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ACA Newsletter

City Board Demands More Opportunities for Minority Businesses



From left to right representing MWBE Advisory Committee: Reginald Worlds, Marjorie Burciaga, and Eliza May (far right) with CM Ellen Troxclair (second from right)

Austin— In an epoch-making move, MBEWBE/Small Business Advisory Committee Members went to Council to make recommendations on how to improve opportunities for minority contractors in city contracting.

Reginald Worlds, the Vice Chair of the Committee, accompanied by Committee Chair Eliza May and Committee Member Marjorie Burciaga, presented their committee resolution at the Council's Economic Opportunity Committee (EOC) meeting on December 14th. The move came after Council directed the committee to look into the long standing issue of lack of minority participation goals.

The recommendations ask that 1) City review all procurements for minority subcontracting opportunities, 2) procurement opportunities be broken into smaller packages, 3) contract terms be decreased for three years to one year making contracts less costly and more affordable for M/WBE firms to bid.

Posing no questions or comments about the presentation, EOC Chair Ellen Troxclair went directly to city staff for some answers. She said that this had been a topic of discussion among council members and a consistent complaint they had heard from the public since the beginning of the year. CM Ora Houston also expressed her concerns over the issue. SMBR Director Veronica Lara responded by saying that her department has recently relaxed its long-held practice to set goals only if there were two subcontracting op-

portunities in a single scope or work. Now goals can be set if one subcontracting opportunity is identified for single-scope solicitations, she said; however, based on the advice from the law department and her professional judgment, she added, she disagrees to set goals when there is only one scope of work. Nonetheless, she does have the leverage within the ordinance to establish rules on how goals are set, she commented.

In another response, Purchasing Officer, James Scarboro, began with a positive note by saying, "We do hear the concerns from the public, the Council, and the trade associations, and it is our desire to support our citizens." He continued, "We are now going through how we establish commodity codes, that is key to drive subcontracting opportunities. The process by which commodity codes are selected has been a practice-based activity and has not been reduced to a procedure." Mr. Scarboro said their staff members have been relying on their experience and practice not to look for subcontracting opportunities when there is a single scope and that his office will need a standard procedure to change the way they have been doing business.

Mr. Scarboro said he will work with the Advisory Committee and the minority trade associations to agree on a procedure to present to the EOC in the near future.

Earlier during Citizen's Communications, Advisory Committee Member Burciaga expressed her frustration of their agenda item being postponed for three months making it hard for the advisory committee to conduct business. She recommended that the EOC meeting agenda reserve an item for the advisory committee on a monthly basis. EOC Chair Troxclair said she was not aware of the delay and this was the first time she had heard about it. CM Leslie Pool commented that she would like to see a recurring standing item on the agenda for M/WBE issues so an inflow of information can be shared.

CM Greg Casar said to do so, they should discuss it as a future agenda item. It was not immediately clear if it will be a new business item for the Council Committee to discuss.

The EOC was created last year by the new Council in place of the M/WBE Council Committee to address a wider array of economy-related issues.

These issues include review of job creation and training, small and minority business development, economic incentives, improvement districts, economic development corporations, trade and commerce, minority and women owned business contracting policies, emerging technology, tourism, events, entertainment, live music, film and television production, sports, library, culture, art, and related matters.

Over the last 21 years in business, Mardy Harp, founder of Metalink, has seen good times and bad times in the construction industry. And yet through her hard work, persistence, and unbent will, Mardy ultimately built a small 3-person company into a thriving business of 38 employees.



Coming to Texas to look for a second career in 1994, Mardy bought a small fencing company on a 5-acre lot, not for the business itself, but for the land and its location as an investment. However when a few customers started to show up, the potential of a thriving future in steel piqued the interest of a seasoned sales executive in the high-tech industry from California.

Knowing nothing about metal fencing but having the natural skills of a quick and curious learner, Mardy went to work. From greeting customers at the front desk, taking phone calls, preparing bids, to pulling orders, she did it all. It was not easy at the beginning, she said, and it took a lot of patience, trial and errors. She was ambitious but not unrealistic. She knew her hiring decisions would be critical to Metalink's success and longevity, which she credits much to the people she hired in key positions.

Rodd Frank, now a part-owner of the company, was hired the second year of her business. Together, they assembled a highly qualified sales team and diversified their product line, she pointed out.

In the first few years, Metalink was mostly servicing homeowners and small commercial accounts, Mardy recounted, but she knew she had to start small and take on projects incrementally in size and amount. Eventually they moved to much larger commercial contracts and now the company does about 90% of their business in government, commercial and industrial projects.

Metalink now specializes in all types of fencing, handrails, ornamental iron and specialty steel fabrication.

The key is to "perform your work well, and build your reputation. Prime contractors talk with each other and exchange information about subcontractors. They will use you if you have a good reputation," Mardy disclosed.

When asked how she has survived the volatile construction industry over the years, Mardy joked, "My great hairstylist!" She once saw a million dollar revenue segment turned to \$50,000 over night when SBA loans dried

up during the stock market crash of 2008. To weather the economic storm, she added more products and services such as powder coating and media blasting. A recent investment of a plasma table will enable Metalink to expand its' offering in more specialized architectural work. Mardy said their resilience has come from their ability to be flexible in a changing

market.

Many of Metalink's crews are OSHA trained with high security clearance and are able to enter government facilities to perform work, a dearly sought-after asset by some prime contractors. "Hire good people, keep them, and treat them well," Mardy said, is what contributes to her business success. Many employees have a tenure of over 10 years, according to Mardy.

It may be a distant memory from her "humble beginning" off a busy highway in south Austin, but the ardor and vigor that fueled the engine of the petite Asian business woman then are still very much alive today and palpable in her enthusiastic advice: "Provide excellent customer service, be grateful for the opportunities that you're given and always go the extra mile. Keep the lines of communication open and strong with your customers and be a problem solver for them."



"Prove yourself in the market that you are competitive and do quality work on time and on budget. The better you perform, the better the project turns out, and it's a win-win for everyone."

Mardy, daughter of a Japanese immigrant, balances the unrelenting demands of her business with enjoyment that comes spending time with her family, and hobbies such as cooking, gardening, and caring for animals.

SMBR Celebrates 10 Years of Awarding Diversity in Contracting

The City of Austin's Small & Minority Business Resources Department (SMBR) celebrated its "10 Years of Celebrating Diversity in Contracting" on Wednesday, Oct. 28th from 6 – 7:30 p.m. at the Asian American Resource Center, 8401 Cameron Road, Austin.

Each year SMBR recognizes firms that exhibit high standards in their contracting and performance in support of the City of Austin's MBE/WBE Procurement Program. This year, SMBR recognized the following two prime firms:

- Hensel Phelps, Prime Contractor of the Year
- McKinney York Architects, Inc., Prime Consultant of the Year

SMBR also honored four Small Businesses of the Year which are certified minority and women-owned businesses that have been successful on City of Austin contracts. This year's winners include:



Anna Kellough, owner of Marie Trucking, receives the Asian American Subcontractor of the Year Award.

- Marie's Trucking - (Minority Asian subcontractor)
- Avery's Lawn Care & Landscaping, LLC - (Minority African-American subcontractor)
- Lewis Concrete Restoration, (Minority Hispanic subcontractor)
- DEA Specialties Co, Inc., (Woman subcontractor)

The Department has added two new awards for re-



Mayor Adler and Council Member Houston invited as honorable guests

cipients within the City of Austin. The internal awards recognize a City of Austin employee and a City of Austin Department or Work Group for their commitment and support of SMBR's mission. This year's recipients are:

- ♦ MBE/WBE Advocate - Carlos Lopez, Public Works Department
- ♦ Department Award - eCapris Team, Financial Services Department

SMBR also recognized the efforts of its Service Providers for their assistance with outreach and communications in the Construction arena:

- ♦ Asian Contractors Association (ACA)
- ♦ Austin Area Black Contractors Association (ABCA)
- ♦ Hispanic Contractors Association de Austin (USHCA)



Asian Contractor Association Board Member LiLi accepts SMBR Service Award on behalf of the association.

Alliance Children's Garden Family Park Design Event

The Austin Parks and Recreation Department, in partnership with its design consultant TBG Partners and the Dougherty Arts Center, held the first in a series of stakeholder and community engagement meetings on December 5th to discuss and collect feedback regarding program elements for the proposed Alliance Children's Garden in Butler Park. For future public meetings, or on the Alliance Children's Garden project, please contact Robin Camp at (512) 974-7830 or email robin.camp@austintexas.gov

City announces on #GivingTuesday employees raise \$500,000 for charities

The City of Austin employees raised approximately \$500,000 for local, regional, national and international charities as part of its annual charitable giving campaign to celebrate the national day of giving known as #GivingTuesday.

This year's campaign, Oct. 1-Nov. 30, focused on the theme of "City of Austin Employees Care," highlighting the compassion employees have for helping others. More than 1,200 employees contributed and pledged to the campaign which included dozens of special events hosted by many City departments.

New Ordinance Aims to Increase Construction Material Reuse and Recycling

On November 23rd, the Austin City Council passed an ordinance that will increase reuse and recycling of materials from construction and demolition projects. Beginning Oct. 1, 2016, the Construction and Demolition Recycling Ordinance will require 50 percent diversion of materials from construction projects larger than 5,000 square feet. In 2019, the ordinance will expand to include commercial demolition projects.

Construction and demolition projects generate at least 20 percent of all materials that go to Austin-area landfills. Austin Resource Recovery Director Bob Gedert said, "This ordinance takes a huge step toward achieving Austin's Zero Waste goal by requiring more recycling and reuse of valuable materials."

Anti-Lobbying Law Revisions Passed by the Ethics Review Commission

The Ethics Review Commission voted unanimously on November 10th at a standing-room-only meeting to support most of City Council Member Leslie Pool's suggested changes to the city's lobbying laws. The commission supports broadening the definition of who is a lobbyist, requiring

disclosure of how much money lobbyists earn from clients and closing a loophole that allowed people who lobby part-time to avoid registering.

The 11-member commission's vote is not binding. It's treated as a recommendation to the City Council, which can choose how much it wants to rely upon their guidance. The council's Audit and Finance committee will review Pool's proposal before sending it to the full City Council in December.

Council Affirms Support for Appraisal District Suit

With seven members present at a special called meeting on Thursday, City Council unanimously affirmed its commitment to a lawsuit challenging the accuracy of the Travis Central Appraisal District's appraised values for commercial properties and vacant land. In that lawsuit, the city also sought to declare certain portions of the Texas Tax Code unconstitutional.

District Judge Tim Sulak dismissed the city's case against TCAD and commercial property owners in Travis County on Nov. 6. He ruled that the city did not have the legal authority to challenge the appraisal system. At the time, Sulak indicated that his ruling would "tee up" the case for an appeal.

Austin Recognized as Leader in Digital Inclusion Efforts

The City of Austin was recognized at the National League of Cities Congress of Cities event in November as one of six winners of the inaugural Digital Inclusion Leadership Awards. The awards are a partnership program of Next Century Cities, the National League of Cities and Google Fiber and celebrate city governments that are empowering community-based organizations to tackle barriers to Internet adoption.

The City of Austin won the award for "Unlocking the Connection," a locally driven, community-based effort to bring the benefits of the Internet to 4,300 public housing residents of all ages in 18 developments throughout Austin.

Council Reduces Barriers to Fair Housing in Austin

The Austin City Council approved two measures, Stronger Density Bonus Program and Easier-to-Build Accessory Dwellings, on Nov. 19 that will help reduce barriers to fair housing identified in the City of Austin's 2015 Analysis of Impediments to Fair Housing with . Read more at <https://www.austintexas.gov/news/council-reduces-barriers-fair-housing-austin>