



Multi-Jurisdictional Disparity Study Consultant Services

CITY OF TAMPA DISPARITY STUDY

Submitted to:
Hillsborough County
Aviation Authority Office
and City of Tampa, Florida

Submitted by:
Mason Tillman Associates, Ltd.



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MASON TILLMAN
ASSOCIATES, LTD

ACKNOWLEDGMENT

In December 2004, Hillsborough County Aviation Authority (Authority) and the City of Tampa (City) commissioned a Multi-Jurisdictional Disparity Study (Study) to determine the participation of minority and woman-owned business enterprises (M/WBEs) in the Authority and City contracts. Mason Tillman Associates, Ltd., of Oakland, California was selected by the Disparity Study Commission to perform the Disparity Study.

The purpose of this Study was to determine if a significant disparity existed between the availability of ready, willing, and able minority and woman-owned business enterprises (M/WBEs) and the utilization of such businesses in the Authority and City's procurement process. The prime utilization analysis included five industries: construction, construction-related services, professional services, non-professional services, and goods. Contracts awarded between October 1, 2001 and September 30, 2004 were studied. The Authority and the City's contracts were analyzed separately.

The Study could not have been conducted without the cooperation of the local chambers of commerce and business organizations, and the many Hillsborough County business owners who demonstrated their commitment to the Study by participating in interviews. In addition, the City and the Authority staff played a critical role in assisting with the data collection by making available Authority and City personnel, contract records, and documents needed to perform the Study. This Study could not have been completed without their extraordinary effort.

Diane Pryor-Vercelli, Senior Director of Properties and Contracts Administration, Hillsborough County Aviation Authority and Gregory Spearman, Director of Purchasing, City of Tampa provided overall guidance and direction for the Study. Their leadership and guidance helped keep the Study process focused and on target. These Directors facilitated Mason Tillman's access to Authority and City staff and contract documents.



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CONTRACTING AND PROCUREMENT ANALYSIS

I. INTRODUCTION

The City of Tampa's (City) procurement process is governed by Articles V and VIII of the Tampa Home Rule Charter and Chapter 2, Division 3 of the Tampa Code of Ordinances. The City's 1992 Purchasing Procedures Manual (Policy Manual), as amended, sets forth policies and procedures for the procurement of goods, professional and non-professional services, technical and highly specialized services, and construction. The procurement of construction-related services is governed by Florida State Statute §287.055, the Consultant's Competitive Negotiation Act ("CCNA"). The procurement of design-build services is governed by CCNA and Executive Order 96-18.

II. OVERVIEW OF THE RULES GOVERNING PROCUREMENT

Procurements are categorized into goods, professional and non-professional services, construction, construction-related services, design-build services, technical services, and highly specialized services. Goods are defined as all supplies, printing, materials, equipment, machinery, appliances, and other commodities. Construction is defined as the construction, reconstruction, alteration, repair, and/or maintenance of public improvements. Professional services are defined as services relating to a specific profession, such as an attorney, accountant, medical doctor, veterinarian, or consultant. Construction-related services are defined as those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping. Design-build services are defined as design and construction services provided by a single firm under one contract. Technical services include technical instruction, chemical testing, financial analysis, title search, and appraisals. Highly specialized services include video producers, performers, and auctioneers.



The procurement process is subject to different solicitation requirements, depending on the type, circumstance, and value of the purchase. An informal procurement process applies to the purchase of goods and various services with a small dollar value. No advertising or competitive sealed bidding is required.

Larger purchases require the use of a formal procurement process that includes advertising and either competitive sealed bidding or request for proposals. The City can also utilize a negotiated contract procurement process in which the firm considered to be most qualified is selected. A formal procurement may not be split into smaller transactions to avoid bidding or other requirements.

Procurement which would otherwise be subject to the formal bid process can be exempt from the bidding requirements under exigent circumstances, including emergency situations and when there is only a single source available. Pursuant to Chapter 2004-466 of the Laws of Florida, procurement may be also made through another federal, state, or local governmental agency without competitive bidding.

Table 1.01 summarizes the City's procurement process, which is also detailed in Section III of this chapter. Section IV describes three additional programs that impact the procurement process, the Women/Minority Business Enterprise (W/MBE) Program, the Small Business Enterprise (SBE) Program, and the Equal Employment Opportunity/Affirmative Action (EEO/AA) Program.



Table 1.01 City of Tampa Procurement Process

Procurement Category	Dollar Threshold	Advertising Requirement	Solicitation Process	Procurement Approval
Goods, Professional and Non-Professional Services, Technical and Highly Specialized Services, Construction, and Construction-Related Services	Purchases valued at less than \$1,000	None	Solicitation of one or more telephone quotes, including at least one from a W/MBE vendor	User department
	Purchases valued between \$1,000 and 1,999.99	None	Solicitation of two or more telephone quotes, including at least one from a W/MBE vendor	User department
	Purchases valued between \$2,000 and \$4,999.99	None	Solicitation of three or more telephone quotes, including at least one from a W/MBE vendor	Purchasing Department
	Purchases valued between \$5,000 and \$24,999.99	None	Solicitation of three or more telephone quotes, including at least one from a W/MBE vendor	Purchasing Department and Budget Office
Goods and Non-Professional Services	Purchases valued between \$25,000 and \$99,999.99	Advertisement placed by Purchasing Department in a newspaper of general circulation	Competitive sealed bidding process	Purchasing Department and Budget Office SBE Committee has discretion to assign SBE set-asides
	Purchases valued between \$100,000 and \$199,999.99	Advertisement placed by Purchasing Dept.	Competitive sealed bidding process	City Council SBE Committee has discretion to assign SBE set-asides

Table 1.01 City of Tampa Procurement Process

Procurement Category	Dollar Threshold	Advertising Requirement	Solicitation Process	Procurement Approval
	Purchases valued at \$200,000 or greater	Advertisement placed by Purchasing Dept.	Competitive sealed bidding process	City Council
Construction	Contracts valued between \$25,000 and \$99,999.99	Advertisement placed by Purchasing Department in a newspaper of general circulation	Competitive sealed bidding process	Purchasing Department and Budget Office SBE Committee has discretion to assign SBE set-asides
	Contracts valued between \$100,000 and \$199,999.99	Contract Administration Department advertises the project	Competitive sealed bidding process	City Council SBE Committee has discretion to assign SBE set-asides
	Contracts valued at \$200,000 or greater	Contract Administration Department advertises the project	Competitive sealed bidding process	City Council
Construction-Related Services (CCNA)	Purchases valued between \$25,000 and \$99,999.99	Public notice published by the user department	Most qualified firm with an open Work Order contract is selected	City Council
	Purchases valued at \$100,000 or greater	Public notice published by the user department	Contract negotiated with the firm the user department determines to be the most qualified	City Council

Table 1.01 City of Tampa Procurement Process

Procurement Category	Dollar Threshold	Advertising Requirement	Solicitation Process	Procurement Approval
Design-Build Services (CCNA)	Purchases valued at \$25,000 or greater	Public notice published by the user department	Certification and Selection Committee determines firms' ability to perform required services and recommends possible firms to the Mayor Mayor determines whether competitive bidding or competitive negotiation process is followed	City Council
Professional, Technical, and Highly Specialized Services	Purchases valued between \$25,000 and \$99,999.99	Advertisement placed by Purchasing Department in a newspaper of general circulation	Request for Proposals process	Purchasing Department and Budget Office
	Purchases valued at \$100,000 or greater	Advertisement placed by Purchasing Department in a newspaper of general circulation	Request for Proposals process	City Council
Emergency Procurements	Purchases valued at \$2,000 or greater	None	Exempt from bidding or other procurement requirements when delay of the purchase would be detrimental to the City	Director of user department and Budget Office
	Purchases valued at \$100,000 or greater	None		City Council (approval after-the-fact)

Table 1.01 City of Tampa Procurement Process

Procurement Category	Dollar Threshold	Advertising Requirement	Solicitation Process	Procurement Approval
Single Source Procurements	Purchases valued under \$100,000	None	Exempt from bidding if contractual services are available only from a single source	Director or Deputy Director of user department and Budget Office
	Purchases valued at \$100,000 or greater	None		Director or Deputy Director of user department and City Council
Price Agreement Negotiated by Other Governmental Agencies	No limit to the value of the purchase	None	Exempt from bidding if procurements made in accordance with contracts negotiated by federal, state, or local government agencies	Director of Purchasing

III. PROCUREMENT STANDARDS

A. Informal Procurements Valued under \$1,000

The user department solicits one or more telephone quotes from any vendor. If certified Women/Minority Business Enterprise (W/MBE) vendors are available, the department must solicit at least one quote from a W/MBE business. Procurement may be made with an authorized purchasing card.¹

Certain purchases require specific approval by an authorizing departmental designee. For example, cellular telephones must be approved by accounts payable; file cabinets must be approved by the Records Manager; and furniture must be approved by Facilities Management. Procurement may be made with an authorized purchasing card.

B. Informal Procurements Valued under \$2,000

The requirements for informal procurements valued under \$1,000 apply to all purchases valued under \$2,000, except the user department must solicit two or more telephone quotes from any vendor.

C. Informal Procurements Valued under \$25,000

Either the user department or the Purchasing Department solicits three or more quotes from any vendor. If certified W/MBE vendors are available, the department must solicit at least one quote from a W/MBE firm. The procurement requires the use of a purchase order.

The Purchasing Department approves the procurement. The Budget Office must also approve the procurement if it is valued between \$5,000 and \$24,999.99.

D. Formal Procurements Valued at \$25,000 or More

1. Goods and Non-Professional Services

Goods and non-professional services valued at \$25,000 or more are purchased using a competitive sealed bidding process. First, the Purchasing Department advertises the procurement at least five work days or seven calendar days prior to bid opening in a newspaper of general circulation within the City. Next, bid documents are mailed to

¹ The City of Tampa Visa Purchasing Card is a Florida State contract and is governed as such.



potential bidders, and a pre-bid conference for all interested bidders is conducted by the Purchasing Department and the user department. Bids are opened at a bid opening meeting. The user department then reviews and evaluates the bids and prepares a recommendation letter indicating the lowest responsive, responsible bidder. Finally, a Budget Office Transmittal Form is prepared and approved by the Purchasing Department and the Budget Office, and the contract is awarded. Procurement of goods and non-professional services valued at \$100,000 or more must be approved by the City Council before the contract is awarded.

2. Construction

Procurement of construction services valued between \$25,000 and \$99,999.99 is made through a competitive sealed bidding process. First, the Purchasing Department advertises the solicitation in a newspaper of general circulation within the City at least five work days or seven calendar days prior to bid opening. Bid documents are also mailed to potential bidders, if needed, and a pre-bid conference for all interested bidders is conducted by the Purchasing Department and the user department. Bids are opened at a bid opening meeting. The user department then reviews and evaluates the bid responses and prepares a recommendation letter indicating the lowest responsive, responsible bidder. Finally, a Budget Office Transmittal Form is prepared and approved by the Purchasing Department and the Budget Office, and the contract is awarded.

Procurement of construction services valued at \$100,000 or more requires a different competitive bidding process managed by the Contract Administration Department. The Contract Administration Department advertises the project. Contracts valued under \$200,000 are awarded to the Small Business Enterprise (SBE) with the lowest responsive bid if the project has been designated for SBE set-asides by the SBE committee. All other contracts valued at \$100,000 or more are awarded to the lowest responsive bidder. The City Council approves the award upon recommendation of the Mayor, and the Contract Administration Department awards the contract.

3. Construction-Related Services

For the procurement of construction-related services valued at \$25,000 or more, the user department publicly announces each occasion when construction-related services must be purchased for a project. The public notice published by the Contract Administration Department must include a description of the project and indicate the means by which consultants may apply for consideration. For contracts valued under \$100,000, the most qualified firm with an open Work Order contract is selected. A few hundred such firms are classified as such under 50 disciplines.

For contracts valued at \$100,000 or more, the user department evaluates statements of qualifications and performance data for firms on file with the user department, together with



those submitted by other firms. The user department may require public presentations by no fewer than three firms considered as the best qualified.

The user department then negotiates a contract with the most qualified firm. If the user department is unable to negotiate a satisfactory contract with its first choice, it proceeds to negotiate with its second choice. If the user department is unable to negotiate a satisfactory contract with any of its three choices, it must negotiate with additional firms that are deemed competent and qualified. Once a firm has been selected, the City Council approves the award, and the Contract Administration Department awards the contract.

4. Design-Build Services

Procurement of design-build services begins with the selection of a Design Criteria Professional (DCP), who must be a registered engineer or architect who is a member of the City staff, or a construction-related services consultant selected and contracted with in accordance with the policies and procedures of the CCNA. The DCP prepares a design criteria package that specifies performance criteria for the project. The purpose of the package is to furnish sufficient information upon which firms may prepare bid proposals or upon which negotiations may be based.

The user department publishes an advertisement in a newspaper of general circulation within the City and Hillsborough County, which provides a general description of the project, and requests qualifications or proposals for the design-build services. The advertisement is published for no less than 10 days and no more than 30 days before the proposal submittal deadline.

A Certification and Selection Committee (Committee) reviews all qualifications or proposals. The Committee comprises the Environmental Services and Public Works Project Coordinator, the Chief Administrative Officer, the Director of Finance, the City Attorney, the Director of the user department, and at least one other person from the user department. The Committee determines the relative ability of each firm to perform the services required for the project. Determination of ability is based on criteria including but not limited to staff size, training and experience, firm location, volume of past contracts with the City, and specific history of other design-build projects accomplished by the firm. The Committee may interview no less than three firms to determine their ability to provide all required services and their commitment to meet time and budget constraints.

The Committee selects and recommends to the Mayor between three and six firms determined to be most qualified. The Mayor can direct that competitive bidding or competitive negotiation procedures be followed, based on the best interests of the City.

If a competitive bidding process is followed, bids that include the proposed price and a conceptual design are submitted by the recommended firms to the Committee. The Committee establishes a relative weighing factor for each proposed project component



based on the performance criteria provided in the design criteria package. The Committee then totals the score given for each proposed component and divides that score into the bid price. The lowest qualified bidder is the bidder whose adjusted price is lowest. The contract is awarded and executed by the City Council.

If a competitive negotiation process is followed, the Committee recommends three firms in a suggested order of preference to the Mayor. The Mayor then negotiates a contract with the firm determined to be most qualified. The contract is awarded and executed by the City Council.

5. Professional, Technical, and Highly Specialized Services

Procurement of professional, technical, and highly specialized services is usually made by issuing a Request for Proposals (RFP). The user department drafts the evaluation criteria for each RFP. The points allotted for each criterion must total 100, and they should be sent to the Purchasing Department prior to the opening and distribution of any received proposals. The Purchasing Department issues the RFP and advertises the solicitation in a newspaper of general circulation within the City of Tampa prior to the submission date. Bid notifications are also sent through the City's third party bid notification system, DEMANDSTAR. A pre-proposal conference is also required prior to the proposal opening date to determine if the scope of the goods or services sought by the City are clear to vendors in the community.

The evaluation committee must rank each proposal and submit a recommendation for award to the Purchasing Department. For contracts valued under \$100,000, a Budget Office Transmittal Form is prepared and approved by the Purchasing Department and the Budget Office. The City Council approves contracts valued at \$100,000 or more.

E. Exempt Procurements

Emergency procurements, sole source procurements, and contracts negotiated by other governmental agencies are three types of procurements which are exempt from the bidding process. These procurements do not require advertising or competitive bidding.

1. Emergency Procurements

Procurements are exempt from standard procurement procedures when a delay in purchasing would be detrimental to the interests of the City. Departments making emergency procurements valued between \$2,000 and \$24,999.99 must complete an Emergency Certificate of Conditions and Circumstances. Departments making emergency procurements valued at \$25,000 or greater must complete an Emergency Affidavit of Conditions and Circumstances, which is a sworn affidavit approved and signed by the director of the user department. A Budget Office Transmittal Form must be prepared by the user department after the procurement for purchases valued under \$100,000, and a City



Council resolution must be prepared and approved after the procurement for purchases valued at \$100,000 or greater.

2. Single Source Procurements

If the user department can document that contractual services are available only from a single source, it may receive an exemption to the competitive bidding process. Departments making single source procurements must complete a Single Source Certificate of Conditions and Circumstances. For purchases valued under \$100,000, the deputy director of the user department may approve the procurement. For purchases valued at \$100,000 and greater, the director or deputy director of the user department must approve the procurement, and a City Council resolution must be prepared and approved.

3. Other Government Contracts

Pursuant to Chapter 2004-466 of the Laws of Florida, procurements made under the provisions of any other federal, state, or local governmental entity contract are exempt from competitive bidding and advertising requirements, provided that such contract was established in full compliance with the federal, state, or local governmental entity's laws, rules, and regulations regarding competitive solicitation.

IV. PROGRAMS ADMINISTERED BY THE MINORITY BUSINESS DEVELOPMENT OFFICE

Procurements made by the City are subject to the requirements of the Women/Minority Business Enterprise Program, the Small Business Enterprise Program, and the Equal Employment Opportunity/Affirmative Action Program. All three programs are administered by the Minority Business Development Office (MBDO). Table 1.02 summarizes the requirements of each program.



Table 1.02 Programs Administered by the Minority Business Development Office

Programs	Legislation	Applicability	Rules
Women/Minority Business Enterprise (W/MBE) Program	Chapter 26.5, Tampa Code of Ordinances Expiration date extended under Executive Order 98-2	Contracts valued at \$50,000 or greater for construction and professional services The MBDO establishes goals for goods and non-professional services on a contract-by-contract basis	Participation goals for W/MBEs are: 25 percent Construction, 14 percent Professional Services, and 4 percent Goods and Non-Professional Services
Small Business Enterprise (SBE) Program ²	Executive Order 2002-48, as revised in November 2003	Contracts valued under \$200,000 To set-aside a contract for certified SBEs, there must be at least three certified SBE contractors available to provide the goods or services being procured	Set-aside program To certify as a SBE, a firm must meet residence, income, and employee requirements

² The SBE Program was first implemented in fiscal year 2004.



Table 1.02 Programs Administered by the Minority Business Development Office

Programs	Legislation	Applicability	Rules
Equal Employment Opportunity/Affirmative Action (EEO/AA) Program	Chapter 26.5, Part 2 of the Tampa Code of Ordinances	Contracts valued at greater than \$10,000 where contractor has more than 15 employees, or contracts greater than \$50,000 regardless of the number of employees	Workforce diversity or affirmative action plans must be approved by the Manager of the MBDO

A. Women/Minority Business Enterprise Program

The Women/Minority Business Enterprise (W/MBE) Program was established by Chapter 26.5, Part 1 of the Tampa Code of Ordinances in 1991. The ordinance had an expiration date of February 28, 1998, but the program was extended under Executive Order 98-2 in 1998.

1. Policy

It is the policy of the City to implement race and sex conscious initiatives to remedy the effects of past discrimination against W/MBEs and to provide W/MBEs with equal City contracting opportunities.

2. Program Certification

Any bona fide W/MBE business domiciled in the United States may be certified by the W/MBE Program. To be certified the business must be owned and controlled by at least 51 percent women or specified minority group members. Minority groups are defined as Black Americans and Hispanic Americans. Firms owned by members of other minority groups may not be certified under the M/WBE Program; however, they may be considered W/MBE businesses for federally funded projects.



3. Program Participation Goals

a. Construction, Professional Services, and Design-Build Services

The overall W/MBE participation goals described below apply to contracts valued at \$50,000 or greater in construction and professional services. Contract-specific goals are set by the project goals setting committee comprising the Director of the user department, the Manager of the MBDO, and the city attorney, or their respective designees.

Overall participation goals are established by ethnicity, gender and industry. The W/MBE goal for construction is 25 percent. The ethnicity and gender breakdown is 10 percent Black American, nine percent Hispanic American, and six percent Caucasian Women.

The W/MBE goal for professional services is 14 percent. The ethnicity and gender breakdown is three percent Black American, seven percent Hispanic American, and four percent Caucasian Women.

W/MBE participation goals are set on a contract-by-contract basis for design-build services, by the goal-setting committee described above. The committee meets and establishes the W/MBE construction participation goals once the design is complete and 50 percent of the construction documents are complete.

b. Goods and Non-Professional Services

The overall participation goals described below are applied to goods and non-professional service contracts. The MBDO applies the goals on a contract-by-contract basis, without a set dollar threshold.

The W/MBE goal for goods and non-professional services is four percent. The ethnicity and gender breakdown is 1.5 percent Black American, one percent Hispanic American, and 1.5 percent Caucasian Women.

4. Good Faith Efforts Standard

On prime contracts, the goals must be achieved or bidders must demonstrate a good faith effort to contract with certified W/MBE businesses. Good faith effort activities include attending pre-bid conferences, sending written notices to certified W/MBEs that perform the type of work to be subcontracted, and compiling written statements detailing the reasons why W/MBEs contacted by the bidder were rejected.



5. Enforcement

The MBDO is responsible for monitoring and reporting participation in the W/MBE Program. Prime contractors send a signed statement to the MBDO on a monthly basis documenting their payments to W/MBE subcontractors. If the Manager of the MBDO determines that a bidder or contractor has failed to comply with W/MBE Program requirements, he may subject the offending party to penalties, including but not limited to invalidating the contractor's proposal, withholding payment, excluding the contractor from submitting a bid for future procurement, and terminating the contract. Bidders or contractors may also appeal a determination of noncompliance by submitting a complaint in writing to the Manager of the MBDO.

The MBDO also prepares an annual report of W/MBE utilization by departments and prime contractors, which includes a comparison of actual utilization with the City's W/MBE participation goals.

a. Construction, Goods and Non-Professional Services

If the MBDO determines that the City has not achieved individual W/MBE Program goals for construction, goods, or non-professional services over the previous fiscal year, the Mayor of the City, or an official project review committee, may establish bid preferences or set-asides for women, Black American, and Hispanic American business enterprises. Bid preferences are reductions of bid amounts by certified W/MBE bidders for the purposes of establishing the lowest bidder. The reduction stands at five percent or \$20,000, whichever is less. The lowest bidder will be awarded the contract at the original bid amount submitted.

Set-asides are competitive bids that are limited to certified W/MBE contractors, who must perform at least 51 percent of the contracting effort. Set-aside purchases may be performed up to a bid limit of \$100,000 and may be used only when there are at least three certified W/MBE businesses available to provide the needed goods or services.

b. Professional Services

On professional services projects, the City grants a rating preference to W/MBEs or firms utilizing W/MBEs. The ratings preference, which ranges from one to five bonus points, is based on the level of W/MBE participation in the submittal. These points are then used with the 95 point scale for evaluating and rating bids for professional services. Goals may also be set based on W/MBE availability.

If the MBDO determines that the City has not achieved individual W/MBE Program goals for professional services over the previous fiscal year, the Mayor of the City, or an official project review committee, may designate contracts or awards for negotiation with certified W/MBE contractors only. Negotiation preference purchases may be performed up to a



contract value of \$100,000. M/WBE contractors must perform at least 51 percent of the contracting effort.

B. Small Business Enterprise Program

The Small Business Enterprise (SBE) Program was enacted in 2002 by Executive Order No. 2002-48 in order to ensure fair and equal opportunities for all small business enterprises in City contracting and procurement activities. Small businesses may participate in the SBE Program if they meet the following criteria: (1) domiciled in Hillsborough, Pasco, Pinellas, Manatee, or Polk Counties; (2) independently owned and operated; (3) twenty-five or fewer permanent, full time employees; (4) average gross annual sales over the previous three year period of \$2,000,000 or less; and (5) in business for a minimum of six months.

The SBE Program, which is race and gender-neutral, limits competition for certain contracts to certified small businesses. In order to set aside a contract, there must be at least three certified SBEs available that can provide the needed goods or services. A SBE Committee determines which contracts will be set-aside. The SBE Committee is composed of five members: the Mayor's Chief of Staff, the Manager of the MBDO, the director of the Purchasing Department, the City Attorney, and the Public Works Administrator. The SBE Program is monitored and enforced by the Manager of the MBDO, and was first implemented in fiscal year 2004.

C. Equal Employment Opportunity/Affirmative Action Program

The Equal Employment Opportunity/Affirmative Action (EEO/AA) Program is governed by Chapter 26.5, Part 2 of the Tampa Code of Ordinances. The EEO/AA Program applies to all prime and subcontracts that: (1) exceed \$10,000 when the contractor or subcontractor has 15 or more employees; or (2) exceed \$50,000 regardless of the number of employees. Contractors may not enter into City contracts unless they comply with EEO/AA Program rules. Emergency providers, single source providers, and other governmental agencies and authorities are exempt from EEO/AA requirements. Exemptions are granted by the MBDO.

Under EEO/AA requirements, contractors must: (1) demonstrate that their workforce reflects the demographic characteristics of the available pool of labor skills normally utilized by the contractor, based on guidelines set forth by the United States Equal Opportunity Commission and Office of Federal Contract Compliance; or (2) demonstrate good faith efforts to establish an affirmative action program. An affirmative action program is a written, results-oriented program designed to ensure that a contractor makes a good faith effort to employ women and minorities at all levels of employment in the contractor or subcontractor's business, and to treat employees equally without regard to their status as a woman or minority.



For the purposes of the EEO/AA Program, minorities are defined as United States citizens or permanent resident aliens who are Black, Hispanic, Asian, or Native American.

The Manager of the MBDO, or his or her official designee, has official authority to enforce the EEO/AA Program. The director approves or denies affirmative action documentation submitted by potential contractors, and makes the determination in writing of whether a potential contractor is in compliance with the EEO/AA ordinance before any City contract is awarded.

V. REFERENCES

Documents reviewed for the preceding contracting and procurement analysis were obtained from the City's Purchasing Department, Minority Business Development Office, and official website. Specific references are listed below.

A. Rules and Regulations

City of Tampa 1992 Purchasing Department Procedure Manual, as amended

Code of Ordinances, Chapter 2, Division 3

Code of Ordinances, Chapter 26.5

Executive Order Number 96-18

Executive Order Number 98-2

Executive Order Number 2002-48

Home Rule Charter, Articles V and VIII

Laws of Florida, Chapter 2004-466

B. Personal Correspondence

Email correspondence with Joseph Cordero, Minority Business Development Office, March 9, 2005 and March 30, 2005

Email correspondence with Jim Greiner, Contract Administration Department, January 27, 2005 and April 5, 2005

Telephone conference with Jim Greiner, Contract Administration Department, April 5, 2005



Telephone conferences with Joseph Cordero, Minority Business Development Office, February 23, 2005 and February 24, 2005

C. Websites

Purchasing Department Website, http://www.tampagov.net/dept_Purchasing/

Minority Business Development Website, http://www.tampagov.net/dept_wmbe/



2

PRIME CONTRACTOR UTILIZATION ANALYSIS

I. INTRODUCTION

As set forth in *Croson* and its progeny, a disparity study must document minority contracting history in the jurisdiction under review. The first step in a disparity analysis is the statistical review of prime contracts. The objective of this statistical analysis of the City of Tampa's (City) contracts is to determine the level of minority and woman-owned business enterprise (M/WBE) prime contractor utilization compared to non-M/WBE prime contractor utilization on contracts awarded between October 1, 2001 and September 30, 2004.

Mason Tillman reviewed the City's contracts and separated them into five industries: construction, construction-related services, professional services, non-professional services, and goods. Construction included new construction and renovations, except routine building maintenance which was classified under non-professional services. Construction-related services included construction-related design, consulting, specifications development, testing, and construction management services. Professional services included work that required specialized education or training. Non-professional services included services which could be performed without a professional license or special education, while goods included material, equipment, and supplies.

This chapter will discuss the City's utilization of prime contractors in the five industries.

II. PRIME CONTRACT DATA SOURCES

Data on the contracts for construction, construction-related services, professional services, non-professional services, and goods were extracted by the City from its financial system. Purchase orders and payments for contracts awarded, issued through this financial system, were the only data used for the prime contractor utilization analysis.



Purchase orders and payments were issued by the City for a number of different types of transactions which were excluded from the analysis. Employee and petty cash reimbursements, which were clearly marked in the data set, were excluded. In addition, non-competitive procurement with non-profit organizations, government agencies, and utilities were also excluded from the analysis.

Ethnicity and gender information had to be reconstructed for some of the purchase orders. The lack of ethnicity and gender information is a common condition characterizing data received from governmental agencies for which Mason Tillman has performed disparity studies. Since ethnicity and gender information is critical to the utilization analysis, research was conducted to secure complete ethnicity and gender information for each purchase order.

Company names were cross-referenced with membership directories, business listings and websites. Additionally, a survey was conducted to collect ethnicity and gender information that was not available from the published sources. The City was also asked to participate in the ethnicity and gender classification of firms that could not be located using these various sources. A list of businesses with contracts totaling \$500,000 or more where ethnicity and gender could not be verified was sent to the City for review. Through this combined effort, the ethnicity and gender classification of the utilized businesses was verified.

III. PRIME CONTRACTOR UTILIZATION THRESHOLDS

Contracts within each industry classification were grouped into three size categories. One category included all contract records without regard to size of the award. The other two categories were defined by the industry's informal and formal procurement standards. Informal contracts were small purchases that had a maximum threshold of \$25,000 and did not require advertising. Table 2.01 details the informal thresholds by industry.

Formal contracts were the advertised solicitations above the informal threshold of \$25,000. Formal contracts have no maximum size threshold. However, the analysis of formal contracts was capped at \$500,000 because there was demonstrated capacity within the pool of willing M/WBEs to perform contracts at this level.



Table 2.01 Prime Contract Thresholds

Industry	Informal
Construction	\$25,000 and under
Construction-Related Services	\$25,000 and under
Professional Services	\$25,000 and under
Non-Professional Services	\$25,000 and under
Goods	\$25,000 and under

Prime contract awards have been grouped, by amount, into three categories and are presented in the tables and charts that follow. The three categories of contracts are all contracts, contracts under \$500,000, and contracts under \$25,000. The number of contracts and dollar amounts are presented within each of the three categories.

IV. PRIME CONTRACTOR UTILIZATION

As depicted in Table 2.02 below, the City issued 59,058 prime contracts during the October 1, 2001 to September 30, 2004 study period. These included 1,185 for construction, 682 for construction-related services, 1,344 for professional services, 10,429 for non-professional services, and 45,418 for goods.

The City also expended \$421,306,253 during the October 1, 2001 to September 30, 2004 study period. These included \$95,568,890 for construction, \$32,017,377 for construction-related services, \$24,269,965 for professional services, \$131,440,947 for non-professional services, and \$138,009,074 for goods.



**Table 2.02 Total Prime Contracts and Dollars Expended
between October 1, 2001 and September 30, 2004**

Industry	Total Number of Contracts	Total Dollars Expended
Construction	1,185	\$95,568,890
Construction-Related Services	682	\$32,017,377
Professional Services	1,344	\$24,269,965
Non-Professional Services	10,429	\$131,440,947
Goods	45,418	\$138,009,074
Total	59,058	\$421,306,253



A. All Prime Contracts by Industry

1. Construction Prime Contractor Utilization: All Contracts

Table 2.03 summarizes all contract dollars expended by the City on construction prime contracts. Minority Business Enterprises received 6.6 percent of the construction prime contract dollars; Women Business Enterprises received 11.95 percent; and Caucasian Male Business Enterprises received 81.45 percent.

African Americans received 28 or 2.36 percent of the construction contracts during the study period, representing \$3,650,522 or 3.82 percent of the contract dollars.

Asian Americans received none of the construction contracts during the study period.

Hispanic Americans received 43 or 3.63 percent of the construction contracts during the study period, representing \$1,876,798 or 1.96 percent of the contract dollars.

Native Americans received 2 or 0.17 percent of the construction contracts during the study period, representing \$777,663 or 0.81 percent of the contract dollars.

Minority Business Enterprises received 73 or 6.16 percent of the construction contracts during the study period, representing \$6,304,983 or 6.6 percent of the contract dollars.

Women Business Enterprises received 131 or 11.05 percent of the construction contracts during the study period, representing \$11,424,018 or 11.95 percent of the contract dollars.

Minority and Women Business Enterprises received 204 or 17.22 percent of the construction contracts during the study period, representing \$17,729,001 or 18.55 percent of the contract dollars.

Caucasian Male Business Enterprises received 981 or 82.78 percent of the construction contracts during the study period, representing \$77,839,889 or 81.45 percent of the contract dollars.



**Table 2.03 Construction Prime Contractor Utilization: All
Contracts, October 1, 2001 to September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	28	2.36%	\$3,650,522	3.82%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	43	3.63%	\$1,876,798	1.96%
Native Americans	2	0.17%	\$777,663	0.81%
Caucasian Females	131	11.05%	\$11,424,018	11.95%
Caucasian Males	981	82.78%	\$77,839,889	81.45%
TOTAL	1,185	100.00%	\$95,568,890	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	0	0.00%	\$0	0.00%
African American Males	28	2.36%	\$3,650,522	3.82%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	0	0.00%	\$0	0.00%
Hispanic American Males	43	3.63%	\$1,876,798	1.96%
Native American Females	2	0.17%	\$777,663	0.81%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	131	11.05%	\$11,424,018	11.95%
Caucasian Males	981	82.78%	\$77,839,889	81.45%
TOTAL	1,185	100.00%	\$95,568,890	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	2	0.17%	\$777,663	0.81%
Minority Males	71	5.99%	\$5,527,320	5.78%
Caucasian Females	131	11.05%	\$11,424,018	11.95%
Caucasian Males	981	82.78%	\$77,839,889	81.45%
TOTAL	1,185	100.00%	\$95,568,890	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	73	6.16%	\$6,304,983	6.60%
Women Business Enterprises	131	11.05%	\$11,424,018	11.95%
Minority and Women Business Enterprises	204	17.22%	\$17,729,001	18.55%
Caucasian Male Business Enterprises	981	82.78%	\$77,839,889	81.45%
TOTAL	1,185	100.00%	\$95,568,890	100.00%



2. Construction-Related Services Prime Contractor Utilization: All Contracts

Table 2.04 summarizes all contract dollars expended by the City on construction-related services prime contracts. Minority Business Enterprises received 17.9 percent of the construction-related services prime contract dollars; Women Business Enterprises received 2.75 percent; and Caucasian Male Business Enterprises received 79.35 percent.

African Americans received 10 or 1.47 percent of the construction-related services contracts during the study period, representing \$98,382 or 0.31 percent of the contract dollars.

Asian Americans received 4 or 0.59 percent of the construction-related services contracts during the study period, representing \$74,729 or 0.23 percent of the contract dollars.

Hispanic Americans received 38 or 5.57 percent of the construction-related services contracts during the study period, representing \$5,557,381 or 17.36 percent of the contract dollars.

Native Americans received none of the construction-related services contracts during the study period.

Minority Business Enterprises received 52 or 7.62 percent of the construction-related services contracts during the study period, representing \$5,730,492 or 17.9 percent of the contract dollars.

Women Business Enterprises received 50 or 7.33 percent of the construction-related services contracts during the study period, representing \$879,759 or 2.75 percent of the contract dollars.

Minority and Women Business Enterprises received 102 or 14.96 percent of the construction-related services contracts during the study period, representing \$6,610,251 or 20.65 percent of the contract dollars.

Caucasian Male Business Enterprises received 580 or 85.04 percent of the construction-related services contracts during the study period, representing \$25,407,126 or 79.35 percent of the contract dollars.



**Table 2.04 Construction-Related Services Prime Contractor
Utilization: All Contracts, October 1, 2001 to September 30,
2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	10	1.47%	\$98,382	0.31%
Asian Americans	4	0.59%	\$74,729	0.23%
Hispanic Americans	38	5.57%	\$5,557,381	17.36%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	50	7.33%	\$879,759	2.75%
Caucasian Males	580	85.04%	\$25,407,126	79.35%
TOTAL	682	100.00%	\$32,017,377	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	0	0.00%	\$0	0.00%
African American Males	10	1.47%	\$98,382	0.31%
Asian American Females	4	0.59%	\$74,729	0.23%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	3	0.44%	\$10,922	0.03%
Hispanic American Males	35	5.13%	\$5,546,459	17.32%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	50	7.33%	\$879,759	2.75%
Caucasian Males	580	85.04%	\$25,407,126	79.35%
TOTAL	682	100.00%	\$32,017,377	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	7	1.03%	\$85,651	0.27%
Minority Males	45	6.60%	\$5,644,841	17.63%
Caucasian Females	50	7.33%	\$879,759	2.75%
Caucasian Males	580	85.04%	\$25,407,126	79.35%
TOTAL	682	100.00%	\$32,017,377	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	52	7.62%	\$5,730,492	17.90%
Women Business Enterprises	50	7.33%	\$879,759	2.75%
Minority and Women Business Enterprises	102	14.96%	\$6,610,251	20.65%
Caucasian Male Business Enterprises	580	85.04%	\$25,407,126	79.35%
TOTAL	682	100.00%	\$32,017,377	100.00%



3. Professional Services Prime Contractor Utilization: All Contracts

Table 2.05 summarizes all contract dollars expended by the City on professional services prime contracts. Minority Business Enterprises received 0.79 percent of the professional services prime contract dollars; Women Business Enterprises received 3.82 percent; and Caucasian Male Business Enterprises received 95.39 percent.

African Americans received 21 or 1.56 percent of the professional services contracts during the study period, representing \$71,991 or 0.3 percent of the contract dollars.

Asian Americans received none of the professional services contracts during the study period.

Hispanic Americans received 7 or 0.52 percent of the professional services contracts during the study period, representing \$119,361 or 0.49 percent of the contract dollars.

Native Americans received none of the professional services contracts during the study period.

Minority Business Enterprises received 28 or 2.08 percent of the professional services contracts during the study period, representing \$191,352 or 0.79 percent of the contract dollars.

Women Business Enterprises received 93 or 6.92 percent of the professional services contracts during the study period, representing \$926,948 or 3.82 percent of the contract dollars.

Minority and Women Business Enterprises received 121 or 9 percent of the professional services contracts during the study period, representing \$1,118,300 or 4.61 percent of the contract dollars.

Caucasian Male Business Enterprises received 1,223 or 91 percent of the professional services contracts during the study period, representing \$23,151,665 or 95.39 percent of the contract dollars.



**Table 2.05 Professional Services Prime Contractor
Utilization: All Contracts, October 1, 2001 to September 30,
2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	21	1.56%	\$71,991	0.30%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	7	0.52%	\$119,361	0.49%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	93	6.92%	\$926,948	3.82%
Caucasian Males	1,223	91.00%	\$23,151,665	95.39%
TOTAL	1,344	100.00%	\$24,269,965	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	6	0.45%	\$2,566	0.01%
African American Males	15	1.12%	\$69,425	0.29%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	3	0.22%	\$51,683	0.21%
Hispanic American Males	4	0.30%	\$67,678	0.28%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	93	6.92%	\$926,948	3.82%
Caucasian Males	1,223	91.00%	\$23,151,665	95.39%
TOTAL	1,344	100.00%	\$24,269,965	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	9	0.67%	\$54,249	0.22%
Minority Males	19	1.41%	\$137,103	0.56%
Caucasian Females	93	6.92%	\$926,948	3.82%
Caucasian Males	1,223	91.00%	\$23,151,665	95.39%
TOTAL	1,344	100.00%	\$24,269,965	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	28	2.08%	\$191,352	0.79%
Women Business Enterprises	93	6.92%	\$926,948	3.82%
Minority and Women Business Enterprises	121	9.00%	\$1,118,300	4.61%
Caucasian Male Business Enterprises	1,223	91.00%	\$23,151,665	95.39%
TOTAL	1,344	100.00%	\$24,269,965	100.00%



4. Non-Professional Services Prime Contractor Utilization: All Contracts

Table 2.06 summarizes all contract dollars expended by the City on non-professional services prime contracts. Minority Business Enterprises received 4.95 percent of the non-professional services prime contract dollars; Women Business Enterprises received 1.24 percent; and Caucasian Male Business Enterprises received 93.81 percent.

African Americans received 776 or 7.44 percent of the non-professional services contracts during the study period, representing \$1,191,677 or 0.91 percent of the contract dollars.

Asian Americans received none of the non-professional services contracts during the study period.

Hispanic Americans received 114 or 1.09 percent of the non-professional services contracts during the study period, representing \$5,314,806 or 4.04 percent of the contract dollars.

Native Americans received none of the non-professional services contracts during the study period.

Minority Business Enterprises received 890 or 8.53 percent of the non-professional services contracts during the study period, representing \$6,506,483 or 4.95 percent of the contract dollars.

Women Business Enterprises received 943 or 9.04 percent of the non-professional services contracts during the study period, representing \$1,633,400 or 1.24 percent of the contract dollars.

Minority and Women Business Enterprises received 1,833 or 17.58 percent of the non-professional services contracts during the study period, representing \$8,139,883 or 6.19 percent of the contract dollars.

Caucasian Male Business Enterprises received 8,596 or 82.42 percent of the non-professional services contracts during the study period, representing \$123,301,064 or 93.81 percent of the contract dollars.



**Table 2.06 Non-Professional Services Prime Contractor
Utilization: All Contracts, October 1, 2001 to September 30,
2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	776	7.44%	\$1,191,677	0.91%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	114	1.09%	\$5,314,806	4.04%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	943	9.04%	\$1,633,400	1.24%
Caucasian Males	8,596	82.42%	\$123,301,064	93.81%
TOTAL	10,429	100.00%	\$131,440,947	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	77	0.74%	\$533,141	0.41%
African American Males	699	6.70%	\$658,536	0.50%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	6	0.06%	\$1,755,321	1.34%
Hispanic American Males	108	1.04%	\$3,559,485	2.71%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	943	9.04%	\$1,633,400	1.24%
Caucasian Males	8,596	82.42%	\$123,301,064	93.81%
TOTAL	10,429	100.00%	\$131,440,947	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	83	0.80%	\$2,288,462	1.74%
Minority Males	807	7.74%	\$4,218,021	3.21%
Caucasian Females	943	9.04%	\$1,633,400	1.24%
Caucasian Males	8,596	82.42%	\$123,301,064	93.81%
TOTAL	10,429	100.00%	\$131,440,947	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	890	8.53%	\$6,506,483	4.95%
Women Business Enterprises	943	9.04%	\$1,633,400	1.24%
Minority and Women Business Enterprises	1,833	17.58%	\$8,139,883	6.19%
Caucasian Male Business Enterprises	8,596	82.42%	\$123,301,064	93.81%
TOTAL	10,429	100.00%	\$131,440,947	100.00%



5. Goods Prime Contractor Utilization: All Contracts

Table 2.07 summarizes all contract dollars expended by the City on goods prime contracts. Minority Business Enterprises received 3.45 percent of the goods prime contract dollars; Women Business Enterprises received 3.32 percent; and Caucasian Male Business Enterprises received 93.23 percent.

African Americans received 639 or 1.41 percent of the goods contracts during the study period, representing \$1,737,562 or 1.26 percent of the contract dollars.

Asian Americans received 232 or 0.51 percent of the goods contracts during the study period, representing \$329,2744 or 0.24 percent of the contract dollars.

Hispanic Americans received 1,748 or 3.85 percent of the goods contracts during the study period, representing \$2,588,213 or 1.88 percent of the contract dollars.

Native Americans received 5 or 0.01 percent of the goods contracts during the study period, representing \$105,134 or 0.08 percent of the contract dollars.

Minority Business Enterprises received 2,624 or 5.78 percent of the goods contracts during the study period, representing \$4,760,183 or 3.45 percent of the contract dollars.

Women Business Enterprises received 2,833 or 6.24 percent of the goods contracts during the study period, representing \$4,587,674 or 3.32 percent of the contract dollars.

Minority and Women Business Enterprises received 5,457 or 12.02 percent of the goods contracts during the study period, representing \$9,347,857 or 6.77 percent of the contract dollars.

Caucasian Male Business Enterprises received 39,961 or 87.98 percent of the goods contracts during the study period, representing \$128,661,217 or 93.23 percent of the contract dollars.



**Table 2.07 Goods Prime Contractor Utilization: All
Contracts, October 1, 2001 to September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	639	1.41%	\$1,737,562	1.26%
Asian Americans	232	0.51%	\$329,274	0.24%
Hispanic Americans	1,748	3.85%	\$2,588,213	1.88%
Native Americans	5	0.01%	\$105,134	0.08%
Caucasian Females	2,833	6.24%	\$4,587,674	3.32%
Caucasian Males	39,961	87.98%	\$128,661,217	93.23%
TOTAL	45,418	100.00%	\$138,009,074	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	7	0.02%	\$1,537	0.00%
African American Males	632	1.39%	\$1,736,025	1.26%
Asian American Females	222	0.49%	\$305,054	0.22%
Asian American Males	10	0.02%	\$24,220	0.02%
Hispanic American Females	337	0.74%	\$528,172	0.38%
Hispanic American Males	1,411	3.11%	\$2,060,041	1.49%
Native American Females	5	0.01%	\$105,134	0.08%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	2,833	6.24%	\$4,587,674	3.32%
Caucasian Males	39,961	87.98%	\$128,661,217	93.23%
TOTAL	45,418	100.00%	\$138,009,074	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	571	1.26%	\$939,897	0.68%
Minority Males	2,053	4.52%	\$3,820,286	2.77%
Caucasian Females	2,833	6.24%	\$4,587,674	3.32%
Caucasian Males	39,961	87.98%	\$128,661,217	93.23%
TOTAL	45,418	100.00%	\$138,009,074	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	2,624	5.78%	\$4,760,183	3.45%
Women Business Enterprises	2,833	6.24%	\$4,587,674	3.32%
Minority and Women Business Enterprises	5,457	12.02%	\$9,347,857	6.77%
Caucasian Male Business Enterprises	39,961	87.98%	\$128,661,217	93.23%
TOTAL	45,418	100.00%	\$138,009,074	100.00%



B. Prime Contracts under \$500,000 by Industry

1. Construction Prime Contractor Utilization: Contracts under \$500,000

Table 2.08 summarizes all contract dollars expended by the City on construction prime contracts under \$500,000. Minority Business Enterprises received 13.56 percent of the construction prime contract dollars; Women Business Enterprises received 8.94 percent; and Caucasian Male Business Enterprises received 77.5 percent.

African Americans received 27 or 2.35 percent of the construction contracts during the study period, representing \$2,787,778 or 8.94 percent of the contract dollars under \$500,000.

Asian Americans received none of the construction contracts under \$500,000 during the study period.

Hispanic Americans received 42 or 3.66 percent of the construction contracts during the study period, representing \$1,352,920 or 4.34 percent of the contract dollars under \$500,000.

Native Americans received 1 or 0.09 percent of the construction contracts during the study period, representing \$89,723 or 0.29 percent of the contract dollars under \$500,000.

Minority Business Enterprises received 70 or 6.1 percent of the construction contracts during the study period, representing \$4,230,421 or 13.56 percent of the contract dollars under \$500,000.

Women Business Enterprises received 127 or 11.07 percent of the construction contracts during the study period, representing \$2,788,163 or 8.94 percent of the contract dollars under \$500,000.

Minority and Women Business Enterprises received 197 or 17.18 percent of the construction contracts during the study period, representing \$7,018,584 or 22.5 percent of the contract dollars under \$500,000.

Caucasian Male Business Enterprises received 950 or 82.82 percent of the construction contracts during the study period, representing \$24,180,372 or 77.5 percent of the contract dollars under \$500,000.



**Table 2.08 Construction Prime Contractor Utilization:
Contracts under \$500,000, October 1, 2001 to September 30,
2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	27	2.35%	\$2,787,778	8.94%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	42	3.66%	\$1,352,920	4.34%
Native Americans	1	0.09%	\$89,723	0.29%
Caucasian Females	127	11.07%	\$2,788,163	8.94%
Caucasian Males	950	82.82%	\$24,180,372	77.50%
TOTAL	1,147	100.00%	\$31,198,956	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	0	0.00%	\$0	0.00%
African American Males	27	2.35%	\$2,787,778	8.94%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	0	0.00%	\$0	0.00%
Hispanic American Males	42	3.66%	\$1,352,920	4.34%
Native American Females	1	0.09%	\$89,723	0.29%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	127	11.07%	\$2,788,163	8.94%
Caucasian Males	950	82.82%	\$24,180,372	77.50%
TOTAL	1,147	100.00%	\$31,198,956	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	1	0.09%	\$89,723	0.29%
Minority Males	69	6.02%	\$4,140,698	13.27%
Caucasian Females	127	11.07%	\$2,788,163	8.94%
Caucasian Males	950	82.82%	\$24,180,372	77.50%
TOTAL	1,147	100.00%	\$31,198,956	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	70	6.10%	\$4,230,421	13.56%
Women Business Enterprises	127	11.07%	\$2,788,163	8.94%
Minority and Women Business Enterprises	197	17.18%	\$7,018,584	22.50%
Caucasian Male Business Enterprises	950	82.82%	\$24,180,372	77.50%
TOTAL	1,147	100.00%	\$31,198,956	100.00%



2. Construction-Related Services Prime Contractor Utilization: Contracts under \$500,000

Table 2.09 summarizes all contract dollars expended by the City on construction-related services prime contracts under \$500,000. Minority Business Enterprises received 6.68 percent of the construction-related services prime contract dollars; Women Business Enterprises received 6.56 percent; and Caucasian Male Business Enterprises received 86.76 percent.

African Americans received 10 or 1.48 percent of the construction-related services contracts during the study period, representing \$98,382 or 0.73 percent of the contract dollars under \$500,000.

Asian Americans received 4 or 0.59 percent of the construction-related services contracts during the study period, representing \$74,729 or 0.56 percent of the contract dollars under \$500,000.

Hispanic Americans received 37 or 5.49 percent of the construction-related services contracts during the study period, representing \$723,630 or 5.39 percent of the contract dollars under \$500,000.

Native Americans received none of the construction-related services contracts under \$500,000 during the study period.

Minority Business Enterprises received 51 or 7.57 percent of the construction-related services contracts during the study period, representing \$896,741 or 6.68 percent of the contract dollars under \$500,000.

Women Business Enterprises received 50 or 7.42 percent of the construction-related services contracts during the study period, representing \$879,759 or 6.56 percent of the contract dollars under \$500,000.

Minority and Women Business Enterprises received 101 or 14.99 percent of the construction-related services contracts during the study period, representing \$1,776,500 or 13.24 percent of the contract dollars under \$500,000.

Caucasian Male Business Enterprises received 573 or 85.01 percent of the construction-related services contracts during the study period, representing \$11,640,833 or 86.76 percent of the contract dollars under \$500,000.



**Table 2.09 Construction-Related Services Prime Contractor
Utilization: Contracts under \$500,000, October 1, 2001 to
September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	10	1.48%	\$98,382	0.73%
Asian Americans	4	0.59%	\$74,729	0.56%
Hispanic Americans	37	5.49%	\$723,630	5.39%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	50	7.42%	\$879,759	6.56%
Caucasian Males	573	85.01%	\$11,640,833	86.76%
TOTAL	674	100.00%	\$13,417,333	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	0	0.00%	\$0	0.00%
African American Males	10	1.48%	\$98,382	0.73%
Asian American Females	4	0.59%	\$74,729	0.56%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	3	0.45%	\$10,922	0.08%
Hispanic American Males	34	5.04%	\$712,708	5.31%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	50	7.42%	\$879,759	6.56%
Caucasian Males	573	85.01%	\$11,640,833	86.76%
TOTAL	674	100.00%	\$13,417,333	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	7	1.04%	\$85,651	0.64%
Minority Males	44	6.53%	\$811,090	6.05%
Caucasian Females	50	7.42%	\$879,759	6.56%
Caucasian Males	573	85.01%	\$11,640,833	86.76%
TOTAL	674	100.00%	\$13,417,333	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	51	7.57%	\$896,741	6.68%
Women Business Enterprises	50	7.42%	\$879,759	6.56%
Minority and Women Business Enterprises	101	14.99%	\$1,776,500	13.24%
Caucasian Male Business Enterprises	573	85.01%	\$11,640,833	86.76%
TOTAL	674	100.00%	\$13,417,333	100.00%



3. Professional Services Prime Contractor Utilization: Contracts under \$500,000

Table 2.10 summarizes all contract dollars expended by the City on professional services prime contracts under \$500,000. Minority Business Enterprises received 1.24 percent of the professional services prime contract dollars; Women Business Enterprises received 6.01 percent; and Caucasian Male Business Enterprises received 92.75 percent.

African Americans received 21 or 1.57 percent of the professional services contracts during the study period, representing \$71,991 or 0.47 percent of the contract dollars under \$500,000.

Asian Americans received none of the professional services contracts under \$500,000 during the study period.

Hispanic Americans received 7 or 0.52 percent of the professional services contracts during the study period, representing \$119,361 or 0.77 percent of the contract dollars under \$500,000.

Native Americans received none of the professional services contracts under \$500,000 during the study period.

Minority Business Enterprises received 28 or 2.09 percent of the professional services contracts during the study period, representing \$191,352 or 1.24 percent of the contract dollars under \$500,000.

Women Business Enterprises received 93 or 6.96 percent of the professional services contracts during the study period, representing \$926,948 or 6.01 percent of the contract dollars under \$500,000.

Minority and Women Business Enterprises received 121 or 9.05 percent of the professional services contracts during the study period, representing \$1,118,300 or 7.25 percent of the contract dollars under \$500,000.

Caucasian Male Business Enterprises received 1,216 or 90.95 percent of the professional services contracts during the study period, representing \$14,302,123 or 92.75 percent of the contract dollars under \$500,000.



**Table 2.10 Professional Services Prime Contractor
Utilization: Contracts under \$500,000, October 1, 2001 to
September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	21	1.57%	\$71,991	0.47%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	7	0.52%	\$119,361	0.77%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	93	6.96%	\$926,948	6.01%
Caucasian Males	1,216	90.95%	\$14,302,123	92.75%
TOTAL	1,337	100.00%	\$15,420,423	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	6	0.45%	\$2,566	0.02%
African American Males	15	1.12%	\$69,425	0.45%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	3	0.22%	\$51,683	0.34%
Hispanic American Males	4	0.30%	\$67,678	0.44%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	93	6.96%	\$926,948	6.01%
Caucasian Males	1,216	90.95%	\$14,302,123	92.75%
TOTAL	1,337	100.00%	\$15,420,423	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	9	0.67%	\$54,249	0.35%
Minority Males	19	1.42%	\$137,103	0.89%
Caucasian Females	93	6.96%	\$926,948	6.01%
Caucasian Males	1,216	90.95%	\$14,302,123	92.75%
TOTAL	1,337	100.00%	\$15,420,423	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	28	2.09%	\$191,352	1.24%
Women Business Enterprises	93	6.96%	\$926,948	6.01%
Minority and Women Business Enterprises	121	9.05%	\$1,118,300	7.25%
Caucasian Male Business Enterprises	1,216	90.95%	\$14,302,123	92.75%
TOTAL	1,337	100.00%	\$15,420,423	100.00%



4. Non-Professional Services Prime Contractor Utilization: Contracts under \$500,000

Table 2.11 summarizes all contract dollars expended by the City on non-professional services prime contracts under \$500,000. Minority Business Enterprises received 12.47 percent of the non-professional services prime contract dollars; Women Business Enterprises received 3.96 percent; and Caucasian Male Business Enterprises received 83.57 percent.

African Americans received 776 or 7.47 percent of the non-professional services contracts during the study period, representing \$1,191,677 or 2.89 percent of the contract dollars under \$500,000.

Asian Americans received none of the non-professional services contracts under \$500,000 during the study period.

Hispanic Americans received 112 or 1.08 percent of the non-professional services contracts during the study period, representing \$3,957,601 or 9.59 percent of the contract dollars under \$500,000.

Native Americans received none of the non-professional services contracts under \$500,000 during the study period.

Minority Business Enterprises received 888 or 8.55 percent of the non-professional services contracts during the study period, representing \$5,149,278 or 12.47 percent of the contract dollars under \$500,000.

Women Business Enterprises received 943 or 9.08 percent of the non-professional services contracts during the study period, representing \$1,633,400 or 3.96 percent of the contract dollars under \$500,000.

Minority and Women Business Enterprises received 1,831 or 17.62 percent of the non-professional services contracts during the study period, representing \$6,782,678 or 16.43 percent of the contract dollars under \$500,000.

Caucasian Male Business Enterprises received 8,559 or 82.38 percent of the non-professional services contracts during the study period, representing \$34,497,352 or 83.57 percent of the contract dollars under \$500,000.



**Table 2.11 Non-Professional Services Prime Contractor
Utilization: Contracts under \$500,000, October 1, 2001 to
September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	776	7.47%	\$1,191,677	2.89%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	112	1.08%	\$3,957,601	9.59%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	943	9.08%	\$1,633,400	3.96%
Caucasian Males	8,559	82.38%	\$34,497,352	83.57%
TOTAL	10,390	100.00%	\$41,280,030	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	77	0.74%	\$533,141	1.29%
African American Males	699	6.73%	\$658,536	1.60%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	4	0.04%	\$398,116	0.96%
Hispanic American Males	108	1.04%	\$3,559,485	8.62%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	943	9.08%	\$1,633,400	3.96%
Caucasian Males	8,559	82.38%	\$34,497,352	83.57%
TOTAL	10,390	100.00%	\$41,280,030	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	81	0.78%	\$931,257	2.26%
Minority Males	807	7.77%	\$4,218,021	10.22%
Caucasian Females	943	9.08%	\$1,633,400	3.96%
Caucasian Males	8,559	82.38%	\$34,497,352	83.57%
TOTAL	10,390	100.00%	\$41,280,030	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	888	8.55%	\$5,149,278	12.47%
Women Business Enterprises	943	9.08%	\$1,633,400	3.96%
Minority and Women Business Enterprises	1,831	17.62%	\$6,782,678	16.43%
Caucasian Male Business Enterprises	8,559	82.38%	\$34,497,352	83.57%
TOTAL	10,390	100.00%	\$41,280,030	100.00%



5. Goods Prime Contractor Utilization: Contracts under \$500,000

Table 2.12 summarizes all contract dollars expended by the City on goods prime contracts under \$500,000. Minority Business Enterprises received 4.04 percent of the goods prime contract dollars; Women Business Enterprises received 3.42 percent; and Caucasian Male Business Enterprises received 92.53 percent.

African Americans received 639 or 1.41 percent of the goods contracts during the study period, representing \$1,737,562 or 1.48 percent of the contract dollars under \$500,000.

Asian Americans received 232 or 0.51 percent of the goods contracts during the study period, representing \$329,274 or 0.28 percent of the contract dollars under \$500,000.

Hispanic Americans received 1,748 or 3.85 percent of the goods contracts during the study period, representing \$2,588,213 or 2.2 percent of the contract dollars under \$500,000.

Native Americans received 5 or 0.01 percent of the goods contracts during the study period, representing \$105,134 or 0.09 percent of the contract dollars under \$500,000.

Minority Business Enterprises received 2,624 or 5.78 percent of the goods contracts during the study period, representing \$4,760,183 or 4.04 percent of the contract dollars under \$500,000.

Women Business Enterprises received 2,832 or 6.24 percent of the goods contracts during the study period, representing \$4,029,954 or 3.42 percent of the contract dollars under \$500,000.

Minority and Women Business Enterprises received 5,456 or 12.02 percent of the goods contracts during the study period, representing 8,790,137 or 7.47 percent of the contract dollars under \$500,000.

Caucasian Male Business Enterprises received 39,945 or 87.98 percent of the goods contracts during the study period, representing \$108,917,115 or 92.53 percent of the contract dollars under \$500,000.



**Table 2.12 Goods Prime Contractor Utilization: Contracts
under \$500,000, October 1, 2001 to September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	639	1.41%	\$1,737,562	1.48%
Asian Americans	232	0.51%	\$329,274	0.28%
Hispanic Americans	1,748	3.85%	\$2,588,213	2.20%
Native Americans	5	0.01%	\$105,134	0.09%
Caucasian Females	2,832	6.24%	\$4,029,954	3.42%
Caucasian Males	39,945	87.98%	\$108,917,115	92.53%
TOTAL	45,401	100.00%	\$117,707,252	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	7	0.02%	\$1,537	0.00%
African American Males	632	1.39%	\$1,736,025	1.47%
Asian American Females	222	0.49%	\$305,054	0.26%
Asian American Males	10	0.02%	\$24,220	0.02%
Hispanic American Females	337	0.74%	\$528,172	0.45%
Hispanic American Males	1,411	3.11%	\$2,060,041	1.75%
Native American Females	5	0.01%	\$105,134	0.09%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	2,832	6.24%	\$4,029,954	3.42%
Caucasian Males	39,945	87.98%	\$108,917,115	92.53%
TOTAL	45,401	100.00%	\$117,707,252	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	571	1.26%	\$939,897	0.80%
Minority Males	2,053	4.52%	\$3,820,286	3.25%
Caucasian Females	2,832	6.24%	\$4,029,954	3.42%
Caucasian Males	39,945	87.98%	\$108,917,115	92.53%
TOTAL	45,401	100.00%	\$117,707,252	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	2,624	5.78%	\$4,760,183	4.04%
Women Business Enterprises	2,832	6.24%	\$4,029,954	3.42%
Minority and Women Business Enterprises	5,456	12.02%	\$8,790,137	7.47%
Caucasian Male Business Enterprises	39,945	87.98%	\$108,917,115	92.53%
TOTAL	45,401	100.00%	\$117,707,252	100.00%



C. Prime Contracts under \$25,000 by Industry

1. Construction Prime Contractor Utilization: Contracts under \$25,000

Table 2.13 summarizes all contract dollars expended by the City on construction prime contracts under \$25,000. Minority Business Enterprises received 6.87 percent of the construction prime contract dollars; Women Business Enterprises received 7.2 percent; and Caucasian Male Business Enterprises received 85.94 percent.

African Americans received 13 or 1.37 percent of the construction contracts during the study period, representing \$132,880 or 2.87 percent of the contract dollars under \$25,000.

Asian Americans received none of the construction contracts under \$25,000 during the study period.

Hispanic Americans received 35 or 3.68 percent of the construction contracts during the study period, representing \$184,931 or 4 percent of the contract dollars under \$25,000.

Native Americans received none of the construction contracts under \$25,000 during the study period.

Minority Business Enterprises received 48 or 5.05 percent of the construction contracts during the study period, representing \$317,811 or 6.87 percent of the contract dollars under \$25,000.

Women Business Enterprises received 115 or 12.09 percent of the construction contracts during the study period, representing \$332,964 or 7.2 percent of the contract dollars under \$25,000.

Minority and Women Business Enterprises received 163 or 17.14 percent of the construction contracts during the study period, representing \$650,775 or 14.06 percent of the contract dollars under \$25,000.

Caucasian Male Business Enterprises received 788 or 82.86 percent of the construction contracts during the study period, representing \$3,976,675 or 85.94 percent of the contract dollars under \$25,000.



**Table 2.13 Construction Prime Contractor Utilization:
Contracts under \$25,000, October 1, 2001 to September 30,
2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	13	1.37%	\$132,880	2.87%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	35	3.68%	\$184,931	4.00%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	115	12.09%	\$332,964	7.20%
Caucasian Males	788	82.86%	\$3,976,675	85.94%
TOTAL	951	100.00%	\$4,627,450	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	0	0.00%	\$0	0.00%
African American Males	13	1.37%	\$132,880	2.87%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	0	0.00%	\$0	0.00%
Hispanic American Males	35	3.68%	\$184,931	4.00%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	115	12.09%	\$332,964	7.20%
Caucasian Males	788	82.86%	\$3,976,675	85.94%
TOTAL	951	100.00%	\$4,627,450	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	0	0.00%	\$0	0.00%
Minority Males	48	5.05%	\$317,811	6.87%
Caucasian Females	115	12.09%	\$332,964	7.20%
Caucasian Males	788	82.86%	\$3,976,675	85.94%
TOTAL	951	100.00%	\$4,627,450	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	48	5.05%	\$317,811	6.87%
Women Business Enterprises	115	12.09%	\$332,964	7.20%
Minority and Women Business Enterprises	163	17.14%	\$650,775	14.06%
Caucasian Male Business Enterprises	788	82.86%	\$3,976,675	85.94%
TOTAL	951	100.00%	\$4,627,450	100.00%



2. Construction-Related Services Prime Contractor Utilization: Contracts under \$25,000

Table 2.14 summarizes all contract dollars expended by the City on construction-related services prime contracts under \$25,000. Minority Business Enterprises received 9.33 percent of the construction-related services prime contract dollars; Women Business Enterprises received 10.81 percent; and Caucasian Male Business Enterprises received 79.86 percent.

African Americans received 8 or 1.56 percent of the construction-related services contracts during the study period, representing \$46,701 or 1.63 percent of the contract dollars under \$25,000.

Asian Americans received 2 or 0.39 percent of the construction-related services contracts during the study period, representing \$3,790 or 0.13 percent of the contract dollars under \$25,000.

Hispanic Americans received 26 or 5.08 percent of the construction-related services contracts during the study period, representing \$216,782 or 7.57 percent of the contract dollars under \$25,000.

Native Americans received none of the construction-related services contracts under \$25,000 during the study period.

Minority Business Enterprises received 36 or 7.03 percent of the construction-related services contracts during the study period, representing \$267,273 or 9.33 percent of the contract dollars under \$25,000.

Women Business Enterprises received 41 or 8.01 percent of the construction-related services contracts during the study period, representing \$309,535 or 10.81 percent of the contract dollars under \$25,000.

Minority and Women Business Enterprises received 77 or 15.04 percent of the construction-related services contracts during the study period, representing \$576,808 or 20.14 percent of the contract dollars under \$25,000.

Caucasian Male Business Enterprises received 435 or 84.96 percent of the construction-related services contracts during the study period, representing \$2,286,668 or 79.86 percent of the contract dollars under \$25,000.



**Table 2.14 Construction-Related Services Prime Contractor
Utilization: Contracts under \$25,000, October 1, 2001 to
September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	8	1.56%	\$46,701	1.63%
Asian Americans	2	0.39%	\$3,790	0.13%
Hispanic Americans	26	5.08%	\$216,782	7.57%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	41	8.01%	\$309,535	10.81%
Caucasian Males	435	84.96%	\$2,286,668	79.86%
TOTAL	512	100.00%	\$2,863,476	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	0	0.00%	\$0	0.00%
African American Males	8	1.56%	\$46,701	1.63%
Asian American Females	2	0.39%	\$3,790	0.13%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	3	0.59%	\$10,922	0.38%
Hispanic American Males	23	4.49%	\$205,860	7.19%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	41	8.01%	\$309,535	10.81%
Caucasian Males	435	84.96%	\$2,286,668	79.86%
TOTAL	512	100.00%	\$2,863,476	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	5	0.98%	\$14,712	0.51%
Minority Males	31	6.05%	\$252,561	8.82%
Caucasian Females	41	8.01%	\$309,535	10.81%
Caucasian Males	435	84.96%	\$2,286,668	79.86%
TOTAL	512	100.00%	\$2,863,476	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	36	7.03%	\$267,273	9.33%
Women Business Enterprises	41	8.01%	\$309,535	10.81%
Minority and Women Business Enterprises	77	15.04%	\$576,808	20.14%
Caucasian Male Business Enterprises	435	84.96%	\$2,286,668	79.86%
TOTAL	512	100.00%	\$2,863,476	100.00%



3. Professional Services Prime Contractor Utilization: Contracts under \$25,000

Table 2.15 summarizes all contract dollars expended by the City on professional services prime contracts under \$25,000. Minority Business Enterprises received 0.93 percent of the professional services prime contract dollars; Women Business Enterprises received 7.81 percent; and Caucasian Male Business Enterprises received 91.26 percent.

African Americans received 20 or 1.63 percent of the professional services contracts during the study period, representing \$26,991 or 0.67 percent of the contract dollars under \$25,000.

Asian Americans received none of the professional services contracts under \$25,000 during the study period.

Hispanic Americans received 5 or 0.41 percent of the professional services contracts during the study period, representing \$10,364 or 0.26 percent of the contract dollars under \$25,000.

Native Americans received none of the professional services contracts under \$25,000 during the study period.

Minority Business Enterprises received 25 or 2.03 percent of the professional services contracts during the study period, representing \$37,355 or 0.93 percent of the contract dollars under \$25,000.

Women Business Enterprises received 87 or 7.07 percent of the professional services contracts during the study period, representing \$313,259 or 7.81 percent of the contract dollars under \$25,000.

Minority and Women Business Enterprises received 112 or 9.11 percent of the professional services contracts during the study period, representing \$350,614 or 8.74 percent of the contract dollars under \$25,000.

Caucasian Male Business Enterprises received 1,118 or 90.89 percent of the professional services contracts during the study period, representing \$3,659,758 or 91.26 percent of the contract dollars under \$25,000.



**Table 2.15 Professional Services Prime Contractor
Utilization: Contracts under \$25,000, October 1, 2001 to
September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	20	1.63%	\$26,991	0.67%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	5	0.41%	\$10,364	0.26%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	87	7.07%	\$313,259	7.81%
Caucasian Males	1,118	90.89%	\$3,659,758	91.26%
TOTAL	1,230	100.00%	\$4,010,372	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	6	0.49%	\$2,566	0.06%
African American Males	14	1.14%	\$24,425	0.61%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	2	0.16%	\$3,464	0.09%
Hispanic American Males	3	0.24%	\$6,900	0.17%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	87	7.07%	\$313,259	7.81%
Caucasian Males	1,118	90.89%	\$3,659,758	91.26%
TOTAL	1,230	100.00%	\$4,010,372	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	8	0.65%	\$6,030	0.15%
Minority Males	17	1.38%	\$31,325	0.78%
Caucasian Females	87	7.07%	\$313,259	7.81%
Caucasian Males	1,118	90.89%	\$3,659,758	91.26%
TOTAL	1,230	100.00%	\$4,010,372	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	25	2.03%	\$37,355	0.93%
Women Business Enterprises	87	7.07%	\$313,259	7.81%
Minority and Women Business Enterprises	112	9.11%	\$350,614	8.74%
Caucasian Male Business Enterprises	1,118	90.89%	\$3,659,758	91.26%
TOTAL	1,230	100.00%	\$4,010,372	100.00%



4. Non-Professional Services Prime Contractor Utilization: Contracts under \$25,000

Table 2.16 summarizes all contract dollars expended by the City on non-professional services prime contracts under \$25,000. Minority Business Enterprises received 7.89 percent of the non-professional services prime contract dollars; Women Business Enterprises received 8 percent; and Caucasian Male Business Enterprises received 84.11 percent.

African Americans received 768 or 7.61 percent of the non-professional services contracts during the study period, representing \$676,771 or 4.7 percent of the contract dollars under \$25,000.

Asian Americans received none of the non-professional services contracts under \$25,000 during the study period.

Hispanic Americans received 79 or 0.78 percent of the non-professional services contracts during the study period, representing \$459,213 or 3.19 percent of the contract dollars under \$25,000.

Native Americans received none of the non-professional services contracts under \$25,000 during the study period.

Minority Business Enterprises received 847 or 8.39 percent of the non-professional services contracts during the study period, representing \$1,135,984 or 7.89 percent of the contract dollars under \$25,000.

Women Business Enterprises received 935 or 9.27 percent of the non-professional services contracts during the study period, representing \$1,153,139 or 8 percent of the contract dollars under \$25,000.

Minority and Women Business Enterprises received 1,782 or 17.66 percent of the non-professional services contracts during the study period, representing \$2,289,123 or 15.89 percent of the contract dollars under \$25,000.

Caucasian Male Business Enterprises received 8,308 or 82.34 percent of the non-professional services contracts during the study period, representing \$12,116,535 or 84.11 percent of the contract dollars under \$25,000.



**Table 2.16 Non-Professional Services Prime Contractor
Utilization: Contracts under \$25,000, October 1, 2001 to
September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	768	7.61%	\$676,771	4.70%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	79	0.78%	\$459,213	3.19%
Native Americans	0	0.00%	\$0	0.00%
Caucasian Females	935	9.27%	\$1,153,139	8.00%
Caucasian Males	8,308	82.34%	\$12,116,535	84.11%
TOTAL	10,090	100.00%	\$14,405,658	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	73	0.72%	\$269,952	1.87%
African American Males	695	6.89%	\$406,819	2.82%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	2	0.02%	\$1,971	0.01%
Hispanic American Males	77	0.76%	\$457,242	3.17%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	935	9.27%	\$1,153,139	8.00%
Caucasian Males	8,308	82.34%	\$12,116,535	84.11%
TOTAL	10,090	100.00%	\$14,405,658	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	75	0.74%	\$271,923	1.89%
Minority Males	772	7.65%	\$864,061	6.00%
Caucasian Females	935	9.27%	\$1,153,139	8.00%
Caucasian Males	8,308	82.34%	\$12,116,535	84.11%
TOTAL	10,090	100.00%	\$14,405,658	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	847	8.39%	\$1,135,984	7.89%
Women Business Enterprises	935	9.27%	\$1,153,139	8.00%
Minority and Women Business Enterprises	1,782	17.66%	\$2,289,123	15.89%
Caucasian Male Business Enterprises	8,308	82.34%	\$12,116,535	84.11%
TOTAL	10,090	100.00%	\$14,405,658	100.00%



5. Goods Prime Contractor Utilization: Contracts under \$25,000

Table 2.17 summarizes all contract dollars expended by the City on goods prime contracts under \$25,000. Minority Business Enterprises received 5.98 percent of the goods prime contract dollars; Women Business Enterprises received 4.96 percent; and Caucasian Male Business Enterprises received 89.06 percent.

African Americans received 631 or 1.41 percent of the goods contracts during the study period, representing \$704,576 or 1.34 percent of the contract dollars under \$25,000.

Asian Americans received 232 or 0.52 percent of the goods contracts during the study period, representing \$329,274 or 0.63 percent of the contract dollars under \$25,000.

Hispanic Americans received 1,741 or 3.89 percent of the goods contracts during the study period, representing \$2,102,643 or 3.99 percent of the contract dollars under \$25,000.

Native Americans received 4 or 0.01 percent of the goods contracts during the study period, representing \$14,874 or 0.03 percent of the contract dollars under \$25,000.

Minority Business Enterprises received 2,608 or 5.83 percent of the goods contracts during the study period, representing \$3,151,367 or 5.98 percent of the contract dollars under \$25,000.

Women Business Enterprises received 2,822 or 6.31 percent of the goods contracts during the study period, representing \$2,610,297 or 4.96 percent of the contract dollars under \$25,000.

Minority and Women Business Enterprises received 5,430 or 12.13 percent of the goods contracts during the study period, representing \$5,761,664 or 10.94 percent of the contract dollars under \$25,000.

Caucasian Male Business Enterprises received 39,322 or 87.87 percent of the goods contracts during the study period, representing \$46,907,541 or 89.06 percent of the contract dollars under \$25,000.



Table 2.17 Goods Prime Contractor Utilization: Contracts under \$25,000, October 1, 2001 to September 30, 2004

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	631	1.41%	\$704,576	1.34%
Asian Americans	232	0.52%	\$329,274	0.63%
Hispanic Americans	1,741	3.89%	\$2,102,643	3.99%
Native Americans	4	0.01%	\$14,874	0.03%
Caucasian Females	2,822	6.31%	\$2,610,297	4.96%
Caucasian Males	39,322	87.87%	\$46,907,541	89.06%
TOTAL	44,752	100.00%	\$52,669,205	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	7	0.02%	\$1,537	0.00%
African American Males	624	1.39%	\$703,039	1.33%
Asian American Females	222	0.50%	\$305,054	0.58%
Asian American Males	10	0.02%	\$24,220	0.05%
Hispanic American Females	337	0.75%	\$528,172	1.00%
Hispanic American Males	1,404	3.14%	\$1,574,471	2.99%
Native American Females	4	0.01%	\$14,874	0.03%
Native American Males	0	0.00%	\$0	0.00%
Caucasian Females	2,822	6.31%	\$2,610,297	4.96%
Caucasian Males	39,322	87.87%	\$46,907,541	89.06%
TOTAL	44,752	100.00%	\$52,669,205	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	570	1.27%	\$849,637	1.61%
Minority Males	2,038	4.55%	\$2,301,730	4.37%
Caucasian Females	2,822	6.31%	\$2,610,297	4.96%
Caucasian Males	39,322	87.87%	\$46,907,541	89.06%
TOTAL	44,752	100.00%	\$52,669,205	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	2,608	5.83%	\$3,151,367	5.98%
Women Business Enterprises	2,822	6.31%	\$2,610,297	4.96%
Minority and Women Business Enterprises	5,430	12.13%	\$5,761,664	10.94%
Caucasian Male Business Enterprises	39,322	87.87%	\$46,907,541	89.06%
TOTAL	44,752	100.00%	\$52,669,205	100.00%



V. SUMMARY

The City's prime contractor utilization analysis examined the \$421,306,253 expended on the 59,058 contracts awarded between October 1, 2001 and September 30, 2004. The contracts analyzed were in five industries: construction, construction-related services, professional services, non-professional services, and goods. The 59,058 contracts included 1,185 for construction, 682 for construction-related services, 1,344 for professional services, 10,429 for non-professional services, and 45,418 for goods. The \$421,306,253 expended included \$95,568,890 for construction, \$32,017,377 for construction-related services, \$24,269,965 for professional services, \$131,440,947 for non-professional services, and \$138,009,074 for goods.

The utilization analysis was performed separately for formal and informal contracts. The informal levels were \$25,000 and under for all five industries, while the analysis of the formal contracts was limited to contracts under \$500,000. Chapter 6: Prime Contractor Disparity Analysis presents the statistical analysis of disparity in each of these industries.



3

SUBCONTRACTOR UTILIZATION ANALYSIS

I. INTRODUCTION

As discussed in the prime contractor utilization analysis presented in Chapter 2, a disparity study documents Minority and Women Business Enterprise (M/WBE) contracting history in the jurisdiction under review. A finding of subcontractor disparity is required to implement a race-based program targeted to benefit M/WBE subcontractors. In order to analyze subcontractor disparity, it is imperative to determine the level of M/WBE and non-M/WBE subcontractor utilization on City of Tampa (City) contracts during the October 1, 2001 to September 30, 2004 study period.

II. SUBCONTRACTOR UTILIZATION DATA SOURCES

Two different sources were used to reconstruct the subcontractors hired by prime contractors to perform on their City contracts. Non-professional services and goods contracts traditionally do not include significant subcontracting activity and they were not included in the analysis.

These two sources, City project files and prime contractor records were used to reconstruct all construction, construction-related, and professional services prime contracts valued at \$50,000 or more. The City provided copies of their project files as one source for subcontractor information. The majority of the project files contained M/WBE subcontractor names and award amounts. The second source was prime contractors who were surveyed by Mason Tillman to determine their subcontractors. The prime contractors were asked to provide the name, award, and payment amounts for each subcontractor.



After evaluating the City's project files and responses to the prime contractor survey, Mason Tillman found that subcontractor information was incomplete for a number of large contracts. Mason Tillman requested the City's assistance in obtaining complete subcontractor information for the 26 largest prime contracts for which complete data had not been provided. City staff contacted the 14 prime contractors, which had been awarded the 26 prime contracts and requested complete subcontractor data. This contact resulted in a total of 285 subcontractors for the 26 prime contracts. A total of 1,382 subcontracts were identified from the two sources. Comprehensive subcontract records were recorded for 144 construction, architecture and engineering, and professional services prime contracts \$50,000 and over.

Of the 144 prime contracts \$50,000 and over, subcontractor information was obtained for 113 construction prime contracts, 27 construction-related prime contracts, and four professional services prime contracts. There were too few professional subcontracts to perform a statistical analysis.

The subcontractors identified by the prime contractors were surveyed to verify the information provided by the prime contractors.

City staff provided indispensable assistance throughout this process. In addition to providing access to their records, they encouraged the prime contractors and subcontractors to respond to each survey.

III. SUBCONTRACTOR UTILIZATION ANALYSIS

As depicted in Table 3.01 below, Mason Tillman analyzed 1,110 subcontracts for the 87 prime contracts \$50,000 and over awarded between October 1, 2001 and September 30, 2004, the study period. The 1,110 subcontracts included 991 construction subcontracts, 112 construction-related subcontracts, and seven professional services subcontracts.

On the subcontracts identified, \$36,972,786 total dollars were expended, \$25,875,601 for construction subcontracts, \$10,937,117 for construction-related subcontracts, and \$160,068 for professional services subcontracts.



Table 3.01 Total Subcontract Awards and Dollars: All Industries, October 1, 2001 to September 30, 2004

Industry	Total Number of Subcontracts	Total Dollars Expended
Construction	991	\$25,875,601
Construction-Related	112	\$10,937,117
Professional Services	7	\$160,068
Total	1,110	\$36,972,786



A. Construction Utilization: All Subcontracts

Table 3.02 depicts construction subcontracts awarded by prime contractors. Minority Business Enterprises received 30.36 percent of the construction subcontract dollars; Women Business Enterprises received 17.57 percent; and Caucasian Male Business Enterprises received 52.07 percent.

African American Businesses received 48 or 4.84 percent of the construction subcontracts during the study period, representing \$2,914,139 or 11.26 percent of the subcontract dollars.

Asian American Businesses received none of the construction subcontracts during the study period.

Hispanic American Businesses received 91 or 9.18 percent of the construction subcontracts during the study period, representing \$4,774,156 or 18.45 percent of the subcontract dollars.

Native American Businesses received 5 or 0.5 percent of the construction subcontracts during the study period, representing \$167,883 or 0.65 percent of the subcontract dollars.

Minority Business Enterprises received 144 or 14.53 percent of the construction subcontracts during the study period, representing \$7,856,178 or 30.36 percent of the subcontract dollars.

Women Business Enterprises received 100 or 10.09 percent of the construction subcontracts during the study period, representing \$4,546,791 or 17.57 percent of the subcontract dollars.

Minority and Women Business Enterprises received 244 or 24.62 percent of the construction subcontracts during the study period, representing \$12,402,969 or 47.93 percent of the subcontract dollars.

Caucasian Male Business Enterprises received 747 or 75.38 percent of the construction subcontracts during the study period, representing \$13,472,632 or 52.07 percent of the subcontract dollars.



**Table 3.02 Construction Utilization: All Subcontracts,
October 1, 2001 to September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	48	4.84%	\$2,914,139	11.26%
Asian Americans	0	0.00%	\$0	0.00%
Hispanic Americans	91	9.18%	\$4,774,156	18.45%
Native Americans	5	0.50%	\$167,883	0.65%
Caucasian Females	100	10.09%	\$4,546,791	17.57%
Caucasian Males	747	75.38%	\$13,472,632	52.07%
TOTAL	991	100.00%	\$25,875,601	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	5	0.50%	\$400,938	1.55%
African American Males	43	4.34%	\$2,513,201	9.71%
Asian American Females	0	0.00%	\$0	0.00%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	13	1.31%	\$185,660	0.72%
Hispanic American Males	78	7.87%	\$4,588,496	17.73%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	5	0.50%	\$167,883	0.65%
Caucasian Females	100	10.09%	\$4,546,791	17.57%
Caucasian Males	747	75.38%	\$13,472,632	52.07%
TOTAL	991	100.00%	\$25,875,601	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	18	1.82%	\$586,598	2.27%
Minority Males	126	12.71%	\$7,269,580	28.09%
Caucasian Females	100	10.09%	\$4,546,791	17.57%
Caucasian Males	747	75.38%	\$13,472,632	52.07%
TOTAL	991	100.00%	\$25,875,601	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	144	14.53%	\$7,856,178	30.36%
Women Business Enterprises	100	10.09%	\$4,546,791	17.57%
Minority and Women Business Enterprises	244	24.62%	\$12,402,969	47.93%
Caucasian Male Business Enterprises	747	75.38%	\$13,472,632	52.07%
TOTAL	991	100.00%	\$25,875,601	100.00%



B. Construction-Related Utilization: All Subcontracts

Table 3.03 depicts construction-related subcontracts awarded by prime contractors. Minority Business Enterprises received 36.53 percent of the construction-related subcontract dollars; Women Business Enterprises received 11.08 percent; and Caucasian Male Business Enterprises received 52.39 percent.

African American Businesses received 4 or 3.57 percent of the construction-related subcontracts during the study period, representing \$1,495,935 or 13.68 percent of the subcontract dollars.

Asian American Businesses received 1 or 0.89 percent of the construction-related subcontracts during the study period, representing \$46,487 or 0.43 percent of the subcontract dollars.

Hispanic American Businesses received 16 or 14.29 percent of the construction-related subcontracts during the study period, representing \$1,857,706 or 16.99 percent of the subcontract dollars.

Native American Businesses received 1 or 0.89 percent of the construction-related subcontracts during the study period, representing \$595,507 or 5.44 percent of the subcontract dollars.

Minority Business Enterprises received 22 or 19.64 percent of the construction-related subcontracts during the study period, representing \$3,995,635 or 36.53 percent of the subcontract dollars.

Women Business Enterprises received 16 or 14.29 percent of the construction-related subcontracts during the study period, representing \$1,211,822 or 11.08 percent of the subcontract dollars.

Minority and Women Business Enterprises received 38 or 33.93 percent of the construction-related subcontracts during the study period, representing \$5,207,458 or 47.61 percent of the subcontract dollars.

Caucasian Male Business Enterprises received 74 or 66.07 percent of the construction-related subcontracts during the study period, representing \$5,729,660 or 52.39 percent of the subcontract dollars.



**Table 3.03 Construction-Related Utilization: All
Subcontracts, October 1, 2001 to September 30, 2004**

Ethnicity	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African Americans	4	3.57%	\$1,495,935	13.68%
Asian Americans	1	0.89%	\$46,487	0.43%
Hispanic Americans	16	14.29%	\$1,857,706	16.99%
Native Americans	1	0.89%	\$595,507	5.44%
Caucasian Females	16	14.29%	\$1,211,822	11.08%
Caucasian Males	74	66.07%	\$5,729,660	52.39%
TOTAL	112	100.00%	\$10,937,117	100.00%
Ethnicity and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
African American Females	1	0.89%	\$3,440	0.03%
African American Males	3	2.68%	\$1,492,495	13.65%
Asian American Females	1	0.89%	\$46,487	0.43%
Asian American Males	0	0.00%	\$0	0.00%
Hispanic American Females	1	0.89%	\$413,232	3.78%
Hispanic American Males	15	13.39%	\$1,444,475	13.21%
Native American Females	0	0.00%	\$0	0.00%
Native American Males	1	0.89%	\$595,507	5.44%
Caucasian Females	16	14.29%	\$1,211,822	11.08%
Caucasian Males	74	66.07%	\$5,729,660	52.39%
TOTAL	112	100.00%	\$10,937,117	100.00%
Minority and Gender	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Females	3	2.68%	\$463,159	4.23%
Minority Males	19	16.96%	\$3,532,477	32.30%
Caucasian Females	16	14.29%	\$1,211,822	11.08%
Caucasian Males	74	66.07%	\$5,729,660	52.39%
TOTAL	112	100.00%	\$10,937,117	100.00%
Minority and Women	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
Minority Business Enterprises	22	19.64%	\$3,995,635	36.53%
Women Business Enterprises	16	14.29%	\$1,211,822	11.08%
Minority and Women Business Enterprises	38	33.93%	\$5,207,458	47.61%
Caucasian Male Business Enterprises	74	66.07%	\$5,729,660	52.39%
TOTAL	112	100.00%	\$10,937,117	100.00%



4

MARKET AREA ANALYSIS

I. MARKET AREA DEFINITION

A. Legal Criteria for Geographic Market Area

The Supreme Court's decision in *Richmond v. Croson*¹ determined that programs established by local governments which set goals for the participation of minority and woman-owned firms must be supported by *evidence of past discrimination in the award of their contracts*.

Prior to the *Croson* decision, many agencies and jurisdictions implementing race-conscious programs had done so without developing a detailed public record to document discrimination in their awarding of contracts. Instead, they relied upon common knowledge and widely-recognized patterns of discrimination, both local and national.²

Croson established that a local government could not rely on society-wide discrimination as the basis for a race-based program, but should instead identify discrimination within its own jurisdiction.³ In *Croson*, the Court found the City of Richmond's Minority Business Enterprise (MBE) construction program to be unconstitutional due to insufficient evidence of discrimination in the *local construction market*.

Croson was explicit in saying that the *local construction market* was the appropriate geographical framework within which to perform the statistical comparison of business availability and business utilization. Therefore, the identification of the local market area

¹ 488 U.S. 469 (1989).

² *United Steelworkers v. Weber*, 433 U.S. 193, 198, n. 1 (1979).

³ *Croson*, 488 U.S. at 497.



is particularly important as it establishes the parameters within which to conduct a disparity study.

B. Application of the Croson Standard

While *Croson* did much to emphasize the importance of the local market area, it provided little assistance in defining its parameters. However, it is informative to review the Court's definition of market area in the City of Richmond context. In discussing the scope of the constitutional violation that must be investigated, the Court interchangeably used the terms "relevant market,"⁴ "Richmond construction industry,"⁵ and "city's construction industry"⁶ to define the proper scope of the examination of the existence of discrimination. This substitution of terms lends support to a definition of market area that coincides with the boundaries of a jurisdiction.

In analyzing the cases following *Croson*, a pattern emerges which provides us with additional guidance. The body of cases examining market area support a definition of market area that is reasonable.⁷ In *Cone Corporation v. Hillsborough County*,⁸ the Eleventh Circuit Court of Appeals considered a study in support of Florida's Hillsborough County MBE program, which used minority contractors located in the County as the measure of available firms. The program was found to be constitutional under the compelling governmental interest prong of strict scrutiny.

Hillsborough County's program was based on statistics indicating that specific discrimination existed in the construction contracts awarded by the County, not in the construction industry in general. Hillsborough County had extracted data from within its own jurisdictional boundaries and assessed the percentage of minority businesses available in Hillsborough County. The court stated that the study was properly conducted within the "local construction industry."⁹

Similarly, in *Associated General Contractors v. Coalition for Economic Equity (AGCCII)*,¹⁰ the Ninth Circuit Court of Appeals found the City and County of San Francisco's MBE program to have the factual predicate necessary to survive strict scrutiny. The MBE

⁴ *Croson*, 488 U.S. at 471.

⁵ *Id.* at 500.

⁶ *Id.* at 470.

⁷ See, e.g., *Concrete Works of Colorado v. City of Denver, Colorado*, 36 F.3d 1513, 1528 (10th Cir. 1994).

⁸ *Cone Corp. v. Hillsborough County*, 908 F.2d 908 (11th Cir. 1990).

⁹ *Id.* at 915.

¹⁰ *Associated General Contractors v. Coalition for Economic Equity*, 950 F.2d 1401 (9th Cir. 1991).



program was supported by a study that assessed the number of available MBE contractors within the City and County of San Francisco. The court found it appropriate to use the City and County as the relevant market area within which to conduct a disparity study.¹¹

In *Coral Construction v. King County*, the Ninth Circuit Court of Appeals held that, “a set-aside program is valid only if actual, identifiable discrimination has occurred within the local industry affected by the program.”¹² In support of its MBE program, Washington’s King County offered studies compiled by other jurisdictions, including entities completely within the County or coterminous with the boundaries of the County, as well as a separate jurisdiction completely outside of the County. The plaintiffs contended that *Crososon* required King County to compile its own data and cited *Crososon* to prohibit data sharing.

The court found that data sharing could potentially lead to the improper use of societal discrimination data as the factual basis for a local MBE program and that innocent third parties could be unnecessarily burdened if an MBE program were based on outside data.

However, the court also found that the data from entities within the County and from coterminous jurisdictions to be relevant to discrimination in the County. They also found that the data posed no risk in unfairly burdening innocent third parties. As for data gathered by a neighboring county, the court concluded that this data could not be used to support King County’s MBE program. The court noted, “It is vital that a race-conscious program align itself as closely to the scope of the problem legitimately sought to be rectified by the governmental entity. To prevent overbreadth, the enacting jurisdiction should limit its factual inquiry to the presence of discrimination within its own boundaries.”¹³ However, the court did acknowledge that the “world of contracting does not conform itself neatly to jurisdictional boundaries.”¹⁴

In other situations courts have approved a definition of market area that extends beyond a jurisdiction’s boundaries. In *Concrete Works v. City and County of Denver*,¹⁵ the Tenth Circuit Court of Appeals directly addressed the issue of whether extra-jurisdictional evidence of discrimination can be used to determine “local market area” for a disparity study. In *Concrete Works*, the defendant relied on evidence of discrimination in the six-county Denver Metropolitan Statistical Area (MSA) to support its MBE program. Plaintiffs argued that the extra jurisdictional evidence should not be considered. The court disagreed, finding that *Crososon*’s concern was that cities not use vaguely defined societal discrimination

¹¹ *Id.* at 1415.

¹² *Coral Construction v. King County*, 941 F.2d 910, 916 (9th Cir. 1991).

¹³ *Id.* at 917.

¹⁴ *Id.*

¹⁵ *Concrete Works of Colorado v. City of Denver, Colorado*, 36 F.3d 1513 , 1528 (10th Cir. 1994).



as the factual predicate for a disparity study. The court explained that evidence of discrimination should be specific so that race-conscious programs are designed to minimize burdens upon nonculpable third parties.

Critical to the court's acceptance of the Denver MSA as the relevant local market was the finding that more than 80 percent of construction and design contracts awarded by Denver were awarded to contractors within the MSA. Another consideration was that Denver's analysis was based on U.S. Census data, which was available for the Denver MSA, but not for the city itself. There was no undue burden placed on nonculpable parties, as Denver had conducted a majority of its construction contracts within the area defined as the local market. Citing *AGCCII*,¹⁶ the court noted, "that any plan that extends race-conscious remedies beyond territorial boundaries must be based on very specific findings that actions that the city has taken in the past have visited racial discrimination on such individuals."¹⁷

Similarly, New York State conducted a disparity study in which the geographic market consisted of New York State and eight counties in northern New Jersey. The geographic market was defined as the area encompassing the location of businesses which received more than 90 percent of the dollar value of all contracts awarded by the agency.¹⁸

State and local governments must pay special attention to the geographical scope of their disparity studies. *Croson* determined that the statistical analysis should focus on the number of qualified minority individuals or qualified minority business owners in the government's marketplace.¹⁹ The text of *Croson* itself suggests that the geographical boundaries of the government entity comprise an appropriate market area, and other courts have agreed with this finding. In addition, other cases have approved the use of a percentage of the dollars spent by an agency on contracting.

It follows then that an entity may limit consideration of evidence of discrimination within its own jurisdiction. Under certain circumstances, extra-jurisdictional evidence can be used if the percentage of governmental dollars supports such boundaries. Taken collectively, the cases support a definition of market area that is reasonable rather than dictating a specific formula. In other words, since *Croson* and its progeny did not provide a bright line rule for local market area, that determination should be fact-based and case-specific.

¹⁶ *AGCCII*, 950 F.2d at 1401.

¹⁷ *Concrete Works*, 36 F.3d at 1528.

¹⁸ *Opportunity Denied! New York State's Study*, 26 *Urban Lawyer* No. 3, Summer 1994.

¹⁹ *Croson*, 488 U.S. at 501.



II. MARKET AREA ANALYSIS

Although Croson and its progeny do not provide a bright line rule for the delineation of the local market area, taken collectively, the case law supports a definition of market area as within its own jurisdiction. It is within the market where an entity may limit consideration of evidence of discrimination. A review of the prime contracts awarded by the City of Tampa (City) shows that the majority of the 59,058 contracts were awarded to local businesses. The distribution of contracts by number of awards within each of the five industries additionally shows a pattern of contracting with local businesses. A review of the contracts awarded to local businesses is depicted below:

1. Distribution of All Contracts

The City awarded 59,058 prime contracts during the October 1, 2001 and September 30, 2004 study period. The majority of these contracts, 63.07 percent, were awarded to Tampa-based firms. The distribution of the prime contracts awarded to firms outside of the City is depicted in Table 4.01.

**Table 4.01 Distribution of All Contracts Prime Awarded
October 1, 2001 to September 30, 2004**

City	County	State	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
TAMPA	Hillsborough	FL	37,249	63.07%	\$200,175,653	47.51%
CHICAGO	Out of State - IL	IL	250	0.42%	\$22,095,074	5.24%
THONOTOSASSA	Hillsborough	FL	211	0.36%	\$12,226,370	2.90%
CLEARWATER	Pinellas	FL	794	1.34%	\$10,270,700	2.44%
TEMPLE TERRACE	Hillsborough	FL	217	0.37%	\$9,831,611	2.33%
BARTOW	Polk	FL	114	0.19%	\$8,793,276	2.09%
ORLANDO	Orange	FL	474	0.80%	\$8,084,437	1.92%
ALTAMONTE SPRINGS	Seminole	FL	17	0.03%	\$5,847,524	1.39%
CLEVELAND	Out of State - TN	TN	54	0.09%	\$5,623,422	1.33%
NEW YORK	Out of State - NY	NY	61	0.10%	\$5,087,193	1.21%
YALAHA	Lake	FL	2	0.00%	\$4,917,314	1.17%
NEW PORT RICHEY	Pasco	FL	79	0.13%	\$4,896,978	1.16%
Other Cities			19,536	33.08%	\$123,456,701	29.30%
Total			59,058	100.00%	\$421,306,253	100.00%



2. Distribution of Construction Prime Contracts

The City awarded 1,185 construction prime contracts during the October 1, 2001 and September 30, 2004 study period. Most of these contracts, 40 percent, were awarded to Tampa-based firms. The distribution of the prime contracts awarded to firms outside of the City is depicted in Table 4.02.

**Table 4.02 Distribution of Construction Prime Contracts
Awarded October 1, 2001 to September 30, 2004**

City	County	State	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
TAMPA	Hillsborough	FL	474	40.00%	\$34,010,535	35.59%
THONOTOSASSA	Hillsborough	FL	162	13.67%	\$12,166,604	12.73%
TEMPLE TERRACE	Hillsborough	FL	1	0.08%	\$9,463,254	9.90%
YALAHA	Lake	FL	2	0.17%	\$4,917,314	5.15%
NEW PORT RICHEY	Pasco	FL	3	0.25%	\$4,632,852	4.85%
ORLANDO	Orange	FL	27	2.28%	\$4,468,183	4.68%
SEFFNER	Hillsborough	FL	18	1.52%	\$3,616,538	3.78%
ODESSA	Hillsborough	FL	9	0.76%	\$2,708,684	2.83%
TARPON SPRINGS	Pinellas	FL	2	0.17%	\$2,344,710	2.45%
JACKSONVILLE	Duval	FL	40	3.38%	\$2,072,150	2.17%
PLANT CITY	Hillsborough	FL	24	2.03%	\$2,030,854	2.13%
PALM COAST	Flagler	FL	13	1.10%	\$1,936,586	2.03%
SAINT PETERSBURG	Pinellas	FL	74	6.24%	\$1,299,042	1.36%
OCALA	Marion	FL	1	0.08%	\$1,223,092	1.28%
Other Cities			335	28.27%	\$8,678,492	9.08%
Total			1,185	100.00%	\$95,568,890	100.00%

3. Distribution of Construction-Related Prime Contracts

The City awarded 682 construction-related prime contracts during the October 1, 2001 and September 30, 2004 study period. The majority of these contracts, 74.79 percent, were awarded to Tampa-based firms. The distribution of the prime contracts awarded to firms outside of the City is depicted in Table 4.03.

**Table 4.03 Distribution of Construction-Related Prime
Contracts Awarded October 1, 2001 to September 30, 2004**

City	County	State	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
TAMPA	Hillsborough	FL	527	74.79%	\$21,525,593	67.24%
NEW YORK	Out of State - NY	NY	1	0.14%	\$4,833,751	15.09%
PEACH TREE CITY	Out of State - GA	GA	1	0.14%	\$1,658,416	5.18%
SARASOTA	Sarasota	FL	2	0.28%	\$1,651,838	5.16%
LONGWOOD	Seminole	FL	6	0.85%	\$822,601	2.57%
SAINT PETERSBURG	Pinellas	FL	35	4.96%	\$667,167	2.08%
Other Cities			110	18.84%	\$858,011	2.68%
Total			682	100.00%	\$32,017,377	100.00%



4. Distribution of Professional Services Prime Contracts

The City awarded 1,344 professional services prime contracts during the October 1, 2001 and September 30, 2004 study period. Most of these contracts, 38.54 percent, were awarded to Tampa-based firms. The distribution of the prime contracts awarded to firms outside of the City is depicted in Table 4.04.

Table 4.04 Distribution of Professional Services Prime Contracts Awarded October 1, 2001 to September 30, 2004

City	County	State	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
TAMPA	Hillsborough	FL	518	38.54%	\$14,202,295	58.52%
PLEASANTON	Out of State - CA	CA	3	0.22%	\$1,007,005	4.15%
NORTH LITTLE ROCK	Out of State - AR	AR	4	0.30%	\$870,965	3.59%
ATLANTA	Out of State - GA	GA	13	0.97%	\$772,819	3.18%
SCOTTSDALE	Out of State - AZ	AZ	9	0.67%	\$743,830	3.06%
SACRAMENTO	Out of State - CA	CA	2	0.15%	\$595,893	2.46%
ORLANDO	Orange	FL	13	0.97%	\$467,819	1.93%
WALNUT CREEK	Out of State - CA	CA	4	0.30%	\$444,700	1.83%
ANAHEIM	Out of State - CA	CA	6	0.45%	\$358,508	1.48%
CHICAGO	Out of State - IL	IL	6	0.45%	\$358,508	1.48%
Other Cities			766	56.99%	\$4,447,623	18.33%
Total			1,344	100.00%	\$24,269,965	100.00%

5. Distribution of Non-Professional Prime Contracts

The City awarded 10,429 non-professional services prime contracts during the October 1, 2001 and September 30, 2004 study period. The majority of these contracts, 74.3 percent, were awarded to Tampa-based firms. The distribution of the prime contracts awarded to firms outside of the City is depicted in Table 4.05.

Table 4.05 Distribution of Non-Professional Services Prime Contracts Awarded October 1, 2001 to September 30, 2004

City	County	State	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
TAMPA	Hillsborough	FL	7,749	74.30%	\$83,566,097	63.58%
CHICAGO	Out of State - IL	IL	115	1.10%	\$21,641,271	16.46%
ALTAMONTE SPRINGS	Seminole	FL	13	0.12%	\$5,842,326	4.44%
MINNEAPOLIS	Out of State - MN	MN	7	0.07%	\$2,505,997	1.91%
WINDERMERE	Orange	FL	4	0.04%	\$1,753,350	1.33%
CLEARWATER	Pinellas	FL	92	0.88%	\$1,171,135	0.89%
Other Cities			2,449	23.48%	\$14,960,771	11.38%
Total			10,429	100.00%	\$131,440,947	100.00%



6. Distribution of Goods Prime Contracts

The City awarded 45,418 goods prime contracts during the October 1, 2001 and September 30, 2004 study period. The majority of these contracts, 61.92 percent, were awarded to Tampa-based firms. The distribution of the prime contracts awarded to firms outside of the City is depicted in Table 4.06.

**Table 4.06 Distribution of Goods Prime Contracts Awarded
October 1, 2001 to September 30, 2004**

City	County	State	Number of Contracts	Percent of Contracts	Amount of Dollars	Percent of Dollars
TAMPA	Hillsborough	FL	28,123	61.92%	\$49,876,458	36.14%
BARTOW	Polk	FL	34	0.07%	\$8,515,524	6.17%
CLEARWATER	Pinellas	FL	567	1.25%	\$8,399,993	6.09%
CLEVELAND	Out of State - TN	TN	54	0.12%	\$5,623,422	4.07%
RICEBORO	Out of State - GA	GA	56	0.12%	\$3,571,600	2.59%
LUTZ	Hillsborough	FL	239	0.53%	\$3,480,926	2.52%
DAYTONA BEACH	Volusia	FL	397	0.87%	\$2,853,516	2.07%
FORT WORTH	Out of State - TX	TX	75	0.17%	\$2,768,682	2.01%
MAITLAND	Orange	FL	92	0.20%	\$2,485,583	1.80%
MIAMI	Dade	FL	496	1.09%	\$2,438,535	1.77%
SARASOTA	Sarasota	FL	100	0.22%	\$2,376,239	1.72%
ROUND ROCK	Out of State - TX	TX	343	0.76%	\$2,196,761	1.59%
TEMPE	Out of State - AZ	AZ	292	0.64%	\$2,177,466	1.58%
CORAOPOLIS	Out of State - PA	PA	12	0.03%	\$2,138,307	1.55%
BRADENTON	Manatee	FL	144	0.32%	\$2,038,011	1.48%
ORLANDO	Orange	FL	286	0.63%	\$1,943,006	1.41%
LAKELAND	Polk	FL	467	1.03%	\$1,895,755	1.37%
PEACH TREE CITY	Out of State - GA	GA	25	0.06%	\$1,836,586	1.33%
TALLASSEE	Out of State - AL	AL	165	0.36%	\$1,817,374	1.32%
BIRMINGHAM	Out of State - AL	AL	85	0.19%	\$1,678,328	1.22%
FORT WAYNE	Out of State - IN	IN	99	0.22%	\$1,407,427	1.02%
FORT PIERCE	St. Lucie	FL	72	0.16%	\$1,322,216	0.96%
LONGWOOD	Seminole	FL	125	0.28%	\$1,264,941	0.92%
Other Cities			13,070	28.78%	\$23,902,418	17.32%
Total			45,418	100.00%	\$138,009,074	100.00%

More than 63 percent of the City's prime contracts were awarded to businesses located in the City. Given the geographical distribution of the prime contracts awarded by the City and the requirements set forth in the applicable case law, the study's market area is determined to be the City of Tampa.



III. CITY OF TAMPA'S MARKET AREA

The following table depicts the overall number of construction, construction-related, professional services, non-professional services, and goods contracts and the dollar value of the contracts awarded by the City of Tampa (City) between October 1, 2001 and September 30, 2004.

The City awarded 59,058 contracts valued at \$421,306,253 during the three-year study period. A total of 63.31 percent of the contracts and 48.23 percent of the dollars were awarded to businesses in the City. The balance of the dollars was awarded to businesses in other jurisdictions in Florida and the remainder in other states.

Table 4.07 depicts the overall number of contracts and the dollar value of contracts awarded by the City during October 1, 2001 and September 30, 2004. As depicted in the table, the City awarded 59,058 contracts valued at \$421,306,253. Of these contracts, 37,391 or 63.31 percent were awarded to market area businesses. The dollar value of those contracts was \$203,180,978 or 48.23 percent of all dollars. For construction prime contracts, 474 or 40 percent were awarded to market area businesses. The dollar value of those contracts was \$34,010,535 or 35.59 percent of the total construction dollars. Of the construction-related prime contracts, 527 or 77.27 percent of the contracts were awarded to market area businesses. The dollar value of those contracts was \$21,525,593 or 67.23 percent of the total construction-related dollars. For professional services prime contracts, 518 or 38.54 percent were awarded to market area businesses. The dollar value of those contracts was \$14,202,295 or 58.52 percent of the total professional services dollars. For non-professional services prime contracts, 7,749 or 74.3 percent were awarded to market area businesses. The dollar value of those contracts was \$83,566,097 or 63.58 percent of the total non-professional services dollars. For goods prime contracts, 28,123 or 61.92 percent were awarded to market area businesses. The dollar value of those contracts was \$49,876,458 or 36.14²⁰ percent of the total goods dollars.

It is within this market area that the analysis of disparity will be limited.



²⁰ 30.2 percent of total goods dollars were awarded to businesses outside the state of Florida.

**Table 4.07 City of Tampa Market Area: October 1, 2001 and
September 30, 2004**

Combined Types of Work				
City of Tampa	37,391	63.31%	203,180,978	48.23%
Outside City of Tampa	21,667	36.69%	218,125,275	51.77%
Total	59,058	100.00%	\$421,306,253	100.00%
Construction				
City of Tampa	474	40.00%	34,010,535	35.59%
Outside City of Tampa	711	60.00%	61,558,355	64.41%
Total	1,185	100.00%	\$95,568,890	100.00%
Construction-Related				
City of Tampa	527	77.27%	\$21,525,593	67.23%
Outside City of Tampa	155	22.73%	\$10,491,784	32.77%
Total	682	100.00%	\$32,017,377	100.00%
Professional Services				
City of Tampa	518	38.54%	\$14,202,295	58.52%
Outside City of Tampa	826	61.46%	\$10,067,670	41.48%
Total	1,344	100.00%	\$24,269,965	100.00%
Non-Professional Services				
City of Tampa	7,749	74.30%	\$83,566,097	63.58%
Outside City of Tampa	2,680	25.70%	\$47,874,850	36.42%
Total	10,429	100.00%	\$131,440,947	100.00%
Goods				
City of Tampa	28,123	61.92%	\$49,876,458	36.14%
Outside City of Tampa	17,295	38.08%	\$88,132,616	63.86%
Total	45,418	100.00%	\$138,009,074	100.00%



5

AVAILABILITY ANALYSIS

I. INTRODUCTION

According to *Croson*, availability is defined as businesses in the jurisdiction's market area that are willing and able to provide goods or services.¹ To determine availability, minority and woman-owned business enterprises (M/WBEs) and non-M/WBEs within the jurisdiction's market area that are willing and able to perform the local government's contracts need to be enumerated. When considering sources for determining the number of willing and able M/WBEs and non-M/WBEs the selection must be based on whether two significant aspects about the population in question can be gauged from the sources. The sources must indicate first the firm's interest in doing business with the local government, as implied by the term "willing," and second, the willing business' capacity to provide goods or services, as implied by the term "able."

The market area analysis presented in Chapter 4 defined the City of Tampa (City) as the market area for this Study because the majority of businesses utilized are domiciled within this jurisdiction.

Separate availability lists were compiled for prime contractors and subcontractors within the five industries studied. The compiled list of available prime contractors included minority, women, and Caucasian male-owned businesses in the industries of construction, construction-related, professional services, non-professional services, and goods. The list of available subcontractors was limited to the three industries studied: construction, construction-related, and professional services. All of these lists were compiled by enumerating the appropriate businesses domiciled in the City.



¹ *City of Richmond v. J.A. Croson*, 488 U.S. 469, 509 (1989).

II. SUMMARY OF PRIME CONTRACTOR AVAILABILITY DATA SOURCES

A. Prime Contractor Sources

Market area M/WBEs and non-M/WBEs willing and able to do business with the City were identified from various sources. Businesses that demonstrated willingness to contract with the City were identified from the City and other agency sources. The willingness of businesses identified from non-governmental sources had to be determined. Table 5.01 lists the sources used.

Table 5.01 Summary of Prime Contractor Availability Data Sources

Source of Record	Type of Information
City of Tampa and Hillsborough County Aviation Authority Sources	
City of Tampa: Utilized Businesses	M/WBEs and non-M/WBEs
City of Tampa: Unsuccessful Bidders	M/WBEs and non-M/WBEs
Hillsborough County Aviation Authority: Utilized Businesses	M/WBEs and non-M/WBEs
Hillsborough County Aviation Authority: Unsuccessful Bidders	M/WBEs and non-M/WBEs
Government Agency Certification Lists	
City of Tampa Minority and Woman-owned Business Enterprise (M/WBE) Certification List	M/WBEs
Hillsborough County Aviation Authority Disadvantaged Business Enterprises (DBE) Certification List	M/WBEs and DBEs
United States Small Business Administration: Procurement Marketing and Access Network	M/WBEs and non-M/WBEs
Florida Department of Transportation Directory of Disadvantaged Business Enterprises List	M/WBEs and DBEs
Tampa Port Authority Directory of Small Business Enterprises (SBE)	SBEs
Tampa-Hillsborough Expressway Authority Small Business Enterprise List	SBEs
Business Outreach Event	
City of Tampa/ Hillsborough County Aviation Authority Community Meeting Attendee list	M/WBEs and non-M/WBEs
City of Tampa/ Hillsborough County Aviation Authority Community Meeting Business Surveys	M/WBEs and non-M/WBEs



Table 5.01 Summary of Prime Contractor Availability Data Sources

Source of Record	Type of Information
Trade Association Membership Lists	
Associated Builders and Contractors - Florida Gulf Coast Chapter	M/WBEs and non-M/WBEs
Associated General Contractors of America - Greater Florida Chapter	M/WBEs and non-M/WBEs
American Subcontractors Association of Florida	M/WBEs and non-M/WBEs
School District of Hillsborough County Office of Supplier Diversity	M/WBEs and non-M/WBEs
Business Association Membership Lists	
Hispanic Chamber of Commerce	M/WBEs
National Association of Black Accountants - Tampa Bay Chapter	M/WBEs
National Association of Women Business Owners - Tampa Chapter	M/WBEs
North Tampa Chamber of Commerce	M/WBEs and non-M/WBEs
Philippine-American Chamber of Commerce	M/WBEs

B. Determination of Willingness

The term “willingness” refers to a firm’s indicated interest in doing government contracting. Willingness, as it has been used in *Croscon* and its progeny, is addressed in detail in the Legal Analysis chapter of this report. Businesses identified from the City and other governmental agencies, listed in Table 5.01, have demonstrated their willingness to perform on public contracts. These businesses had either bid on City projects, sought government contracts, secured government certification, or responded to the outreach campaign conducted in conjunction with this Disparity Study. It is therefore presumed that companies that expressed an interest in government contracts are willing to provide the goods and services needed by the City.

Companies from the non-governmental sources listed in Table 5.01, trade associations, chambers of commerce, and business associations were not presumed to be willing. Companies listed in non-governmental sources were surveyed to determine their willingness to bid on City contracts. The businesses that indicated a willingness, when surveyed, were added to the database used to create a unique list of businesses in the City’s market area. The surveyed businesses that indicated a willingness to contract with the City were combined with the businesses from the City, other government lists, and outreach lists to compile a unique list of willing businesses.



C. Distribution of Available Prime Contractors by Source, Ethnicity, and Gender

Tables 5.02 through 5.07 represent the distribution of available prime contractors. The sources are ranked, with the highest ranking assigned to the contractors utilized by the City and Hillsborough County Aviation Authority. Each company is *counted only once in the distribution*. For example, a utilized prime contractor is counted once in the prime contractor utilization source and will not be counted a second time even though the company may have been certified, or identified as a bidder.

As noted in Table 5.02, 96.35 percent of the prime contractors available in all industries combined were obtained from a government source. Companies identified through the willingness survey or business outreach activities represent 3.65 percent of the willing firms.

Table 5.02 Distribution of Prime Contractor Availability by Source - All Industries

Sources	M/WBEs Percentage	Non-M/WBEs Percentage	Source Percentage
Prime Contractor Utilization	29.66	91.12	73.83
Bidders Lists	2.27	2.79	2.64
Certification Lists	60.62	3.93	19.88
Subtotal	92.55	97.84	96.35
Willingness Survey	7.13	2.03	3.47
Community Meeting Attendees	0.32	0.13	0.18
Subtotal	7.45	2.16	3.65
Grand Total*	100.00	100.00	100.00

* The percentages may not total 100 percent due to rounding.



The distribution of available businesses, by source, was performed for each of the five industries. As noted in Table 5.03, 98.25 percent of the prime contractors available in construction were obtained from a government source. Companies identified through the willingness survey and business outreach activities represent 1.75 percent of the willing firms.

Table 5.03 Distribution of Prime Contractor Availability by Source - Construction

Sources	M/WBEs Percentage	Non-M/WBEs Percentage	Source Percentage
Prime Contractor Utilization	30.82	76.09	55.10
Bidders Lists	8.18	15.76	12.24
Certification Lists	60.38	5.43	30.90
Subtotal	99.37	97.28	98.25
Willingness Survey	0.63	2.72	1.75
Community Meeting Attendees	0.00	0.00	0.00
Subtotal	0.63	2.72	1.75
Grand Total*	100.00	100.0	100.00

* The percentages may not total 100 percent due to rounding.



Table 5.04 depicts the data sources for construction-related prime contractors. As noted, 98.97 percent of the prime contractors available were obtained from a government source. Companies identified through the willingness survey and business outreach activities represent 1.03 percent of the willing firms.

Table 5.04 Distribution of Prime Contractor Availability Data by Source - Construction-Related

Sources	M/WBEs Percentage	Non-M/WBEs Percentage	Source Percentage
Prime Contractor Utilization	41.05	81.82	61.86
Bidders Lists	5.26	11.11	8.25
Certification Lists	51.58	7.07	28.87
Subtotal	97.89	100.00	98.97
Willingness Survey	2.11	0.00	1.03
Community Meeting Attendees	0.00	0.00	0.00
Subtotal	2.11	0.00	1.03
Grand Total*	100.00	100.00	100.00

* The percentages may not total 100 percent due to rounding.



Table 5.05 depicts the data sources for professional services prime contractors. As noted, 85.84 percent of the prime contractors were obtained from a government source. Companies identified through the willingness survey and business outreach activities represent 14.16 percent of the willing firms.

Table 5.05 Distribution of Prime Contractor Availability by Source - Professional Services

Sources	M/WBEs Percentage	Non-M/WBEs Percentage	Source Percentage
Prime Contractor Utilization	22.35	75.00	49.13
Bidders Lists	0.59	3.98	2.31
Certification Lists	60.00	9.66	34.39
Subtotal	82.94	88.64	85.84
Willingness Survey	16.47	10.80	13.58
Community Meeting Attendees	0.59	0.56	0.58
Subtotal	17.06	11.36	14.16
Grand Total*	100.00	100.00	100.00

* The percentages may not total 100 percent due to rounding.



Table 5.06 depicts the data sources for non-professional services prime contractors. As noted, 97.41 percent of the prime contractors were obtained from a government source. The one government source that was not available for this industry was bidders lists. Companies identified through the willingness survey and business outreach activities represent 2.59 percent of the willing firms.

Table 5.06 Distribution of Prime Contractor Availability by Source - Non-Professional Services

Sources	M/WBEs Percentage	Non-M/WBEs Percentage	Source Percentage
Prime Contractor Utilization	34.91	96.17	76.37
Certification Lists	59.91	2.48	21.04
Subtotal	94.81	98.65	97.41
Willingness Survey	4.72	1.35	2.44
Community Meeting Attendees	0.47	0.00	0.15
Subtotal	5.19	1.35	2.59
Grand Total*	100.00	100.00	100.00

* The percentages may not total 100 percent due to rounding.



Table 5.07 depicts the data sources for goods prime contractors. As noted, 99.34 percent of the prime contractors were obtained from a government source. The one government source that was not available for this industry was bidders lists. Companies identified through the willingness survey and business outreach activities represent 0.66 percent of the willing firms.

Table 5.07 Distribution of Prime Contractor Availability by Source - Goods

Sources	M/WBEs Percentage	Non-M/WBEs Percentage	Source Percentage
Prime Contractor Utilization	52.48	97.42	90.49
Certification Lists	45.39	2.20	8.85
Subtotal	97.87	99.61	99.34
Willingness Survey	2.13	0.26	0.55
Community Meeting Attendees	0.00	0.13	0.11
Subtotal	2.13	0.39	0.66
Grand Total*	100.00	100.00	100.00

* The percentages may not total 100 percent due to rounding.



III. CAPACITY

The second component of the availability requirement set forth in *Croson* is a firm's capacity or ability to perform the contracts awarded by the agency.² However, capacity requirements are not delineated in *Croson*. In fact, a standard for capacity has only been addressed in a few subsequent cases. Each case where capacity has been considered has involved large, competitively bid construction prime contracts. Therefore, in order to assess the capacity of willing market area firms to do business with the City, four approaches have been employed.

- The sizes of the City's prime contracts were analyzed to determine the capacity needed to perform the average awarded contract;
- The largest contracts awarded to M/WBEs were identified to determine demonstrated ability to win large, competitively bid contracts;
- The M/WBE certification process was assessed to determine if it met the standard set forth in *Contractors Ass'n of Eastern Pennsylvania v. City of Philadelphia (Philadelphia)*,³ which found certification to be a measure of capacity; and
- The disparity analysis has been restricted to an examination of prime contract awards \$500,000 and under to limit the capacity required to perform contracts subjected to the statistical analysis.

This methodology was sufficient to assess the capacity of willing market area firms to do business with the City.

A. Size of Prime Contracts Analyzed

In *Associated General Contractors of California v. City of Columbus* and *Engineering Contractors Ass'n of South Florida v. Metropolitan Dade County*, the courts were primarily concerned with the capacity analysis of available bidders for large, competitively bid contracts. It should also be noted that the focus in both cases was on the bidding company's size and ability to perform on large, competitively bid construction contracts.⁴

² *City of Richmond v. J.A. Croson*, 488 U.S. 469 (1989).

³ *Contractors Ass'n of Eastern Pennsylvania v. City of Philadelphia*, 6 F.3d 990 (3d Cir. 1993), on remand, 893 F. Supp. 419 (E.D. Penn. 1995), aff'd, 91 F.3d 586 (3d Cir. 1996).

⁴ *Associated General Contractors of California v. City of Columbus*, 936 F. Supp. 1363 (S.D. Ohio 1996), and *Engineering Contractors Ass'n of South Florida v. Metropolitan Dade County*, 943 F. Supp. 1546 (S.D. Fla. 1996), aff'd 122 F.3d 895 (11th Cir. 1997).



The City's prime contracts were analyzed to determine the capacity required to perform its contracts. The analysis of prime contractor awards was conducted by ethnic and gender groups. The size distribution presented in Tables 5.08 through 5.12 illustrates the fact that limited capacity is needed to perform the overwhelming majority of the City's contracts.

1. Construction Prime Contracts by Size

Table 5.08 depicts the City's construction contracts within dollar ranges. The percent of contracts valued at \$25,000 and under were 80.25 percent; those \$100,000 and under were 89.2 percent; and 96.79 percent were under \$500,000. A P-value calculation was conducted to determine the probability that the findings represent a pattern or a chance occurrence.

The P-value ⁵ of <0.001 denotes a significant difference in the size of construction contract dollars across ethnic/gender groups.

2. Construction-Related Prime Contracts by Size

Table 5.09 depicts the City's construction-related contracts awarded within dollar ranges. The percent of contracts valued at \$25,000 and under were 74.78 percent; those \$100,000 and under were 96.05 percent; and 98.84 percent were under \$500,000.

The P-value cannot be calculated because of an insufficient variety in the sizes of the construction-related contracts awarded to M/WBEs.

3. Professional Services Prime Contracts by Size

Table 5.10 depicts the City's professional services contracts awarded within dollar ranges. The percent of contracts valued at \$25,000 and under were 91.52 percent; those \$100,000 and under were 96.28 percent; and 99.48 percent were under \$500,000.

The P-value cannot be calculated because of an insufficient variety in the sizes of the professional services contracts awarded to M/WBEs.

⁵ P-value is the probability that a given statistical finding is due to chance. When a P-value is very small, it means that the finding is very unlikely to be a chance occurrence and is very likely to represent an existing pattern. The industry standard is that if a P-value is less than 0.05, or in other words, the probability that a given finding is due to chance is less than 5 percent, the finding is considered statistically significant. "P-value<0.001" indicates a very strong statistical significance.



4. Non-Professional Services Prime Contracts by Size

Table 5.11 depicts the City's non-professional services contracts awarded within dollar ranges. The percent of contracts valued at \$25,000 and under were 96.7 percent; those \$100,000 and under were 98.9 percent; and 99.63 percent were under \$500,000.

The P-value of <0.001 denotes a significant difference in the size of non-professional services contract dollars across ethnic/gender groups.

5. Goods Prime Contracts by Size

Table 5.12 depicts the City's goods contracts awarded within dollar ranges. The percent of contracts valued at \$25,000 and under were 98.52 percent; those \$100,000 and under were 99.49 percent; and 99.97 percent were under \$500,000.

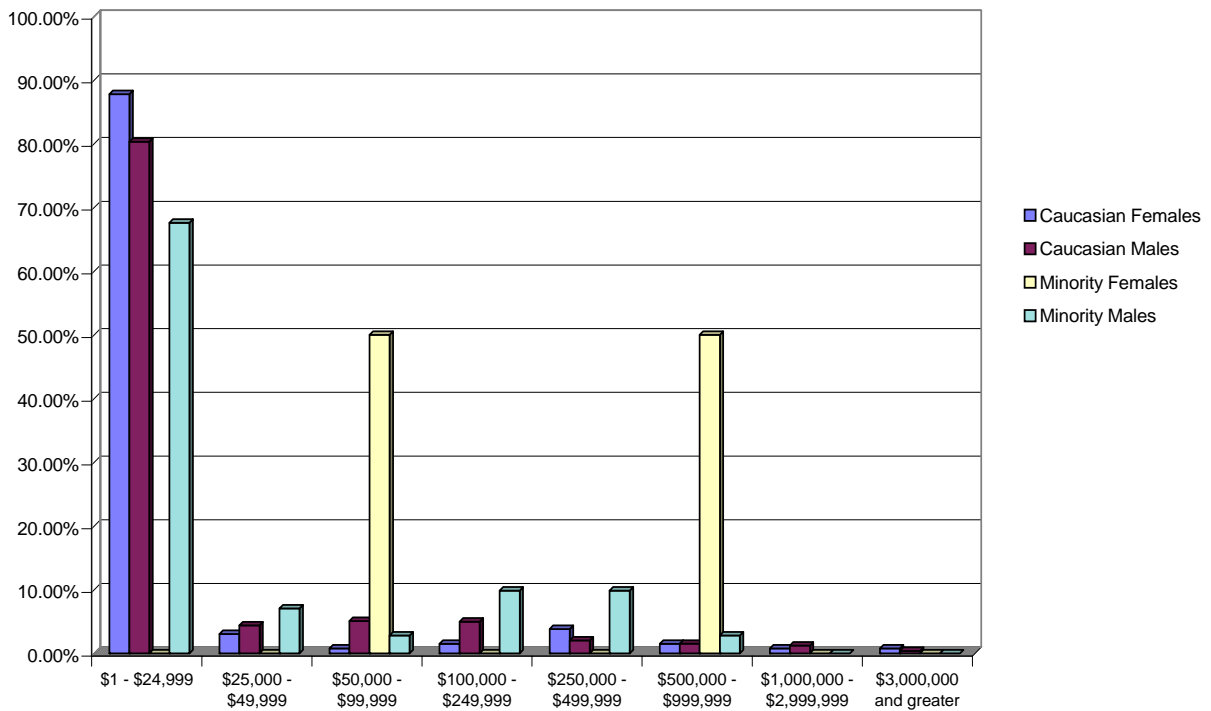
The P-value cannot be calculated because of an insufficient variety in the sizes of the goods contracts awarded to M/WBEs.



Table 5.08 Construction Prime Contracts by Size, October 1, 2001 to September 30, 2004

Size	Caucasian				Minority				Total	
	Females		Males		Females		Males		Freq	Percent
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent		
\$1 - \$24,999	115	87.79%	788	80.33%	0	0.00%	48	67.61%	951	80.25%
\$25,000 - \$49,999	4	3.05%	43	4.38%	0	0.00%	5	7.04%	52	4.39%
\$50,000 - \$99,999	1	0.76%	50	5.10%	1	50.00%	2	2.82%	54	4.56%
\$100,000 - \$249,999	2	1.53%	49	4.99%	0	0.00%	7	9.86%	58	4.89%
\$250,000 - \$499,999	5	3.82%	20	2.04%	0	0.00%	7	9.86%	32	2.70%
\$500,000 - \$999,999	2	1.53%	15	1.53%	1	50.00%	2	2.82%	20	1.69%
\$1,000,000 - \$2,999,999	1	0.76%	12	1.22%	0	0.00%	0	0.00%	13	1.10%
\$3,000,000 and greater	1	0.76%	4	0.41%	0	0.00%	0	0.00%	5	0.42%
Total	131	100.00%	981	100.00%	2	100.00%	71	100.00%	1185	100.00%

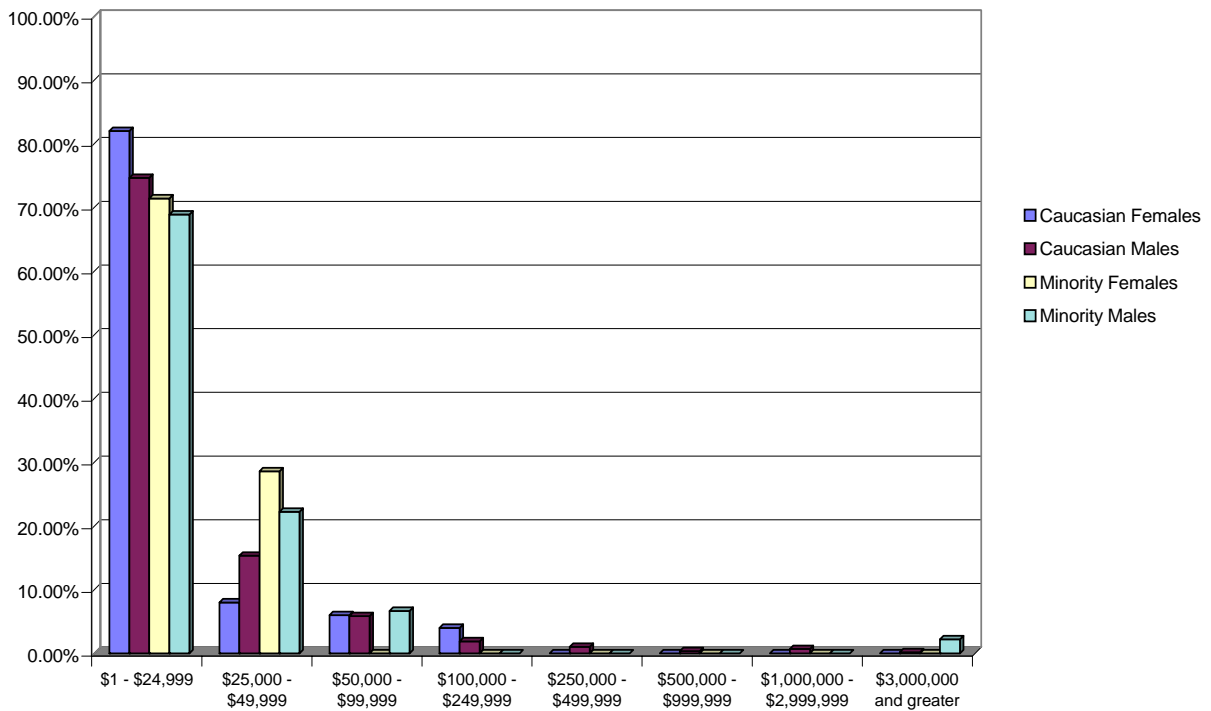
P-Value < 0.001



**Table 5.09 Construction-Related Prime Contracts by Size,
October 1, 2001 to September 30, 2004**

Size	Caucasian				Minority				Total	
	Females		Males		Females		Males		Total	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
\$1 - \$24,999	41	82.00%	433	74.66%	5	71.43%	31	68.89%	510	74.78%
\$25,000 - \$49,999	4	8.00%	89	15.34%	2	28.57%	10	22.22%	105	15.40%
\$50,000 - \$99,999	3	6.00%	34	5.86%	0	0.00%	3	6.67%	40	5.87%
\$100,000 - \$249,999	2	4.00%	11	1.90%	0	0.00%	0	0.00%	13	1.91%
\$250,000 - \$499,999	0	0.00%	6	1.03%	0	0.00%	0	0.00%	6	0.88%
\$500,000 - \$999,999	0	0.00%	2	0.34%	0	0.00%	0	0.00%	2	0.29%
\$1,000,000 - \$2,999,999	0	0.00%	4	0.69%	0	0.00%	0	0.00%	4	0.59%
\$3,000,000 and greater	0	0.00%	1	0.17%	0	0.00%	1	2.22%	2	0.29%
Total	50	100.00%	580	100.00%	7	100.00%	45	100.00%	682	100.00%

Insufficient Data



**Table 5.10 Professional Services Prime Contracts by Size,
October 1, 2001 to September 30, 2004**

Size	Caucasian				Minority				Total	
	Females		Males		Females		Males		Total	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
\$1 - \$24,999	87	93.55%	1,118	91.41%	8	88.89%	17	89.47%	1,230	91.52%
\$25,000 - \$49,999	5	5.38%	41	3.35%	1	11.11%	1	5.26%	48	3.57%
\$50,000 - \$99,999	0	0.00%	15	1.23%	0	0.00%	1	5.26%	16	1.19%
\$100,000 - \$249,999	0	0.00%	30	2.45%	0	0.00%	0	0.00%	30	2.23%
\$250,000 - \$499,999	1	1.08%	12	0.98%	0	0.00%	0	0.00%	13	0.97%
\$500,000 - \$999,999	0	0.00%	5	0.41%	0	0.00%	0	0.00%	5	0.37%
\$1,000,000 - \$2,999,999	0	0.00%	1	0.08%	0	0.00%	0	0.00%	1	0.07%
\$3,000,000 and greater	0	0.00%	1	0.08%	0	0.00%	0	0.00%	1	0.07%
Total	93	100.00%	1223	100.00%	9	100.00%	19	100.00%	1344	100.00%

Insufficient Data

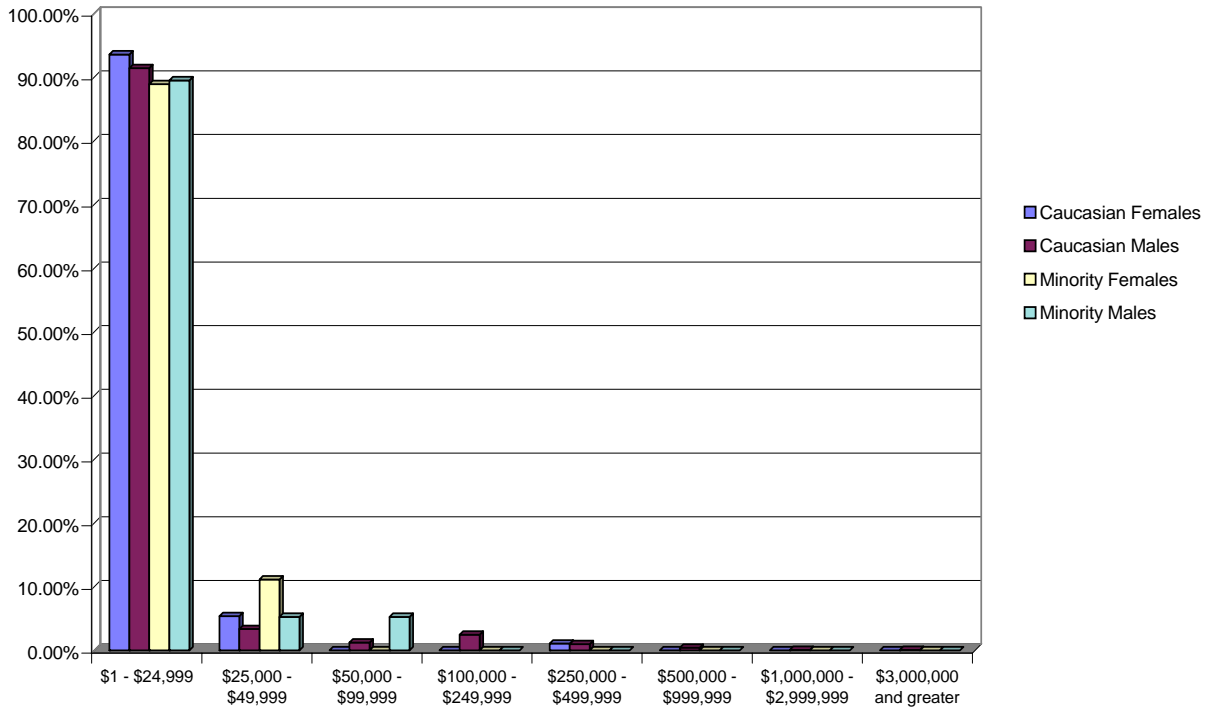


Table 5.11 Non-Professional Services Prime Contracts by Size, October 1, 2001 to September 30, 2004

Size	Caucasian				Minority				Total	
	Females		Males		Females		Males		Total	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
\$1 - \$24,999	935	99.15%	8,305	96.61%	75	90.36%	770	95.42%	10,085	96.70%
\$25,000 - \$49,999	3	0.32%	106	1.23%	2	2.41%	13	1.61%	124	1.19%
\$50,000 - \$99,999	4	0.42%	86	1.00%	1	1.20%	14	1.73%	105	1.01%
\$100,000 - \$249,999	1	0.11%	47	0.55%	3	3.61%	7	0.87%	58	0.56%
\$250,000 - \$499,999	0	0.00%	15	0.17%	0	0.00%	3	0.37%	18	0.17%
\$500,000 - \$999,999	0	0.00%	16	0.19%	2	2.41%	0	0.00%	18	0.17%
\$1,000,000 - \$2,999,999	0	0.00%	15	0.17%	0	0.00%	0	0.00%	15	0.14%
\$3,000,000 and greater	0	0.00%	6	0.07%	0	0.00%	0	0.00%	6	0.06%
Total	943	100.00%	8596	100.00%	83	100.00%	807	100.00%	10429	100.00%

P-Value < 0.001

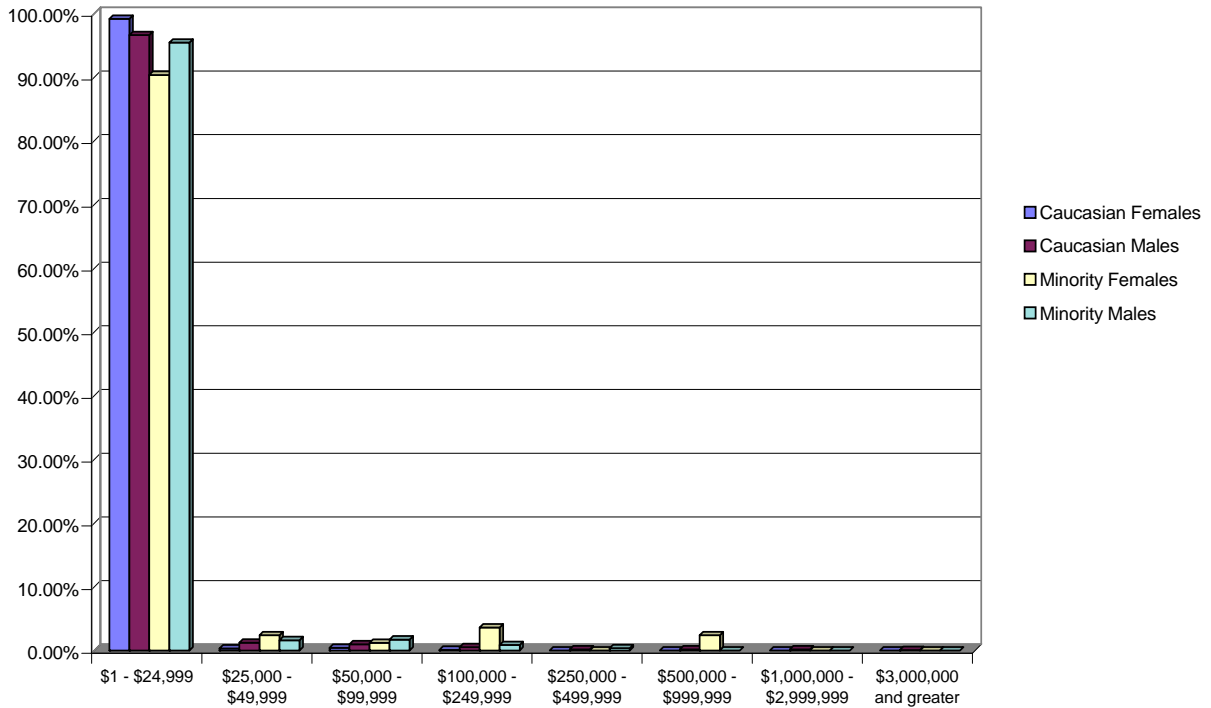
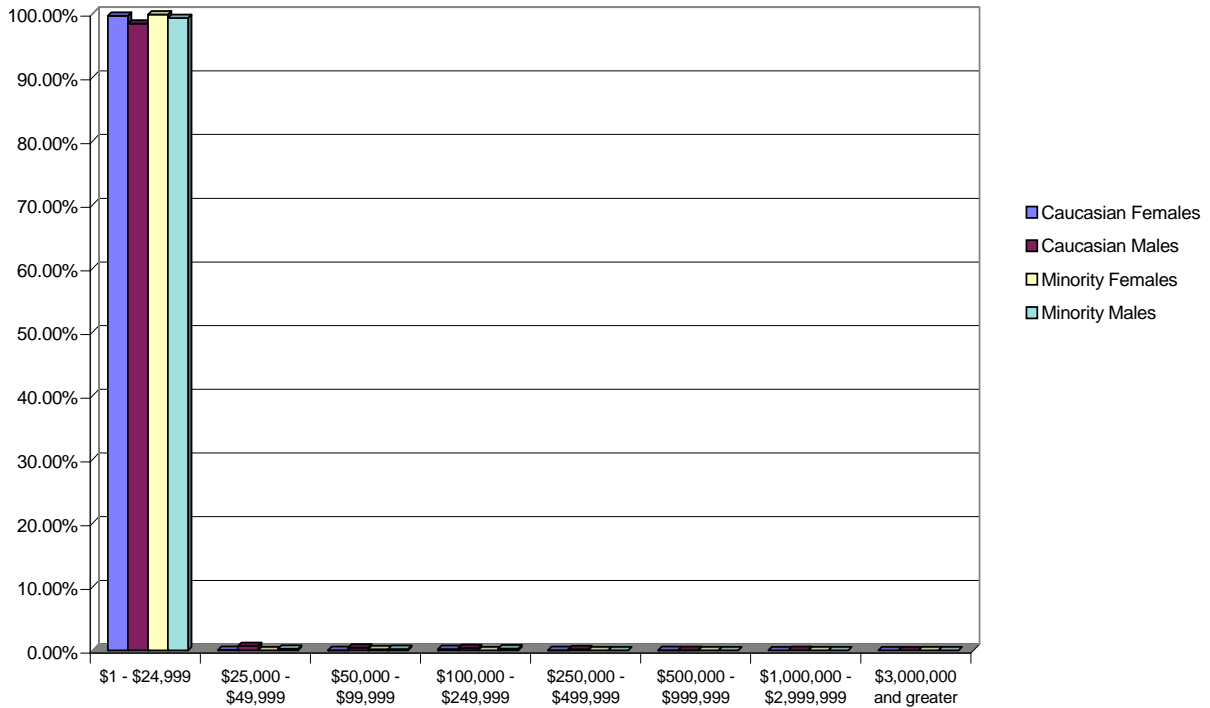


Table 5.12 Goods Prime Contracts by Size, October 1, 2001 to September 30, 2004

Size	Caucasian				Minority				Total	
	Females		Males		Females		Males		Total	
	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent	Freq	Percent
\$1 - \$24,999	2822	99.61%	39,314	98.38%	570	99.82%	2,038	99.27%	44,744	98.52%
\$25,000 - \$49,999	2	0.07%	263	0.66%	0	0.00%	5	0.24%	270	0.59%
\$50,000 - \$99,999	1	0.04%	165	0.41%	1	0.18%	4	0.19%	171	0.38%
\$100,000 - \$249,999	6	0.21%	136	0.34%	0	0.00%	6	0.29%	148	0.33%
\$250,000 - \$499,999	1	0.04%	67	0.17%	0	0.00%	0	0.00%	68	0.15%
\$500,000 - \$999,999	1	0.04%	9	0.02%	0	0.00%	0	0.00%	10	0.02%
\$1,000,000 - \$2,999,999	0	0.00%	6	0.02%	0	0.00%	0	0.00%	6	0.01%
\$3,000,000 and greater	0	0.00%	1	0.00%	0	0.00%	0	0.00%	1	0.00%
Total	2833	100.00%	39961	100.00%	571	100.00%	2053	100.00%	45418	100.00%

Insufficient Data



B. The Largest M/WBE Prime Contract Awards, by Industry

M/WBEs were awarded large prime contracts in all industries. The distribution of the largest M/WBE prime contracts the City awarded is depicted in Table 5.13 below. In each industry, M/WBEs were awarded very large competitively bid contracts. The utilization analysis shows that M/WBEs demonstrated the capacity to successfully compete for contracts as large as \$4.1 million in construction, \$4.8 million in construction-related, \$0.4 million in professional services, \$0.7 million in non-professional services, and \$0.6 million in goods.

Table 5.13 The City’s Largest M/WBE Prime Contract Awards by Industry

Ethnicity/ Gender	Construction	Construction- Related	Professional Services	Non- Professional Services	Goods
MBE	\$862,744	\$4,833,751	\$60,778	\$682,205	\$225,207
WBE	\$4,135,747	\$140,267	\$422,544	\$106,000	\$557,720

M/WBEs also demonstrated the capacity to successfully compete for contracts awarded by the Hillsborough County Aviation Authority (Authority) as depicted in Table 5.14 below. The Authority’s utilization analysis shows that M/WBEs demonstrated the capacity to successfully compete for contracts as large as \$0.9 million in construction, \$1.3 million in construction-related, \$0.4 million in professional services, \$0.3 million in non-professional services, and \$0.5 million in goods.

Table 5.14 The Authority’s Largest M/WBE Prime Contract Awards by Industry

Ethnicity/ Gender	Construction	Construction- Related	Professional Services	Non- Professional Services	Goods
MBE	\$881,230	\$1,339,744	\$377,062	\$247,525	\$82,929
WBE	\$14,380	no contracts	\$250,000	\$268,655	\$482,212



IV. PRIME CONTRACTOR AVAILABILITY ANALYSIS

The analysis of the size of City contracts demonstrates that the capacity needed to perform on most contracts is limited. Furthermore, the awards the City has made to M/WBE firms demonstrate that the capacity of the willing firms is considerably greater than what is needed to bid on the large contracts in each of the industries studied.

The prime contractor availability findings are summarized below.



A. Construction Prime Contractor Availability

The distribution of available construction prime contractors is summarized in Table 5.15.

African Americans account for 11.08 percent of the construction firms in the City's market area.

Asian Americans account for 0.29 percent of the construction firms in the City's market area.

Hispanic Americans account for 20.7 percent of the construction firms in the City's market area.

Native Americans account for 0.87 percent of the construction firms in the City's market area.

Minority Business Enterprises account for 32.94 percent of the construction firms in the City's market area.

Women Business Enterprises account for 13.41 percent of the construction firms in the City's market area.

Minority and Women Business Enterprises account for 46.36 percent of the construction firms in the City's market area.

Caucasian Male Business Enterprises account for 53.64 percent of the construction firms in the City's market area.



Table 5.15 Available Construction Prime Contractors

Ethnicity	Percent of Businesses
African Americans	11.08%
Asian Americans	0.29%
Hispanic Americans	20.70%
Native Americans	0.87%
Caucasian Females	13.41%
Caucasian Males	53.64%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	1.75%
African American Males	9.33%
Asian American Females	0.00%
Asian American Males	0.29%
Hispanic American Females	2.92%
Hispanic American Males	17.78%
Native American Females	0.58%
Native American Males	0.29%
Caucasian Females	13.41%
Caucasian Males	53.64%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	5.25%
Minority Males	27.70%
Caucasian Females	13.41%
Caucasian Males	53.64%
TOTAL	100.00%
Minority and Females	Percent of Businesses
Minority Business Enterprises	32.94%
Women Business Enterprises	13.41%
Minority and Women Business Enterprises	46.36%
Caucasian Male Business Enterprises	53.64%
TOTAL	100.00%



B. Construction-Related Prime Contractor Availability

The distribution of available construction-related prime contractors is summarized in Table 5.16.

African Americans account for 10.82 percent of the construction-related firms in the City's market area.

Asian Americans account for 4.12 percent of the construction-related firms in the City's market area.

Hispanic Americans account for 19.59 percent of the construction-related firms in the City's market area.

Native Americans account for 0.52 percent of the construction-related firms in the City's market area.

Minority Business Enterprises account for 35.05 percent of the construction-related firms in the City's market area.

Women Business Enterprises account for 13.92 percent of the construction-related firms in the City's market area.

Minority and Women Business Enterprises account for 48.97 percent of the construction-related firms in the City's market area.

Caucasian Male Business Enterprises account for 51.03 percent of the construction-related firms in the City's market area.



Table 5.16 Available Construction-Related Prime Contractors

Ethnicity	Percent of Businesses
African Americans	10.82%
Asian Americans	4.12%
Hispanic Americans	19.59%
Native Americans	0.52%
Caucasian Females	13.92%
Caucasian Males	51.03%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	0.52%
African American Males	10.31%
Asian American Females	1.55%
Asian American Males	2.58%
Hispanic American Females	1.55%
Hispanic American Males	18.04%
Native American Females	0.52%
Native American Males	0.00%
Caucasian Females	13.92%
Caucasian Males	51.03%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	4.12%
Minority Males	30.93%
Caucasian Females	13.92%
Caucasian Males	51.03%
TOTAL	100.00%
Minority and Females	Percent of Businesses
Minority Business Enterprises	35.05%
Women Business Enterprises	13.92%
Minority and Women Business Enterprises	48.97%
Caucasian Male Business Enterprises	51.03%
TOTAL	100.00%



C. Professional Services Prime Contractor Availability

The distribution of available professional services prime contractors is summarized in Table 5.17.

African Americans account for 11.85 percent of the professional services firms in the City's market area.

Asian Americans account for 3.18 percent of the professional services firms in the City's market area.

Hispanic Americans account for 13.29 percent of the professional services firms in the City's market area.

Native Americans account for 0.58 percent of the professional services firms in the City's market area.

Minority Business Enterprises account for 28.9 percent of the professional services firms in the City's market area.

Women Business Enterprises account for 20.23 percent of the professional services firms in the City's market area.

Minority and Women Business Enterprises account for 49.13 percent of the professional services firms in the City's market area.

Caucasian Male Business Enterprises account for 50.87 percent of the professional services firms in the City's market area.



Table 5.17 Available Professional Services Prime Contractors

Ethnicity	Percent of Businesses
African Americans	11.85%
Asian Americans	3.18%
Hispanic Americans	13.29%
Native Americans	0.58%
Caucasian Females	20.23%
Caucasian Males	50.87%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	2.02%
African American Males	9.83%
Asian American Females	0.87%
Asian American Males	2.31%
Hispanic American Females	2.02%
Hispanic American Males	11.27%
Native American Females	0.29%
Native American Males	0.29%
Caucasian Females	20.23%
Caucasian Males	50.87%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	5.20%
Minority Males	23.70%
Caucasian Females	20.23%
Caucasian Males	50.87%
TOTAL	100.00%
Minority and Females	Percent of Businesses
Minority Business Enterprises	28.90%
Women Business Enterprises	20.23%
Minority and Women Business Enterprises	49.13%
Caucasian Male Business Enterprises	50.87%
TOTAL	100.00%



D. Non-Professional Services Prime Contractor Availability

The distribution of available non-professional services prime contractors is summarized in Table 5.18.

African Americans account for 10.52 percent of the non-professional services firms in the City's market area.

Asian Americans account for 0.61 percent of the non-professional services firms in the City's market area.

Hispanic Americans account for 8.84 percent of the non-professional services firms in the City's market area.

Native Americans account for 0.15 percent of the non-professional services firms in the City's market area.

Minority Business Enterprises account for 20.12 percent of the non-professional services firms in the City's market area.

Women Business Enterprises account for 12.2 percent of the non-professional services firms in the City's market area.

Minority and Women Business Enterprises account for 32.32 percent of the non-professional services firms in the City's market area.

Caucasian Male Business Enterprises account for 67.68 percent of the non-professional services firms in the City's market area.



Table 5.18 Available Non-Professional Services Prime Contractors

Ethnicity	Percent of Businesses
African Americans	10.52%
Asian Americans	0.61%
Hispanic Americans	8.84%
Native Americans	0.15%
Caucasian Females	12.20%
Caucasian Males	67.68%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	1.98%
African American Males	8.54%
Asian American Females	0.46%
Asian American Males	0.15%
Hispanic American Females	1.83%
Hispanic American Males	7.01%
Native American Females	0.15%
Native American Males	0.00%
Caucasian Females	12.20%
Caucasian Males	67.68%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	4.42%
Minority Males	15.70%
Caucasian Females	12.20%
Caucasian Males	67.68%
TOTAL	100.00%
Minority and Females	Percent of Businesses
Minority Business Enterprises	20.12%
Women Business Enterprises	12.20%
Minority and Women Business Enterprises	32.32%
Caucasian Male Business Enterprises	67.68%
TOTAL	100.00%



E. Goods Prime Contractor Availability

The distribution of available goods prime contractors is summarized in Table 5.19.

African Americans account for 3.17 percent of the goods firms in the City's market area.

Asian Americans account for 0.33 percent of the goods firms in the City's market area.

Hispanic Americans account for 4.92 percent of the goods firms in the City's market area.

Native Americans account for 0.11 percent of the goods firms in the City's market area.

Minority Business Enterprises account for 8.52 percent of the goods firms in the City's market area.

Women Business Enterprises account for 6.89 percent of the goods firms in the City's market area.

Minority and Women Business Enterprises account for 15.41 percent of the goods firms in the City's market area.

Caucasian Male Business Enterprises account for 84.59 percent of the goods firms in the City's market area.



Table 5.19 Available Goods Prime Contractors

Ethnicity	Percent of Businesses
African Americans	3.17%
Asian Americans	0.33%
Hispanic Americans	4.92%
Native Americans	0.11%
Caucasian Females	6.89%
Caucasian Males	84.59%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	0.33%
African American Males	2.84%
Asian American Females	0.00%
Asian American Males	0.33%
Hispanic American Females	0.44%
Hispanic American Males	4.48%
Native American Females	0.11%
Native American Males	0.00%
Caucasian Females	6.89%
Caucasian Males	84.59%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	0.87%
Minority Males	7.65%
Caucasian Females	6.89%
Caucasian Males	84.59%
TOTAL	100.00%
Minority and Females	Percent of Businesses
Minority Business Enterprises	8.52%
Women Business Enterprises	6.89%
Minority and Women Business Enterprises	15.41%
Caucasian Male Business Enterprises	84.59%
TOTAL	100.00%



V. SUMMARY OF SUBCONTRACTOR AVAILABILITY DATA SOURCES

A. Subcontractor Sources

All available prime contractors were included in the subcontractor availability. The additional sources used to identify subcontractors are listed in Table 5.20.

Table 5.20 Unique Subcontractor Availability Data Sources

Type Record	Type Information
<ul style="list-style-type: none">• Subcontracting records provided by the City	<ul style="list-style-type: none">• M/WBEs and non-MWBEs
<ul style="list-style-type: none">• Subcontractors identified by the prime contractors	<ul style="list-style-type: none">• M/WBEs and non-MWBEs

B. Determination of Willingness and Capacity

Subcontractor availability was limited to businesses determined to be willing and able to perform as prime contractors and businesses utilized as subcontractors. Although *Croson* does not require a measure of subcontractor capacity, the identified subcontracts are both willing and able. The subcontractor availability findings are summarized below.



C. Construction Subcontractor Availability

The distribution of available construction subcontractors is summarized in Table 5.21.

African Americans account for 8.37 percent of the construction firms in the City's market area.

Asian Americans account for 0.15 percent of the construction firms in the City's market area.

Hispanic Americans account for 15.4 percent of the construction firms in the City's market area.

Native Americans account for 0.45 percent of the construction firms in the City's market area.

Minority Business Enterprises account for 24.36 percent of the construction firms in the City's market area.

Women Business Enterprises account for 12.71 percent of the construction firms in the City's market area.

Minority and Women Business Enterprises account for 37.07 percent of the construction firms in the City's market area.

Caucasian Male Business Enterprises account for 62.93 percent of the construction firms in the City's market area.



Table 5.21 Available Construction Subcontractors

Ethnicity	Percent of Businesses
African Americans	8.37%
Asian Americans	0.15%
Hispanic Americans	15.40%
Native Americans	0.45%
Caucasian Females	12.71%
Caucasian Males	62.93%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	1.05%
African American Males	7.32%
Asian American Females	0.00%
Asian American Males	0.15%
Hispanic American Females	2.24%
Hispanic American Males	13.15%
Native American Females	0.30%
Native American Males	0.15%
Caucasian Females	12.71%
Caucasian Males	62.93%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	3.59%
Minority Males	20.78%
Caucasian Females	12.71%
Caucasian Males	62.93%
TOTAL	100.00%
Minority and Females	Percent of Businesses
Minority Business Enterprises	24.36%
Women Business Enterprises	12.71%
Minority and Women Business Enterprises	37.07%
Caucasian Male Business Enterprises	62.93%
TOTAL	100.00%



D. Construction-Related Subcontractor Availability

The distribution of available construction-related subcontractors is summarized in Table 5.22.

African Americans account for 10.98 percent of the construction-related firms in the City's market area.

Asian Americans account for 3.41 percent of the construction-related firms in the City's market area.

Hispanic Americans account for 17.8 percent of the construction-related firms in the City's market area.

Native Americans account for 1.14 percent of the construction-related firms in the City's market area.

Minority Business Enterprises account for 33.33 percent of the construction-related firms in the City's market area.

Women Business Enterprises account for 14.77 percent of the construction-related firms in the City's market area.

Minority and Women Business Enterprises account for 48.11 percent of the construction-related firms in the City's market area.

Caucasian Male Business Enterprises account for 51.89 percent of the construction-related firms in the City's market area.



Table 5.22 Available Construction-Related Subcontractors

Ethnicity	Percent of Businesses
African Americans	10.98%
Asian Americans	3.41%
Hispanic Americans	17.80%
Native Americans	1.14%
Caucasian Females	14.77%
Caucasian Males	51.89%
TOTAL	100.00%
Ethnicity and Gender	Percent of Businesses
African American Females	1.14%
African American Males	9.85%
Asian American Females	1.14%
Asian American Males	2.27%
Hispanic American Females	2.27%
Hispanic American Males	15.53%
Native American Females	0.38%
Native American Males	0.76%
Caucasian Females	14.77%
Caucasian Males	51.89%
TOTAL	100.00%
Minority and Gender	Percent of Businesses
Minority Females	4.92%
Minority Males	28.41%
Caucasian Females	14.77%
Caucasian Males	51.89%
TOTAL	100.00%
Minority and Women	Percent of Businesses
Minority Business Enterprises	33.33%
Women Business Enterprises	14.77%
Minority and Women Business Enterprises	48.11%
Caucasian Male Business Enterprises	51.89%
TOTAL	100.00%



6

PRIME CONTRACTOR DISPARITY ANALYSIS

I. INTRODUCTION

The objective of the disparity analysis is to determine the level minority and woman-owned business enterprises (M/WBEs) were utilized on the City of Tampa (City) contracts. Under a fair and equitable system of awarding contracts, the proportion of contract dollars awarded to M/WBEs would be approximate to the proportion of available M/WBEs¹ in the relevant market area. If the available M/WBE businesses are underutilized, a statistical test could determine the probability that the disparity is due to chance. If there is a low probability that the disparity is due to chance,² *Croson* states that an inference of discrimination can be made. This type of analysis is applied to M/WBEs by both ethnicity and gender.

The first step in conducting a statistical test of disparity is to calculate the contract value that each ethnic/gender group is expected to receive, based on each group's respective availability in the market area. This value shall be referred to as the **expected contract amount**. The next step is to compute the difference between the expected contract amount of each ethnic/gender group and the **actual contract amount** received by each group.

A disparity ratio less than 0.80 indicates a relevant degree of disparity. This disparity may be detected using a parametric analysis,³ where the number of contracts is sufficiently large and the variation of the contract amount is not too large. When the variation in contract

¹ Availability is defined as the number of willing and able firms. The methodology for determining willing and able firms is detailed in Chapter 5.

² When conducting statistical tests, a confidence level must be established as a gauge for the level of certainty that an observed occurrence is not due to chance. It is important to note that a 100 percent confidence level or a level of absolute certainty can never be obtained in statistics. A 95 percent confidence level is considered by the courts to be an acceptable level in determining whether an inference of discrimination can be made. Thus, the data analyzed here was done within the 95 percent confidence level.

³ Parametric analysis is a statistical examination based on the actual values of the variable. In this case, the parametric analysis consists of the actual dollar values of the contracts.



dollar amounts is high, a disparity may not be detectable. Under the condition when the variation in contract dollar amounts is high, a non-parametric analysis⁴ would be employed to analyze the contracts ranked by dollar amount.

In order to assess whether the difference in contract values is attributable to chance, a P-value⁵ is calculated. The P-value takes into account the number of contracts, amount of contract dollars, and variation in contract dollars. If the difference between the actual and expected number of contracts and total contract dollars has a P-value of less than 0.05, the difference is statistically significant.⁶

There are two critical constraints in performing statistical tests of significance. First, the size of the population affects the reliability of the results. In other words, a relatively small population size, whether in terms of the total number of contracts or the total number of available businesses, decreases the reliability of the statistical results. Second, although an inference of discrimination cannot be made if statistical significance is not obtained from the test, one cannot infer from the results that there was no discrimination. Thus, the results of the statistical disparity analysis are necessarily influenced by the size of the population in each industry and ethnic/gender category. Where the results are not statistically significant, the existence of discrimination *cannot* be ruled out. Given these limitations, the anecdotal data has an especially important role in explaining the conditions of discrimination that might exist in the market area.

The analysis of the value of prime contract dollars for each ethnic and gender group incorporates the number of prime contracts awarded. Hence, the disparity analysis for the value of prime contract dollars awarded reflects an analysis of both the number of prime contracts awarded and the value of the prime contract dollars received by each ethnic/gender group.

II. DISPARITY ANALYSIS

Prime contract disparity analysis was performed on construction, construction-related, professional services, non-professional services, and goods contracts awarded between October 1, 2001 and September 30, 2004.

As demonstrated in Chapter 5, the majority of the City's contracts were small with 99.81 percent under \$500,000 and 97.4 percent under \$25,000. The fact that the majority of the

⁴ Non-parametric analysis is a method to make data more suitable for statistical testing by allowing one variable to be replaced with a new variable that maintains the essential characteristics of the original one. In this case, the contracts are ranked from the smallest to the largest. The dollar value of each contract is replaced with its rank order number.

⁵ P-value is a measure of statistical significance.

⁶ The study does not test statistically the overutilization of M/WBEs or the underutilization of Caucasian males.



City's contracts were small suggests that the capacity needed to perform most of the contracts awarded during the study period was minimal. Furthermore, there is evidence that certain willing firms had the capacity to perform contracts in excess of \$500,000. A threshold of \$500,000 was set for the prime contract disparity analysis to ensure that willing firms had the capacity to perform contracts included in the analysis. The prime contract disparity findings in the five industries under consideration are summarized in the sections below.



A. Disparity Analysis: All Contracts under \$500,000, by Industry

1. Construction Prime Contracts under \$500,000

The disparity analysis of all construction prime contracts under \$500,000 is depicted in Table 6.01 and Chart 6.01.

African American Businesses represent 11.08 percent of the available construction firms and received 8.94 percent of the construction prime contracts under \$500,000. This underutilization is not statistically significant.

Asian American Businesses represent 0.29 percent of the available construction firms and received none of the construction prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Hispanic American Businesses represent 20.7 percent of the available construction firms and received 4.34 percent of the construction prime contracts under \$500,000. This underutilization is statistically significant.

Native American Businesses represent 0.87 percent of the available construction firms and received 0.29 percent of the construction prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 32.94 percent of the available construction firms and received 13.56 percent of the construction prime contracts under \$500,000. This underutilization is statistically significant.

Women Business Enterprises represent 13.41 percent of the available construction firms and received 8.94 percent of the construction prime contracts under \$500,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 46.36 percent of the available construction firms and received 22.5 percent of the construction prime contracts under \$500,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 53.64 percent of the available construction firms and received 77.5 percent of the construction prime contracts under \$500,000. This overutilization is statistically significant.



Table 6.01 Disparity Analysis: Construction Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$2,787,778	8.94%	11.08%	\$3,456,444	-\$668,666	0.81	not significant
Asian Americans	\$0	0.00%	0.29%	\$90,959	-\$90,959	0.00	----
Hispanic Americans	\$1,352,920	4.34%	20.70%	\$6,458,093	-\$5,105,173	0.21	< .05 *
Native Americans	\$89,723	0.29%	0.87%	\$272,877	-\$183,154	0.33	----
Caucasian Females	\$2,788,163	8.94%	13.41%	\$4,184,117	-\$1,395,954	0.67	< .05 *
Caucasian Males	\$24,180,372	77.50%	53.64%	\$16,736,466	\$7,443,906	1.44	< .05 †
TOTAL	\$31,198,956	100.00%	100.00%	\$31,198,956			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$0	0.00%	1.75%	\$545,754	-\$545,754	0.00	< .05 *
African American Males	\$2,787,778	8.94%	9.33%	\$2,910,690	-\$122,912	0.96	not significant
Asian American Females	\$0	0.00%	0.00%	\$0	\$0	----	----
Asian American Males	\$0	0.00%	0.29%	\$90,959	-\$90,959	0.00	----
Hispanic American Females	\$0	0.00%	2.92%	\$909,591	-\$909,591	0.00	< .05 *
Hispanic American Males	\$1,352,920	4.34%	17.78%	\$5,548,502	-\$4,195,582	0.24	< .05 *
Native American Females	\$89,723	0.29%	0.58%	\$181,918	-\$92,195	0.49	----
Native American Males	\$0	0.00%	0.29%	\$90,959	-\$90,959	0.00	----
Caucasian Females	\$2,788,163	8.94%	13.41%	\$4,184,117	-\$1,395,954	0.67	< .05 *
Caucasian Males	\$24,180,372	77.50%	53.64%	\$16,736,466	\$7,443,906	1.44	< .05 †
TOTAL	\$31,198,956	100.00%	100.00%	\$31,198,956			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$89,723	0.29%	5.25%	\$1,637,263	-\$1,547,540	0.05	< .05 *
Minority Males	\$4,140,698	13.27%	27.70%	\$8,641,110	-\$4,500,412	0.48	< .05 *
Caucasian Females	\$2,788,163	8.94%	13.41%	\$4,184,117	-\$1,395,954	0.67	< .05 *
Caucasian Males	\$24,180,372	77.50%	53.64%	\$16,736,466	\$7,443,906	1.44	< .05 †
TOTAL	\$31,198,956	100.00%	100.00%	\$31,198,956			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$4,230,421	13.56%	32.94%	\$10,278,373	-\$6,047,952	0.41	< .05 *
Women Business Enterprises	\$2,788,163	8.94%	13.41%	\$4,184,117	-\$1,395,954	0.67	< .05 *
Minority and Women Business Enterprises	\$7,018,584	22.50%	46.36%	\$14,462,490	-\$7,443,906	0.49	< .05 *
Caucasian Male Business Enterprises	\$24,180,372	77.50%	53.64%	\$16,736,466	\$7,443,906	1.44	< .05 †

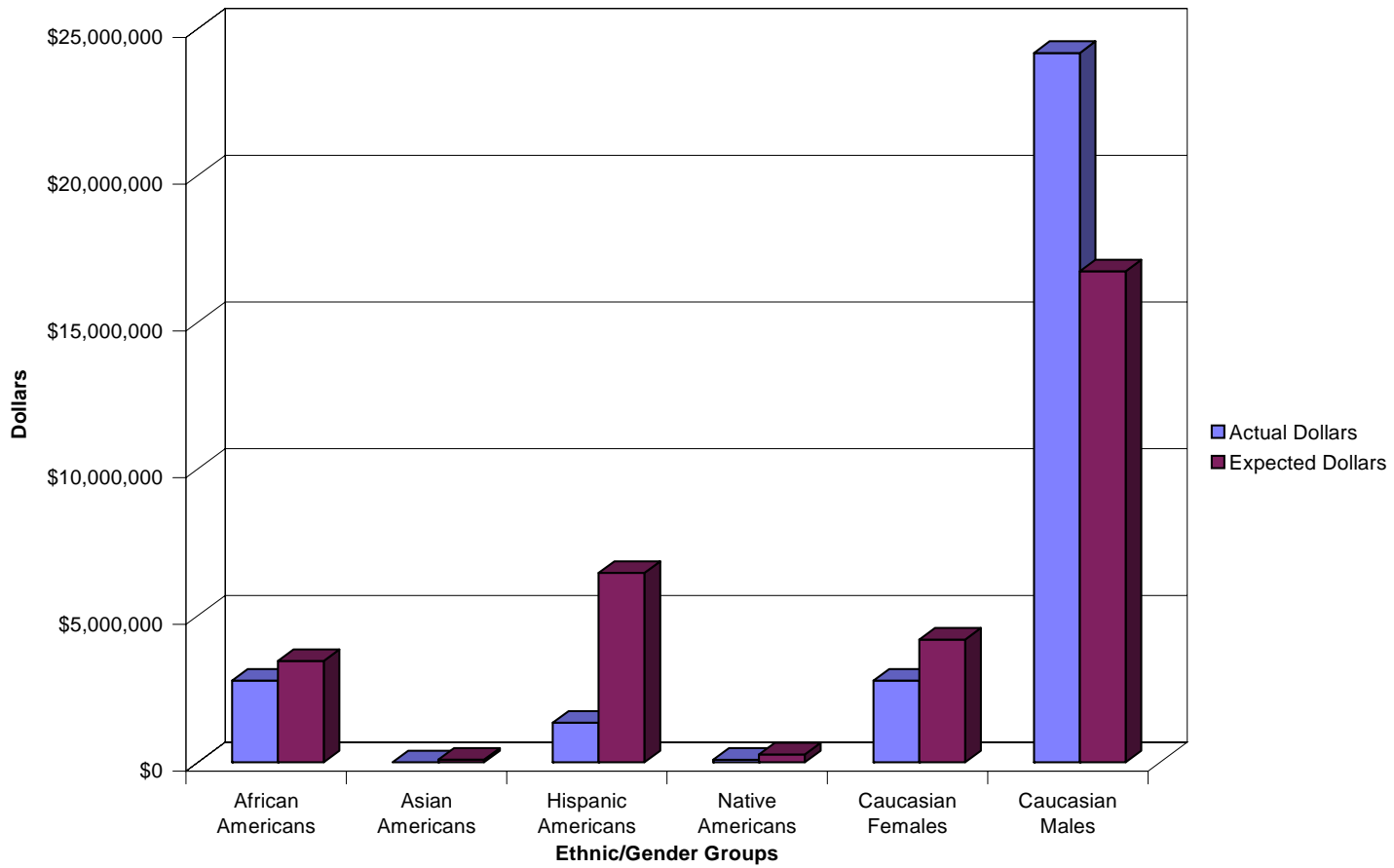
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.01 Disparity Analysis: Construction Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004



2. Construction-Related Prime Contracts under \$500,000

The disparity analysis of all construction-related prime contracts under \$500,000 is depicted in Table 6.02 and Chart 6.02.

African American Businesses represent 10.82 percent of the available construction-related firms and received 0.73 percent of the construction-related prime contracts under \$500,000. This underutilization is statistically significant.

Asian American Businesses represent 4.12 percent of the available construction-related firms and received 0.56 percent of the construction-related prime contracts under \$500,000. This underutilization is statistically significant.

Hispanic American Businesses represent 19.59 percent of the available construction-related firms and received 5.39 percent of the construction-related prime contracts under \$500,000. This underutilization is statistically significant.

Native American Businesses represent 0.52 percent of the available construction-related firms and received none of the construction-related prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 35.05 percent of the available construction-related firms and received 6.68 percent of the construction-related prime contracts under \$500,000. This underutilization is statistically significant.

Women Business Enterprises represent 13.92 percent of the available construction-related firms and received 6.56 percent of the construction-related prime contracts under \$500,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 48.97 percent of the available construction-related firms and received 13.24 percent of the construction-related prime contracts under \$500,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 51.03 percent of the available construction-related firms and received 86.76 percent of the construction-related prime contracts under \$500,000. This overutilization is statistically significant.



Table 6.02 Disparity Analysis: Construction-Related Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$98,382	0.73%	10.82%	\$1,452,392	-\$1,354,010	0.07	< .05 *
Asian Americans	\$74,729	0.56%	4.12%	\$553,292	-\$478,563	0.14	< .05 *
Hispanic Americans	\$723,630	5.39%	19.59%	\$2,628,137	-\$1,904,507	0.28	< .05 *
Native Americans	\$0	0.00%	0.52%	\$69,162	-\$69,162	0.00	----
Caucasian Females	\$879,759	6.56%	13.92%	\$1,867,361	-\$987,602	0.47	< .05 *
Caucasian Males	\$11,640,833	86.76%	51.03%	\$6,846,990	\$4,793,843	1.70	< .05 †
TOTAL	\$13,417,333	100.00%	100.00%	\$13,417,333			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$0	0.00%	0.52%	\$69,162	-\$69,162	0.00	----
African American Males	\$98,382	0.73%	10.31%	\$1,383,230	-\$1,284,848	0.07	< .05 *
Asian American Females	\$74,729	0.56%	1.55%	\$207,485	-\$132,756	0.36	not significant
Asian American Males	\$0	0.00%	2.58%	\$345,808	-\$345,808	0.00	< .05 *
Hispanic American Females	\$10,922	0.08%	1.55%	\$207,485	-\$196,563	0.05	< .05 *
Hispanic American Males	\$712,708	5.31%	18.04%	\$2,420,653	-\$1,707,945	0.29	< .05 *
Native American Females	\$0	0.00%	0.52%	\$69,162	-\$69,162	0.00	----
Native American Males	\$0	0.00%	0.00%	\$0	\$0	----	----
Caucasian Females	\$879,759	6.56%	13.92%	\$1,867,361	-\$987,602	0.47	< .05 *
Caucasian Males	\$11,640,833	86.76%	51.03%	\$6,846,990	\$4,793,843	1.70	< .05 †
TOTAL	\$13,417,333	100.00%	100.00%	\$13,417,333			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$85,651	0.64%	4.12%	\$553,292	-\$467,641	0.15	< .05 *
Minority Males	\$811,090	6.05%	30.93%	\$4,149,691	-\$3,338,601	0.20	< .05 *
Caucasian Females	\$879,759	6.56%	13.92%	\$1,867,361	-\$987,602	0.47	< .05 *
Caucasian Males	\$11,640,833	86.76%	51.03%	\$6,846,990	\$4,793,843	1.70	< .05 †
TOTAL	\$13,417,333	100.00%	100.00%	\$13,417,333			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$896,741	6.68%	35.05%	\$4,702,983	-\$3,806,242	0.19	< .05 *
Women Business Enterprises	\$879,759	6.56%	13.92%	\$1,867,361	-\$987,602	0.47	< .05 *
Minority and Women Business Enterprises	\$1,776,500	13.24%	48.97%	\$6,570,343	-\$4,793,843	0.27	< .05 *
Caucasian Male Business Enterprises	\$11,640,833	86.76%	51.03%	\$6,846,990	\$4,793,843	1.70	< .05 †

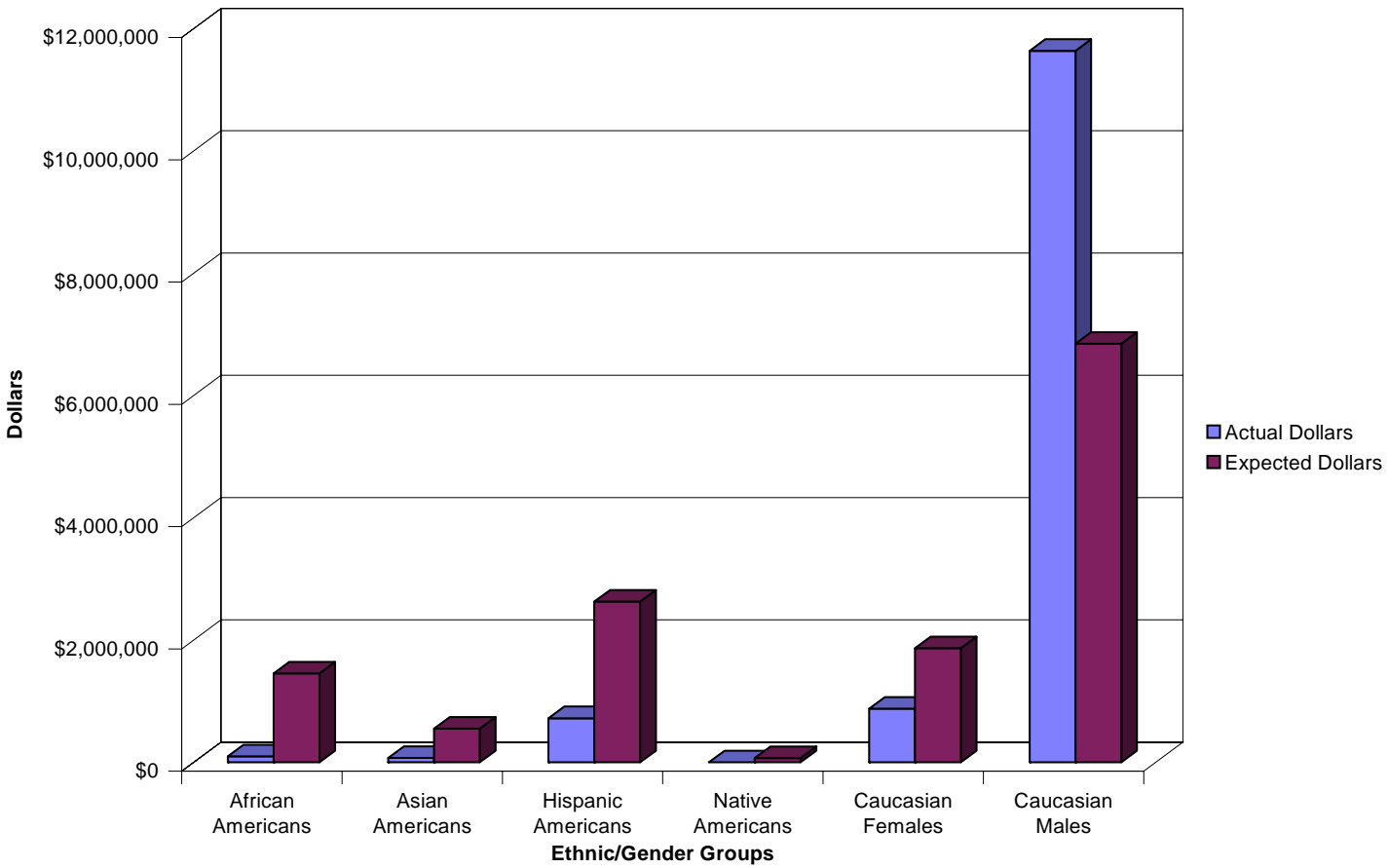
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.02 Disparity Analysis: Construction-Related Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004



Mason Tillman Associates, Ltd. April 2006
Volume 2: City of Tampa Disparity Study

3. Professional Services Prime Contracts under \$500,000

The disparity analysis of all professional services prime contracts under \$500,000 is depicted in Table 6.03 and Chart 6.03.

African American Businesses represent 11.85 percent of the available professional services firms and received 0.47 percent of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Asian American Businesses represent 3.18 percent of the available professional services firms and received none of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Hispanic American Businesses represent 13.29 percent of the available professional services firms and received 0.77 percent of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Native American Businesses represent 0.58 percent of the available professional services firms and received none of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Minority Business Enterprises represent 28.9 percent of the available professional services firms and received 1.24 percent of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Women Business Enterprises represent 20.23 percent of the available professional services firms and received 6.01 percent of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 49.13 percent of the available professional services firms and received 7.25 percent of the professional services prime contracts under \$500,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 50.87 percent of the available professional services firms and received 92.75 percent of the professional services prime contracts under \$500,000. This overutilization is statistically significant.



Table 6.03 Disparity Analysis: Professional Services Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$71,991	0.47%	11.85%	\$1,827,276	-\$1,755,285	0.04	< .05 *
Asian Americans	\$0	0.00%	3.18%	\$490,245	-\$490,245	0.00	< .05 *
Hispanic Americans	\$119,361	0.77%	13.29%	\$2,050,114	-\$1,930,753	0.06	< .05 *
Native Americans	\$0	0.00%	0.58%	\$89,135	-\$89,135	0.00	----
Caucasian Females	\$926,948	6.01%	20.23%	\$3,119,739	-\$2,192,791	0.30	< .05 *
Caucasian Males	\$14,302,123	92.75%	50.87%	\$7,843,915	\$6,458,208	1.82	< .05 †
TOTAL	\$15,420,423	100.00%	100.00%	\$15,420,423			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$2,566	0.02%	2.02%	\$311,974	-\$309,408	0.01	< .05 *
African American Males	\$69,425	0.45%	9.83%	\$1,515,302	-\$1,445,877	0.05	< .05 *
Asian American Females	\$0	0.00%	0.87%	\$133,703	-\$133,703	0.00	----
Asian American Males	\$0	0.00%	2.31%	\$356,542	-\$356,542	0.00	< .05 *
Hispanic American Females	\$51,683	0.34%	2.02%	\$311,974	-\$260,291	0.17	< .05 *
Hispanic American Males	\$67,678	0.44%	11.27%	\$1,738,140	-\$1,670,462	0.04	< .05 *
Native American Females	\$0	0.00%	0.29%	\$44,568	-\$44,568	0.00	----
Native American Males	\$0	0.00%	0.29%	\$44,568	-\$44,568	0.00	----
Caucasian Females	\$926,948	6.01%	20.23%	\$3,119,739	-\$2,192,791	0.30	< .05 *
Caucasian Males	\$14,302,123	92.75%	50.87%	\$7,843,915	\$6,458,208	1.82	< .05 †
TOTAL	\$15,420,423	100.00%	100.00%	\$15,420,423			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$54,249	0.35%	5.20%	\$802,219	-\$747,970	0.07	< .05 *
Minority Males	\$137,103	0.89%	23.70%	\$3,654,551	-\$3,517,448	0.04	< .05 *
Caucasian Females	\$926,948	6.01%	20.23%	\$3,119,739	-\$2,192,791	0.30	< .05 *
Caucasian Males	\$14,302,123	92.75%	50.87%	\$7,843,915	\$6,458,208	1.82	< .05 †
TOTAL	\$15,420,423	100.00%	100.00%	\$15,420,423			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$191,352	1.24%	28.90%	\$4,456,770	-\$4,265,418	0.04	< .05 *
Women Business Enterprises	\$926,948	6.01%	20.23%	\$3,119,739	-\$2,192,791	0.30	< .05 *
Minority and Women Business Enterprises	\$1,118,300	7.25%	49.13%	\$7,576,508	-\$6,458,208	0.15	< .05 *
Caucasian Male Business Enterprises	\$14,302,123	92.75%	50.87%	\$7,843,915	\$6,458,208	1.82	< .05 †

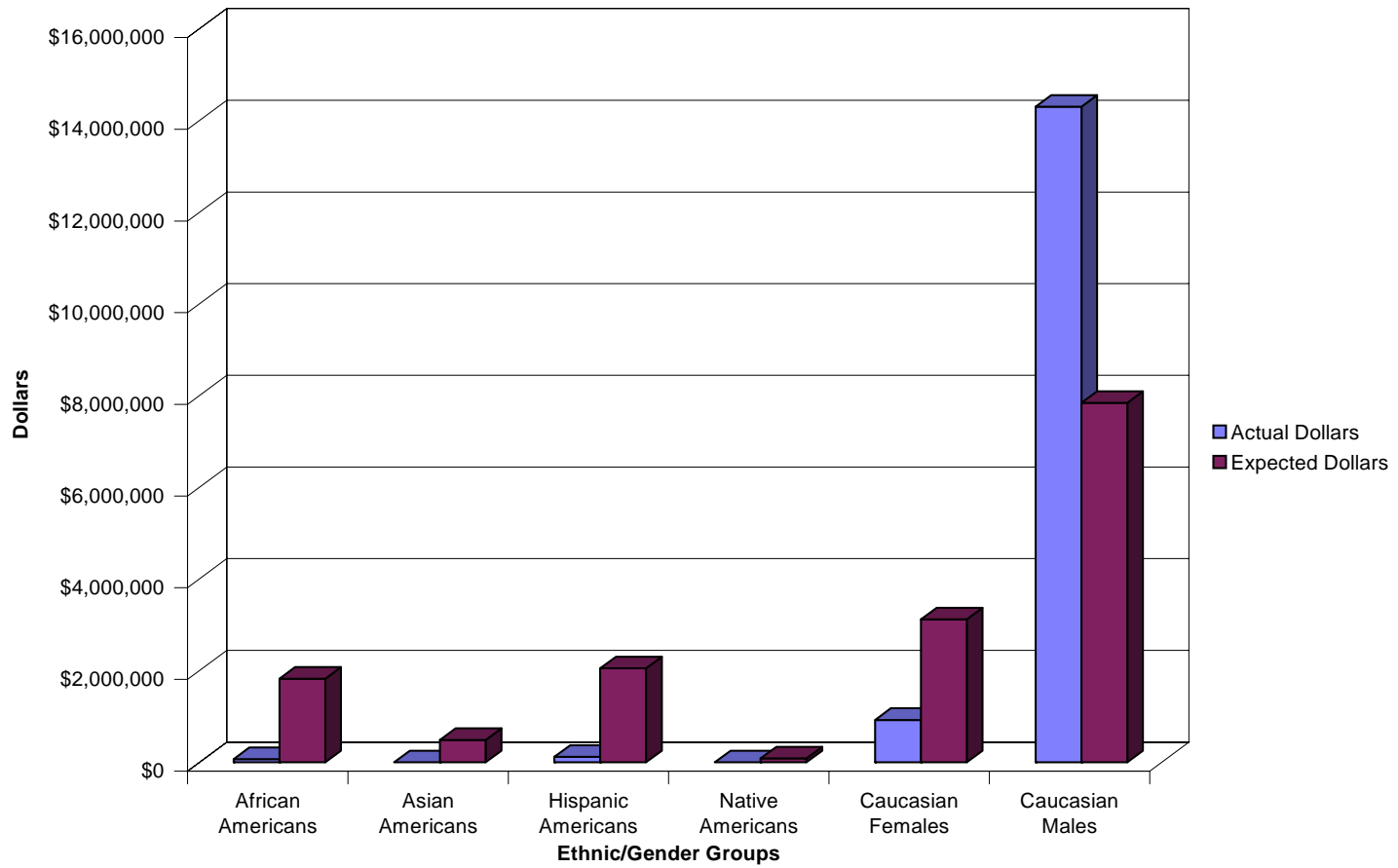
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.03 Disparity Analysis: Professional Services Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004



4. Non-Professional Services Prime Contracts under \$500,000

The disparity analysis of all non-professional services prime contracts under \$500,000 is depicted in Table 6.04 and Chart 6.04.

African American Businesses represent 10.52 percent of the available non-professional services firms and received 2.89 percent of the non-professional services prime contracts under \$500,000. This underutilization is statistically significant.

Asian American Businesses represent 0.61 percent of the available non-professional services firms and received none of the non-professional services prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Hispanic American Businesses represent 8.84 percent of the available non-professional services firms and received 9.59 percent of the non-professional services prime contracts under \$500,000. This study does not test statistically the overutilization of minority groups.

Native American Businesses represent 0.15 percent of the available non-professional services firms and received none of the non-professional services prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 20.12 percent of the available non-professional services firms and received 12.47 percent of the non-professional services prime contracts under \$500,000. This underutilization is statistically significant.

Women Business Enterprises represent 12.2 percent of the available non-professional services firms and received 3.96 percent of the non-professional services prime contracts under \$500,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 32.32 percent of the available non-professional services firms and received 16.43 percent of the non-professional services prime contracts under \$500,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 67.68 percent of the available non-professional services firms and received 83.57 percent of the non-professional services prime contracts under \$500,000. This overutilization is statistically significant.



Table 6.04 Disparity Analysis: Non-Professional Services Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$1,191,677	2.89%	10.52%	\$4,341,954	-\$3,150,277	0.27	< .05 *
Asian Americans	\$0	0.00%	0.61%	\$251,708	-\$251,708	0.00	----
Hispanic Americans	\$3,957,601	9.59%	8.84%	\$3,649,759	\$307,842	1.08	**
Native Americans	\$0	0.00%	0.15%	\$62,927	-\$62,927	0.00	----
Caucasian Females	\$1,633,400	3.96%	12.20%	\$5,034,150	-\$3,400,750	0.32	< .05 *
Caucasian Males	\$34,497,352	83.57%	67.68%	\$27,939,533	\$6,557,820	1.23	< .05 †
TOTAL	\$41,280,030	100.00%	100.00%	\$41,280,030			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$533,141	1.29%	1.98%	\$818,049	-\$284,908	0.65	< .05 *
African American Males	\$658,536	1.60%	8.54%	\$3,523,905	-\$2,865,369	0.19	< .05 *
Asian American Females	\$0	0.00%	0.46%	\$188,781	-\$188,781	0.00	----
Asian American Males	\$0	0.00%	0.15%	\$62,927	-\$62,927	0.00	----
Hispanic American Females	\$398,116	0.96%	1.83%	\$755,123	-\$357,007	0.53	< .05 *
Hispanic American Males	\$3,559,485	8.62%	7.01%	\$2,894,636	\$664,849	1.23	**
Native American Females	\$0	0.00%	0.15%	\$62,927	-\$62,927	0.00	----
Native American Males	\$0	0.00%	0.00%	\$0	\$0	----	----
Caucasian Females	\$1,633,400	3.96%	12.20%	\$5,034,150	-\$3,400,750	0.32	< .05 *
Caucasian Males	\$34,497,352	83.57%	67.68%	\$27,939,533	\$6,557,820	1.23	< .05 †
TOTAL	\$41,280,030	100.00%	100.00%	\$41,280,030			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$931,257	2.26%	4.42%	\$1,824,879	-\$893,622	0.51	< .05 *
Minority Males	\$4,218,021	10.22%	15.70%	\$6,481,468	-\$2,263,447	0.65	< .05 *
Caucasian Females	\$1,633,400	3.96%	12.20%	\$5,034,150	-\$3,400,750	0.32	< .05 *
Caucasian Males	\$34,497,352	83.57%	67.68%	\$27,939,533	\$6,557,820	1.23	< .05 †
TOTAL	\$41,280,030	100.00%	100.00%	\$41,280,030			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$5,149,278	12.47%	20.12%	\$8,306,348	-\$3,157,070	0.62	< .05 *
Women Business Enterprises	\$1,633,400	3.96%	12.20%	\$5,034,150	-\$3,400,750	0.32	< .05 *
Minority and Women Business Enterprises	\$6,782,678	16.43%	32.32%	\$13,340,498	-\$6,557,820	0.51	< .05 *
Caucasian Male Business Enterprises	\$34,497,352	83.57%	67.68%	\$27,939,533	\$6,557,820	1.23	< .05 †

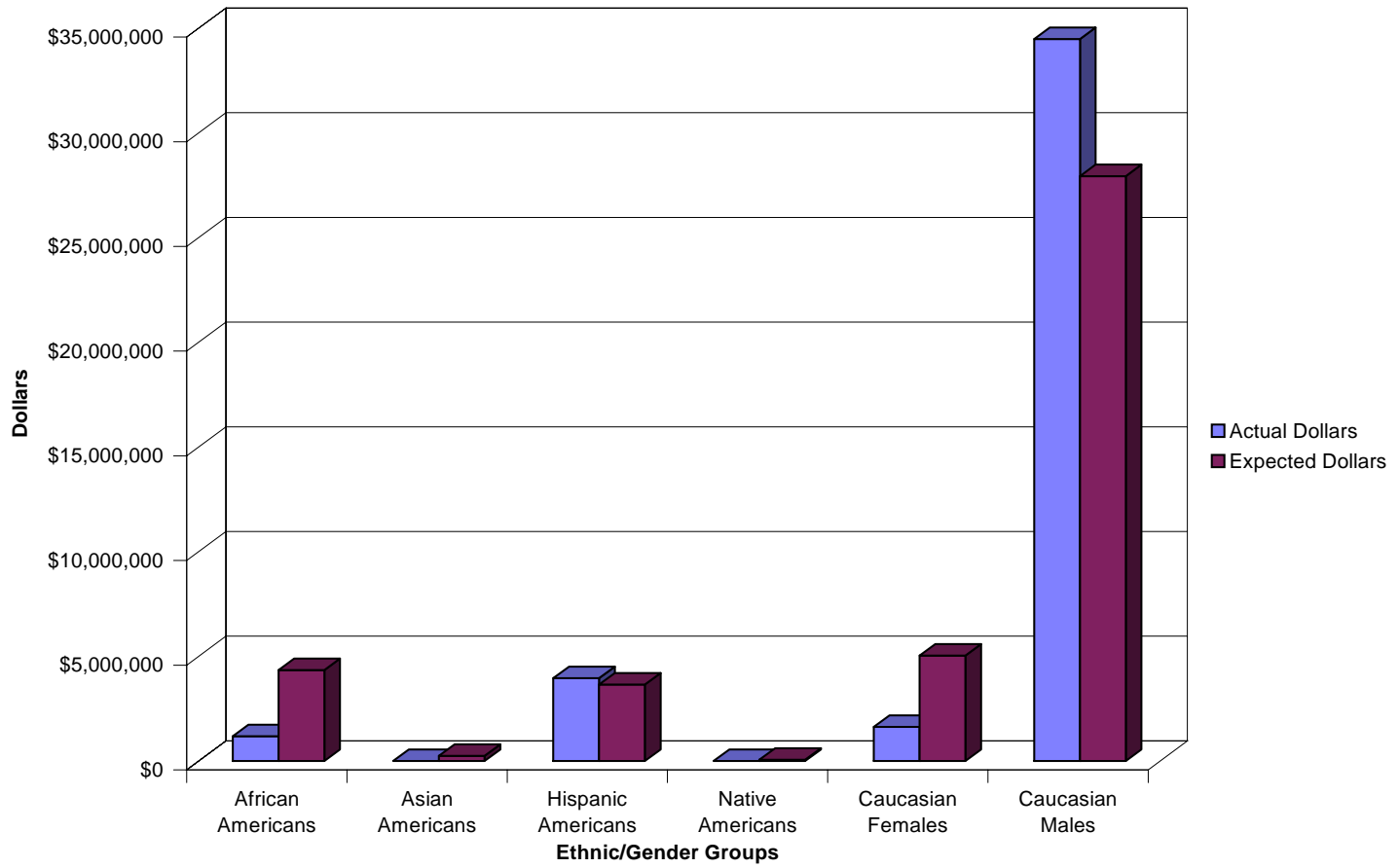
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

**Chart 6.04 Disparity Analysis: Non-Professional Services Prime Contracts under \$500,000,
October 1, 2001 to September 30, 2004**



5. Goods Prime Contracts under \$500,000

The disparity analysis of all goods prime contracts under \$500,000 is depicted in Table 6.05 and Chart 6.05.

African American Businesses represent 3.17 percent of the available goods firms and received 1.48 percent of the goods prime contracts under \$500,000. This underutilization is statistically significant.

Asian American Businesses represent 0.33 percent of the available goods firms and received 0.28 percent of the goods prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Hispanic American Businesses represent 4.92 percent of the available goods firms and received 2.2 percent of the goods prime contracts under \$500,000. This underutilization is statistically significant.

Native American Businesses represent 0.11 percent of the available goods firms and received 0.09 percent of the goods prime contracts under \$500,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 8.52 percent of the available goods firms and received 4.04 percent of the goods prime contracts under \$500,000. This underutilization is statistically significant.

Women Business Enterprises represent 6.89 percent of the available goods firms and received 3.42 percent of the goods prime contracts under \$500,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 15.41 percent of the available goods firms and received 7.47 percent of the goods prime contracts under \$500,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 84.59 percent of the available goods firms and received 92.53 percent of the goods prime contracts under \$500,000. This overutilization is statistically significant.



Table 6.05 Disparity Analysis: Goods Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$1,737,562	1.48%	3.17%	\$3,730,612	-\$1,993,050	0.47	< .05 *
Asian Americans	\$329,274	0.28%	0.33%	\$385,925	-\$56,651	0.85	----
Hispanic Americans	\$2,588,213	2.20%	4.92%	\$5,788,881	-\$3,200,668	0.45	< .05 *
Native Americans	\$105,134	0.09%	0.11%	\$128,642	-\$23,508	0.82	----
Caucasian Females	\$4,029,954	3.42%	6.89%	\$8,104,434	-\$4,074,480	0.50	< .05 *
Caucasian Males	\$108,917,115	92.53%	84.59%	\$99,568,757	\$9,348,358	1.09	< .05 †
TOTAL	\$117,707,252	100.00%	100.00%	\$117,707,252			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$1,537	0.00%	0.33%	\$385,925	-\$384,388	0.00	----
African American Males	\$1,736,025	1.47%	2.84%	\$3,344,687	-\$1,608,662	0.52	< .05 *
Asian American Females	\$305,054	0.26%	0.00%	\$0	\$305,054	----	**
Asian American Males	\$24,220	0.02%	0.33%	\$385,925	-\$361,705	0.06	----
Hispanic American Females	\$528,172	0.45%	0.44%	\$514,567	\$13,605	1.03	**
Hispanic American Males	\$2,060,041	1.75%	4.48%	\$5,274,314	-\$3,214,273	0.39	< .05 *
Native American Females	\$105,134	0.09%	0.11%	\$128,642	-\$23,508	0.82	----
Native American Males	\$0	0.00%	0.00%	\$0	\$0	----	----
Caucasian Females	\$4,029,954	3.42%	6.89%	\$8,104,434	-\$4,074,480	0.50	< .05 *
Caucasian Males	\$108,917,115	92.53%	84.59%	\$99,568,757	\$9,348,358	1.09	< .05 †
TOTAL	\$117,707,252	100.00%	100.00%	\$117,707,252			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$939,897	0.80%	0.87%	\$1,029,134	-\$89,237	0.91	----
Minority Males	\$3,820,286	3.25%	7.65%	\$9,004,926	-\$5,184,640	0.42	< .05 *
Caucasian Females	\$4,029,954	3.42%	6.89%	\$8,104,434	-\$4,074,480	0.50	< .05 *
Caucasian Males	\$108,917,115	92.53%	84.59%	\$99,568,757	\$9,348,358	1.09	< .05 †
TOTAL	\$117,707,252	100.00%	100.00%	\$117,707,252			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$4,760,183	4.04%	8.52%	\$10,034,061	-\$5,273,878	0.47	< .05 *
Women Business Enterprises	\$4,029,954	3.42%	6.89%	\$8,104,434	-\$4,074,480	0.50	< .05 *
Minority and Women Business Enterprises	\$8,790,137	7.47%	15.41%	\$18,138,495	-\$9,348,358	0.48	< .05 *
Caucasian Male Business Enterprises	\$108,917,115	92.53%	84.59%	\$99,568,757	\$9,348,358	1.09	< .05 †

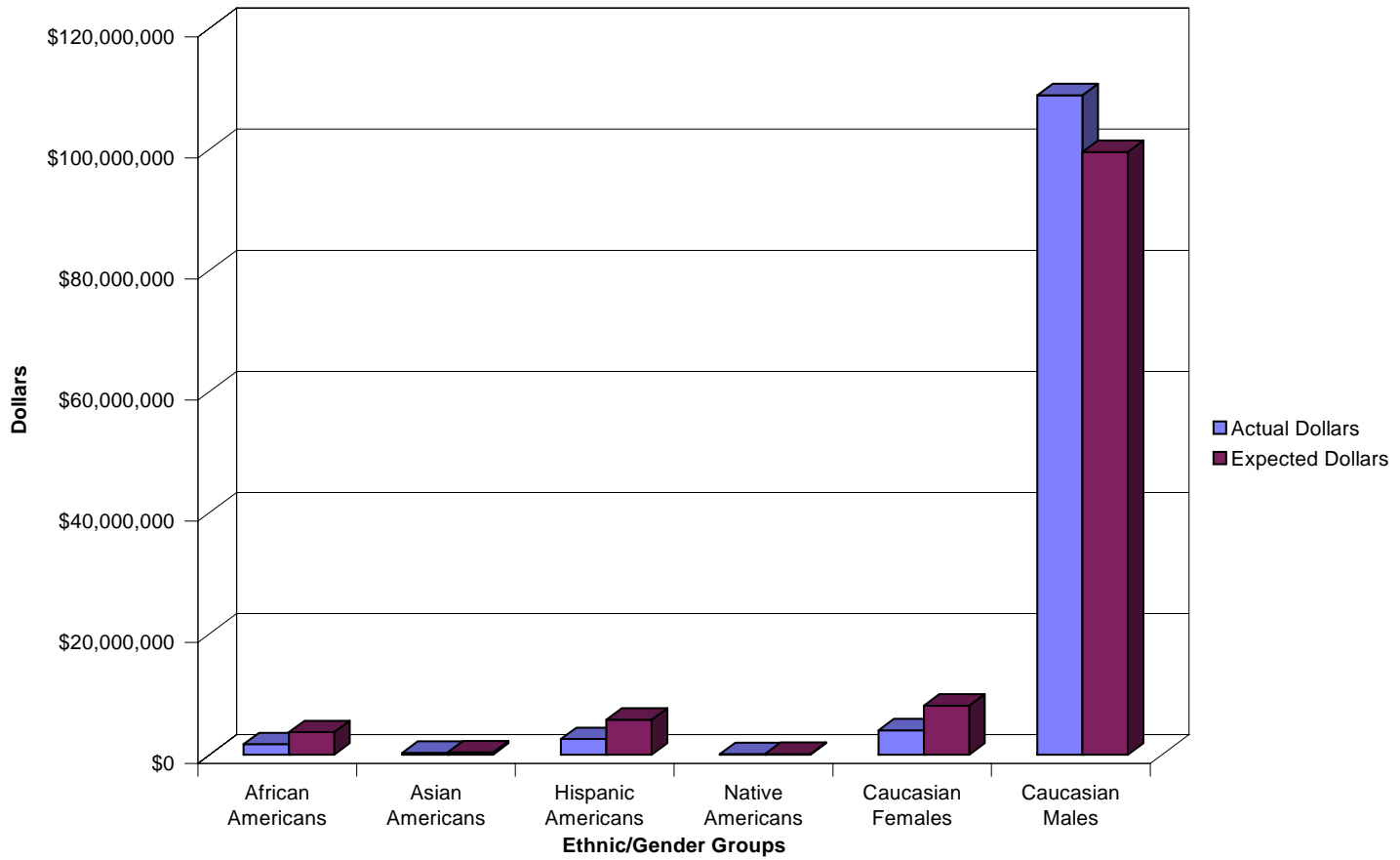
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.05 Disparity Analysis: Goods Prime Contracts under \$500,000, October 1, 2001 to September 30, 2004



B. Disparity Analysis: All Contracts under \$25,000, by Industry

1. Construction Prime Contracts under \$25,000

The disparity analysis of all construction prime contracts under \$25,000 is depicted in Table 6.06 and Chart 6.06.

African American Businesses represent 11.08 percent of the available construction firms and received 2.87 percent of the construction prime contracts under \$25,000. This underutilization is statistically significant.

Asian American Businesses represent 0.29 percent of the available construction firms and received none of the construction prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Hispanic American Businesses represent 20.7 percent of the available construction firms and received 4 percent of the construction prime contracts under \$25,000. This underutilization is statistically significant.

Native American Businesses represent 0.87 percent of the available construction firms and received none of the construction prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 32.94 percent of the available construction firms and received 6.87 percent of the construction prime contracts under \$25,000. This underutilization is statistically significant.

Women Business Enterprises represent 13.41 percent of the available construction firms and received 7.2 percent of the construction prime contracts under \$25,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 46.36 percent of the available construction firms and received 14.06 percent of the construction prime contracts under \$25,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 53.64 percent of the available construction firms and received 85.94 percent of the construction prime contracts under \$25,000. This overutilization is statistically significant.



Table 6.06 Disparity Analysis: Construction Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$132,880	2.87%	11.08%	\$512,662	-\$379,782	0.26	< .05 *
Asian Americans	\$0	0.00%	0.29%	\$13,491	-\$13,491	0.00	----
Hispanic Americans	\$184,931	4.00%	20.70%	\$957,869	-\$772,938	0.19	< .05 *
Native Americans	\$0	0.00%	0.87%	\$40,473	-\$40,473	0.00	----
Caucasian Females	\$332,964	7.20%	13.41%	\$620,591	-\$287,627	0.54	< .05 *
Caucasian Males	\$3,976,675	85.94%	53.64%	\$2,482,364	\$1,494,311	1.60	< .05 †
TOTAL	\$4,627,450	100.00%	100.00%	\$4,627,450			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$0	0.00%	1.75%	\$80,947	-\$80,947	0.00	< .05 *
African American Males	\$132,880	2.87%	9.33%	\$431,715	-\$298,835	0.31	< .05 *
Asian American Females	\$0	0.00%	0.00%	\$0	\$0	----	----
Asian American Males	\$0	0.00%	0.29%	\$13,491	-\$13,491	0.00	----
Hispanic American Females	\$0	0.00%	2.92%	\$134,911	-\$134,911	0.00	< .05 *
Hispanic American Males	\$184,931	4.00%	17.78%	\$822,958	-\$638,027	0.22	< .05 *
Native American Females	\$0	0.00%	0.58%	\$26,982	-\$26,982	0.00	----
Native American Males	\$0	0.00%	0.29%	\$13,491	-\$13,491	0.00	----
Caucasian Females	\$332,964	7.20%	13.41%	\$620,591	-\$287,627	0.54	< .05 *
Caucasian Males	\$3,976,675	85.94%	53.64%	\$2,482,364	\$1,494,311	1.60	< .05 †
TOTAL	\$4,627,450	100.00%	100.00%	\$4,627,450			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$0	0.00%	5.25%	\$242,840	-\$242,840	0.00	< .05 *
Minority Males	\$317,811	6.87%	27.70%	\$1,281,655	-\$963,844	0.25	< .05 *
Caucasian Females	\$332,964	7.20%	13.41%	\$620,591	-\$287,627	0.54	< .05 *
Caucasian Males	\$3,976,675	85.94%	53.64%	\$2,482,364	\$1,494,311	1.60	< .05 †
TOTAL	\$4,627,450	100.00%	100.00%	\$4,627,450			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$317,811	6.87%	32.94%	\$1,524,495	-\$1,206,684	0.21	< .05 *
Women Business Enterprises	\$332,964	7.20%	13.41%	\$620,591	-\$287,627	0.54	< .05 *
Minority and Women Business Enterprises	\$650,775	14.06%	46.36%	\$2,145,086	-\$1,494,311	0.30	< .05 *
Caucasian Male Business Enterprises	\$3,976,675	85.94%	53.64%	\$2,482,364	\$1,494,311	1.60	< .05 †

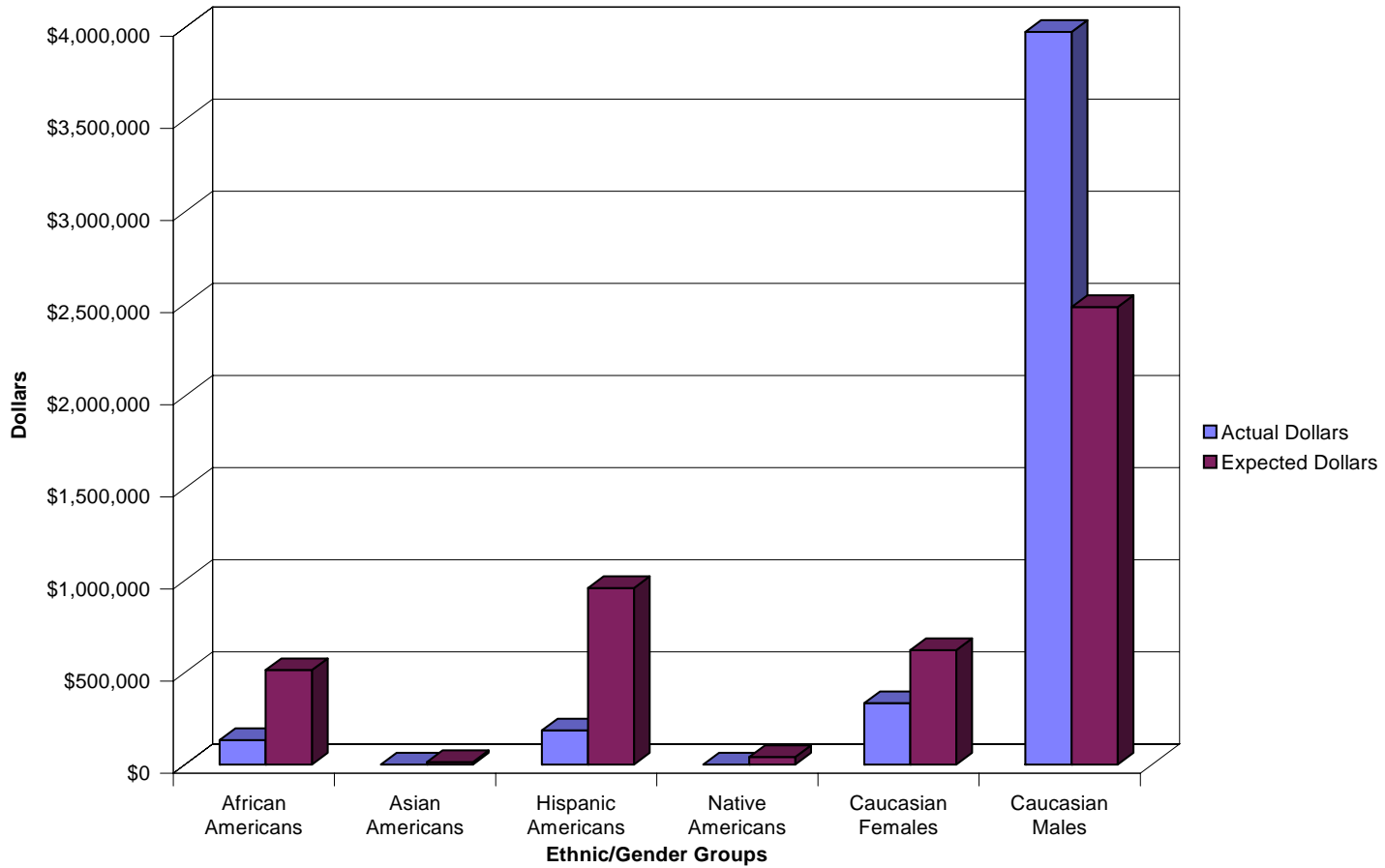
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.06 Disparity Analysis: Construction Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004



2. Construction-Related Prime Contracts under \$25,000

The disparity analysis of all construction-related services prime contracts under \$25,000 is depicted in Table 6.07 and Chart 6.07.

African American Businesses represent 10.82 percent of the available construction-related services firms and received 1.63 percent of the construction-related services prime contracts under \$25,000. This underutilization is statistically significant.

Asian American Businesses represent 4.12 percent of the available construction-related services firms and received 0.13 percent of the construction-related services prime contracts under \$25,000. This underutilization is statistically significant.

Hispanic American Businesses represent 19.59 percent of the available construction-related services firms and received 7.57 percent of the construction-related services prime contracts under \$25,000. This underutilization is statistically significant.

Native American Businesses represent 0.52 percent of the available construction-related services firms and received none of the construction-related services prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 35.05 percent of the available construction-related services firms and received 9.33 of the construction-related services prime contracts under \$25,000. This underutilization is statistically significant.

Women Business Enterprises represent 13.92 percent of the available construction-related services firms and received 10.81 percent of the construction-related services prime contracts under \$25,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 48.97 percent of the available construction-related services firms and received 20.14 percent of the construction-related services prime contracts under \$25,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 51.03 percent of the available construction-related services firms and received 79.86 percent of the construction-related services prime contracts under \$25,000. This overutilization is statistically significant.



Table 6.07 Disparity Analysis: Construction-Related Services Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$46,701	1.63%	10.82%	\$309,964	-\$263,263	0.15	< .05 *
Asian Americans	\$3,790	0.13%	4.12%	\$118,081	-\$114,291	0.03	< .05 *
Hispanic Americans	\$216,782	7.57%	19.59%	\$560,887	-\$344,105	0.39	< .05 *
Native Americans	\$0	0.00%	0.52%	\$14,760	-\$14,760	0.00	----
Caucasian Females	\$309,535	10.81%	13.92%	\$398,525	-\$88,990	0.78	< .05 *
Caucasian Males	\$2,286,668	79.86%	51.03%	\$1,461,258	\$825,410	1.56	< .05 †
TOTAL	\$2,863,476	100.00%	100.00%	\$2,863,476			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$0	0.00%	0.52%	\$14,760	-\$14,760	0.00	----
African American Males	\$46,701	1.63%	10.31%	\$295,204	-\$248,503	0.16	< .05 *
Asian American Females	\$3,790	0.13%	1.55%	\$44,281	-\$40,491	0.09	< .05 *
Asian American Males	\$0	0.00%	2.58%	\$73,801	-\$73,801	0.00	< .05 *
Hispanic American Females	\$10,922	0.38%	1.55%	\$44,281	-\$33,359	0.25	not significant
Hispanic American Males	\$205,860	7.19%	18.04%	\$516,606	-\$310,746	0.40	< .05 *
Native American Females	\$0	0.00%	0.52%	\$14,760	-\$14,760	0.00	----
Native American Males	\$0	0.00%	0.00%	\$0	\$0	----	----
Caucasian Females	\$309,535	10.81%	13.92%	\$398,525	-\$88,990	0.78	< .05 *
Caucasian Males	\$2,286,668	79.86%	51.03%	\$1,461,258	\$825,410	1.56	< .05 †
TOTAL	\$2,863,476	100.00%	100.00%	\$2,863,476			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$14,712	0.51%	4.12%	\$118,081	-\$103,369	0.12	< .05 *
Minority Males	\$252,561	8.82%	30.93%	\$885,611	-\$633,050	0.29	< .05 *
Caucasian Females	\$309,535	10.81%	13.92%	\$398,525	-\$88,990	0.78	< .05 *
Caucasian Males	\$2,286,668	79.86%	51.03%	\$1,461,258	\$825,410	1.56	< .05 †
TOTAL	\$2,863,476	100.00%	100.00%	\$2,863,476			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$267,273	9.33%	35.05%	\$1,003,693	-\$736,420	0.27	< .05 *
Women Business Enterprises	\$309,535	10.81%	13.92%	\$398,525	-\$88,990	0.78	< .05 *
Minority and Women Business Enterprises	\$576,808	20.14%	48.97%	\$1,402,218	-\$825,410	0.41	< .05 *
Caucasian Male Business Enterprises	\$2,286,668	79.86%	51.03%	\$1,461,258	\$825,410	1.56	< .05 †

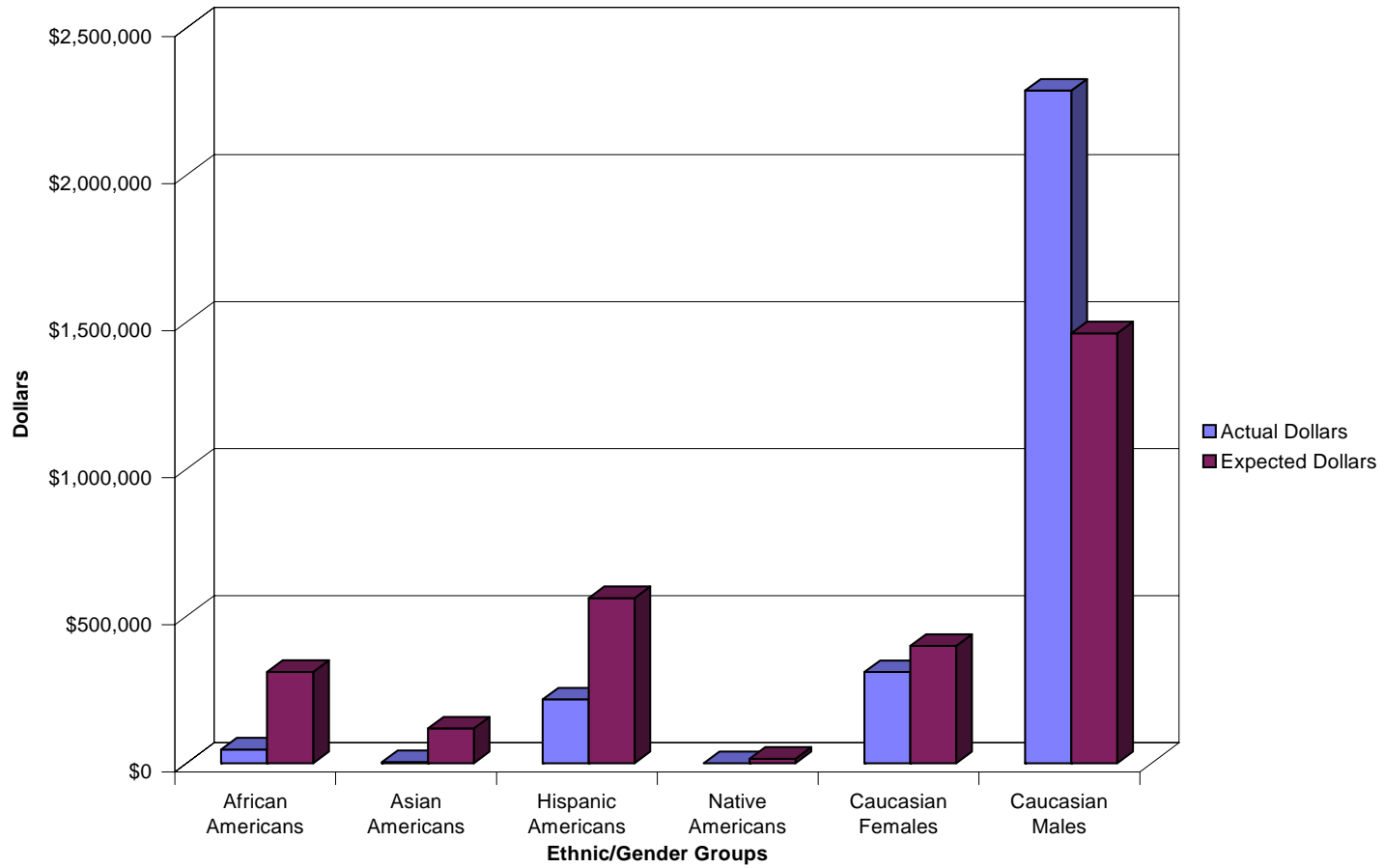
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

**Chart 6.07 Disparity Analysis: Construction-Related Services Prime Contracts under \$25,000,
October 1, 2001 to September 30, 2004**



3. Professional Services Prime Contracts under \$25,000

The disparity analysis of all professional services prime contracts under \$25,000 is depicted in Table 6.08 and Chart 6.08.

African American Businesses represent 11.85 percent of the available professional services firms and received 0.67 percent of the professional services prime contracts under \$25,000. This underutilization is statistically significant.

Asian American Businesses represent 3.18 percent of the available professional services firms and received none of the professional services prime contracts under \$25,000. This underutilization is statistically significant.

Hispanic American Businesses represent 13.29 percent of the available professional services firms and received 0.26 percent of the professional services prime contracts under \$25,000. This underutilization is statistically significant.

Native American Businesses represent 0.58 percent of the available professional services firms and received none of the professional services prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 28.9 percent of the available professional services firms and received 0.93 percent of the professional services prime contracts under \$25,000. This underutilization is statistically significant.

Women Business Enterprises represent 20.23 percent of the available professional services firms and received 7.81 percent of the professional services prime contracts under \$25,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 49.13 percent of the available professional services firms and received 8.74 percent of the professional services prime contracts under \$25,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 50.87 percent of the available professional services firms and received 91.26 percent of the professional services prime contracts under \$25,000. This overutilization is statistically significant.



Table 6.08 Disparity Analysis: Professional Services Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$26,991	0.67%	11.85%	\$475,217	-\$448,226	0.06	< .05 *
Asian Americans	\$0	0.00%	3.18%	\$127,497	-\$127,497	0.00	< .05 *
Hispanic Americans	\$10,364	0.26%	13.29%	\$533,171	-\$522,807	0.02	< .05 *
Native Americans	\$0	0.00%	0.58%	\$23,181	-\$23,181	0.00	----
Caucasian Females	\$313,259	7.81%	20.23%	\$811,347	-\$498,088	0.39	< .05 *
Caucasian Males	\$3,659,758	91.26%	50.87%	\$2,039,958	\$1,619,800	1.79	< .05 †
TOTAL	\$4,010,372	100.00%	100.00%	\$4,010,372			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$2,566	0.06%	2.02%	\$81,135	-\$78,569	0.03	< .05 *
African American Males	\$24,425	0.61%	9.83%	\$394,083	-\$369,658	0.06	< .05 *
Asian American Females	\$0	0.00%	0.87%	\$34,772	-\$34,772	0.00	----
Asian American Males	\$0	0.00%	2.31%	\$92,725	-\$92,725	0.00	< .05 *
Hispanic American Females	\$3,464	0.09%	2.02%	\$81,135	-\$77,671	0.04	< .05 *
Hispanic American Males	\$6,900	0.17%	11.27%	\$452,036	-\$445,136	0.02	< .05 *
Native American Females	\$0	0.00%	0.29%	\$11,591	-\$11,591	0.00	----
Native American Males	\$0	0.00%	0.29%	\$11,591	-\$11,591	0.00	----
Caucasian Females	\$313,259	7.81%	20.23%	\$811,347	-\$498,088	0.39	< .05 *
Caucasian Males	\$3,659,758	91.26%	50.87%	\$2,039,958	\$1,619,800	1.79	< .05 †
TOTAL	\$4,010,372	100.00%	100.00%	\$4,010,372			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$6,030	0.15%	5.20%	\$208,632	-\$202,602	0.03	< .05 *
Minority Males	\$31,325	0.78%	23.70%	\$950,435	-\$919,110	0.03	< .05 *
Caucasian Females	\$313,259	7.81%	20.23%	\$811,347	-\$498,088	0.39	< .05 *
Caucasian Males	\$3,659,758	91.26%	50.87%	\$2,039,958	\$1,619,800	1.79	< .05 †
TOTAL	\$4,010,372	100.00%	100.00%	\$4,010,372			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$37,355	0.93%	28.90%	\$1,159,067	-\$1,121,712	0.03	< .05 *
Women Business Enterprises	\$313,259	7.81%	20.23%	\$811,347	-\$498,088	0.39	< .05 *
Minority and Women Business Enterprises	\$350,614	8.74%	49.13%	\$1,970,414	-\$1,619,800	0.18	< .05 *
Caucasian Male Business Enterprises	\$3,659,758	91.26%	50.87%	\$2,039,958	\$1,619,800	1.79	< .05 †

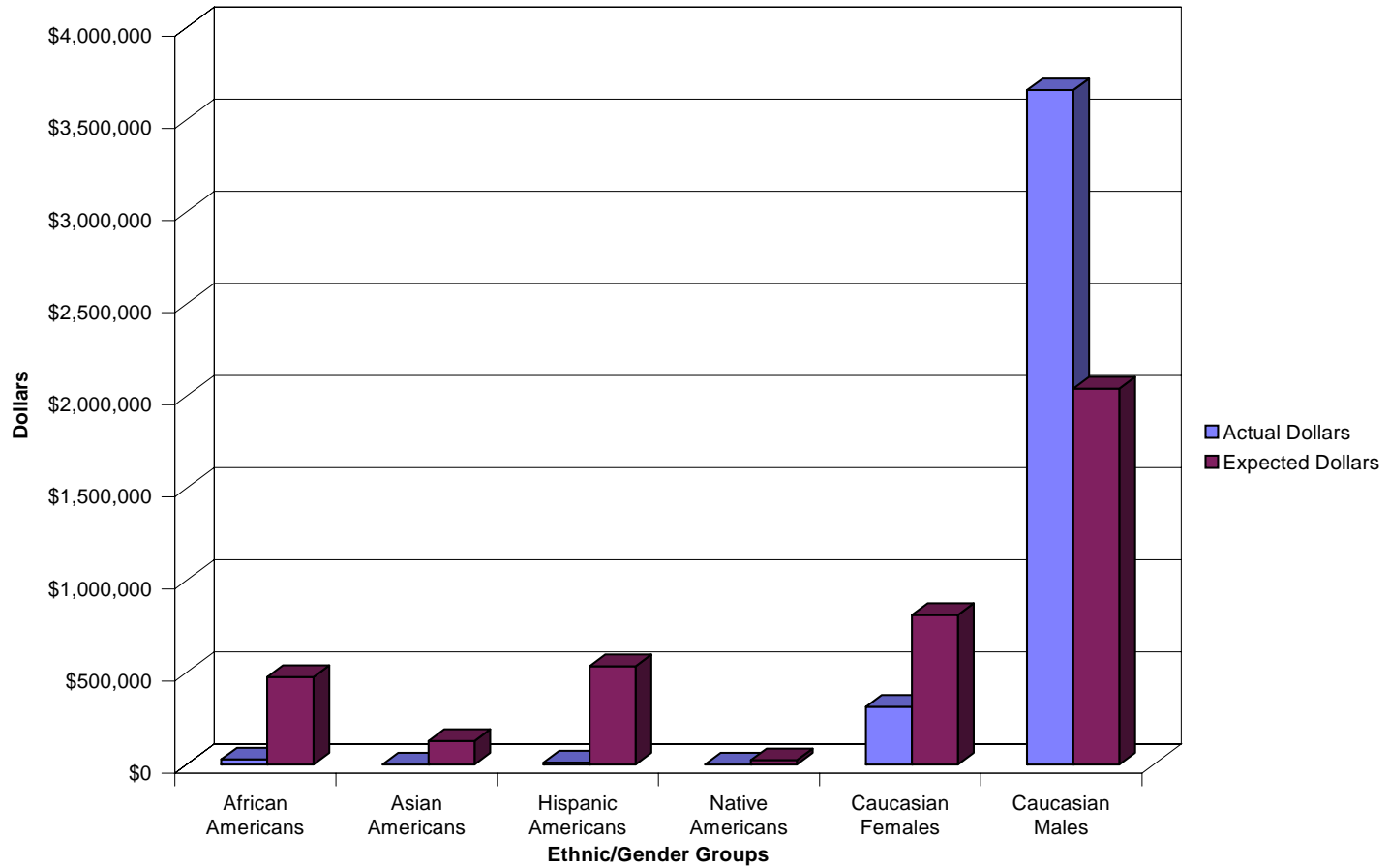
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.08 Disparity Analysis: Professional Services Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004



4. Non-Professional Services Prime Contracts under \$25,000

The disparity analysis of all non-professional services prime contracts under \$25,000 is depicted in Table 6.09 and Chart 6.09.

African American Businesses represent 10.52 percent of the available non-professional services firms and received 4.7 percent of the non-professional services prime contracts under \$25,000. This underutilization is statistically significant.

Asian American Businesses represent 0.61 percent of the available non-professional services firms and received none of the non-professional services prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Hispanic American Businesses represent 8.84 percent of the available non-professional services firms and received 3.19 percent of the non-professional services prime contracts under \$25,000. This underutilization is statistically significant.

Native American Businesses represent 0.15 percent of the available non-professional services firms and received none of the non-professional services prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 20.12 percent of the available non-professional services firms and received 7.89 percent of the non-professional services prime contracts under \$25,000. This underutilization is statistically significant.

Women Business Enterprises represent 12.2 percent of the available non-professional services firms and received 8 percent of the non-professional services prime contracts under \$25,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 32.32 percent of the available non-professional services firms and received 15.89 percent of the non-professional services prime contracts under \$25,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 67.68 percent of the available non-professional services firms and received 84.11 percent of the non-professional services prime contracts under \$25,000. This overutilization is statistically significant.



**Table 6.09 Disparity Analysis: Non-Professional Services Prime Contracts under \$25,000,
October 1, 2001 to September 30, 2004**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$676,771	4.70%	10.52%	\$1,515,229	-\$838,458	0.45	< .05 *
Asian Americans	\$0	0.00%	0.61%	\$87,839	-\$87,839	0.00	----
Hispanic Americans	\$459,213	3.19%	8.84%	\$1,273,671	-\$814,458	0.36	< .05 *
Native Americans	\$0	0.00%	0.15%	\$21,960	-\$21,960	0.00	----
Caucasian Females	\$1,153,139	8.00%	12.20%	\$1,756,788	-\$603,649	0.66	< .05 *
Caucasian Males	\$12,116,535	84.11%	67.68%	\$9,750,171	\$2,366,364	1.24	< .05 †
TOTAL	\$14,405,658	100.00%	100.00%	\$14,405,658			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$269,952	1.87%	1.98%	\$285,478	-\$15,526	0.95	not significant
African American Males	\$406,819	2.82%	8.54%	\$1,229,751	-\$822,932	0.33	< .05 *
Asian American Females	\$0	0.00%	0.46%	\$65,880	-\$65,880	0.00	----
Asian American Males	\$0	0.00%	0.15%	\$21,960	-\$21,960	0.00	----
Hispanic American Females	\$1,971	0.01%	1.83%	\$263,518	-\$261,547	0.01	< .05 *
Hispanic American Males	\$457,242	3.17%	7.01%	\$1,010,153	-\$552,911	0.45	< .05 *
Native American Females	\$0	0.00%	0.15%	\$21,960	-\$21,960	0.00	----
Native American Males	\$0	0.00%	0.00%	\$0	\$0	----	----
Caucasian Females	\$1,153,139	8.00%	12.20%	\$1,756,788	-\$603,649	0.66	< .05 *
Caucasian Males	\$12,116,535	84.11%	67.68%	\$9,750,171	\$2,366,364	1.24	< .05 †
TOTAL	\$14,405,658	100.00%	100.00%	\$14,405,658			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$271,923	1.89%	4.42%	\$636,835	-\$364,912	0.43	< .05 *
Minority Males	\$864,061	6.00%	15.70%	\$2,261,864	-\$1,397,803	0.38	< .05 *
Caucasian Females	\$1,153,139	8.00%	12.20%	\$1,756,788	-\$603,649	0.66	< .05 *
Caucasian Males	\$12,116,535	84.11%	67.68%	\$9,750,171	\$2,366,364	1.24	< .05 †
TOTAL	\$14,405,658	100.00%	100.00%	\$14,405,658			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$1,135,984	7.89%	20.12%	\$2,898,699	-\$1,762,715	0.39	< .05 *
Women Business Enterprises	\$1,153,139	8.00%	12.20%	\$1,756,788	-\$603,649	0.66	< .05 *
Minority and Women Business Enterprises	\$2,289,123	15.89%	32.32%	\$4,655,487	-\$2,366,364	0.49	< .05 *
Caucasian Male Business Enterprises	\$12,116,535	84.11%	67.68%	\$9,750,171	\$2,366,364	1.24	< .05 †

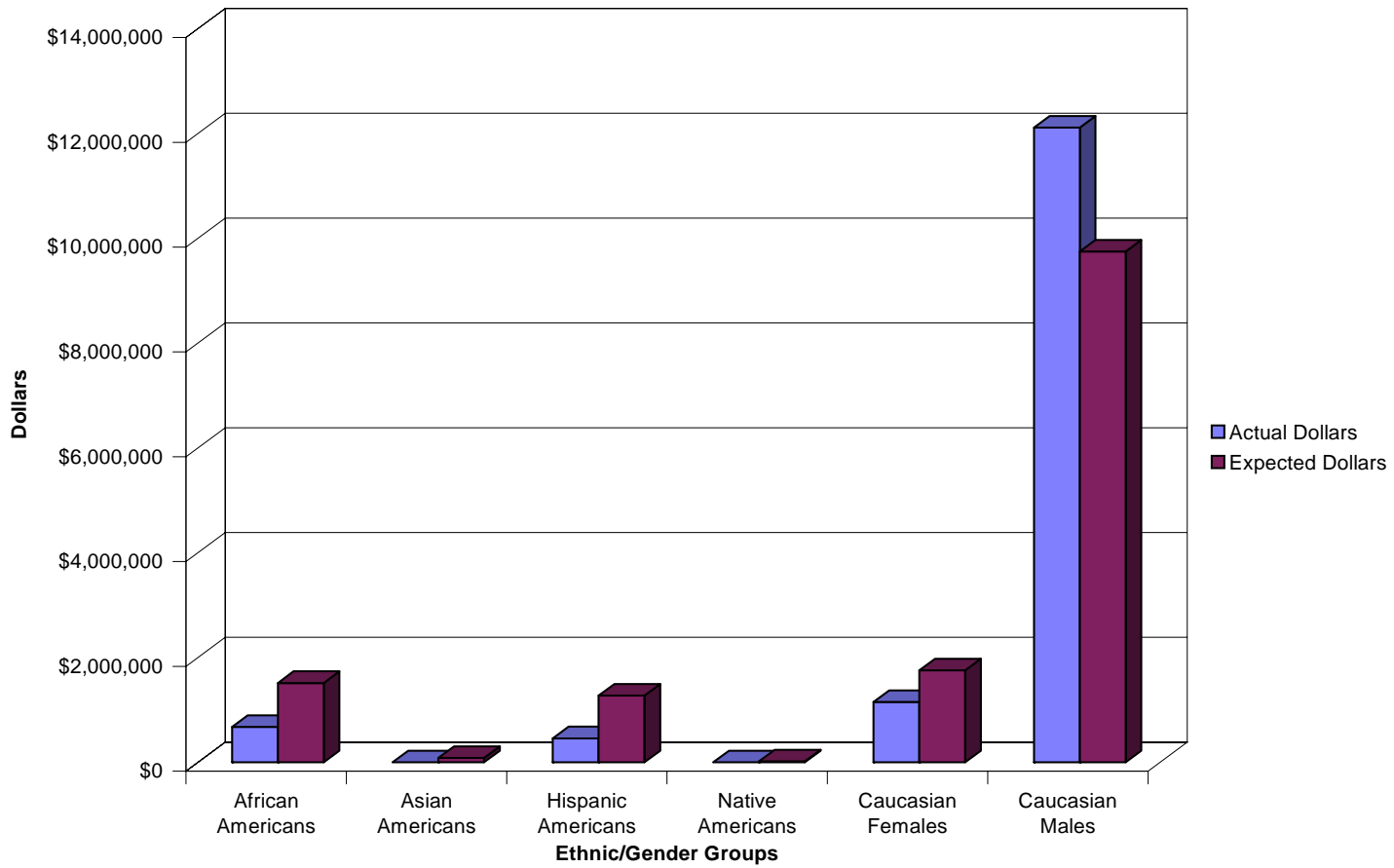
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

**Chart 6.09 Disparity Analysis: Non-Professional Services Prime Contracts under \$25,000,
October 1, 2001 to September 30, 2004**



5. Goods Prime Contracts under \$25,000

The disparity analysis of all goods prime contracts under \$25,000 is depicted in Table 6.10 and Chart 6.10.

African American Businesses represent 3.17 percent of the available goods firms and received 1.34 percent of the goods prime contracts under \$25,000. This underutilization is statistically significant.

Asian American Businesses represent 0.33 percent of the available goods firms and received 0.63 percent of the goods prime contracts under \$25,000. This study does not test statistically the overutilization of minority groups.

Hispanic American Businesses represent 4.92 percent of the available goods firms and received 3.99 percent of the goods prime contracts under \$25,000. This underutilization is statistically significant.

Native American Businesses represent 0.11 percent of the available goods firms and received 0.03 percent of the goods prime contracts under \$25,000. While this group was underutilized, there were too few contracts to determine statistical significance.

Minority Business Enterprises represent 8.52 percent of the available goods firms and received 5.98 percent of the goods prime contracts under \$25,000. This underutilization is statistically significant.

Women Business Enterprises represent 6.89 percent of the available goods firms and received 4.96 percent of the goods prime contracts under \$25,000. This underutilization is statistically significant.

Minority and Women Business Enterprises represent 15.41 percent of the available goods firms and received 10.94 percent of the goods prime contract under \$25,000. This underutilization is statistically significant.

Caucasian Male Business Enterprises represent 84.59 percent of the available goods firms and received 89.06 percent of the goods prime contracts under \$25,000. This overutilization is statistically significant.



Table 6.10 Disparity Analysis: Goods Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Ethnicity	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African Americans	\$704,576	1.34%	3.17%	\$1,669,297	-\$964,721	0.42	< .05 *
Asian Americans	\$329,274	0.63%	0.33%	\$172,686	\$156,588	1.91	**
Hispanic Americans	\$2,102,643	3.99%	4.92%	\$2,590,289	-\$487,646	0.81	< .05 *
Native Americans	\$14,874	0.03%	0.11%	\$57,562	-\$42,688	0.26	----
Caucasian Females	\$2,610,297	4.96%	6.89%	\$3,626,404	-\$1,016,107	0.72	< .05 *
Caucasian Males	\$46,907,541	89.06%	84.59%	\$44,552,967	\$2,354,574	1.05	< .05 †
TOTAL	\$52,669,205	100.00%	100.00%	\$52,669,205			
Ethnicity and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
African American Females	\$1,537	0.00%	0.33%	\$172,686	-\$171,149	0.01	----
African American Males	\$703,039	1.33%	2.84%	\$1,496,611	-\$793,572	0.47	< .05 *
Asian American Females	\$305,054	0.58%	0.00%	\$0	\$305,054	----	**
Asian American Males	\$24,220	0.05%	0.33%	\$172,686	-\$148,466	0.14	----
Hispanic American Females	\$528,172	1.00%	0.44%	\$230,248	\$297,924	2.29	**
Hispanic American Males	\$1,574,471	2.99%	4.48%	\$2,360,041	-\$785,570	0.67	< .05 *
Native American Females	\$14,874	0.03%	0.11%	\$57,562	-\$42,688	0.26	----
Native American Males	\$0	0.00%	0.00%	\$0	\$0	----	----
Caucasian Females	\$2,610,297	4.96%	6.89%	\$3,626,404	-\$1,016,107	0.72	< .05 *
Caucasian Males	\$46,907,541	89.06%	84.59%	\$44,552,967	\$2,354,574	1.05	< .05 †
TOTAL	\$52,669,205	100.00%	100.00%	\$52,669,205			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Females	\$849,637	1.61%	0.87%	\$460,496	\$389,141	1.85	**
Minority Males	\$2,301,730	4.37%	7.65%	\$4,029,338	-\$1,727,608	0.57	< .05 *
Caucasian Females	\$2,610,297	4.96%	6.89%	\$3,626,404	-\$1,016,107	0.72	< .05 *
Caucasian Males	\$46,907,541	89.06%	84.59%	\$44,552,967	\$2,354,574	1.05	< .05 †
TOTAL	\$52,669,205	100.00%	100.00%	\$52,669,205			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Disparity in Dollars	Disp. Ratio	P-Value
Minority Business Enterprises	\$3,151,367	5.98%	8.52%	\$4,489,834	-\$1,338,467	0.70	< .05 *
Women Business Enterprises	\$2,610,297	4.96%	6.89%	\$3,626,404	-\$1,016,107	0.72	< .05 *
Minority and Women Business Enterprises	\$5,761,664	10.94%	15.41%	\$8,116,238	-\$2,354,574	0.71	< .05 *
Caucasian Male Business Enterprises	\$46,907,541	89.06%	84.59%	\$44,552,967	\$2,354,574	1.05	< .05 †

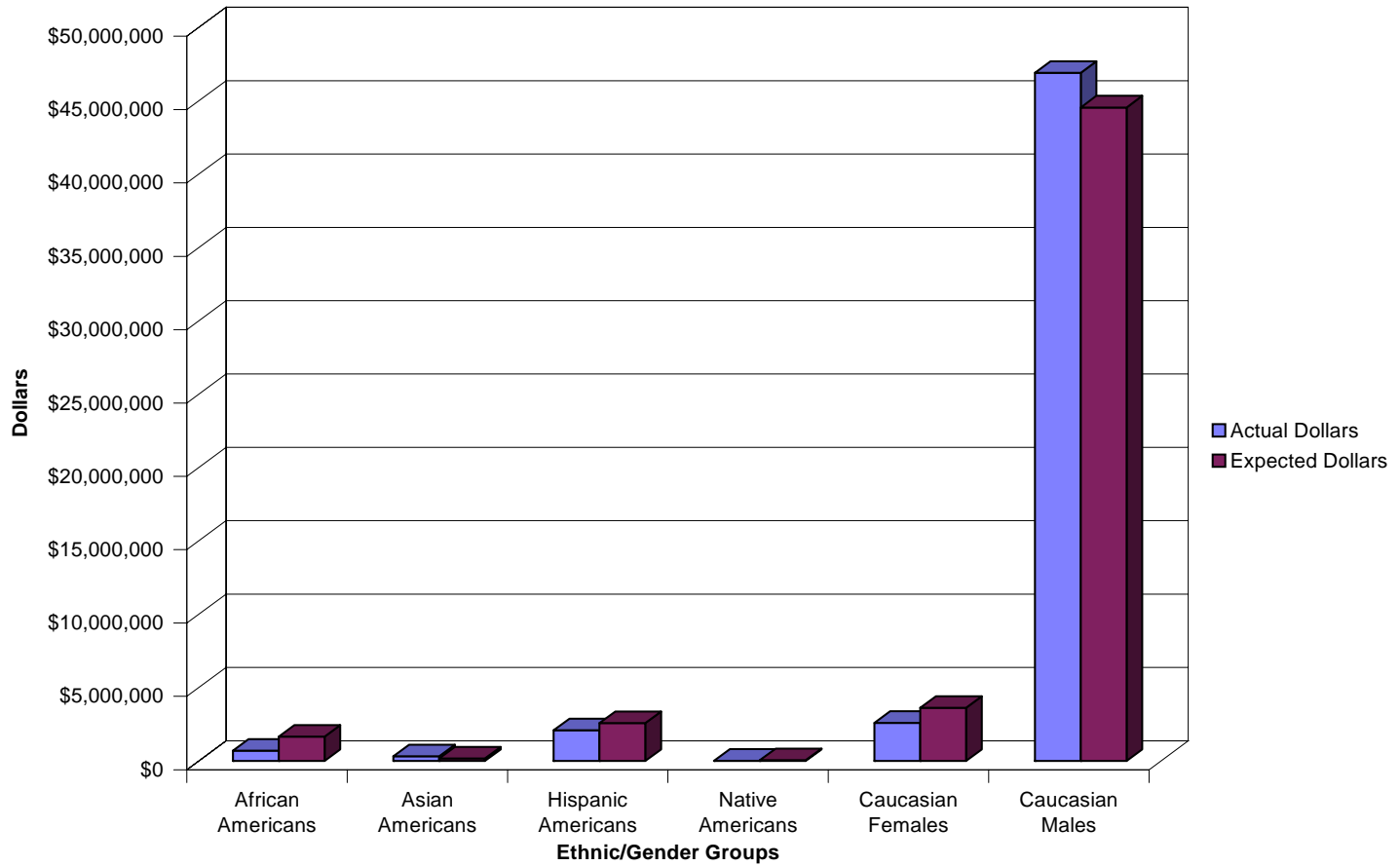
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/W BEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 6.10 Disparity Analysis: Goods Prime Contracts under \$25,000, October 1, 2001 to September 30, 2004



III. SUMMARY

The disparity findings are summarized below.

A. Construction Prime Contracts

As indicated in Table 6.11, Hispanic American firms were determined to be underutilized at both contract levels while African American firms were underutilized at the \$25,000 and under level. Women Business Enterprises were also underutilized at both contract levels.

Table 6.11 Disparity Summary: Construction Prime Contract Dollars, October 1, 2001 to September 30, 2004

Ethnicity/Gender	Construction	
	Contracts under \$500,000	Contracts \$25,000 and under
African Americans	No	Yes
Asian Americans	---	---
Hispanic Americans	Yes	Yes
Native Americans	---	---
Minority Business Enterprises	Yes	Yes
Women Business Enterprises	Yes	Yes
Minority and Woman Business Enterprises	Yes	Yes

- Yes = Statistically significant disparity was found
- No = Statistically significant disparity was not found
- = There were insufficient records to determine statistical disparity
- ** = The study did not test statistically the overutilization of M/WBEs



B. Construction-Related Prime Contracts

As indicated in Table 6.12, with the exception of Native American firms at both contract levels, all minority construction-related prime contractors were determined to be underutilized at both contract levels. Women Business Enterprises were also underutilized at both contract levels.

Table 6.12 Disparity Summary: Construction-Related Prime Contract Dollars, October 1, 2001 to September 30, 2004

Ethnicity/Gender	Construction-Related	
	Contracts under \$500,000	Contracts \$25,000 and under
African Americans	Yes	Yes
Asian Americans	Yes	Yes
Hispanic Americans	Yes	Yes
Native Americans	---	---
Minority Business Enterprises	Yes	Yes
Women Business Enterprises	Yes	Yes
Minority and Woman Business Enterprises	Yes	Yes

- Yes = Statistically significant disparity was found
 No = Statistically significant disparity was not found
 --- = There were insufficient records to determine statistical disparity
 ** = The study did not test statistically the overutilization of M/WBEs



C. Professional Services Prime Contracts

As indicated in Table 6.13, with the exception of Native American firms at both contract levels, all minority professional services primes were determined to be underutilized at both contract levels. Women Business Enterprises were also underutilized at both contract levels.

Table 6.13 Disparity Summary: Professional Services Prime Contract Dollars, October 1, 2001 to September 30, 2004

Ethnicity/Gender	Professional Services	
	Contracts under \$500,000	Contracts \$25,000 and under
African Americans	Yes	Yes
Asian Americans	Yes	Yes
Hispanic Americans	Yes	Yes
Native Americans	---	---
Minority Business Enterprises	Yes	Yes
Women Business Enterprises	Yes	Yes
Minority and Woman Business Enterprises	Yes	Yes

- Yes = Statistically significant disparity was found
- No = Statistically significant disparity was not found
- = There were insufficient records to determine statistical disparity
- ** = The study did not test statistically the overutilization of M/WBEs



D. Non-Professional Services Prime Contracts

As indicated in Table 6.14, African American non-professional services prime contractors were determined to be underutilized at both contract levels, while Hispanic American firms were underutilized at the \$25,000 and under contract level. Women Business Enterprises were underutilized at both contract levels.

Table 6.14 Disparity Summary: Non-Professional Services Prime Contract Dollars, October 1, 2001 to September 30, 2004

Ethnicity/Gender	Non-Professional Services	
	Contracts Under \$500,000	Contracts \$25,000 and Under
African Americans	Yes	Yes
Asian Americans	---	---
Hispanic Americans	**	Yes
Native Americans	---	---
Minority Business Enterprises	Yes	Yes
Women Business Enterprises	Yes	Yes
Minority and Woman Business Enterprises	Yes	Yes

- Yes = Statistically significant disparity was found
- No = Statistically significant disparity was not found
- = There were insufficient records to determine statistical disparity
- ** = The study did not test statistically the overutilization of M/WBEs



E. Goods Prime Contracts

As indicated in Table 6.15, African American and Hispanic American goods prime contractors were determined to be underutilized at both contract levels. Women Business Enterprises were also underutilized at both contract levels.

Table 6.15 Disparity Summary: Goods Prime Contract Dollars, October 1, 2001 to September 30, 2004

Ethnicity/Gender	Goods	
	Contracts Under \$500,000	Contracts \$25,000 and Under
African Americans	Yes	Yes
Asian Americans	---	**
Hispanic Americans	Yes	Yes
Native Americans	---	---
Minority Business Enterprises	Yes	Yes
Women Business Enterprises	Yes	Yes
Minority and Woman Business Enterprises	Yes	Yes

- Yes = Statistically significant disparity was found
- No = Statistically significant disparity was not found
- = There were insufficient records to determine statistical disparity
- ** = The study did not test statistically the overutilization of M/WBEs





7

SUBCONTRACTOR DISPARITY ANALYSIS

I. INTRODUCTION

The objective of this analysis is to determine if minority and woman-owned business enterprise (M/WBE) subcontractors were underutilized at a statistically significant level. A detailed discussion of the statistical procedures for conducting a disparity analysis is set forth in Chapter 6: Prime Contractor Disparity Analysis. The same analytical procedures were used to perform the subcontractor disparity analysis. Under a fair and equitable system of awarding subcontracts, the proportion of subcontracts and subcontract dollars awarded to M/WBEs should be approximate to the proportion of available M/WBEs in the relevant market area. If the proportions are not approximate and a disparity exists between these proportions, the probability that the disparity is due to chance can be determined using a statistical test. If there is a low probability that the disparity is due to chance, *Croscon* states that an inference of discrimination can be made.¹

II. DISPARITY ANALYSIS

As detailed in Chapter 3: Subcontractor Utilization Analysis, extensive efforts were undertaken to obtain subcontracting records for the City's construction, and construction-related prime contracts. The professional services, non-professional services, and goods industries were not included in the subcontractor analysis. Subcontract records were compiled for the three industries within the October 1, 2001 to September 30, 2004 study period. A subcontractor disparity analysis of these records was performed.

¹ When conducting statistical tests, a level of confidence must be established as a gauge for the level of certainty that an observed occurrence is not due to chance. It is important to note that a 100 percent confidence level or a level of absolute certainty can never be obtained in statistics. A 95 percent confidence level is considered by the courts as an acceptable level in determining whether an inference of discrimination can be made. Thus the data analyzed here was done within the 95 percent confidence level.



**A. Construction Subcontractor Disparity
Analysis: October 1, 2001 to September
30, 2004**

The disparity analysis of construction subcontract dollars is depicted in Table 7.01 and Chart 7.01.

African American Businesses represent 8.37 percent of the available construction firms and received 11.26 percent of the construction subcontract dollars. This study does not test statistically the overutilization of minority groups.

Asian American Businesses represent 0.15 percent of the available construction firms and received none of the construction subcontract dollars. The records were not sufficient to determine statistical significance.

Hispanic American Businesses represent 15.4 percent of the available construction firms and received 18.45 percent of the construction subcontract dollars. This study does not test statistically the overutilization of minority groups.

Native American Businesses represent 0.45 percent of the available construction firms and received 0.65 percent of the construction subcontract dollars. This study does not test statistically the overutilization of minority groups.

Minority Business Enterprises represent 24.36 percent of the available construction firms and received 30.36 percent of the construction subcontract dollars. This study does not test statistically the overutilization of minority groups.

Women Business Enterprises represent 12.71 percent of the available construction firms and received 17.57 percent of the construction subcontract dollars. This study does not test statistically the overutilization of women business groups.

Minority and Women Business Enterprises represent 37.07 percent of the available construction firms and received 47.93 percent of the construction subcontract dollars. This study does not test statistically the overutilization of minority and women business groups.

Caucasian Male Business Enterprises represent 62.93 percent of the available construction firms and received 52.07 percent of the construction subcontract dollars. This study does not test statistically the underutilization of Caucasian Males.



Table 7.01 Disparity Analysis: Construction Subcontracts, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Race	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
African Americans	\$2,914,139	11.26%	8.37%	\$2,165,970	\$748,169	1.35	**
Asian Americans	\$0	0.00%	0.15%	\$38,678	-\$38,678	0.00	----
Hispanic Americans	\$4,774,156	18.45%	15.40%	\$3,983,837	\$790,319	1.20	**
Native Americans	\$167,883	0.65%	0.45%	\$116,034	\$51,849	1.45	**
Caucasian Females	\$4,546,791	17.57%	12.71%	\$3,287,632	\$1,259,159	1.38	**
Caucasian Males	\$13,472,632	52.07%	62.93%	\$16,283,450	-\$2,810,818	0.83	**
TOTAL	\$25,875,601	100.00%	100.00%	\$25,875,601			
Race and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
African American Females	\$400,938	1.55%	1.05%	\$270,746	\$130,192	1.48	**
African American Males	\$2,513,201	9.71%	7.32%	\$1,895,223	\$617,977	1.33	**
Asian American Females	\$0	0.00%	0.00%	\$0	\$0	----	----
Asian American Males	\$0	0.00%	0.15%	\$38,678	-\$38,678	0.00	----
Hispanic American Females	\$185,660	0.72%	2.24%	\$580,170	-\$394,510	0.32	not significant
Hispanic American Males	\$4,588,496	17.73%	13.15%	\$3,403,666	\$1,184,829	1.35	**
Native American Females	\$0	0.00%	0.30%	\$77,356	-\$77,356	0.00	----
Native American Males	\$167,883	0.65%	0.15%	\$38,678	\$129,205	4.34	**
Caucasian Females	\$4,546,791	17.57%	12.71%	\$3,287,632	\$1,259,159	1.38	**
Caucasian Males	\$13,472,632	52.07%	62.93%	\$16,283,450	-\$2,810,818	0.83	**
TOTAL	\$25,875,601	100.00%	100.00%	\$25,875,601			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
Minority Females	\$586,598	2.27%	3.59%	\$928,273	-\$341,675	0.63	< .05 *
Minority Males	\$7,269,580	28.09%	20.78%	\$5,376,246	\$1,893,334	1.35	**
Caucasian Females	\$4,546,791	17.57%	12.71%	\$3,287,632	\$1,259,159	1.38	**
Caucasian Males	\$13,472,632	52.07%	62.93%	\$16,283,450	-\$2,810,818	0.83	**
TOTAL	\$25,875,601	100.00%	100.00%	\$25,875,601			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
Minority Business Enterprises	\$7,856,178	30.36%	24.36%	\$6,304,519	\$1,551,659	1.25	**
Women Business Enterprises	\$4,546,791	17.57%	12.71%	\$3,287,632	\$1,259,159	1.38	**
Minority and Women Business Enterprises	\$12,402,969	47.93%	37.07%	\$9,592,151	\$2,810,818	1.29	**
Caucasian Male Business Enterprises	\$13,472,632	52.07%	62.93%	\$16,283,450	-\$2,810,818	0.83	**

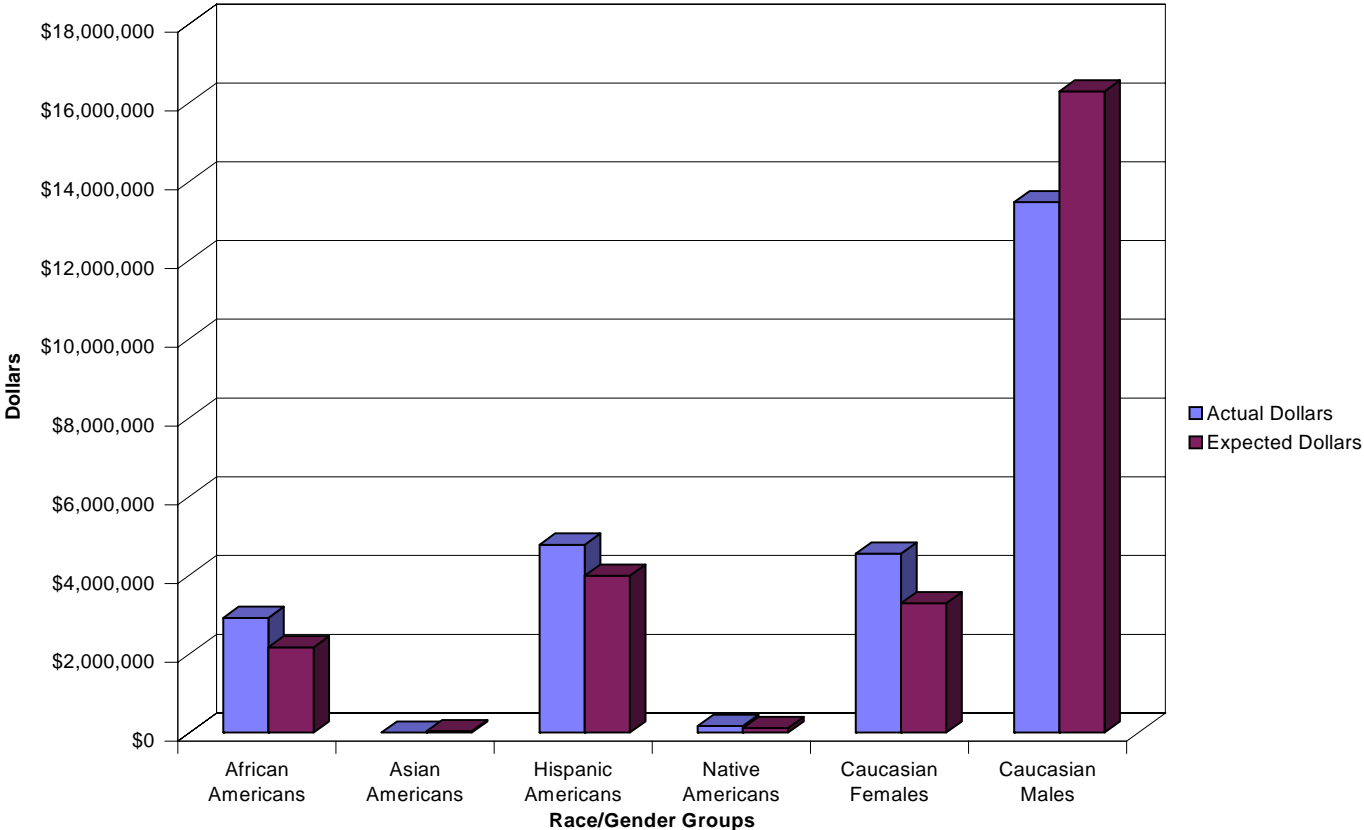
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/WBEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 7.01 Disparity Analysis: Construction Subcontracts, October 1, 2001 to September 30, 2004



B. Construction-Related Subcontractor Analysis: October 1, 2001 to September 30, 2004

The disparity analysis of construction-related subcontract dollars is depicted in Table 7.02 and Chart 7.02.

African American Businesses represent 10.98 percent of the available construction-related firms and received 13.68 percent of the construction-related subcontract dollars. This study does not test statistically the overutilization of minority groups.

Asian American Businesses represent 3.41 percent of the available construction-related firms and received 0.43 percent of the construction-related subcontract dollars. This underutilization is not statistically significant.

Hispanic American Businesses represent 17.8 percent of the available construction-related firms and received 16.99 percent of the construction-related subcontract dollars. This underutilization is not statistically significant.

Native American Businesses represent 1.14 percent of the available construction-related firms and received 5.44 percent of the construction-related subcontract dollars. This study does not test statistically the overutilization of minority groups.

Minority Business Enterprises represent 33.33 percent of the available construction-related firms and received 36.53 percent of the construction-related subcontract dollars. This study does not test statistically the overutilization of minority groups.

Women Business Enterprises represent 14.77 percent of the available construction-related firms and received 11.08 percent of the construction-related subcontract dollars. This underutilization is not statistically significant.

Minority and Women Business Enterprises represent 48.11 percent of the available construction-related firms and received 47.61 percent of the construction-related subcontract dollars. This underutilization is not statistically significant.

Caucasian Male Business Enterprises represent 51.89 percent of the available construction-related firms and received 52.39 percent of the construction-related subcontract dollars. This overutilization is not statistically significant.



Table 7.02 Disparity Analysis: Construction-Related Subcontracts, October 1, 2001 to September 30, 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Race	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
African Americans	\$1,495,935	13.68%	10.98%	\$1,201,426	\$294,509	1.25	**
Asian Americans	\$46,487	0.43%	3.41%	\$372,856	-\$326,369	0.12	not significant
Hispanic Americans	\$1,857,706	16.99%	17.80%	\$1,947,138	-\$89,432	0.95	not significant
Native Americans	\$595,507	5.44%	1.14%	\$124,285	\$471,222	4.79	**
Caucasian Females	\$1,211,822	11.08%	14.77%	\$1,615,711	-\$403,888	0.75	not significant
Caucasian Males	\$5,729,660	52.39%	51.89%	\$5,675,701	\$53,959	1.01	not significant
TOTAL	\$10,937,117	100.00%	100.00%	\$10,937,117			
Race and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
African American Females	\$3,440	0.03%	1.14%	\$124,285	-\$120,845	0.03	not significant
African American Males	\$1,492,495	13.65%	9.85%	\$1,077,140	\$415,355	1.39	**
Asian American Females	\$46,487	0.43%	1.14%	\$124,285	-\$77,798	0.37	not significant
Asian American Males	\$0	0.00%	2.27%	\$248,571	-\$248,571	0.00	not significant
Hispanic American Females	\$413,232	3.78%	2.27%	\$248,571	\$164,661	1.66	**
Hispanic American Males	\$1,444,475	13.21%	15.53%	\$1,698,567	-\$254,093	0.85	not significant
Native American Females	\$0	0.00%	0.38%	\$41,428	-\$41,428	0.00	----
Native American Males	\$595,507	5.44%	0.76%	\$82,857	\$512,650	7.19	**
Caucasian Females	\$1,211,822	11.08%	14.77%	\$1,615,711	-\$403,888	0.75	not significant
Caucasian Males	\$5,729,660	52.39%	51.89%	\$5,675,701	\$53,959	1.01	not significant
TOTAL	\$10,937,117	100.00%	100.00%	\$10,937,117			
Minority and Gender	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
Minority Females	\$463,159	4.23%	4.92%	\$538,570	-\$75,411	0.86	not significant
Minority Males	\$3,532,477	32.30%	28.41%	\$3,107,136	\$425,341	1.14	**
Caucasian Females	\$1,211,822	11.08%	14.77%	\$1,615,711	-\$403,888	0.75	not significant
Caucasian Males	\$5,729,660	52.39%	51.89%	\$5,675,701	\$53,959	1.01	not significant
TOTAL	\$10,937,117	100.00%	100.00%	\$10,937,117			
Minority and Females	Actual Dollars	Utilization	Availability	Expected Dollars	Dollars Lost	Disp. Ratio	P-Value
Minority Business Enterprises	\$3,995,635	36.53%	33.33%	\$3,645,706	\$349,930	1.10	**
Women Business Enterprises	\$1,211,822	11.08%	14.77%	\$1,615,711	-\$403,888	0.75	not significant
Minority and Women Business Enterprises	\$5,207,458	47.61%	48.11%	\$5,261,416	-\$53,959	0.99	not significant
Caucasian Male Business Enterprises	\$5,729,660	52.39%	51.89%	\$5,675,701	\$53,959	1.01	not significant

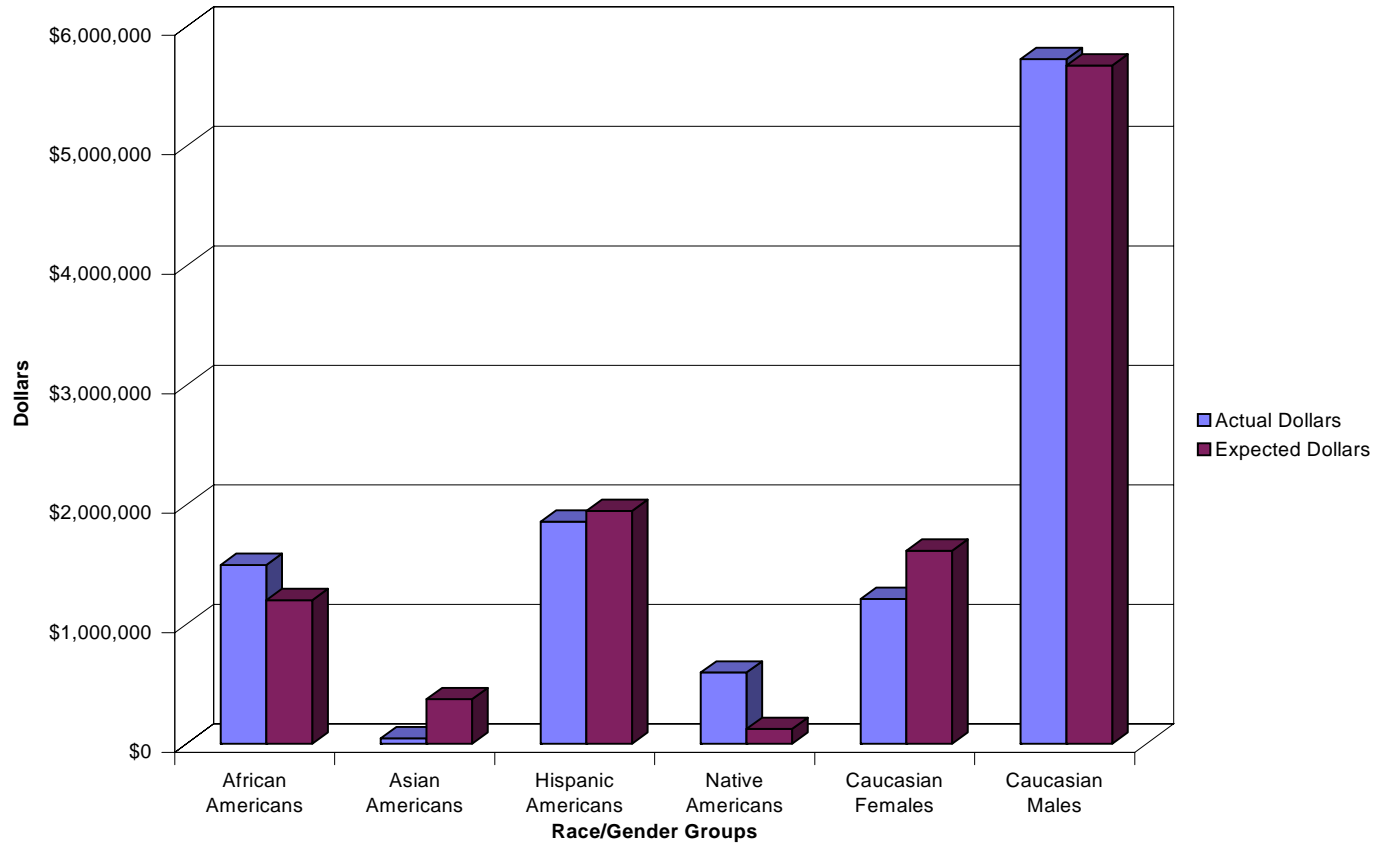
(*) denotes a statistically significant underutilization.

(†) denotes a statistically significant overutilization.

(**) denotes that this study does not test statistically the overutilization of M/WBEs or the underutilization of Caucasian Males.

(----) denotes an underutilized group with too few contracts to test statistical significance.

Chart 7.02 Disparity Analysis: Construction-Related Subcontracts, October 1, 2001 to September 30, 2004



III. SUBCONTRACTOR DISPARITY SUMMARY

The subcontractor disparity findings in the industries under consideration are summarized in Table 7.03 below.

There was no statistically significant disparity found for any minority or women business group in construction or construction-related subcontracts.

Table 7.03 Subcontractor Disparity Summary, October 1, 2001 to September 30, 2004

Ethnicity / Gender	Construction	Construction-Related
African Americans	**	**
Asian Americans	---	No
Hispanic Americans	**	No
Native Americans	**	**
Minority Business Enterprises	**	**
Women Business Enterprises	**	No
Minority and Women Business Enterprises	**	No

Yes = Statistically significant disparity was found
 No = Statistically significant disparity was not found
 --- = There were insufficient records to determine statistical disparity
 ** = The study did not test statistically the overutilization of M/WBEs





8

DISPARITY STUDY RECOMMENDATIONS

I. INTRODUCTION

Recommendations are offered in this chapter to ensure equity in the City of Tampa's (City) contracting for the five industries studied: construction, construction-related services, professional services, non-professional services, and goods. Construction included new construction and renovations, except routine building maintenance which was classified under non-professional services. Construction-related services included construction-related design, consulting, specifications development, testing, and construction management services. Professional services included work that required specialized education or training. Non-professional services included services which could be performed without a professional license or special education, while goods included material, equipment, and supplies.

The recommendations are grouped into race and gender-conscious and race and gender-neutral remedies. These recommendations are presented as options for the City to consider. The City will determine which of the recommendations will be implemented based on the available resources.

The race and gender-conscious recommendations include prime contracting and subcontracting remedies for the ethnic and gender groups where the findings documented a disparity. The race and gender-neutral remedies are presented as best management practices applicable to all City contracting.

II. STUDY DISPARITY FINDINGS

The statistical analysis is a key research component of the Study. The purpose of the statistical analysis is to determine if there is a disparity between the use of W/MBEs and their availability in the marketplace. Disparity is defined as statistically significant



underutilization. A finding of statistical significance means that disparity results did not occur by chance.

A. Summary of Prime Contract Disparity Findings

Statistically significant disparity was identified for prime contracts awarded by the City in construction, construction-related services, professional services, non-professional services, and goods. Disparities were found for both informal prime contracts under \$25,000 and formal prime contracts under \$500,000. Table 8.01 below delineates the dollar thresholds where these disparities were identified. It is notable that the City's current W/MBE program focused on subcontracting versus prime contracting. The finding indicated the effectiveness of the City's effort to ensure W/MBE subcontractors participate on the prime contracts the City awards.



Table 8.01 Summary of Disparity Findings

Ethnicity and Gender	Construction	Construction-Related	Professional Services	Non-Professional Services	Goods
Informal Contracts - \$25,000 and under					
African Americans	Yes	Yes	Yes	Yes	Yes
Asian Americans	---	Yes	Yes	---	**
Hispanic Americans	Yes	Yes	Yes	Yes	Yes
Native Americans	---	---	---	---	---
Minority Business Enterprises	Yes	Yes	Yes	Yes	Yes
Women Business Enterprises	Yes	Yes	Yes	Yes	Yes
Minority and Women Business Enterprises	Yes	Yes	Yes	Yes	Yes

Yes = Statistically significant disparity was found.
 No = Statistically significant disparity was not found.
 --- = There were insufficient records to determine statistical disparity.
 ** = The study did not test statistically the overutilization of W/MBEs.

Table 8.01 Summary of Disparity Findings

Ethnicity and Gender	Construction	Construction-Related	Professional Services	Non-Professional Services	Goods
Formal Contracts - under \$500,000					
African Americans	No	Yes	Yes	Yes	Yes
Asian Americans	---	Yes	Yes	---	---
Hispanic Americans	Yes	Yes	Yes	**	Yes
Native Americans	---	---	---	---	---
Minority Business Enterprises	Yes	Yes	Yes	Yes	Yes
Women Business Enterprises	Yes	Yes	Yes	Yes	Yes
Minority and Women Business Enterprises	Yes	Yes	Yes	Yes	Yes

Yes = Statistically significant disparity was found.
 No = Statistically significant disparity was not found.
 --- = There were insufficient records to determine statistical disparity.
 ** = The study did not test statistically the overutilization of W/MBEs.

B. Summary of Subcontract Disparity Findings

A subcontractor disparity analysis was performed for three industries: construction, construction-related, and professional services. There was no statistically significant disparity found for any minority or women business group in construction or construction-related subcontracts. There were not enough professional services subcontracts to perform a statistical test of disparity. It is notable that the City's current W/MBE program focused on subcontracting and based on the subcontractor disparity findings appears to have been very effective.

III. RACE AND GENDER-CONSCIOUS REMEDIES

A. Prime Contract and Subcontract Remedy

It is recommended that an ordinance be enacted by the City to correct the identified disparities in each of the five industries studied. The Study recommendations adopted by the City should be codified in an ordinance to provide lasting value.

B. Prime Contract Remedy

The prime contract remedy applies to formal and informal contracts. Informal contracts represent 97 percent of the prime contract awards. Informal contracts, which are awards under \$25,000, offer a potential to address the serious underutilization of W/MBEs. These small contracts, awarded without advertising or competitive solicitation, could be a means of addressing the identified disparities in each of the five industries studied.

The recommendations below apply only to those groups in each industry with identified disparity at the informal and formal levels. It is critical that race and gender-conscious remedies are narrowly tailored to the ethnic and gender groups with documented statistically significant underutilization.

1. FORMAL PRIME CONTRACT REMEDIES

a. Job Order Program

Selected construction contracts over \$100,000 would be awarded through job order contracting. Job order contracting is a firm fixed price, indefinite quantity procurement process which simplifies the procurement process and provides a method to remedy the identified prime contract disparity. The City would use a competitive proposal process to select a group of job order contractors. A W/MBE participation goal would be set for the solicitation. The goal would establish the percentage of job order contractors which is awarded to minority and woman-owned businesses and the percentage of the total



contracting opportunities which is awarded to these contractors. Under the job order contracting process work orders would be issued on a rotational basis. No work order with an estimated value less than \$100,000 would be issued under this program.

The City would approve each work order issued under the job order contracting and verify the subcontractor participation. There would also be a review by the City to verify that the job orders were being issued in accordance with the rotation and that the percentage of the awards received by W/MBE job order contractors was in compliance with the participation goals. The rotation list would be posted on the City's website. The name of the project awarded to each job order contractor and the amount of the contract would also be posted to the Internet.

b. Incentive Credits

Evaluation criteria should include incentive credits to be given to prime contractors who are members of the statistically significant underutilized groups on construction-related and professional service contracts, when these awards are based on qualifications. Ten to fifteen percent of the evaluation credits could be comprised of such incentive credits, when the selection process includes a proposal or statement of qualifications. Including incentive credits in the evaluation criteria might counterbalance the competitive disadvantage experienced by these groups. As a result, offsetting the comparative disadvantage could mitigate the disparity in these industries. These credits would be applied to the rating for formally awarded contracts under \$500,000.

c. Bid Discounts

Bid discounts could be applied to bids for construction, construction-related, professional services, non-professional services, and goods submitted by the groups with identified disparity. The bid price less the bid discount would be the amount considered in determining the low bidder; however, the bid price would constitute the amount of the award.

2. INFORMAL PRIME CONTRACT REMEDY

Small Contracts Rotation Program

There are statistically significant findings of underutilization of African American, Hispanic American, and Women Business Enterprises in each of the five industries. Asian American Business Enterprises had a statistically significant underutilization finding in construction-related and professional services. These findings cannot be explained as simply the result of competitive bidding, because informal contracts are not advertised or awarded through a competitive process as in the case of formal contracts.



A target market program should be established for informal contracts in each of the five industries. All informal service contracts would be awarded under the target market program. This program would limit competition to firms from the statistically significant underutilized groups and other firms of comparable capacity. This program would ensure that quotations for informal contracts are solicited from a diverse pool of small businesses on a rotational basis. Because this program would award prime contracts, it is a means for building the capacity of the W/MBE businesses which had a finding of statistically significant underutilization.

The program would have two components, one for construction and a second for construction-related, professional, and non-professional services. Eligibility for the program would be determined by a certification process. The statistically significant underutilized groups would be presumed to be eligible. The eligibility of any other groups would be determined through a certification process. This process would determine whether the business was small and disadvantaged.

Eligible businesses would be required to prequalify for the program. For the construction component, the business would have to submit for approval its regular time and overtime wage rates and insurance certificates. In addition, adjustment factors for the markup on the supplies as well as overhead and profit would be submitted for review. Upon approval of the contractor's fee structure, the approved rates would apply to all work orders. For other service industries the business would prequalify by submitting its hourly rate schedule, overhead and profit rates, proof of insurance, and two examples of projects of similar size.

Prequalification lists of the approved contractors would be maintained by construction trade and type of professional and non-professional services. For construction work orders, the hourly rate and material costs would be pre-approved; therefore, the number of hours would be the only factor to be determined. For the professional and non-professional services work orders, the project personnel, its number of hours, and any direct costs would need to be determined when issuing the work order.

Work orders in all five industries would be assigned on a rotational basis, and no business in the rotation would be eligible to receive a second assignment until all businesses on the list had been offered at least one assignment.

On a regular schedule, perhaps as frequently as each quarter, there would be an open enrollment period. On a designated date during each period, a random list of the newly prequalified businesses would be appended to the end of the prequalified list.

The existence of a small contracts rotation program should be widely advertised to the ethnic and gender groups in each industry with a statistical disparity. The list of prequalified vendors would be posted for public view on the City's website.



Financial support and technical advisory assistance should also be made available to firms that participate in the program. Financial incentives could include such items as: breaking up large contracts into smaller contracts, reducing the requirement for bonding insurance, reducing the insurance requirement, and paying for mobilization for contractors who meet identifiable criteria. Firms would graduate from the program once they reach a certain size threshold or after participating in the program over a specified time period.

C. Subcontractor Remedies

Under *Concrete Works*, a jurisdiction can formulate a basis for its own race-based remedy by examining the disparity study findings of other government programs within its market area¹. The theory being that goals create an artificial business environment and the jurisdiction operating a W/MBE program might achieve statistical parity albeit discrimination still exists in the market area. Thus Mason Tillman has examined the Disparity Study findings of Hillsborough County Aviation Authority (Authority). The Authority which does not apply goals on its Non-Federally funded contracts had a statistically significant disparity finding in construction.

A W/MBE subcontracting goal should be established as a target for participation of minority and woman-owned construction subcontractors in the City’s prime contracts. The goal should reflect the availability of the statistically significant underutilized groups as identified in the City’s Study. The goal should be reviewed at least every five years.

Table 8.02 depicts construction subcontractor availability of the underutilized minority and woman-owned businesses by ethnicity.

Table 8.02 Construction Subcontractor Availability

Underutilized Group	Percent Availability
Minority and Women Business Enterprises	37.07%

The recommended construction subcontract goal is 25 percent for Minority and Women Business Enterprises.

There are no subcontractor remedies offered for construction-related and professional services as there were no statistically significant underutilized groups in the City’s market area. In order to monitor its subcontracting activity in each of the three industries, Mason Tillman recommends that the City require the listing of all subcontractors in its bids, proposals, and statements of qualification. Another recommendation is to perform, within 24 months, a statistical analysis of disparity on the construction-related and professional



¹ *Concrete Works of Colorado v. City and County of Denver*, 36 F.3d 1513, 1520 (10th Cir. 1994).

service subcontracts tracked by the City. If during that time or thereafter the City determines that there is statistically significant underutilization of any minority or woman-owned businesses, contract specific goals for the respective industries should be established.

In section IV.4, Mason Tillman recommends specific data management strategies to ensure that adequate data is collected and tracked. Comprehensive utilization and availability will be required to perform the statistical analysis of disparity.

IV. RACE AND GENDER-NEUTRAL REMEDIES

Croson case law requires that the City consider, but not exhaust, race and gender-neutral initiatives before resorting to race conscious remedies. Mason Tillman makes specific race and gender-neutral program recommendations for future contracting programs. These recommendations incorporate an examination of a number of best management practices of similarly situated jurisdictions. As such, they can serve as a guide for City contracting efforts.

The recommendations Mason Tillman has proposed include program administration, information systems, and data management remedies that the City might consider to aid in addressing its objective to increase contracting with W/MBEs. These recommendations would also benefit all small businesses interested in doing business with the City.

1. PROCUREMENT STRATEGIES

a. Unbundle Large Procurements into Smaller Contracts Where Feasible

Bundling occurs when small purchases are consolidated into one contract, or when goods or services previously purchased individually are grouped together in a single solicitation.

Large contracts should be unbundled to maximize small business participation. During the data collection process for this study, it was found that there were a number of large contracts awarded by the City. Unbundling these large procurements would increase the opportunities for W/MBEs and other small businesses to compete for City contracts.

In determining whether projects should be unbundled, the following criteria should be reviewed:

- Whether or not the project takes place in more than one location
- Size and complexity of the procurement
- Similarity of the goods and services procured
- Sequencing and delivery of the work
- Public safety issues and convenience
- Procurement segmentation options



The federal government has made contract unbundling a key element of its small business agenda.²

b. Use Direct Contracting to Award Small Prime Contracts

Direct contracting occurs when a public agency awards small contracts to individual contractors which might otherwise be included as an item of work in a construction contract or within the scope of an architectural or engineering contract. Direct contracting would increase the opportunities for, and build the capacity of, small firms by allowing them to work as prime contractors.

Construction support services, including trucking, landscaping, demolition, site clearing, surveying, and site security should, when feasible, be awarded as direct contracts and not as items of work in the general contract.

Construction-related services which are not required by the Consultants' Competitive Negotiation Act to be performed by a licensed engineer, architect, registered surveyor, or mapper should be awarded as direct contracts.³ These services include environmental assessment, ecological services, and testing services.

c. Establish a Direct Purchase Program for Construction Contracts

Direct purchases can reduce the amount of the construction bid subject to a bond. The City should consider utilizing direct purchases to buy supplies included in the prime contractor's construction bid. For the purpose of bonding the job the cost of supplies can be subtracted from the bid price, thereby reducing the amount of the contractor's bond.

Under a direct purchase program, the general contractor includes the cost of major construction materials in its bid and lists for the City the supplier's name, quantities, and quotes. The City would produce a purchase order to pay the supplier directly, and the supplier would deliver the materials to the job site according to the contractor's schedule.

This program is beneficial to construction contractors, and especially W/MBEs, because the cost of the contract and in turn the amount that has to be bonded is reduced by the material costs included in the direct purchase. The cash flow required to pay the supplier in advance of receiving reimbursement for the materials from the prime contractor is also eliminated. In addition, the supplier, knowing that it would receive direct payment from the City, may also give the W/MBE a more competitive price, thereby eliminating an additional financial barrier.

² United States. The Office of Federal Procurement Policy (OFPP). *Contract Bundling: A Strategy for Increasing Federal Contracting Opportunities for Small Business*. Washington D.C. Executive Office of the President, October 2002.

³ Hillsborough County, *Florida Engineering & Construction Services Department Miscellaneous Consulting Contracts Work Orders Policy and Procedures*



d. Revise Insurance Requirements

Insurance requirements should be evaluated to ensure that smaller contracts do not carry a disproportionately high level of coverage. The insurance requirements on small contracts should be set in relation to the actual contract liability amount. Prohibitive insurance requirements can be a disincentive to bidders, constitute a barrier to W/MBEs and small businesses, and increase the costs of providing services. Revised insurance requirements would attract more bidders, thus increasing competition and reducing costs. Any revisions to the insurance provisions should comply with statutory requirements.

The City should also consider establishing an Owner Controlled Insurance Program to consolidate risk management costs and reduce the burden of the insurance premium for small vendors. The City would benefit, as well, since the vendor passes the fee for the coverage to the City in its pricing.

e. Phase Retainage Requirements

Retainage is the percentage of the contract value withheld from each payment until the successful completion of a contract.

Retainage should be eliminated for small subcontracts and reduced for all certified W/MBE prime contractors. In addition, the subcontractors' portion of the retainage should be released once work has been completed and accepted. This practice would reduce the cash flow burden experienced by small construction subcontractors. Increased cash flow would allow these small firms to build capacity.

f. Require Prime Contractor Validation of Subcontractor Payments Prior to Receiving Final Payment

All City prime contractors requesting final payment on a project should file a Request for Payments that includes validation of all payments to subcontractors and a proof of lien release. The final payment to the prime contractor should be held until the final and full payment to the listed W/MBE subcontractors is verified by the Minority Business Development Office. This practice would ensure that all City subcontractors get paid.

g. Develop an Expedited Payment Program

An expedited payment program for W/MBEs and other small businesses should be instituted. Expedited payments would remove a major barrier to W/MBE and small business participation in City contracts.

In an expedited payment program, W/MBEs and other small businesses would be paid on an accelerated schedule. Non-certified prime contractors meeting W/MBE participation goals would also be eligible for the expedited payment program. When a participating firm submits an invoice, an identification number would be included to mark it for a 15-day



expedited payment. Invoices would be date stamped immediately upon receipt, and approved invoices would be submitted for payment within ten days of receipt.

Prime contractors would be required to pay their subcontractors within five days of receiving payment from the City. The City should also consider assessing the prime contractor an interest penalty for late payments to their subcontractors. The penalty would be a fixed percentage of the invoice amount assessed daily until payment is issued.

Prime contractors will also be required to submit an invoice monthly for payment of all work performed by subcontractors. Under no circumstances should the invoice be submitted to the City more than 15 days after the end of each month. The City will pay for approved subcontractor services within ten days of the receipt of the approved prime contractor's invoice and the prime contractor would be required to pay each subcontractor within five days of receiving payment from the City.

h. Give Five-day Notice of Invoice Disputes

Within five days of receiving a disputed invoice the contractor should receive a notice from the City detailing any item in dispute. Undisputed invoice amounts should be paid promptly, and disputed items should be resolved in a timely manner. By using this system W/MBEs and small businesses would be better able to maintain positive cash flow while providing services to the City.

i. Pay Mobilization to Subcontractors

Mobilization is the start-up fund paid to a prime contractor when work commences on a construction project. If a mobilization payment is made to the prime contractors, the subcontractors should be paid an amount equal to their participation level within the prime contract. Project start-up costs can be very difficult to come up with for a firm that has limited resources and access to credit. Payment for mobilization could mitigate the start-up cost barriers faced by W/MBEs and small businesses.

j. Review Bids and Proposals for Goal Attainment

Prime contractors should be required to list all subcontractors included in their bids, proposals, and statements of qualification and all subcontractors who submitted bids, proposals, or statements of qualification but were not listed. The listing should include the subcontractor's name, address, items of work, and award amount. A form requesting the Identification of Subcontractors should be included in the solicitation and required with the response at the time of bid opening. This requirement should be applicable to all formal contracts. W/MBE participation should be reviewed at the time the submission is opened. Although goals would not be set on contracts, the level of W/MBE participation on each contract recommended for award should be a matter of public record and reported in the Board Resolution.



k. Develop Formal Subcontractor Substitution Standards

Formal subcontractor substitution standards should be applied to all contracts and subcontracts. Eliminating a subcontractor from a project or reducing its scope of work after the time of the contract award can pose a significant hardship on a business. Subcontractor substitution standards ensure that prime contractors are accountable for subcontractor commitments made at the time of bid or proposal submission.

Any reduction in the scope of work or contract value of a subcontract should be considered as a substitution. A subcontractor should be notified in writing of the intended substitution and afforded the opportunity to respond. Substitutions should only be allowed after the City receives the subcontractor's response and produces a written approval.

l. Conduct Routine Post-Award Contract Compliance Monitoring

Routine and rigorous contract compliance monitoring should be conducted to ensure that the subcontractor participation listed in the bids, proposals and statements of qualification is achieved throughout the duration of a contract and that the businesses are paid according to the prompt payment program standards. This type of monitoring would verify the prime contractor's commitments prior to and after the award of the contract. Consistent contract compliance should minimize the hardships experienced by W/MBEs and small businesses with limited resources due to unauthorized substitutions and late payments.

The following contract compliance methods are recommended:

- Periodically collect copies of the canceled checks written to subcontractors in order to verify payment information
- Require the monthly submission of a subcontractor participation report with the contractor's payment request
- Notify prime contractors and subcontractors when there is non-compliance with program requirements

2. CITY WEBSITE ENHANCEMENTS

a. Enhance Minority Business Development Web Page

The City's Minority Business Development web pages can be enhanced by including a calendar of outreach events and activities, links to local ethnic/trade organizations, a description of the types of services the City procures, and subcontracting opportunities for W/MBEs. The table of contents for the "Doing Business" web page should include a link to the Minority Business Development, W/MBE Program, SBE Program, and EEO/AA web pages.



b. Use DemandStar For All City Procurement

The City should centralize the solicitation for all City procurement using DemandStar. All suppliers interested in City procurement should go to one location for all solicitations the City advertises. Currently, the Purchasing Department uses DemandStar while Contracts Administration uses another process for its public notices. Consolidating the solicitations for all City procurement at one location will minimize the burden on the business community and potentially increase W/M/SBE participation. DemandStar allows for the filtering of the database of registered vendors by industry and geographic location of the businesses.

Using DemandStar will not replace the requirement of publishing a public notice in an appropriate newspaper. A legal notice, as required by Ordinance, should also be published in the appropriate print media. However, the public notice will not qualify as a replacement for DemandStar. Under the consolidated program all public notice advertising must be posted by the Purchasing Department.

The fact that the City will use DemandStar as its exclusive and single source for distributing solicitation notices should be posted to the City website to inform the business community. The posting should describe the step-by-step process for registering and using DemandStar. In addition all City staff should be trained on the new procedures.

c. W/MBE and SBE Program Policy Guidelines

The City should make its W/MBE and SBE Programs Manual and policy guidelines available for public viewing on its website. The City should consider posting these documents to the website pending the acceptance of the Disparity Study.

Although the City's website provides a prime contractor question and answer section, posting the W/MBE Program and SBE Program Manuals would provide contractors with an in-depth understanding of the City's efforts to increase W/M/SBE participation in its contracting opportunities and clarify questions contractors may have about the individual programs.

d. Post Project Forecast on the Internet

A quarterly forecast of contract opportunities should be posted on the City's website to provide firms with adequate notice of upcoming contracts. Project forecasts would provide prime contractors and subcontractors more lead time for networking, outreach, and team building.

The City should also consider listing pending solicitations prior to the issue of contract solicitation. Pending solicitations could be listed 15 to 30 days prior to the actual release date. The listings would consist of the draft project specifications, anticipated release date,



and subcontracting goals for the project. The listings should also be posted the same day each week.

e. Allow Certified W/MBEs to Register Their Interest as Subcontractors for City Projects Via the Internet

For each contract solicitation with subcontracting opportunities, the City could set up a link on its website or through DemandStar that would allow W/MBEs to express interest in subcontracting on a particular project. Many W/MBEs that are too small to be prime contractors on large projects are available to perform as subcontractors. Prime contractors could use this on-line source list to solicit W/MBEs for subcontracting opportunities.

f. Post Prime Contract and Subcontract Awards on the Internet

Prime contract and subcontract awards should be posted on the City's website. The awards should be posted prior to the close of the bid protest period. Posting contract awards would inform the business community of the results of the City's solicitations.

3. ADMINISTRATIVE RECOMMENDATIONS

a. Centralize Procurement in the Purchasing Department

Current policy authorizes the Director of the Purchasing Department to make purchases for goods and services requiring expenditures of less than \$100,000 without the approval of the City Council. All other purchases for goods and services requiring an expenditure of \$100,000 or more shall be first approved by the City Council upon recommendation of the Mayor and made only upon a formal competitive bidding basis. To ensure compliance with the procurement procedures and the W/MBE requirements, all purchases for professional and construction services over \$100,000 should be approved by both the Minority Business Development Office and the Purchasing Department prior to City Council approval. The Purchasing Department should review all requisitions for professional and construction services and authorize the release of the solicitation before the department initiates negotiations with a contractor. The Minority Business Development Office should be notified of the requisition in order to ensure that businesses offering the requisite services are notified of the opportunity. Both the Minority Business Development Office and the Purchasing Department should sign off on each contract for \$100,000 or more before the resolution is submitted to the City Council for award.

b. Enhance Purchasing Department Procedure Manual

The City should consider reorganizing the manual either by industry or by substantive topic, but not by both. For example, including a dollar threshold chart and descriptions of the solicitation process in a section entitled "Legal Authority" or including sections that describe what is required for competitive bidding generally, without any context or specific examples



could be confusing. The Purchasing Department Procedure Manual should also include a summary of the procurement process up front, either in a table or a workflow chart.

c. Establish An Economic Development Task Force

An Economic Development Task Force should be established to review the Disparity Study findings, develop strategies, and make recommendations for a W/MBE Program and SBE Program Ordinance. These recommendations should assess strategies that will improve the City's economic development. The Task Force should comprise City staff, the Mayor's staff, City Council members, and W/M/SBE and non-W/M/SBE members of the business community. The Task Force will be charged to complete its assessment within 120 days and report its findings to the Mayor and City Council.

d. Enact a W/MBE Program and SBE Program Ordinance

Following the conclusion of the Economic Development Task Force's work, the City should enact a W/MBE and SBE program through an Ordinance based on the results of the Disparity Study. An Ordinance puts into law the City's commitment to fairness in contracting.

e. Require All Departments to Comply with W/MBE Requirements

The W/MBE Program reporting requirements should be followed by all City departments with purchasing authority. Uniform and consistent program implementation within each department is essential for the W/MBE Program to be effective. Each City department must comply with the W/MBE requirements, which includes compliance from staff members and prime contractors.

The program monitoring reports should describe the level of W/MBE contracting by department. The performance evaluation of all managers should include criteria on the department's W/MBE utilization and compliance with the program requirements.

f. Institute W/MBE Program Training

A W/MBE Program Training Manual should be developed to standardize the delivery of the W/MBE Program requirements and ensure that all department managers and their staff have the knowledge and skills to fulfill their duties within the Program. The procedures set forth in the manual should become standard operating procedures in each department. The W/MBE Program Manual would also provide staff with clear guidance on its responsibilities to track and report the participation of W/MBEs and to fulfill the other W/MBE Program requirements.

A training module based on the W/MBE Program Manual should be developed and incorporated in the City's new employee orientation. The module should also be included



in the training curriculum for the City of Tampa Equal Employment Opportunity and Affirmative Action Ordinance.

g. Publish W/MBE Utilization Reports

The W/MBE utilization reports should measure the success of the Minority Business Development Office's program and determine if they require modification. These reports should include verified payment and award data organized by industry and department. In addition, it should include change orders and substitutions.

Reports should be submitted to the City Council on a quarterly basis. The fourth quarter report should also include an assessment of the program activities and recommendations for improvement. Exemplary practices and achievements of the departments should be noted in the fourth quarter report. The reports should be posted on the City's website.

h. Evaluate Staff Compliance with the W/MBE Program

Staff compliance should be evaluated through both department-level reports of W/MBE utilization and staff performance reviews. Staff members who comply with Program requirements to utilize W/MBEs on informal contracts should be recognized. Such acknowledgment could be in the form of a letter from supervisory staff and recognition in the quarterly W/MBE utilization report. Formal recognition would provide staff with an additional incentive to meet W/MBE program requirements and reward those who consistently demonstrate a commitment to diversity. Program compliance should be included as part of manager's performance evaluation as well.

i. Conduct Outreach and Implement Marketing Strategies

The W/MBE Program enhancements should be promoted through an outreach component. The outreach component should include the following three elements:

- Promotion of new programs
- Solicitation of firms to pursue certification
- Advertisements of contract opportunities in order to increase the number of businesses responding to informal and formal solicitations

Effective outreach would also attract more businesses in Hillsborough County which are willing to do business with the City but have not previously bid or proposed on a contract. Engaging these available market area businesses could increase the number of bidders and proposers and thereby result in the City receiving improved pricing for the goods and services it purchases.



Table 8.03 below lists the strategies and tactics that can be used to enhance the marketing of the Program to attract W/MBE firms to certify with the City and bid on City contracts, as well as to inform the business community of new requirements and enhanced services.

Table 8.03 Outreach and Marketing Strategies

Strategy	Tactics
Design tagline and display banner	<ul style="list-style-type: none"> • Develop tagline • Design banner with placement of existing logo and new tagline
Define design standards, layout, and appearance of procurement documents for the organization	<ul style="list-style-type: none"> • Revise all procurement materials to include the program logo and tagline in order to have a uniform appearance
Develop collateral print material for outreach campaign	<ul style="list-style-type: none"> • Revise brochure to reflect program changes • Develop articles and media packets
Launch outreach campaign	<ul style="list-style-type: none"> • Distribute media packets and press releases • Place public service announcements • Pitch campaign to broadcast media
Host semi-annual contractors' open house and other networking events	<ul style="list-style-type: none"> • Plan and coordinate open house events • Send out invitations via mail, fax, and e-mail • Include buyers in outreach events • Make informal contract opportunities available • Distribute contract forecasts and certification forms
Distribute forecasts of contracting opportunities via facsimile and e-mail	<ul style="list-style-type: none"> • Distribute contract forecast • Post to website • Distribute through fax and e-mail
Partner with agencies and organizations to disseminate program information	<ul style="list-style-type: none"> • Continue current agency partnerships • Develop local business and trade group partners
Conduct an annual program evaluation	<ul style="list-style-type: none"> • Establish measurable outcomes • Conduct surveys • Examine bidding history

4. Data Management Recommendations

Recommendations in this section are presented as strategies to enhance the City's management of its prime contract and subcontract records. During the data collection process, Mason Tillman was provided with contract information from the City's financial system.

The review of the data revealed aspects of the system which could be enhanced in order to track and monitor prime and subcontract awards more efficiently. The recommended enhancements would support a more accurate assessment of the effectiveness and compliance with any implemented business enterprise program given the findings of this Study.



a. Use Modules in the Financial Management System to Track Subcontractors

The financial system should be used to track both prime contract and subcontract bidders on all types of contracts, both formal and informal. Electronically recording bidders is a comprehensive means of tracking ready, willing, and able firms and compiling necessary information to set contract-specific goals.

b. Design a Utilization Tracking Database

A utilization tracking database should be designed so that W/MBE utilization can be tracked. Effective contract compliance would require a relational database that can track and report City contracting activity. A comprehensive utilization tracking database should be linked to the financial computer system by the unique contract number. This tool would be critical in monitoring utilization and conducting contract compliance.

c. Track All Subcontract Bidders

All subcontract bidders should be tracked electronically. Setting W/MBE contract goals would require a list of available firms. Electronically recording bidders is a comprehensive means of tracking ready, willing, and able firms.

In order to maintain a list of available subcontractors, the following information should be collected from prime contractors at the time of bid opening:

- Subcontractors' names
- Subcontractors' certification status
- Service to be provided by each subcontractor
- Subcontractors' bid amount

Prime contractors should be required to present a subcontract with each subcontractor within 30 days of the notice to proceed or prior to approval of the initial payment request. The initial payment would not be approved until all subcontractor agreements have been submitted.

It is further recommended that routine site visits be used not only in response to inconsistencies perceived by the Minority Business Development Office but periodically throughout the course of medium and large projects to audit scope of work, ensure prompt payments, and monitor other project-related W/MBE issues as closely as possible.



d. Track All Subcontractor Payments

There should be uniform tracking of all subcontractor payments. Tracking subcontractor payments is a critical element of contract compliance. Tracking subcontractor payments throughout the term of the contract would also identify problematic areas in contract compliance and project management.

Subcontractors must be listed by the prime contractor in order to have a verifiable tracking system. Each subcontractor should sign a statement of intent to perform as a subcontractor, and this document should be submitted at the time of bid opening. Submission of these forms should be a material condition of a responsive bid. The Purchasing Department should notify the Minority Business Development Office of any substitutions to the approved list of subcontractors.

The prime contractor's request for payment should stipulate the amount of the invoice to be paid to each W/MBE and non-W/MBE subcontractor. The cumulative payments can be verified on a quarterly basis with each subcontractor.

Prior to release of the prime contractor's final payment, the lien release submitted by each subcontractor should be reviewed by the Minority Business Development Office to verify the amount paid to the subcontractor. Any reduction in the approved subcontractor award amount should be deducted from the final payment to the prime contractor. Release of the prime contractor's final payment should require approval of the Minority Business Development Office, as well.

Subcontractor payment data should be stored electronically in a relational database. Each department that manages contracts should maintain its own relational database. The databases should be based on the same platform, in order for the data to be easily integrated when needed.

