



Approved 5.1.12

**MBE/WBE and Small Business Advisory Committee
Minutes**

**Regular Meeting
Tuesday, April 3, 2012**

The MBE/WBE and Small Business Advisory Committee convened in a regular meeting on Tuesday, April 3, 2012 at 301 W. 2nd Street Room 1101 in Austin, Texas.

1. CALL TO ORDER

Chair, Ed Lowenberg called the Board Meeting to order at 5:35p.m.

Board Members in attendance were Ed Lowenberg, Anne Harutunian, Barbra Boeta, Schiller Liao, Andy Ramirez and Regina Adams.

2. APPROVAL OF MINUTES

The Committee approved the March 6, 2012 regular meeting minutes on a motion by Mr. Ramirez and seconded by Ms. Adams. Motion passed 4-0. Mr. Liao and Ms. Boeta were not on the dais during approval of the meeting minutes.

3. CITIZEN COMMUNICATION

Felix Batchassi, IT Solutions requested that M/WBE participation and the procurement processes are improved on the upcoming disparity study. He will submit his suggested improvements to Small & Minority Business Resources (SMBR).

Carol Hadnot, Austin Black Contractors Association (ABCA) requested the Committee recommend to the Council Subcommittee implementation, enforcement and tracking procedures on Third Party Agreement contracts.

Paul Saldana, US Hispanic Contractors Association (USHCA) provided handouts to the Committee on items related to the Third Party Agreement adopted in January 2012 by Council. He also recommends that there be enforcement and accountability in regards to Third Party Agreement contracts.

The Committee requested staff to add discussions on Third Party Agreements to next month's agenda; provide the City's procedures that were implemented and quarterly reports on Third Party Agreement contracts.

4. OLD BUSINESS

Item 4a. Update on procurement opportunities on the Circuit of the Americas (COTA) project.

Ms. Cloteal Davis Haynes briefed the Committee on progress made to increase minority participation on the project. Asian/Native American and WBE goals have not been met. Per Mr. David Yagy, Austin Commercial, Project General Contractor, there are two contracts pending that could affect the percentages for ethnic goals specifically the Asian/Native American goal. She also addressed questions regarding continued regular monthly meetings between minority trade associations and Austin Commercial.

Ms. Adams requested that the report include projects sorted by scopes of work then contractor's name.

Citizen Communication is summarized below:

Ms. Carol Hadnot, ABCA expressed concerns regarding minority participation on the Formula One project.

Paul Saldana, USHCA expressed concerns that regular meetings with the minority trade associations have not been taking place.

Item 4b. Update and possible action regarding recommendations from the Weatherization Committee regarding the Weatherization Assistance Program.

Ms. Jan Lawson, Director of Business Development and Contract Compliance, Austin Energy provided an overview of the development of Austin Energy's new Weatherization program solicitation. At this time prime contractor requirements, scopes of work and criteria are being developed. AE will provide outreach meetings and any specialized training for contractors previously involved in the ARRA Weatherization Program. There is a collaborative effort by AE, SMBR and Purchasing to ensure total transparency and community input before solicitation is packaged for bid.

Mr. Lowenberg stated that Mr. Brian Walters will no longer be able to serve on the Weatherization Committee and requested a board member volunteer to take his place.

Mr. Anne Harutunian states that she would accept the position on the Weatherization Committee.

Citizen Communication is summarized below:

Ms. Alayne Johnson, Austin Area Black Contractors Association (ABCA) expressed gratitude to Ms. Lawson and the Committee for their hard work and looks forward to new guidelines in the new Weatherization program.

Item 4c. Discussion regarding the development of potential recommendations for the upcoming disparity study solicitation.

Ms. Veronica Lara, SMBR briefed the Committee on the presentation and timeline for the solicitation. She addressed questions regarding an expert evaluation committee and a request to thoroughly review firm's past experience is a major item of evaluation in the selection process.

Citizen Communication is summarized below:

Ms. Carol Hadnot, ABCA expressed concerns regarding the selection of the evaluation committee to avoid harm to the MBE/WBE program.

Ms. Misty Ramirez, Alliance Transportation Group stated that she encourages utilization of certified firms on the project and requests quantification of prime contractors meeting goals to improve the program.

Item 4d. Update regarding the Mentor Protégé initiative from the Working Group.

This item was postponed until next month.

5. NEW BUSINESS

Item 5a. Review of City of Austin non-competitive solicitations

Mr. Byron Johnson, Purchasing Officer and Ms. Rosie Truelove, Director of Contract Management Department briefed the Committee on non-competitive solicitations. Both addressed citizen concerns such as lack of availability for minority contractors to participate; the large number of contracts being awarded through this process and competitively bidding projects with significant dollars.

Citizen Communication is summarized below:

Mr. Paul Saldana, USHCA expressed concerns that there are a large number of contracts that are being awarded that are competitive but no M/WBE availability or competitive sole source.

Ms. Carol Hadnot, ABCA expressed concerns regarding projects with significant dollar amounts that should be competitively bided.

The Committee requested the procedural process and efforts to provide outreach opportunities to minority firms are provided for review at the next meeting.

Item 5b. Review of SMBR Budget

This item was postponed until next month.

Item 5c. Review of funding for EGRSO & SMBR service providers contracts.

Discussions specific to funding for EGRSO & SMBR service provider contracts to include the Interlocal Cooperation Contract between the City of Austin and the University of Texas at Austin were postponed.

Ms. Boeta recused herself from the dais during discussions regarding the Interlocal Cooperation Contract.

Ms. Cindy Crosby, Law Department directed the Committee to not engage in discussions regarding the Interlocal Cooperation Contract as it was not a posted agenda item.

Dusty McCormick and Sylvania Holt-Rabb, Economic Growth & Redevelopment Services Office were unable to address questions specific to the interlocal contract as directed by legal. However, were directed by the Committee to provide a report at the next meeting.

Citizen Communication is summarized below:

Mr. Paul Saldana, USHCA expressed concerns regarding the Interlocal Cooperation Contract between the City of Austin and the University of Texas at Austin (Council Agenda Item 36) going before Council on April 5th. He stated that the funding, pending approval by Council, should be reviewed thoroughly due to possible duplication of services between the University of Texas and the service providers.

Ms. Carol Hadnot, ABCA briefed the Committee on the ABCA's list of services and funding proposal.

Ms. Aletta Banks, Asian Contractors Association expressed concerns regarding the disparity of funding to service providers and briefed the Committee on the ACA funding proposal.

Mr. Juan Oyervides, USHCA stated that earmarks for the Interlocal contract could be better spent with the minority business contractors through class creation and training. He asks for the Committee's support of the service providers request for funding increase.

The Committee reviewed handouts of services provided by the minority trade associations in attendance and their concerns regarding funding.

Ms. Boeta returned to the dais.

Mr. Andy Ramirez motioned that the Committee support the minority trade associations funding increase requests. Motion seconded by Regina Adams. Motion passed 5-0.

6. STAFF REPORTS

Item 6a. Monthly report and update from Small & Minority Business Resources Department (SMBR) regarding the Small Business Construction Program (SBCP).

Staff reports were postponed until next month.

Item 6b. Monthly report and update from Small & Minority Business Resources Department (SMBR) regarding Request for Changes and Council Awards.

Staff reports were postponed until next month.

7. AGENDA ITEMS

- Update regarding recommendations from the Weatherization Committee regarding the draft Weatherization Assistance Program.
- Update on Third Party Agreement procedures.
- Update regarding the Mentor Protégé initiative from the Working Group.
- Review of the Small & Minority Business Resources budget.
- Review of funding for EGRSO and SMBR service provider contracts.

8. ADJOURNMENT

The meeting was adjourned at 8:20 p.m. on a motion by Ms. Boeta and seconded by Mr. Ramirez.