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ACA Newsletter

Disparity Study Underway to Examine Equal Opportunities in Government Contracting for Minority and Veteran Vendors



Economist Dr. Jon Wainwright

Austin—Entrusted by several government entities to conduct a major disparity study in the Austin area, NERA Economic Consulting is gearing to officially commence the large scope research project by hosting an outreach event at the Austin City Hall Council Chambers on April 3rd at 6:00pm.

The Disparity Kickoff Meeting will formally introduce to the public the consulting firm and unveil the purpose of the study, what business issues will be examined, and how local

business owners and entrepreneurs can be involved in the study.

Officials from the city, Travis County, and Austin Independent School District (AISD), the three local governments conducting the study, will also be present to answer questions.

NERA Economic Consulting, a global company headquartered in New York City, has a local office in Austin, helmed by Dr. Jon Wainwright, a Senior Vice President of NERA. In a sit-down interview with the Asian Contractor Association, Dr. Wainwright, who is the leading researcher of the study, says the study will investigate if any disparity exists in government contracting by the three local governments when utilizing minority- and women-owned businesses.

"The city has a well-staffed and well-funded MBE/WBE program, but to uphold a race-conscious contracting program under constitutional strict scrutiny, any local government has to demonstrate relevant discrimination affecting business owners in the marketplace," comments Dr. Wainwright.

The study will determine whether the city's program is legally sound to continue and if Travis County and AISD currently without any formal race-conscious diversity program may find the evidence necessary to consider begin-

ning one. The study will also assist in refining the city's MBE/WBE participation goals. In addition to the city's certified minority and women businesses, all small businesses and veteran-owned businesses in Travis, Caldwell, Williamson, Bastrop, and Hays County are also included in the study to reflect a truer picture of the marketplace, according to the economist and former UT research associate professor.

Dr. Wainwright first became involved in government disparity studies when working as a researcher at the LBJ School of Public Affairs in the late 1980s. At the time his colleague and mentor, Professor Emeritus Ray Marshall, was breaking ground by spearheading one of the first comprehensive disparity studies ever performed, for the City of Atlanta, Georgia. "He took me under his wing by making me his research assistant. He had a profound influence in my choice of career," the Dr. Wainwright fondly reminisces.

In 1994 he served as an independent consultant to the Texas Comptroller in overseeing NERA when it performed the first disparity study conducted by the State of Texas. Four years later he joined NERA as a full-time employee and never looked back.

Since then he has taken on disparity studies nationwide for municipalities of all sizes including the city's second disparity study in 2008 and the current one. When asked why a Caucasian male as he would become interested in this area of study, he says that this was one area that was very much under-researched. Although numerous studies have been done on employment and housing discrimination, comparatively little work have been done exploring discrimination in the context of business enterprise. "It was fertile ground to plough, and a very important area for public policy research," he beams.

His hope is that one day discrimination in business enterprise will be a thing of the past, pointing out that former Supreme Court Justice Sandra Day O'Connor, author of a key 1989 court ruling affecting affirmative action, expressed hope at the time that it would take no more than 25 years--which means by the year 2014.

"It hasn't happened yet," the amicable economist says, "but I hope it will happen in my lifetime."

Minority Service Providers Briefed On Upcoming Projects By City Departments

Austin—In a semi-annual meeting with the three minority service providers, city officials from eight departments presented upcoming projects and potential contracting opportunities for minority contractors and consultants in 2014.

The meeting, held on March 19th at the City Hall, was part of an ongoing outreach effort from the Small and Minority Resources Department to help communicate future city construction and purchasing plans to the business community focusing on potential minority participation through the Asian Contractor Association, the Austin Black Contractors Association, and the Hispanic Contractors Association de Austin.

The eight participating departments include Austin Energy, Austin Water Utility, Aviation, Contract Management, Parks and Recreation, Public Works, Purchasing, and Transportation.



Amelie Gonzalez of Austin Energy reported a 1.05% Asian participation goal set for RFP No. RML0026 — Consulting Services for a Strategic Plan and Technology Roadmap. Subcontracting opportunities include consulting services related to the implementation, strategic technology planning and consulting services, utilities (gas, water, electric) consulting, and geographic information systems (GIS). Bids are due on April 3rd at 4:00pm.

Transportation Department outlined a 5-year spending plan to imple-

ment Proposition 12 from the 2012 Bond Program for \$33.5 million through FY 2018, to study corridor mobility improvements for \$2.9 million, and work on arterial congestion and crash risk management for \$2.1 million.

Roxann Cook from Public Works provided a list of 58 projects slated to begin in April 2014 through March 2015. Ms. Cook, who was also representing the Department of Transportation at the meeting, said most of the city projects were managed by her department averaging 385 projects a year.

Joseph Medici from the Aviation Department listed a total budget of \$223.6 million for terminal expansion and improvements. Several projects may be eligible for federal grant funding which will render DBE participation goals for DBE certified firms. The Airport will also be soliciting professional services rotation list next year with an estimated budget of \$6 million.

Park and Recreation Department Director Marty Stump detailed their capital improvement program and also reported the number of projects completed and initiated in FY 2013. Out of the ten projects listed, five of them carry design opportunities which normally last about two years.

For Contract Management, one of the upcoming solicitations is the Courtyard Meditation Garden at the new Asian American Resources Center, which opened in September 2013. Of the 12 projects listed, six of them involve RFQs for professional services.

Brian Long from Austin Water Utilities gave an overview of the department's ongoing projects which mainly focus on repairing aging infrastructures such as old water lines and decrepit waste water treatment plants around Austin.

Lastly, Yolanda Miller of Purchasing, announced that at the next Council meeting on March 27th at 5:30pm, City Council would present a Distinguished Service Award in honor of Mr. Byron Johnson to his wife and family. Mr. Johnson, Purchasing Officer for the City of Austin, who had worked closely with the three minority associations for many years, passed away early this month after a lengthy battle with cancer.

FY 2013 MBE Total Purchase Amounts Released in Comparison with Payments to Asian Vendors

Austin— The Finance Department has published the latest numbers on the total departmental purchasing amounts in relation to total payments to MBE vendors by three ethnic groups for the FY 2013.

The four charts shown below are based on data only from projects that utilized competitive bids with availability in the four service categories; namely, construction, commodity, non-professional, and professional services. For competitive bids with no availability and non-competitive project spending amounts, please visit the city's Vendor Connection website under Financial Documents.

MBE Competitive w/Availability Payments FY 2013 Fourth Quarter

CONSTRUCTION	Total Payments	\$197,556,555	Native/Asian American Goal	2.30%
	MBE Payments	\$ 29,029,696		
	Asian American	\$ 3,241,709		
COMMODITY	Total Payments	\$ 37,537,431	Native/Asian American Goal	0.70%
	MBE Payments	\$ 490,811		
	Asian American	\$ 50,342		
NON-PROFESSIONAL	Total Payments	\$103,624,927	Native/Asian American Goal	1.70%
	MBE Payments	\$ 6,109,004		
	Asian American	\$ 1,662,733		
PROFESSIONAL	Total Payments	\$138,911,182	Native/Asian American Goal	4.90%
	MBE Payments	\$ 4,715,276		
	Asian American	\$ 1,587,056		

