

Memorandum

Civil Rights and Business Resource Center
4201 E. Arkansas Ave., Room 150
Denver, Colorado 80222



TO: Transportation Commission DBE Committee

FROM: Heidi Bimmerle, Director of Human Resources and Administration

RE: DBE Committee May 2013

DATE: May 3, 2013

Center Highlights/Program Update:

The Civil Rights and Business Resource Center (CRBRC) has hired a new manager to oversee the Americans with Disabilities Act Title II Program, On the Job Training and Contract Compliance. Michael Nusen joined the office on April 29, 2013.

The CRBRC is about to launch its new Connect2DOT website. The website will launch in early May and will serve as a portal for the many resources offered by CDOT and the SBDCs for Colorado transportation-oriented small businesses.

DBE Participation Reports:

As the Committee is aware, the CRBRC has been working on developing a report to track DBE participation on consultant contracts. The report for December 2012 – March 2013 shows 220 contracts to DBEs, equating to 26.48% DBE participation on highway consulting contracts.

Additionally, attached please find the December 2012- March 2013 DBE Participation Report for Highway Construction. The report shows 195 contracts to DBEs, equating to 12.2% participation on highway construction contracts.

DBE Transit Goal

CDOT's tri-annual overall DBE goal for its Division of Transit and Rail (DTR) is due August 1, 2013. The CRBRC and DTR have worked together to compile contract data for the goal setting process. The data will now be compared to ready, willing and able DBEs to complete the work and weighted to determine an overall goal. The goal will be presented to the full commission for approval at the Transportation Commission meeting in July.

ESB Restricted Projects

In the past three months, CDOT Region 5 advertised two restricted projects.

**Transportation Commission of Colorado
Disadvantaged Business Enterprises (DBE) Committee
Agenda**

**Thursday, May 16, 2013
4201 East Arkansas Avenue; Auditorium
Denver, Colorado**

**HEATHER BARRY, Chairwoman
District 4**

**GILBERT ORTIZ, SR.
District 10**

**KATHY CONNELL
District 6**

**LES GRUEN
District 9**

**ED PETERSON
District 2**

**HERMAN STOCKINGER
Policy and Government
Relations Director/Secretary**

The Chairwoman may change the item sequence or timing

- 1. Call to order**
- 2. Approval of Minutes from November 2012 and February 2013**
- 3. Connect2DOT Program Update – Greg Diehl**
- 4. DBE Participation Report – Greg Diehl**
- 5. DBE Transit Goal – Greg Diehl/Katherine Williams**
- 6. Public Input/Comments**
- 7. Adjournment**

DBE Committee Meeting Minutes, November 15, 2012

The meeting was called to order at 10:15am.

The following individuals attended the meeting:

Commissioner Barry, District 4	Paul Jesitas, Representing R6
Commissioner Rogers, District 1	Heidi Bimmerle, DOHRA Division Director
Commissioner Peterson, District 2	Tim Harris, Chief Engineer
Commissioner Gilliland, District 5	Scott McDaniel, Staff Branches
Commissioner Connell, District 6	Cathy Kramer, Connect2DOT
Commissioner Gruen, District 9	Jim Moody, CCA
Commissioner Hofmeister, District 11	Steve Rudy, DRCOG
Commission Secretary Herman Stockinger	Harry Marrow, Attorney General
Tony Davito, RTD R1	Katherine Williams, CDOT EO
Dave Eller, RTD R3	Roxane Olvera, CDOT EO
Kerrie Neet, RTD R5	Dee Barajas, CDOT EO

The committee approved the minutes from the July DBE Committee Meeting.

CDOT staff provided an update on the following:

US 6 Outreach Event: CDOT Center for Equal Opportunity and Denver SBDC partnered to a host a small business reverse trade fair for the approximately \$100 million design-build project.

Restricted Projects: CDOT has let five restricted projects for Emerging Small Businesses and awarded three. Region 3 is expecting to advertise a restricted project in the near future.

Aeronautics Goal: The Division of Aeronautics has exceeded the threshold of 49 CFR Part 26 and must now develop an overall DBE participation goal for Aeronautics contracts. The Center for Equal Opportunity is preparing the goal to present to the Aeronautics board in December.

Consultant Report: As promised, the Center for Equal Opportunity expects to have a report documenting DBE commitments on consultant contracts by December 1.

DBE Goal Exceeded: CDOT exceeded its DBE goal of 13.29% with 14.2% commitments to DBEs in FFY 2013.

DBE Program Changes: The Center for Equal Opportunity is in the process of developing an online application for the DBE Program. The Center has also developed and is in the approval process for a new DBE Standard Special Provision for CDOT construction contracts. The new Standard Special Provision includes revisions to become compliant with changes to 49 CFR Part 26 and to improve reporting and enforcement of DBE participation on contracts.

ESB Program Changes: The Center for Equal Opportunity has posted changes to the ESB Program Guidelines. The changes include modifications to the existing work code structure and

certification process. Per the ESB Program Rules, these changes will be presented for final approval by the DBE Committee in February.

Connect2DOT Program Update: CDOT and the SBDCs began their partnership to provide supportive services to CDOT-related small businesses in July. A new program manager, Cathy Kramer from Caddis LLC, was hired October 1, 2012. Cathy will be responsible for establishing the training curriculum, website, and overall rollout of the Connect2DOT program. As part of Connect2DOT, seven consultants, three of which are bilingual, have been hired to provide assistance to small businesses.

Heidi Bimmerle announced the promotion of Greg Diehl to Manager of the Center for Equal Opportunity.

The meeting was closed at 10:33am.

DBE Committee Meeting Minutes, February 21, 2013

The meeting was called to order at 9:20am.

The following individuals attended the meeting:

Commissioner Barry, District 4	Tim Harris, Chief Engineer
Commissioner Gilliland, District 5	Greg Diehl, CRBRC
Commissioner Connell, District 6	Katherine Williams, CRBRC
Commissioner Gruen, District 9	Roxane Olvera, CRBRC
Commissioner Hofmeister, District 11	Dee Barajas, CRBRC
Commission Secretary Herman Stockinger	Bob Jackson
Heidi Bimmerle, DOHRA Division Director	

CDOT staff provided an update on the following:

ESB Program Guideline Approval: Greg Diehl provided a summary of the changes to the ESB program, which included (1) certifying firms according to primary NAICS code and (2) modifying deadlines to be consistent with the DBE program schedule. There was a question about how much time there is to appeal a decision; the answer was sixty days. There was a question about being decertified on a fiscal year basis; this is not in the guidelines. A firm will be certified for one year unless CDOT syncs the firm's ESB certification with its DBE certification.

Approval for the guidelines was moved by Commissioner Connell and seconded by Commissioner Gruen. Commissioner Gruen commended the staff for making modifications to the program. All voted in favor; motion carried.

DBE Reports: CDOT reported 12.5% DBE commitments on construction contracts and 23.96% on consultant contracts. Both exceed CDOT's overall goal of 10.25%. Staff also presented a breakdown of the construction participation by work area.

Motion to adjourn by Commissioner Connell. Seconded by Commissioner Gruen.

The meeting was closed at 9:47am.

DBE MONTHLY REPORT FOR CONSTRUCTION CONTRACTS

Federal Fiscal Year 2013 to Date (10/1/2012 - 3/31/2013)

Federal Dollars Only

	A	B	C	D	E	F	G	H	I
AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (total contracts and subcontracts awarded or committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs* (number)	Total to DBEs /Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
1. Prime contracts awarded this period	\$198,658,230	48	\$2,068,103	2	\$0	0	\$2,068,103	2	1.0%
2. Subcontracts awarded/committed this period	\$54,875,150	460	\$22,072,818	193	\$17,771,463	158	\$4,301,355	35	40.2%
3. TOTAL			\$24,140,921	195	\$17,771,463	158	\$6,369,458	37	12.2%

	A	B	C	D	E	F	G
DBE AWARDS/COMMITMENTS THIS REPORTING PERIOD-BREAKDOWN BY ETHNICITY & GENDER	Black American	Hispanic American	Native American	Asian American	Non-Minority Women	Other (i.e. not of any other group listed here)	TOTALS (for this reporting period only)
4. Total Number of Contracts (Prime and Sub)	14	77	4	3	97	0	195
5. Total Dollar Value	\$234,172	\$12,602,511	\$944,189	\$263,236	\$10,096,813	\$0	\$24,140,921

	A	B	C	D	E
ACTUAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Prime Contracts Completed	Total Dollar Value of Prime Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percentage of Total DBE Participation
6. Race Conscious	47	\$104,213,163	\$7,638,187	\$9,564,471	9.2%
7. Race Neutral	10	\$4,504,669		\$1,495,618	33.2%
8. Totals	57	\$108,717,832		\$11,060,088	10.2%

* The 195 prime and subcontracts shown in this column went to 79 individual DBE firms.

UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS - CONSULTANT ("Pilot")

5. Reporting Period:	FFY 2013 to Date (10/1/2012 - 3/31/2013)							
	A	B	C	D	E	F	G	H
COMMITMENTS/AWARDS MADE DURING THIS REPORTING PERIOD (total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars) [E+G]	Total to DBEs (number) [F+H]	Total to DBEs /Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)
8. Prime contracts awarded this period	\$73,620,000	40	\$10,832,000	6	\$0	0	\$10,832,000	6
9. Subcontracts awarded/committed this period		383	\$8,662,950	214	\$8,662,950	214	\$0	0
9.5 Totals			\$19,494,950	220	\$8,662,950	214	\$10,832,000	6
	A	B	C	D	E	F	G	H
DBE COMMITMENTS/AWARDS THIS REPORTING PERIOD-BREAKDOWN BY ETHNICITY & GENDER	Black American	Hispanic American	Native American	Asian American	Asian-Pacific American	Non-Minority Women	Other (i.e. not of any other group listed here)	TOTALS [A+B+C+D+E+F+G]
10. Total Number of Contracts (Prime and Sub)	0	46	0	50	1	107	16	220
11. Total Dollar Value	\$0	\$3,579,250	\$0	\$5,069,470	\$15,000	\$6,319,230	\$4,512,000	\$19,494,950

I
Percentage of total dollars to DBEs [C/A]
14.71%
26.48%