



APPROVED 6.5.12

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

**Regular Meeting
Tuesday, May 1, 2012**

The MBE/WBE and Small Business Advisory Committee convened in a regular meeting on Tuesday, May 1, 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 5:40p.m.

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

2. APPROVAL OF MINUTES

The Committee approved the April 3, 2012 regular meeting and April 19, 2012 special called meeting minutes on a motion by Ms. Harutunian and seconded by Mr. Schiller. Motion passed 6-0.

3. CITIZEN COMMUNICATION

Mr. Karl Daniels, CVI Development stated concerns regarding review of contractor's history of not meeting MBE/WBE goals on projects and negotiating in good faith with subcontractors.

Ms. Carol Hadnot, Austin Black Contractors Association (ABCA) stated the Mr. Daniels concerns regarding contractors not meeting goals and negotiating with subcontractors in good faith is a valid issue to review.

4. OLD BUSINESS

Item 4a. Update from the Weatherization Committee regarding the draft Weatherization Assistance Program.

Mr. Joe Guerrero, Program Coordinator, Austin Energy (AE) briefed the Committee with a Power Point presentation on the draft Weatherization program by AE called the Home Energy Assistance Program (HEAP).

Ms. Jan Lawson, Director of Business Development and Contract Compliance, Austin Energy (AE) briefed the Committee on recommendations adopted from the ARRA Weatherization Assistance Program implemented in the development of the draft Home Energy Assistance Program (HEAP) facilitated by Austin Energy.

Ms. Rosie Truelove, Director, Contract Management Department briefed the Committee on the HEAP solicitation process.

Citizen Communication is summarized below:

Ms. Carol Hadnot on behalf of the minority associations thanked Austin Energy, the Committee and staff for implementing all approved recommendations to the new Home Energy Assistance Program.

Item 4b. Update on the Committee's recommendation to Council regarding the Interlocal Cooperation Contract between the City of Austin and the University of Texas at Austin and service provider funding and agreements.

Ms. Debra Dibble, Acting Director, Small & Minority Business Resources updated the Committee on Council's approval of its resolution on April 26, 2012 with a vote of 7-0. Staff will include items two and three of the resolution in budget review.

The Committee requested staff to provide information to make recommendations to assist with budgeting and overlapping service review.

Item 4c. Update of the City of Austin non-competitive solicitations.

Mr. Edward Campos, Division Manager, Contract Management (CMD) and Ms. Yolanda Miller, Deputy Purchasing Office, Purchasing briefed the Committee on the non-competitive cooperative process. CMD is working with SMBR and Purchasing on utilizing a common practice.

The Committee requested to review adopted procedures; also requested staff to provide a report on MBE/WBE participation on current cooperatives.

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

In Mr. Andy Ramirez absence, Ms. Dibble, Acting Director, SMBR informed the Committee that there currently is not a formal program per Purchasing Department. SMBR to schedule a mentor protégé working group meeting to address specifics to create a formal program.

Citizen Communication is summarized below:

Ms. Carol Hadnot, ABCA suggested that staff review the University of Texas program.

5. NEW BUSINESS

Item 5a. Update from Small & Minority Business Resources (SMBR) regarding the City of Austin procedures regarding Third Party Agreement contracts.

Ms. Amelie Gonzalez-Flores, Division Manager, SMBR briefed the Committee on City's Third Party Agreement procedures; a flow chart was provided outlining the process.

The Committee requested staff confirm that the Third Party Agreement guidebook addresses repercussions for a firm not meeting guidelines. The Committee also requested an update on third party agreements periodically.

Citizen Communication is summarized below:

Ms. Carol Hadnot, ABCA expressed concerns projects that are performance based that are not meeting minority sub goals.

Mr. Karl Daniels, CVI Development stated the Committee should consider adding punitive damages to the contracts as penalty for not meeting goals.

Item 5b. Review of the Small & Minority Business Resources budget.

Ms. Dibble, Acting Director, SMBR briefed Committee on 2011-12 SMBR budget report.

The Committee requested that staff bring proposed budget to Committee in time to make necessary recommendations.

6. STAFF REPORTS

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

Ms. Dibble, Acting Director, SMBR briefed the Committee on SBCP report.

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

Ms. Gonzalez-Flores, Division Manager, SMBR briefed the Committee on the Request for Change report and Ms. Dibble briefed the Committee on the Council Awards report.

Citizen Communication is summarized below:

Mr. Juan Oyervides, US Hispanic Contractors Association (USHCA) asked where to find reports on project participation when at close-out for public viewing. He also requested the Committee consider a review of performance before future projects are awarded.

Ms. Carol Hadnot requested that US Farathane report at the next meeting

7. AGENDA ITEMS

- Update regarding recommendations from the Weatherization Committee regarding Austin Energy's Home Energy Assistance Program solicitation.
- Update on Third Party Agreement procedures and reporting.
- Update regarding the Mentor Protégé initiative from the Working Group.
- Review of the Small & Minority Business Resources proposed budget.
- Update from City staff regarding adopted procedures and MBE/WBE participation on non-competitive cooperatives.

8. ADJOURNMENT

The meeting was adjourned at 8:14 p.m. on a motion by Ms. Boeta and seconded by Mr. Walters.