



*Disparity Study Kick-Off Meeting at City Hall*

## **SMBR Celebrates Ten Years of Diversity in Contracting**

The City of Austin's Small & Minority Business Resources Department (SMBR) releases "*Business Disparities in the Austin, Texas Market Area*" a study of the business climate in the Austin-Round Rock Metropolitan Statistical Area from 2008-2013.

What's the purpose of a Disparity Study? The study is used to determine if the MBE/WBE program is legally defensible and

administratively successful as required by federal courts. The City also included Disparity Study data for Veteran-Owned Business Enterprises and Service Disabled Veteran-Owned Businesses to identify inequalities in contracting.

In June 2013 Austin City Council commissioned National Economic Research Associate, Inc. (NERA) to conduct the current study. The Disparity Study gathered data to determine whether the City has a strong basis for implementing race-and gender-conscious contracting remedies. This included statistical evidence of disparities between Minority-Owned Business Enterprises, Women-Owned Business Enterprises, Disadvantaged Business Enterprises availability and utilization on City contracts and subcontracts. Within the Austin-area economy as a whole, consultants examined information regarding the factors necessary for business success, such as access to business capital, formal and informal business networks and suppliers.

The consultants collected data and interviewed business owners to document their experiences with discrimination as well as their everyday challenges and successes doing business in the Austin market area. The City uses this study to evaluate the current MBE/WBE program and related policies in order to make recommendations for future initiatives and enhancements.

To learn more about the Disparity Study download the report on SMBR's website and attend the Outreach Meeting on Thursday, March 10th from 6:00 - 8:00 at Austin City Hall, 301 W. 2nd Street, Austin, 78701. Free parking is available, enter the garage at Guadalupe between Cesar Chavez and Second Street and bring your ticket for validation. Please email any comments about the study to [DisparityStudy@austintexas.gov](mailto:DisparityStudy@austintexas.gov) or [Blender.Hill@austintexas.gov](mailto:Blender.Hill@austintexas.gov).

### **WANT TO LEARN MORE?**

- Join SMBR's Outreach Meeting on Thursday, March 10th from 6:00 p.m. - 8:00 p.m. at Austin City Hall, 301 W. 2nd Street
- Download the study from our website at [www.austintexas.gov/smbr](http://www.austintexas.gov/smbr)

# Director's Corner

The year 2015 was exciting for SMBR. It began with a new Mayor and City Council structure after the voters decided to adopt a 10-1 district city system. The new council also created the Economic Opportunity Committee which considers policies regarding the MBE/WBE program in addition to other areas.

The new Council also selected new members to serve on our MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee and The Economic Opportunity Committee. We welcome all of the new Council and Committee members.

Last fall, Austin City Council approved an Ordinance which extended our MBE/WBE programs' sunset date to December 2016. This allowed our consultants, National Economic Research Associates, Inc. (NERA) more time to complete the Disparity Study.



The City of Austin's program mandates that certified minority and women small business owners must be socially and economically disadvantaged. This means that the owners' Personal Net Worth (PNW) may not exceed the new limit of \$1,457,000 a change from \$1,454,000 last year.

If you are a small business owned, managed, and controlled by a minority and/or a woman, attend one of our **Certification 101** workshops and find out more about the process. Upcoming **Certification 101** workshop dates July 26 and November 15 which will be held at our office at 4201 Ed Bluestein, Austin 78721

If you would like to learn more about Personal Net Worth and how to complete the statement attend **Understanding PNW Workshop** on February 23rd from 5:30 - 7:30 in our offices at 4201 Ed Bluestein Blvd or contact our Certification Division at 512.974.7645 for questions.



In February 2015, SMBR and the Aviation Department collaborated to create "Runway to Opportunities – Doing Business with Austin-Bergstrom International Airport (ABIA)." This event was designed to give small, minority, and women- owned business owners in all areas an opportunity to learn about upcoming construction and nonconstruction projects at ABIA. We hope to host the event again later this year.

Now is the time to look into Minority-Owned Business Enterprise, Women-Owned Business Enterprise, Disadvantaged and Airport Concession Disadvantaged Business Enterprise Certifications, review commodity codes and update your company's contact information on Vendor Connection so that you are prepared for future opportunities.

To learn more about certification, visit our webpage <http://www.austintexas.gov/department/certification>.



## 2015 Key Performance Measures

88% of bidders met the goals on City of Austin contracts

Consulted 44 business owners on bonding. 18 received bonding.

423 business owners visited the Plan Room

## CITY OF AUSTIN CONTRACTING LANGUAGE ENHANCEMENTS

The Small & Minority Business Resources Department (SMBR), the Capital Contracting Office (formerly Contract Management Department) and The Minority Trade Alliance collaborated to develop the following enhancements to assist with timely payments to subcontractors on qualified City of Austin construction projects. We are currently using the Quick Pay Program on the Apron Terminal Expansion Project at the Austin Bergstrom International Airport. Please contact your Project Manager to find out if a project is eligible.

### RELEASE OF RETAINAGE

SECTION 700, GENERAL CONDITIONS, 14.1.5

A subcontractor may submit a written request to the Contractor and Project Manager requesting release of retainage for work by the Subcontractor that has been completed and approved. The Project Manager will evaluate the request and if approved, the Project Manager will request the Contractor to include the request for release of an appropriate amount of retainage in the next Pay Application.

### PARTIAL PAYMENT

SECTION 700, GENERAL CONDITIONS 14.4.3

In instances when payment is withheld to the prime contractor due to issues unrelated to a Subcontractors work, the Contractor must notify subcontractor within two working days. Upon notification a Subcontractor may submit a formal written request for Partial Payment to the Contractor and Owner. If directed by Owner, Contractor shall within three working days resubmit the Owner an invoice for the same period that includes only the work performed by the requesting Subcontractor. Contractor shall pay Subcontractor within ten calendar days



### MOBILIZATION PROMPT PAY PROGRAM

SECTION 810, SUPPLEMENTARY CONDITIONS

The goal of the Mobilization Prompt Pay Program (MPP) is to provide prime contractors and subcontractors quicker access to payments by allowing prime contractors the ability to submit pay applications twice a month during critical mobilization phases on the contract (as submitted by the prime contractor and approved by the City), allowing subcontractors to invoice twice per month. MPP will be offered on all City of Austin construction contracts at or above \$2 million.

### QUICK PAY PROGRAM

The Quick Pay Program (QP) allows for subcontractors to be paid within 10 days of work being accepted and approved by the City. The subcontractor invoices the prime contractor when their work is complete and the prime contractor pays the subcontractor when it is approved by the City. The QP program will be available to all businesses that are certified by SMBR as Minority-Owned Business Enterprises (MBEs), Women-Owned Business Enterprises (WBEs), Disadvantage Business Enterprises (DBEs), or Small Business Enterprises (SBEs) on all (eligible) Alternative Delivery Method construction contracts (Design Build and Construction Manager At-Risk).

For more information - Visit the Bidding Requirements, Contract Forms and Conditions of the Contract in Section 00700 General Conditions of the Contract which is found on the Capital Contracting Office's website at the following address:

<http://www.austintexas.gov/page/bid-docs>



## SMBR Participates in ACCA

Small & Minority Business Resources Department employees participated in American Contract Compliance Association's (ACCA) 2015 Conference.

ACCA is a national organization which provides training, standardization of practice, networking, and support for affirmative action, contract compliance, equal employment, and human rights workers across the country.



**SMBR staff at ACCA conference**

### Conference Highlights:

- Debra Dibble, SMBR Assistant Director serves on Board of Directors representing the Central Region
- Dr. Tamela Saldana, SMBR's Contract Compliance Manager taught attendees the importance of *Creating Public-Private Partnerships with Successful M/WBE Participation*.
- SMBR employees, Audra Tiemann-Iturbe, Laura Moreno, and Mariza Aldrete graduated with their Certified Compliance Administrator (CCA)

Certification. Thomas Owens graduated with his Master Compliance Administrator Certification (MCA). This year's conference will be held at the Radisson Blu Aqua Hotel in Chicago from August 30th - September 4th. Visit <http://accaweb.org> to register.

### Dr. Tamela Saldana presents at ACCA conference



## Monthly Workshop Schedule

Jan 26 - Certification 101

Feb 23 - Understanding Personal Net Worth (PNW)

Mar 22 - Marketing Intelligence with Vendor Connection

Apr 26 - IT Opportunities Speed Networking

May 24 - Monthly Session

Jun 28 - Meet the Prime Construction & Professional Services

Jul 26 - Certification 101

Aug 23 - Bonding & Rolling Owner Controlled Insurance Program (ROCIP)

Sep 27 - MBE/WBE Contract Compliance

Oct 25 - Diversity in Contracting Contractor & Consultant Appreciation Reception

Nov. 15 - Certification 101

**Workshops will be from 5:30 p.m. - 7:30 p.m. and are subject to change. Check website for most current information.**

**ARE YOU A CONSTRUCTION BUSINESS OWNER? DO YOU NEED BONDING? OR PLAN ROOM ACCESS?** SMBR has a Bonding Financial Consultant to help certified vendors with bid, payment, and performance bonds. Qualified certified vendors may be pre-approved for up to \$350,000. Contact Luke Ortega Luper at 512.974.7733 or Luke.Luper@austintexas.gov to set up a meeting. SMBR's Plan Room provides on-line access to public and private sector jobs. Call 512.974.7745 to schedule an appointment or to learn more.

# ❧ Celebrating Diversity ❧

January 2016 City of Austin Small & Minority Business Resources (SMBR)



SMBR Staff

The City of Austin's Small & Minority Business Resources ended Fiscal Year 2015 by hosting our 10th Annual Contractors and Consultants Appreciation reception "Celebrating Diversity" on October 28th.

"The annual event was created and implemented as a result of The City's African American Quality of Life initiative to recognize business owners who perform above and beyond in terms of our Minority- and Women-Owned Business Enterprise Procurement Ordinance program" said Veronica Briseño Lara, SMBR Director.

SMBR selected **Hensel Phelps** as the Prime Contractor of the Year. Hensel Phelps has received 14 prime contract awards to include the new Austin Central Library, the Austin-Bergstrom International Airport (ABIA) Terminal Expansion, and Apron Improvements to name a few.

**McKinney York Architects** was awarded our Prime Consultant of the Year.

Some of their projects include: the African American Cultural Heritage Facility, the Women & Children's Shelter Expansion and the Public Safety Training Facility. They have received 33 prime consultant awards and 6 subcontract awards.

SMBR also awarded four small business awards to successful minority and women certified firms.

• **Marie's Trucking**  
-Anna Kellogg has been certified since 2007 and has received 165 contracts. Her more recent projects include Walnut Creek Waste Water Treatment Plant, North Acres Water/WasteWater Improvement, and Third Street Reconstruction.

• **Avery's Lawn Care & Landscaping** was established in 1994.

Avery Williamson's projects include Barton Springs Pool, Formula One,

and the recently opened ABIA Consolidated Rental Car Facility (CONRAC). He has forty prime contracting awards.

• **Lewis Concrete Restoration** is a utility, wastewater rehab company. For over twenty years the company has worked in municipal and government markets in seven different states. Sherry Lewis has received 1 prime and 26 subcontractor awards. Projects include Austin Convention Center, Twin Oaks Library and ABIA Terminal Improvements.

• **DEA Specialties Co Inc.** is a building specialties firm. Diane Alberthal's projects include: ABIA Building Improvements, Dittmar Gym, and Emma S. Barrientos Mexican American Cultural Center.

This year, SMBR decided to grow the event by adding two new categories to recognize outstanding City of Austin staff.

• **Carlos Lopez** an Inspector with the Public Works Department was recognized for our Minority/Women-Owned Business Enterprise (MBE/WBE) Advocate for his monitoring efforts.

• **The eCapris Team** from the Budget Office was selected as our Department Award winners for their program and technological enhancements to our contracting monitor tools.

SMBR also recognized our Service Providers: **Asian Contractors Association, Austin Area Black Contractors Association, and US Hispanic Contractors Association de Austin.**



## *Celebrating 10 Years of Diversity*

*Every year the City of Austin's Small & Minority Business Resources Department (SMBR) celebrates the contributions made by contractors, consultants, and small business owners. This is the Tenth year that the department has recognized companies that exceed expectations by meeting the Minority- and Women-Owned Business Enterprise goals, facilitating commendable outreach efforts and assisting small business growth. SMBR congratulates this year's winners. SMBR's Director Veronica Briseño Lara and Assistant Director Debra Dibble present awards to the winners below.*

*To view all of the pictures, visit our website or [click here](#).*

### **CONTRACTOR OF THE YEAR - HENSEL PHELPS**



Dwight Runkels, Kelli Mitchell, Joe Sanders, Veronica Briseño Lara, Brad Winans, Clayton Chambers, Ash Bajaj, Isaac Johnson and Debra Dibble

### **CONSULTANT OF THE YEAR - MCKINNEY YORK ARCHITECTS**



Veronica Briseño Lara, Heather McKinney and Debra Dibble



**SMALL BUSINESS OF THE YEAR:**  
Avery's Lawn Care - Avery Williamson



**SMALL BUSINESS OF THE YEAR:**  
Marie's Trucking - Anna Kellough



**SMALL BUSINESS OF THE YEAR:**  
Lewis Concrete Construction  
Sherry Lewis



**SMALL BUSINESS OF THE YEAR:**  
DEA Specialties Co Inc.  
Greg Uhlig for Diane Alberthal





DEPARTMENT AWARD WINNERS:  
City of Austin - eCapris team  
Bruce Neitsch & Diane Maxwell



MBE/WBE ADVOCATE:  
Carlos Lopez



ASIAN CONTRACTOR ASSOCIATION

LiLi



AUSTIN AREA BLACK CONTRACTORS ASSOCIATION

Veronica Briseño Lara, Carol Hadnot, Melvin White,  
Avery Williamson, Reginald Worlds, and Debra Dibble



US HISPANIC CONTRACTORS ASSOCIATION DE AUSTIN

Juan Oyervides