminority male
- ***Availability of Capital:*** Homeownership, home value, mortgage rate, unearned income, residual income
- ***Marital Status***
- ***Ability to Speak English Well***

[4] Due to inadequate sample numbers for all races in the Architecture and Engineering PUMS 2011 data, A & E was merged with the Professional Services category.

- ***Disability Status:*** From individuals' reports of health-related disabilities
- ***Age and Age Squared:*** Squaring the age variable acknowledges the positive, curvilinear relationship between each year of age and earnings.
- ***Owner's Level of Education***
- ***Number of Individuals Over the Age of 65 Living in Household***
- ***Number of Children Under the Age of 18 Living in Household***

FINDINGS

Binary logistic regression analysis provided estimates of the relationship between the independent variables described above and the probability of being self-employed in the four types of business industries. In **Table K-B**, odds ratios are presented by minority group, reporting the effect of race/ethnicity/gender on the odds of being self-employed in 2011, holding all other variables constant. Full regression results for all the variables are presented in **Appendix H, Survey of Vendors Regression Analysis**.

TABLE K-B
SELF-EMPLOYMENT "ODDS RATIOS" OF MINORITY GROUPS RELATIVE TO NONMINORITY MALES AFTER CONTROLLING FOR
SELECTED DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS
THE VIRGINIA BEACH-NORFOLK-NEWPORT NEWS, VA-NC MSA

Race/Ethnic Group	All Industries	Construction	Professional Services	Other Services	Goods & Supplies
African American	**0.432**	**0.337**	0.639	**0.687**	**0.265**
Hispanic American	0.830	0.607	1.262	0.956	*
Asian American	0.886	0.307	0.883	1.413	2.384
Native American	0.613	0.842	*	1.546	*
Nonminority Women	**0.539**	**0.517**	**0.588**	1.165	0.561

Source: PUMS data from 2011 American Community Survey and MGT of America, Inc., calculations using SPSS.

Note: **Bold** indicates that the estimated "odds ratio" for the group was statistically significant. The architecture and engineering business industry was excluded from this analysis because of the insufficient data.

* There were insufficient census numbers available for analysis.

The results reveal the following:

- In all industries, nonminority males were nearly two times as nonminority women.[5]
- In all industries, nonminority males were over twice as likely to be self-employed as African Americans.
- Nonminority males were nearly two times as likely as nonminority women to be self-employed in professional services.

[5] These 'likelihood" characteristics were derived from Exhibit 1 by calculating the inverse of the reported odds ratios.

- Nonminority males were nearly four times as likely as African Americans in the goods & supplies industry.

QUESTION II: DOES RACE/GENDER/ETHNIC STATUS HAVE AN IMPACT ON INDIVIDUALS' EARNINGS?

To answer this question, we compared self-employed, minority, and women entrepreneurs' earnings to those of nonminority males in the Virginia Beach-Norfolk-Newport News, VA-NC MSA, when the effect of other demographic and economic characteristics was controlled or "neutralized." That is, we were able to examine the earnings of self-employed individuals of similar education levels, ages, etc., to permit earnings comparisons by race/gender/ethnicity.

To derive a set of variables known to predict earnings, the dependent variable, we used 2011 wages from employment for self-employed individuals, as reported in the 5 percent PUMS data. These included:

- ***Race and Sex:*** African American, Asian American, Hispanic American, Native American, nonminority woman, nonminority males
- ***Availability of Capital:*** Homeownership, home value, mortgage rate, unearned income, residual income
- ***Marital Status***
- ***Ability to Speak English Well***
- ***Disability Status:*** From individuals' reports of health-related disabilities
- ***Age and Age Squared:*** Squaring the age variable acknowledges the positive, curvilinear relationship between each year of age and earnings.
- ***Owner's Level of Education***

FINDINGS

Table K-C presents the results of the linear regression model estimating the effects of selected demographic and economic variables on self-employment earnings. Each number (i.e., coefficient) in the exhibit represents a percent change in earnings. For example, the corresponding number for a African Americans in all industries is -.344, meaning that nonminority woman will earn 34.4 percent less than a nonminority male when the statistical effects of the other variables in the equation are "controlled for." Full regression results for all the variables are presented in this appendix.

TABLE K-C
EARNINGS ELASTICITIES OF MINORITY GROUPS RELATIVE TO NONMINORITY MALES AFTER CONTROLLING FOR
SELECTED DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS
THE VIRGINIA BEACH-NORFOLK-NEWPORT NEWS, VA-NC MSA

Race/Ethnic Group	All Industries	Construction	Professional Services	Other Services	Goods & Supplies
African American	**-0.344**	-0.019	**-0.746**	**-0.340**	**-1.361**
Hispanic American	-0.302	0.039	-0.033	**-0.692**	*
Asian American	0.155	0.098	-0.112	-0.080	0.031
Native American	-0.336	**2.359**	*	**-1.490**	*
Nonminority Women	**-0.378**	0.056	**-0.723**	**-0.398**	-0.535

Source: PUMS data from 2011 American Community Survey and MGT of America, Inc., calculations using SPSS.

Note: **Bold** indicates that the estimated "elasticities" for the group were statistically significant. The architecture and engineering business industry was excluded from this analysis because of insufficient data.

* There were insufficient census numbers available for analysis.

The results reveal the following:

- In the Virginia Beach-Norfolk-Newport News, VA-NC MSA, African Americans and nonminority women reported significantly lower earnings in all business type categories.
- In the professional services, African Americans reported significantly lower earnings than nonminority males in the Virginia Beach-Norfolk-Newport News, VA-NC MSA: 74.6 percent less.
- The most egregious effect on earnings elasticities was found in other services for Native Americans. In other services, Native Americans earned 149.0 percent less than nonminority males.

DISPARITIES IN RATES OF SELF-EMPLOYMENT: HOW MUCH CAN BE ATTRIBUTED TO DISCRIMINATION?

Results of the analyses of self-employment rates and 2011 self-employment earnings revealed general disparities between minority and nonminority self-employed individuals whose businesses were located in the Virginia Beach-Norfolk-Newport News, VA-NC MSA.

Table K-D presents the results of these analyses. Column A reports observed employment rates for each race/gender group, calculated directly from the PUMS 2011 data. To obtain values in columns B and C, we calculated two predicted self-employment rates using the following equation:

$$\Pr ob(y=1) = \sum_{k=1}^{K} (e^{\beta_k x_k} / 1 + e^{\beta_k x_k})$$

Where:

$\Pr ob(y=1)$ = represents the probability of being self-employed

β_k = coefficient corresponding to the independent variables used in the logistic regression analysis of self-employment probabilities

x_k = the mean values of these same variables

The first of these predicted self-employment rate calculations (in column B) presents nonminority male self-employment rates as they would be if their characteristics (i.e., x_k, or mean values for the independent variables) were applied to minority market structures (represented for each race by their β_k or odds coefficient values). The second self-employment rate calculation (in column C) presents minority self-employment rates as they would be if minorities were rewarded in a similar manner as nonminority males in the nonminority male market structure: that is, by multiplying the minority means (i.e., characteristics) by the estimated nonminority coefficients for both race and the other independent variables.

TABLE K-D
OBSERVED AND PREDICTED SELF-EMPLOYMENT RATES

VIRGINIA BEACH-NORFOLK-NEWPORT NEWS, VA-NC MSA					
Business/Race Group	Observed Self-Employment Rates	White Characteristics and Own Market Structure	Own Characteristics and White Market Structure	Disparity Ratio (column A divided by column C)	Portion of Difference Due to Discrimination
	(A)	(B)	(C)	(D)	(E)
Overall					
Nonminority Males	0.1395	0.1395	0.1395	1.000	
African American	0.0515	0.0781	0.1261	0.4087	84.71%
Hispanic American	0.0816	0.1399	0.1250	0.6528	74.97%
Asian American	0.1257	0.1480	0.1901	0.6615	n/d
Native American	0.0714	0.1072	0.1278	0.5591	82.70%
Nonminority Women	0.0746	0.0955	0.1543	0.4833	n/d
Construction					
Nonminority Males	0.2496	0.2496	0.2496	1.000	
African American	0.0979	0.1175	0.2371	0.4130	91.76%
Hispanic American	0.1000	0.1935	0.1760	0.5682	50.80%
Asian American	0.1000	0.1082	0.4355	0.2296	n/d
Natvie American	0.2000	0.2496	0.1918	1.0426	n/d
Nonminority Women	0.1625	0.1698	0.4267	0.3808	n/d
Professional Services					
Nonminority Males	0.0727	0.0727	0.0727	1.000	
African American	0.0260	0.0876	0.0631	0.4121	79.51%
Hispanic American	0.0690	0.1594	0.1312	0.5257	n/d
Asian American	0.0541	0.1172	0.1268	0.4263	n/d
Natvie American	0.0000	0.0000	0.0007	0.0000	0.98%
Nonminority Women	0.0332	0.0811	0.0779	0.4258	n/d
Other Services					
Nonminority Males	0.1436	0.1436	0.1436	1.0000	
African American	0.0831	0.1194	0.1372	0.6053	89.50%
Hispanic American	0.1047	0.1587	0.1513	0.6915	n/d
Asian American	0.2157	0.2180	0.1890	1.1414	37.06%
Natvie American	0.1667	0.2337	0.1496	1.1143	74.00%
Nonminority Women	0.1453	0.1869	0.1477	0.9835	n/d
Goods & Supplies					
Nonminority Males	0.0909	0.0909	0.0909	1.000	
African American	0.0177	0.0495	0.0383	0.4631	28.09%
Hispanic American	0.0000	0.0000	0.0004	0.0000	0.41%
Asian American	0.1818	0.3193	0.1623	1.1203	21.48%
Natvie American	0.0000	0.0000	0.0004	0.0000	0.41%
Nonminority Women	0.0469	0.0995	0.1366	0.3437	n/d

Source: PUMS data from 2011 American Community Survey and MGT of America, Inc., calculations using SPSS and Microsoft Excel.
n/d: No discrimination was found.

Using these calculations, we were able to determine a percentage of the disparities in self-employment between minorities and nonminority males attributable to discrimination by dividing the observed self-employment rate for a particular minority group (column A) by the predicted self-employment rate as it would be if minority groups faced the same market structure as nonminority males (column C). Next, we calculated the difference between the predicted self-employment rate as it would be if minority groups faced the same market structure as nonminority males and the observed self-employment rate for that minority group, and divided this value by the difference between the observed self-employment rate for

nonminority males and the self-employment rate for a particular minority group. In the absence of discrimination, this number is zero, which means disparities in self-employment rates between minority groups and nonminority males can be attributed to differences in group characteristics not associated with discrimination. Conversely, as this value approaches 1.0, we are able to attribute disparities increasingly to discrimination in the marketplace.

FINDINGS

Examining the results reported in **Table K-D**, we found the following:

- Overall, comparing self-employed nonminority males with self-employed African Americans, over 84 percent of the disparity in self-employment rates was attributable to race differences.
- Overall, comparing self-employed nonminority males with self-employed Hispanic Americans, over 74 percent of the disparity in self-employment rates was attributable to race differences.
- Comparing self-employed nonminority males with self-employed African Americans in the construction industry, over 91 percent of the disparity in self-employment rates was attributable to race differences.
- Comparing self-employed nonminority males with self-employed African Americans in the other services, over 89 percent of the disparity in self-employment rates was attributable to race differences.
- Comparing self-employed nonminority males with self-employed African Americans in the goods & supplies industry, over 28 percent of the disparity in self-employment rates was attributable to race differences.

SUMMARY OF SELF-EMPLOYMENT ANALYSIS FINDINGS

In general, findings from the PUMS 2011 data indicate that minorities were significantly less likely than nonminority males to be self-employed and, if they were self-employed, they earned significantly less in 2011 than did self-employed nonminority males. When self-employment rates were stratified by race and by business type, trends varied within individual race-by-type cells, but disparities persisted, in general, for all minorities and nonminority women. When group self-employment rates were submitted to MGT's disparity-due-to-minority-status analysis, findings supported the conclusion that disparities for these groups (of adequate sample size to permit interpretation) were likely the result of differences in the marketplace due to race, gender, and ethnicity.[6]

[6] **Appendix J** reports self-employment rates and earnings in greater detail by race/gender/ethnicity and business type.

PUMS REGRESSION ANALYSIS

RESULTS OF LOGISTIC REGRESSION EXPLANATION OF RESULTS AND VARIABLES LOGISTIC REGRESSION OUTPUT

Below, variable names and operational definitions are provided. When interpreting **Table K-E to K-I**, the third column— Exp (B) — is the most informative index with regard to the influence of the independent variables on the likelihood of being self-employed. From the inverse of this value, we can interpret a likelihood value of its effect on self-employment. For example the Exp (B) for a African American is .432 from **Table K-E**, the inverse of this is 2.31. This means that a nonminority male is 2.31 times more likely to be self-employed than an African American. The output reported as a matter of convention to give the reader another indicator of both the magnitude of the variable's effect and the direction of the effect ("-" suggests the greater the negative B value the more it depresses the likelihood of being self-employed, and vice versa for a positive B value. It is noteworthy that theoretically "race-neutral" variables (e.g., marital status) tend to impact the likelihood of self-employment positively and that the race/ethnicity/gender variables, in general, tend to have a negative effect on self-employment.

VARIABLES

RACE, ETHNICITY, AND GENDER INDICATOR VARIABLES:

- African American
- Asian American
- Hispanic American
- Native American
- Sex: Nonminority woman or not

OTHER INDICATOR VARIABLES:

- Marital Status: Married or not
- Age
- Age2: age squared. Used to acknowledge the positive, curvilinear relationship between each year of age and self-employment.
- Disability: Individuals self-reported health-related disabilities.
- Tenure: Owns their own home
- Value: Household property value.
- Mortgage: Monthly total mortgage payments.
- Unearn: Unearned income, such as interests and dividends.
- Resdinc: Household income less individuals' personal income.
- P65: Number of individuals over the age of 65 living in the household.
- P18: Number of children under the age of 18 living in the household.

- Some College: Some college education
- College Graduate: College degree
- More than College: Professional or graduate degree

TABLE K-E
RESULTS OF LOGISTIC REGRESSION
OVERALL

Virginia Beach-Norfolk-Newport News, VA-NC MSA			
	B	Sig.	Exp (B)
African American	**-0.838**	0.000	0.432
Hispanic American	-0.187	0.453	0.830
Asian American	-0.121	0.626	0.886
Native American	-0.490	0.421	0.613
Sex (1=Female)	**-0.618**	0.000	0.539
Marital Status (1=Married)	0.183	0.090	1.201
Age	0.039	0.120	1.040
Age^2	0.000	0.797	1.000
Disability (1=Yes)	-0.011	0.953	0.990
Tenure (1=Yes)	**0.323**	0.025	1.381
Value	**0.000**	0.001	1.000
Mortgage	**0.000**	0.002	1.000
Unearn	0.000	0.642	1.000
Resdinc	0.000	0.848	1.000
P65	0.062	0.550	1.064
P18	0.095	0.364	1.099
Some College (1=Yes)	**0.619**	0.022	1.857
College Graduate (1=Yes)	0.348	0.245	1.417
More than College (1=Yes)	0.096	0.335	1.101
Number of Observations	6237		
Chi-squared statistic (df=19)	304.881		
Log Likelihood	-3658.47		

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at $p < .05$.

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

TABLE K-F
RESULTS OF LOGISTIC REGRESSION
CONSTRUCTION

Virginia Beach-Norfolk-Newport News, VA-NC MSA			
	B	**Sig.**	**Exp (B)**
African American	**-1.088**	0.000	0.337
Hispanic American	-0.499	0.246	0.607
Asian American	-1.181	0.124	0.307
Native American	-0.173	0.882	0.842
Sex (1=Female)	**-0.659**	0.058	0.517
Marital Status (1=Married)	0.344	0.113	1.411
Age	0.028	0.562	1.028
Age^2	0.000	0.974	1.000
Disability (1=Yes)	0.494	0.140	1.639
Tenure (1=Yes)	0.117	0.679	1.124
Value	0.000	0.009	1.000
Mortgage	0.000	0.710	1.000
Unearn	0.000	0.025	1.000
Resdinc	0.000	0.568	1.000
P65	0.089	0.659	1.093
P18	-0.177	0.391	0.838
Some College (1=Yes)	0.314	0.541	1.369
College Graduate (1=Yes)	0.401	0.379	1.493
More than College (1=Yes)	0.221	0.247	1.247
Number of Observations	907		
Chi-squared statistic (df=19)	78.514		
Log Likelihood	-836.378		

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at $p < .05$.

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

TABLE K-G
RESULTS OF LOGISTIC REGRESSION
PROFESSIONAL SERVICES

Virginia Beach-Norfolk-Newport News, VA-NC MSA			
	B	Sig.	Exp (B)
African American	-0.447	0.161	0.639
Hispanic American	0.233	0.682	1.262
Asian American	-0.124	0.824	0.883
Native American	-18.117	0.999	0.000
Sex (1=Female)	**-0.532**	0.048	0.588
Marital Status (1=Married)	-0.017	0.952	0.983
Age	0.100	0.184	1.106
Age^2	-0.001	0.465	0.999
Disability (1=Yes)	-0.269	0.595	0.764
Tenure (1=Yes)	0.406	0.264	1.501
Value	**0.000**	0.001	1.000
Mortgage	0.000	0.197	1.000
Unearn	0.000	0.534	1.000
Resdinc	0.000	0.668	1.000
P65	0.246	0.303	1.279
P18	0.042	0.874	1.043
Some College (1=Yes)	0.279	0.792	1.322
College Graduate (1=Yes)	-17.991	0.998	0.000
More than College (1=Yes)	**-0.644**	0.051	0.525
Number of Observations	2216		
Chi-squared statistic (df=19)	113.127		
Log Likelihood	-695.834		

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at $p < .05$.

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

TABLE K-H
RESULTS OF LOGISTIC REGRESSION
OTHER SERVICES

Virginia Beach-Norfolk-Newport News, VA-NC MSA			
	B	Sig.	Exp (B)
African American	**-0.376**	0.049	0.687
Hispanic American	-0.045	0.908	0.956
Asian American	0.345	0.350	1.413
Native American	0.436	0.584	1.546
Sex (1=Female)	0.152	0.383	1.165
Marital Status (1=Married)	0.281	0.082	1.325
Age	0.051	0.176	1.052
Age^2	0.000	0.641	1.000
Disability (1=Yes)	-0.376	0.235	0.687
Tenure (1=Yes)	-0.007	0.979	0.993
Value	0.000	0.303	1.000
Mortgage	**0.000**	0.012	1.000
Unearn	0.000	0.195	1.000
Resdinc	0.000	0.234	1.000
P65	-0.064	0.711	0.938
P18	0.137	0.392	1.147
Some College (1=Yes)	0.483	0.225	1.621
College Graduate (1=Yes)	-0.046	0.933	0.955
More than College (1=Yes)	0.032	0.835	1.033
Number of Observations	2015		
Chi-squared statistic (df=19)	98.05		
Log Likelihood	-1432.451		

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at $p < .05$.

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

TABLE K-I
RESULTS OF LOGISTIC REGRESSION
GOODS AND SUPPLIES

Virginia Beach-Norfolk-Newport News, VA-NC MSA			
	B	Sig.	Exp (B)
African American	**-1.329**	0.008	0.265
Hispanic American	-17.695	0.998	0.000
Asian American	0.869	0.176	2.384
Native American	-18.397	0.999	0.000
Sex (1=Female)	-0.577	0.098	0.561
Marital Status (1=Married)	0.072	0.839	1.075
Age	0.074	0.355	1.077
Age^2	0.000	0.935	1.000
Disability (1=Yes)	0.522	0.240	1.686
Tenure (1=Yes)	**1.065**	0.010	2.901
Value	0.000	0.401	1.000
Mortgage	**0.001**	0.003	1.001
Unearn	0.000	0.964	1.000
Resdinc	0.000	0.645	1.000
P65	0.013	0.965	1.013
P18	**0.747**	0.026	2.110
Some College (1=Yes)	0.559	0.443	1.749
College Graduate (1=Yes)	-0.059	0.942	0.942
More than College (1=Yes)	-0.164	0.595	0.849
Number of Observations	1099		
Chi-squared statistic (df=19)	93.686		
Log Likelihood	-400.001		

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at $p < .05$.

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

RESULTS OF LINEAR REGRESSION EXPLANATION OF RESULTS AND VARIABLES

Below, variable names and operational definitions are provided. When interpreting the linear regression **Tables K-J to K-N**, the first column— Unstandardized B — is the most informative index with regard to the influence of the independent variables on the earnings of a self-employed individual. Each number in this column represents a percent change in earnings. For example the corresponding number for an African American is -.344, from **Table K-J**, meaning that an African American will earn 34.4 percent less than a nonminority male. The other four columns are reported in order to give the reader another indicator of both the magnitude of the variable's effect and the direction of the effect. Std. Error reports the standard deviation in the sampling distribution. Standardized B reports the standard deviation change in the dependent variable from on standard deviation increase in the independent variable. The t and Sig. columns simply report the level and strength of a variable's significance.

VARIABLES

RACE, ETHNICITY AND GENDER INDICATOR VARIABLES:

- African American
- Asian American
- Hispanic American
- Native American
- Nonminority Woman

OTHER INDICATOR VARIABLES:

- Marital Status: Married or not
- Disability: Individuals self-reported health-related disabilities.
- Age
- Age2: age squared. Used to acknowledge the positive, curvilinear relationship between each year of age and self-employment.
- Speaks English Well: Person's ability to speak English if not a native speaker.
- Some College: Some college education
- College Graduate: College degree
- More than College: Professional or graduate degree

TABLE K-J
RESULTS OF LINEAR REGRESSION
OVERALL

Virginia Beach-Norfolk-Newport News, VA-NC MSA					
	Unstandardized		Standardized		
	B	Std. Error	B	t	Sig.
African American	**-0.344**	0.116	-0.124	-2.968	0.003
Hispanic American	-0.302	0.224	-0.056	-1.347	0.178
Asian American	0.155	0.224	0.030	0.690	0.490
Native American	-0.336	0.539	-0.025	-0.624	0.533
Nonminority Women (1=Female)	**-0.378**	0.100	-0.157	-3.786	0.000
Marital Status (1=Married)	**0.192**	0.088	0.089	2.174	0.030
Disability (1=Yes)	-0.107	0.153	-0.028	-0.698	0.485
Age	**0.055**	0.020	0.683	2.711	0.007
Age^2	**-0.001**	0.000	-0.694	-2.750	0.006
Speaks English Well (1=Yes)	-0.225	0.172	-0.057	-1.307	0.192
Some College (1=Yes)	-0.183	0.223	-0.033	-0.821	0.412
College Graduate (1=Yes)	**-0.608**	0.255	-0.095	-2.385	0.017
More than College (1=Yes)	**-0.277**	0.085	-0.132	-3.242	0.001
Constant	9.344	0.492		18.983	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.
Note: BOLD statistically significant at $p < .05$.

TABLE K-K
RESULTS OF LINEAR REGRESSION
CONSTRUCTION

Virginia Beach-Norfolk-Newport News, VA-NC MSA					
	Unstandardized		Standardized		
	B	Std. Error	B	t	Sig.
African American	-0.019	0.242	-0.006	-0.079	0.937
Hispanic American	0.039	0.371	0.009	0.106	0.916
Asian American	0.098	0.636	0.012	0.153	0.878
Native American	**2.359**	0.859	0.202	2.746	0.007
Nonminority Women (1=Female)	0.056	0.250	0.017	0.223	0.824
Marital Status (1=Married)	**0.319**	0.149	0.162	2.141	0.034
Disability (1=Yes)	0.281	0.235	0.092	1.196	0.233
Age	0.024	0.033	0.337	0.730	0.466
Age^2	0.000	0.000	-0.308	-0.674	0.501
Speaks English Well (1=Yes)	-0.247	0.347	-0.059	-0.712	0.477
Some College (1=Yes)	-0.439	0.365	-0.091	-1.204	0.230
College Graduate (1=Yes)	-0.509	0.327	-0.121	-1.558	0.121
More than College (1=Yes)	0.019	0.138	0.011	0.137	0.891
Constant	9.524	0.793		12.011	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.
Note: BOLD statistically significant at $p < .05$.

TABLE K-L
RESULTS OF LINEAR REGRESSION
PROFESSIONAL SERVICES

Virginia Beach-Norfolk-Newport News, VA-NC MSA					
	Unstandardized		Standardized		
	B	Std. Error	B	t	Sig.
African American	**-0.746**	0.287	-0.269	-2.599	0.011
Hispanic American	-0.033	0.489	-0.006	-0.068	0.946
Asian American	-0.112	0.529	-0.022	-0.211	0.833
Nonminority Women (1=Female)	**-0.723**	0.225	-0.312	-3.208	0.002
Marital Status (1=Married)	0.333	0.238	0.136	1.398	0.166
Disability (1=Yes)	-0.845	0.482	-0.181	-1.753	0.083
Age	0.112	0.072	1.189	1.565	0.121
Age^2	-0.001	0.001	-1.413	-1.845	0.068
Speaks English Well (1=Yes)	0.565	0.477	0.121	1.186	0.239
Some College (1=Yes)	1.317	1.068	0.129	1.234	0.221
More than College (1=Yes)	-0.188	0.294	-0.060	-0.641	0.523
Constant	8.835	1.891		4.673	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.
Note: BOLD statistically significant at $p < .05$.

TABLE K-M
RESULTS OF LINEAR REGRESSION
OTHER SERVICES

Virginia Beach-Norfolk-Newport News, VA-NC MSA					
	Unstandardized		Standardized		
	B	Std. Error	B	t	Sig.
African American	**-0.340**	0.153	-0.150	-2.217	0.028
Hispanic American	-0.692	0.332	-0.143	-2.085	0.038
Asian American	-0.080	0.289	-0.018	-0.277	0.782
Native American	**-1.490**	0.622	-0.147	-2.394	0.017
Nonminority Women (1=Female)	**-0.398**	0.136	-0.197	-2.921	0.004
Marital Status (1=Married)	0.057	0.123	0.030	0.462	0.644
Disability (1=Yes)	-0.045	0.256	-0.011	-0.175	0.861
Age	**0.075**	0.029	1.003	2.619	0.009
Age^2	**-0.001**	0.000	-1.020	-2.661	0.008
Speaks English Well (1=Yes)	-0.313	0.232	-0.092	-1.350	0.178
Some College (1=Yes)	0.209	0.311	0.043	0.672	0.502
College Graduate (1=Yes)	0.321	0.448	0.045	0.715	0.475
More than College (1=Yes)	-0.101	0.125	-0.052	-0.811	0.418
Constant	8.914	0.672		13.267	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.

Note: BOLD statistically significant at $p < .05$.

TABLE K-N
RESULTS OF LINEAR REGRESSION
GOODS AND SUPPLIES

Virginia Beach-Norfolk-Newport News, VA-NC MSA					
	Unstandardized		Standardized		
	B	Std. Error	B	t	Sig.
African American	**-1.361**	0.482	-0.342	-2.825	0.007
Asian American	0.031	0.671	0.007	0.046	0.963
Nonminority Women (1=Female)	-0.535	0.325	-0.201	-1.644	0.106
Marital Status (1=Married)	-0.013	0.299	-0.005	-0.043	0.966
Disability (1=Yes)	-0.607	0.389	-0.188	-1.561	0.125
Age	-0.071	0.087	-0.776	-0.814	0.420
Age^2	0.001	0.001	0.747	0.770	0.445
Speaks English Well (1=Yes)	-0.246	0.551	-0.067	-0.446	0.657
Some College (1=Yes)	-0.153	0.620	-0.030	-0.247	0.806
College Graduate (1=Yes)	**-1.893**	0.755	-0.308	-2.507	0.015
More than College (1=Yes)	**-0.775**	0.285	-0.332	-2.716	0.009
Constant	13.057	2.285		5.713	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2011 American Community Survey and Calculations using SPSS.
Note: BOLD statistically significant at $p < .05$.

APPENDIX L | SELECTED PRACTICES OF OTHER M/WBE PROGRAMS

CHAPTER SECTIONS

1. Introduction
2. M/WBE Goals
3. Small Business Program for Subcontracts
4. Small Business Prime Contracting Programs
5. M/W/SBE Inclusion in Financial and Professional Services
6. HUBZones
7. DBE PROGRAMS
8. Two Tier Certification
9. Financial Assistance
10. Management and Technical Assistance
11. M/WBE Program Data Management

1. INTRODUCTION

As MGT reviews procurement policies and remedial programs of federal, state and local government M/W/SBE programs we are able to identify policies that promote local small business development. This research affords us the opportunity to create an extensive library of practices that agencies use to include minority, women, small, and disadvantaged businesses in their procurement process. Contained herein is a menu of policies that have worked in some localities, but may not have not been effective in others. Some policies have been discontinued for budgetary reasons. In many instances, it is difficult to determine whether a particular policy is directly responsible for the success of a program.

Such assistance may include direct subsidies to businesses, funds for management and technical assistance to small and new entrepreneurs, mentor-protégé programs, and bonding assistance, as well as collaboration with and support for organizations that provide management and technical assistance to businesses.

A substantial number of these agencies also have procurement preference programs for small business. Some M/W/SBE programs are nominal and some seem to have substantial resources devoted to M/W/SBE program design and implementation. In general, the demand by some courts and some legislation for race-neutral business development policies has increased the resources devoted to race-neutral M/WBE programs.

Provided below are the selected practices we have taken into consideration for Denver Schools. There is a focus on M/W/SBE programs for schools, with other types of agencies included as well.

- M/WBE Goals
- Small Business Aspirational Goals
- Small Business Program for Subcontracts
- Small Business Prime Contracting Programs
- Combining M/WBE and SBE programs
- M/W/SBE Inclusion in Financial and Professional Services
- HUBZones
- DBE Programs
- Two Tier Certification Management and Technical Assistance Programs
- Financial Assistance
- Management and Technical Assistance

- M/WBE Program Data Management

2. M/WBE GOALS

M/WBE Project Goal Setting

North Carolina Department of Transportation (NCDOT). The NCDOT regulations emphasize that goals should be set on projects "determined appropriate by the Department [of Transportation]."[1] Individual goals are set based on a project's geographic location, characteristics of the project, the percentage of that type of work that is typically performed by M/WBEs, the areas in which M/WBEs are known to provide services, and the goals set by the North Carolina General Assembly.[2] The NCDOT M/WBE regulations specify (although they do not limit to) particular areas for M/WBE goals: clearing and grubbing, hauling and trucking, storm drainage, concrete and masonry construction, guardrail, landscaping, erosion control, reinforcing steel, utility construction, and pavement marking.

The NCDOT goal setting process begins with an engineering estimate of the project to determine what items might reasonably be subcontracted out. Next estimates of the percentage of work that could be potentially performed by DBEs and M/WBEs are developed.[3] These estimates are confidential and made available only to the Estimator (and staff), the Provisions Engineer in the Proposals and Contracts Section (and staff), and members of the DBE/M/WBE Committee at the DBE/M/WBE Committee meetings.

Next NCDOT looks at whether there are M/WBEs available based on the NCDOT DBE/M/WBE directory and the location of the project. The NCDOT Directory is a searchable database that classifies firms by location, prime contractor/subcontractor status and six-digit work type.[4] The Goal Setting Committee is assisted in this process by Equal Employment Opportunity (EEO) Compliance staff in the Office of Civil Rights. Prime contractors then submit documentation of good faith efforts to achieve the individual project goal. A statement of how they will make efforts to achieve the goal satisfies the good faith effort requirements.

The NCDOT Goal Setting Committee (in collaboration with the EEO Compliance staff) seeks to set goals relative to where there is interest, availability and capacity, beyond mere looking at the certification lists. NCDOT relies on the EEO Compliance staff to provide input on whether existing businesses are fully occupied. However, if EEO Compliance says M/WBEs are not fully occupied, but prime contractors submit evidence that M/WBEs are fully occupied (for example, with invoices), then NCDOT accepts those explanations. As part of goal setting NCDOT regulations provide that:

- A documented excessive subcontractor bid constitutes a basis for not subcontracting with an M/WBE.
- A documented record of poor experience constitutes a basis for not subcontracting with an M/WBE.[5]

---

[1] 19A NCAC 02D.1108(a).

[2] 19A NCAC 02D.1108(a).

[3] NCDOT, Division of Highways, Roadway Design and Design Services Unit, *Policy and Procedure Manual*, Chapter 10, at 4.

[4] http://apps.dot.state.nc.us/constructionunit/directory/.

[5] The last two elements are adopted by the North Carolina DOT. 19A NCAC 02D.1110(7).

In addition, a review of NCDOT DBE and M/WBE goals has been a regular topic at the Associated General Contractors (AGC)-DOT Joint Cooperative Committee meetings.[6]

Oregon DOT. Oregon DOT uses both "hard goals" and "aspirational targets" for DBE project goal setting. Aspirational targets do not have numerical percentages and are not subject to good faith efforts requirements or risk of rejected bids. "Hard goals" have generally only been applied in ODOT regions with identified DBE availability and disparity. Aspirational DBE targets applied through the state. ODOT staff reported that primes took the aspirational goals seriously, even though there was often no numerical percentage associated with the aspirational goal written in the bid documents.

Good Faith Efforts

Portsmouth Public Schools, Virginia. The Portsmouth Public Schools require bidders to meet a combination of good faith efforts that equal a numerical value established by the program. Each good faith effort option is assigned a value weighted by the greatest result of possible success of the effort.

Small Business Aspirational Goals

Commitment from the top leadership is a core element of most summaries of policies in other M/W/SBE programs.[7] One starting point for such commitment is setting overall aspirational goals separate from project goals. Some agencies use fairly straightforward methods to calculate aspirational goals and other agencies use more involved methodologies.

3. SMALL BUSINESS PROGRAM FOR SUBCONTRACTS

Small Business Project Goals

City of Charlotte, North Carolina. The City of Charlotte has a comprehensive SBE program including SBE set asides and business assistance.[8] In addition, the City of Charlotte sets department goals for SBE utilization, sets SBE goals on formal and informal contracts and makes SBE utilization part of department performance review utilization numbers. The City has a waiver provisions for bidders, but has rejected bids for bidder noncompliance with the SBE program. Charlotte achieved 28.9 percent M/WBE subcontractor utilization in construction and 33.1 percent M/WBE subcontractor utilization in A&E through small business subcontracting goals.[9]

Mandatory Subcontracting

As part of their SBE subcontracting program some agencies impose mandatory subcontracting clauses which would promote SBE utilization and be consistent with industry practice

---

[6] AGC-DOT Joint Cooperative Committee Meeting Minutes, February 2001 through August 2003.

[7] See, e.g., National Women's Business Council, *1999 NWBC Best Practices Guide: Contracting with Women* (July 1999); R. Auskalnis, C. Ketchum and C. Carter, *Purchasing From Minority Business Enterprise: Best Practices*, Center For Strategic Supply Research 1995).

[8] A description of the Charlotte SBE program can be found at ww.charmeck.org/Departments/Economic+Development/Small+Business/Home.htm.

[9] MGT, *The City of Charlotte Update Disparity Study*, 2011, Table 7-1.

City of Columbia. The City of Columbia Subcontractor Outreach Program established in 2003 applies to City contracts of $200,000 or more. A prime must subcontract a minimum percentage of its bid. The minimums are set out in Table 8-5 below:

TABLE 8-5
MINIMUM SUBCONTRACTING REQUIREMENTS FOR COLUMBIA SUBCONTRACTOR OUTREACH PROGRAM

PROJECTS	MINIMUM SUBCONTRACTING
Parks	20%
Pipelines (water & sewer)	20%
Pump Stations	20%
Street Improvements	20%
Traffic Signals/Street Lighting	20%
Buildings Project by Project	Not to exceed 49%
Miscellaneous projects	20%

Source: City of Columbia, Subcontracting Outreach Program (March 2003)

4. SMALL BUSINESS PRIME CONTRACTING PROGRAMS

Bidder Rotation

Some political jurisdictions use bidder rotation schemes to limit habitual purchases from majority firms and to ensure that M/W/SBEs have an opportunity to bid along with majority firms. A number of agencies, including the City of Indianapolis, Indiana; Fairfax County, Virginia; the Port Authority of New York and New Jersey; and Miami-Dade County, Florida, use bid rotation to encourage M/W/SBE utilization, particularly in architecture and engineering.

Miami-Dade County, Florida. Miami-Dade County has used small purchase orders for the Community Business Enterprise program and rotated on that basis. In addition, Miami-Dade County has utilized an Equitable Distribution Program, whereby a pool of qualified architecture and engineering professionals are rotated awards of county miscellaneous architecture and engineering services as prime contractors and subcontractors.

Small Business Set-Asides

Miami-Dade County Public Schools. The Miami-Dade Schools SBE policy includes a sheltered market component. The policy provides that certain contracts can be placed in a sheltered market by the Office of Economic Opportunity and Miami-Dade Schools goal setting committee if: (1) there are at least three SBE/MBEs that are capable and available, (2) there is under-utilization in that business category, and (3) the extent to which the District's SBE prime contractor goals are being achieved. A contract can be removed from the sheltered market program if a responsive and responsible bid is not received or the bid received is deemed to be too high in price.

City of Denver. The Defined Selection Pool program puts contracts up to $1 million in a selection pool that can only be bid on by certified SBEs. This program applies to construction and professional service contracts. A SBE is defined as a firm that has revenue less than or equal to 50 percent of the Small Business

Administration's (SBA) small business standard and the owner has a personal net worth of less than $1.3 million. In the 2010 annual report M/WBEs won 73.7 percent of selection pool contracts.[10]

North Carolina Department of Transportation (NCDOT). In the NCDOT program, small contractors are defined as firms with less than $1.5 million in revenue. There is a small contractor goal of $2 million for each of the 14 NCDOT divisions. The current cap on project size for small contractors is $500,000. For contracts less than $500,000, NCDOT can solicit three informal bids from small business enterprises.[11] North Carolina law permits the waiving of bonds and licensing requirements for these small contracts let to SBEs.[12] From FY 2004-08, M/WBEs won $29.4 million (20.3 percent) in prime contracts under the North Carolina program.[13]

Oregon Department of Transportation (ODOT). Under its Small Business Initiative, ODOT started a pilot program targeting small firms in Region I. The program was extended statewide in September 2007. The program initially set aside contracts of less than $75,000 for competition amongst small firms and targeted A&E firms.[14] Set asides for architecture and engineering (A&E) and related services were extended to projects of up to $150,000. Set-asides for construction are limited to projects valued at $100,000 or less. The program covers Project Specific contracts and On-Call Contracts. There were approximately 400 firms registered in the program in 2011.

The selection process for A&E and related services begins with the identification of a small contracting outsourcing opportunity. If there are ten or fewer firms registered in the discipline necessary for the project, all the firms are considered in the selection process. If there are more than ten firms registered in the discipline, then at least five firms are considered. The criteria ODOT may choose for selection include, but are not limited to, qualified firms that have no current or previous prime contracts with ODOT, specific work experience deemed relevant to ODOT requirements and geographic proximity to the project site and/or familiarity with the project site. Firms chosen for further evaluation then are to respond to mini-solicitations, which may include interviews. ODOT reserves to right to use other selection methods, including emergency procurement and direct appointments. After issuing a Notice of Intent to Award ODOT negotiates the statement of work, costs and payment terms with the top ranked firm.

The selection process for construction begins with the identification of a small contracting construction need and the plans and specifications and estimate for that project. If there are three or fewer firms registered in the discipline necessary for the project, all the firms are considered in the selection process. If there are more than three firms registered in the discipline, then at least three firms are invited to bid. The criteria ODOT may choose for selection include, but are not limited to, qualified firms that have no current or previous prime contracts with ODOT, geographic proximity to the project site and firm certification status. The award is then made to the lowest responsive and responsible bid.

---

[10] City of Denver, **Office of Economic Development, Division of Small Business Opportunities, *2010 Annual Report*, at 3. http://www.denvergov.org/Portals/690/documents/DSBO/DSBO%20Annual%20Report-FINAL-2010.pdf.**

[11] NCGS § 136-28.10(a).

[12] NCGS § 136-28.10(b).

[13] Equant, *Measuring Business Opportunity—A Disparity Study of NCDOT's State and Federal Programs*, 2009, at 138.

[14] Procurement authority for the SCPS program derives from ORS § 279A-050(3)(A),(B).

SBE Bid Preferences

A number of agencies have used bid preferences for SBEs [Dade County, Florida; Port Authority of New York and New Jersey SBE Program; Sacramento Municipal Utility District (SMUD); City of Sacramento; City of Oakland; East Bay Municipal Utility District]. SBE bid preferences operate along similar lines as M/WBE bid preferences.

Miami-Dade County Public Schools. The Miami Schools SBE policy allows for evaluation preferences for "best value" contracts in which factors other than price can be considered in selection. In particular, the Miami Schools policy allows for bid preferences of up to 20 percent of total points for an SBE or joint venture with an SBE. SBE prime contractors cannot subcontract more than 49 percent of a contract.

Race-Neutral Joint Ventures

City of Atlanta, Georgia. The City of Atlanta requires establishment of joint ventures on large projects of over $10 million.[15] Primes are required to create a joint venture with a firm from a different ethnic/gender group in order to ensure prime contracting opportunities for all businesses. This rule applies to women- and minority-owned firms as well as nonminority firms. This rule has resulted in tens of millions of dollars in contract awards to women- and minority-owned firms.

Washington Suburban Sanitation Commission (WSSC). The WSSC Competitive Business Demonstration Project requires joint ventures between a local SBE and an established firm in procurement areas that do not generate enough SBE bids.

Construction Management, Request for Proposals, and Design-Build

One method of unbundling in construction is through the use of multi-prime construction contracts in which a construction project is divided into several prime contracts that are then managed by a construction manager at risk. For example, this approach has been used on projects where each prime contractor is responsible for installation and repair in particular areas. The construction manager is responsible for obtaining materials at volume discounts based upon total agency purchases. If one contractor defaults, a change order is issued to another prime contractor working in an adjacent area. The construction manager at risk is responsible for cost overruns that result from prime contractor default.

Construction management also facilitates the rotation of contracts within an area of work. For example, if several subcontractors have the capacity of bidding on an extended work activity (e.g., concrete flat work, traffic control, hauling), the construction manager can rotate contracting opportunities over the duration of the activity.

Using a request for proposal process can provide the flexibility for including M/WBE participation in prime contractor requirements and selection. One of the nonfinancial criteria can be the proposer's approach and past history with M/WBE subcontractor utilization as well as women and minority workforce participation.

[15] City of Atlanta Ordinance Sec. 2-1450 and Sec. 2-1451.

A number of agencies around the country, the Charlotte-Mecklenburg School System, the Tri-County Metropolitan Transportation District of Oregon, and the City of Columbia, have had some success with this approach.[16]

The Colorado DOT has required DBE and Emerging Small Business (ESB) performance plans for bidders on design-build projects. Colorado DOT achieved $187 million in DBE utilization on the $1.2 billion T-REX project using this approach.[17]

State Contracts

The use of state contracts can impede M/W/SBE utilization, even when M/W/SBEs are the low bidder. Purchase off of state contracts is particularly an issue with car purchases, a procurement where there can be a significant number of M/W/SBE vendors. Fulton County, Georgia, addressed this problem by removing car purchases from the category of purchases from state contracts.

Purchasing Cards

A number of agencies promote the utilization of M/W/SBEs on purchasing cards. The City of Hampton Schools, Virginia, for example, requires the purchasing card vendor to report on M/WBE utilization by agency staff. A number of universities, including the University of Wisconsin at Madison target M/WBE vendors for purchasing card transactions for travel.

Other SBE Prime Contractors Assistance

North Carolina Department of Transportation (NCDOT) Fully Operated Rental Agreements. Under these arrangements, a firm may bid an hourly rate for using certain equipment and the necessary staff. In these field-let contracts, engineers select the firm with the appropriate equipment and the lowest bid rate. If that firm is not available, the engineers select the next lowest hourly rate. This rental agreement technique is used primarily to supplement NCDOT equipment in the event of NCDOT equipment failure or peak demand for NCDOT services. The rental agreement technique is attractive to small contractors because the typical small firm has much better knowledge of its own hourly costs than it does of the costs to complete an entire project.

Combining M/WBE and SBE Programs

Memphis Light Gas and Water. One or a combination of several M/WBE/SBEs may be utilized to meet the M/WBE/ SBEs project goal. Thus, for example, the goal may be met entirely by the utilization of SBEs. If the bidder is a certified M/WBE/SBEs, then the project goal is satisfied; that is, M/WBE/SBEs prime contractors do not have to meet M/WBE/SBEs project goals.

In setting M/WBE/ SBEs project goals the Supplier Diversity Coordinator first discusses the scope of work with the user area and then identifies available firms from certification databases, the user area and advocate organizations. MLGW does not set M/WBE/SBEs goals on every project and does not set goals were there is no evidence of M/WBE/SBEs availability, or opportunity for M/WBE/SBEs utilization.

---

[16] Federal Transit Administration, *Lessons Learned #45* (May 2002). www.fta.dot.gov/library/program/ll/man/ll45.html.

[17] D. Wilson, *Colorado Department of Transportation Statewide Transportation Disparity Study*, 2009, at 3-20.

5. M/W/SBE INCLUSION IN FINANCIAL AND PROFESSIONAL SERVICES

Port Authority of New York and New Jersey. The Port Authority has encouraged the use of M/W/SBEs in finance through its financial advisory call-in program which targets small firms to serve as a pool of advisors for the Port Authority Chief Financial Officer. The financial advisors address debt issuance, financial advisory services, real estate transactions, and green initiatives. There are three to four firms in each of these categories in the financial advisory call-in program.

The Port Authority of New York and New Jersey's Specialty Insurance Program sets aside five sets of insurance policies to small brokers, and the Port's Financial Advisors Call In program pre-qualifies small firms for task orders in financial advisory services, real estate transactions, debt issuance, and green initiatives.

6. HUBZONES

Another variant of an SBE program provides incentives for SBEs located in distressed areas. For example, under the 1997 Small Business Reauthorization Act, the federal government started the federal HUBZone program. A HUBZone firm is a small business that is: (1) owned and controlled by U.S. citizens; (2) has at least 35 percent of its employees who reside in a **HUBZone;** and (3) has its principal place of business located in a **HUBZone.**[18] HUBZone programs can serve as a vehicle for encouraging M/WBE contract utilization. Nationally, there are 5,357 female and minority HUBZone firms, representing 56.2 percent of total HUBZone firms.[19]

City of New York, New York. The City of New York has a HUBZone type program providing subcontracting preferences to small construction firms (with less than $2 million in average revenue) that either perform 25 percent of their work in economically distressed areas or for which 25 percent of their employees are economically disadvantaged individuals.[20]

7. DBE PROGRAMS

Following the federal model, some agencies have added DBE programs.[21] SBE programs focus on the disadvantage of the business, HUBZone programs focus on the disadvantage of the business location, and DBE programs focus on the disadvantage of the individual operating the business.

State of North Carolina. The State of North Carolina changed the definition of minority used in the state minority construction program to include socially and economically disadvantaged individuals, as defined in the federal rules.[22] Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their

---

[18] 13 C.F.R. 126.200 (1999).

[19] Based on the SBA pro-net database located at http://pro-net.sba.gov/pro-net/search.html.

[20] New York Administrative Code § 6-108.1. For a description of the New York local business enterprise program see http://www.nyc.gov/html/sbs/html/lbe.html.

[21] DBE programs and Airport Concession Disadvantaged Enterprise (ACDBE) programs are required to be developed and implemented as a part of the federal funding process.

[22] NC GS § 143-128.2(g).

individual qualities.[23] Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area that are not socially disadvantaged.[24] This rule permits firms certified under the federal 8(a), DBE, and small disadvantaged business enterprise (S/DBE) programs to be certified as a minority firm in North Carolina. This rule also implies that firms owned by majority males are eligible for the program as there are firms owned by majority males that qualify for the 8(a), DBE, and S/DBE programs by making an individual showing of their social and economic disadvantage.

8. TWO TIER CERTIFICATION

Miami-Dade County Public Schools. Miami Schools uses the following two-tier definition of small and micro business enterprises (Table 8-6):

TABLE 8-6
REVENUE DEFINITIONS FOR SBE AND MBE
MIAMI-DADE COUNTY PUBLIC SCHOOLS
2013

Industry	Micro Business Enterprise	Small Business Enterprise
Professional Services	Less than $500,000	Tier 1 - Less than $1,000,000 Tier 2 - Less than $2,000,000
Construction	Less than $1,000,000	Tier 1 - Less than $3,000,000 Tier 2 - Less than $6,000,000
Specialty Trade	Less than $500,000	Tier 1 - Less than $1,000,000 Tier 2 - Less than $2,000,000

Source: School Board Policy 6320.02; The School Board of Miami-Dade County, Florida Business Enterprise Program Certification Application, September 2013.

9. FINANCIAL ASSISTANCE

Loan Guarantees

Los Angeles Unified School District (LAUSD), California. LAUSD provides firms with loan guarantees of up to the lesser of 50 percent of the contract or $200,000. Loan proceeds can be used for materials, subcontracts and labor costs associated with LAUSD contracts.

Prompt Payment

M/WBE vendors still often report problems with prompt payment, particularly payments from prime contractors to subcontractors. Certain subcontractors that work on an early phase in a project, such as grading, can suffer from retainage withheld on long-lasting projects. There are several prompt payment policies that respond to this problem:

[23] 15 USC 637(a)(5).
[24] 15 USC 637(a)(6)(A).

- **Retainage.** North Carolina DOT requires that retainage be released when the tasks/activities for the subcontractors' phase of work is accepted rather than at the end of the project.25
- **Two-party check program.** To improve access to financing, the Port Authority of New York and New Jersey has a two-party check program in which the port authority writes checks out to the lender and the contractor. This program has not been frequently used according to staff

10. MANAGEMENT AND TECHNICAL ASSISTANCE

A number of agencies hire an outside management and technical assistance provider to provide needed technical services related to business development and performance. Such a contract can be structured to include providing incentives to produce results, such as the number of M/W/SBEs being registered as qualified vendors with the city, the number of M/WBEs graduating from subcontract work to prime contracting, and rewarding firms that utilize M/WBEs in their private sector business activities.

Mentor-Protégé Programs

Portland Stempel plan. In the early 1990s the Port of Portland identified the following barriers to M/WBE utilization: ineffective working relationships between DBEs and prime contractors, job notification, size of contract, financing, and bonding. The Port proposed a mentor-protégé plan that was, later adopted by the AGC, which became known as the Stempel plan. Requirements for the plan are that: participants must be current on all taxes and applicable licenses, current business must have been in continuous operation for the last 24 months, and participants must be certified by the Oregon Office of Minority, Women & Emerging Small Business.

Milwaukee Metropolitan Sewerage District. The MMSD has a two year mentor-protégé program that is overseen by an outside construction consulting firm. The MMSD program has had greater success using former entrepreneurs as mentors as opposed to middle-level managers in larger corporations. The mentors provide advice in bidding estimating and project management as well as equipment leasing.

11. M/WBE PROGRAM DATA MANAGEMENT

It is imperative to closely monitor the utilization of all businesses by race, ethnicity, and gender over time to determine program effectiveness. Many agencies issues M/WBE annual utilization reports. Some important additional elements of program data management employed by other agencies include:

- Separate Reporting Of M/WBE Prime Contractor and Subcontractor Utilization. Orange County, FL; Charlotte, NC; Port Authority and New York and New Jersey.
- Tracking M/WBE and Non-M/WBE Subcontractor Utilization. City of Charlotte, NC.
- **Tracking M/WBE Utilization in The SBE Program.** Charlotte, NC; Port Authority and New York and New Jersey, LA Unified School District, Phoenix, AZ.

[25] 49 CFR, Part 26.29(b).