



MASON TILLMAN



WASHINGTON SUBURBAN SANITARY COMMISSION

DISPARITY STUDY

June 16, 2010



*WASHINGTON
SUBURBAN SANITARY
COMMISSION*

DISPARITY STUDY

June 17, 2010

MEETING AGENDA

- Introduce Study Team
- Explain Study Purpose
- Establish Partnership
- Receive Questions and Answers

The top of the slide features a banner with a city skyline and portraits of three diverse individuals. The text 'MASON TILLMAN' is written in a large, white, outlined font across the banner. On the right side of the banner is a logo consisting of a large 'M' above a 'T' with a small 'A' inside a square to its right. Below the banner, the company name 'MASON TILLMAN ASSOCIATES' is written in a large, blue, italicized, sans-serif font.

MASON TILLMAN ASSOCIATES

Established in 1978

Public Policy Research and Marketing
Professionals

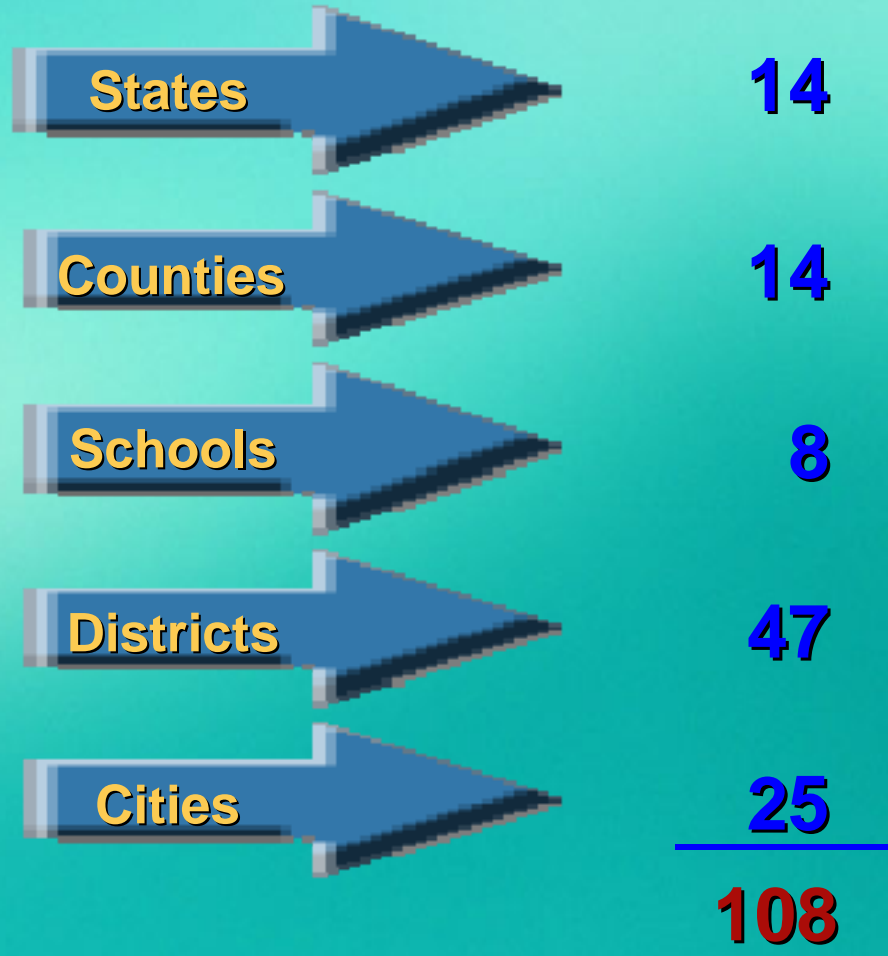
Award Winning Company

Service Divisions

- Business Affirmative Action
- Corporate Communication

DISPARITY STUDIES

One Hundred Eight On Time & Unchallenged





KEY PERSONNEL AREAS OF EXPERIENCE

Study Staff	Education	Number of Disparity Studies	M/W/D/S/ LBE Program Design	Statistical Analysis	Legal Analysis	Post-graduate Degree
Eleanor Ramsey, Ph.D. Project Manager	Hunter College University of California, Berkeley	108	•	•		•
Edward Norton, LLB Chief Legal Advisor	Yale University Columbia University	108	•		•	•
Judge Henry Ramsey, Jr. (Ret) Legal Advisor	University of California, Riverside Boalt Hall School of Law	7			•	•
Lynn Reddrick, M.B.A. Assistant Project Manager/Outreach and Anecdotal Analysis Manager	University of California, Berkeley Columbia University	60	•	•		•
Allura J. Scott, Esq. Policy and Legal Analysis Manager	California State University Howard University	32	•		•	
Hendry Joesuf, M.B.A. Data and Statistical Analysis Manager	San Francisco State University University of Southern California	35	•	•		•
Young Chen, M.S. Database Administrator	Peking University, China University of California, Berkeley	26	•	•		•
Ronald Taylor, J.D. Project Administrator	California State University, Hayward University of Hastings College of Law	5	•		•	•
Hazhir Kargaran, B.A. Research Assistant	University of California, Berkeley	2	•			



MASON TILLMAN'S WORKFORCE DIVERSITY

Ethnicity	Male	Female
African American	19%	44%
Asian American	11%	4%
Hispanic American	4%	4%
Caucasian	4%	10%



SUBCONSULTANT PARTICIPATION

Subconsultants	Ownership	Location	Role
Maryland Washington Minority Contractors Association	African American	Baltimore, MD	Outreach, Anecdotal, and Data Collection
Douglas & Boykin	African American	Washington, DC	Legal Advisor
SRB Communications	African American Female	Washington, DC	Outreach, Marketing, and Data Collection
V Paul & Associates	Asian American	Rockville, MD	Availability, and Utilization Data Collection



OBJECTIVES

- Determine If Statistical Disparity Exists
- Ascertain Practices Affecting Any Documented Disparity
- Assess Effectiveness of Race and Gender Neutral Programs
- Prepare a Legally Defensible Study

DISPARITY STUDY

CHALLENGES

- Outreach to an Ethnically Diverse Community
- Identify All Prime and Subcontract Awards and Payments
- Recommend Best Management Practices to Eliminate Barriers

CROSON STANDARD

State/Local

***Richmond vs.
Croson***

Federal

***Adarand vs.
Pena***

- Compelling Purpose
 - Evidence of Systemic Racial Discrimination
- Narrowly Tailored
 - Remedy Documented Discrimination
- Update Periodically
 - Assess Effectiveness of Remedy

SYSTEMIC DISCRIMINATION

- Availability Defined as Willing and Able Market Area Businesses
- Utilization is Less Than Availability
- Difference in Use is Not Due to Chance

NARROWLY TAILORED REMEDY

- Disparity Findings are Ethnic/Gender Specific
- Race/Gender Specific Goals are Limited to Disparity Findings
- Goals are Defined by Availability



KEY DISPARITY STUDY ELEMENTS

- Collection of Prime Contract and Subcontract Records
- Enumeration of Willing and Able Businesses
- Analysis of Prime and Sub Utilization
- Collection of Anecdotal Accounts
- Recommendations for Remedies to Eliminate Contract Barriers



INDUSTRIES AND STUDY PERIOD

Study Period Fiscal Years 2004 – 2009

Goods and General Services

Professional Services

Architecture & Engineering
Services

Construction

UTILIZATION ELEMENTS

Subcontractor Expenditures

Contract Amendments & Change Orders

Prime Contract Award

Contractor Ethnicity/Gender

Subcontract or Award

Contract Date & Number

Industry Code

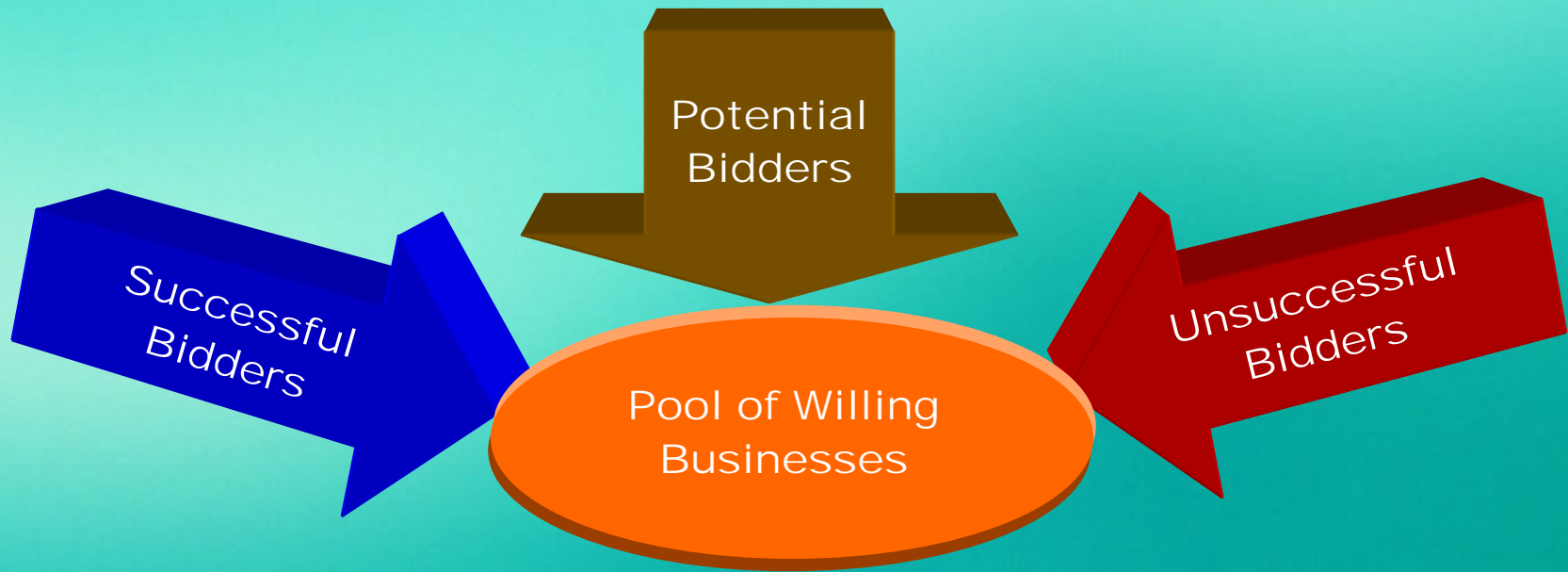




SUBCONTRACT UTILIZATION SOURCES

Source	M/WBE	All	Ethnicity/ Gender	Award	Payment
Bids/Proposals/ Qualifications	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Invoices/ Close Out Reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Utilization Reports/ SymTrac®	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Project Manager/ Inspector Reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prime Contractor Expenditure Survey	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Subcontractor Expenditure Survey	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

AVAILABILITY: THE ACHILLES HEEL





LOCAL BUSINESS PROFILE

Businesses	Montgomery County	Prince George's County	State of Maryland	United States
Fewer Than 5 Employees	56.35%	49.33%	53.25%	54.45%
Fewer Than 10 Employees	73.83%	68.59%	72.24%	73.37%
Fewer Than 20 Employees	85.85%	82.79%	85.23%	86.09%
More Than 100 Employees	2.57%	3.00%	2.47%	2.34%
Minority-owned Businesses	31.30%	61.15%	25.84%	17.87%
Woman-owned Businesses	32.45%	34.15%	30.98%	28.25%

U.S Census: County Business Patterns 2007

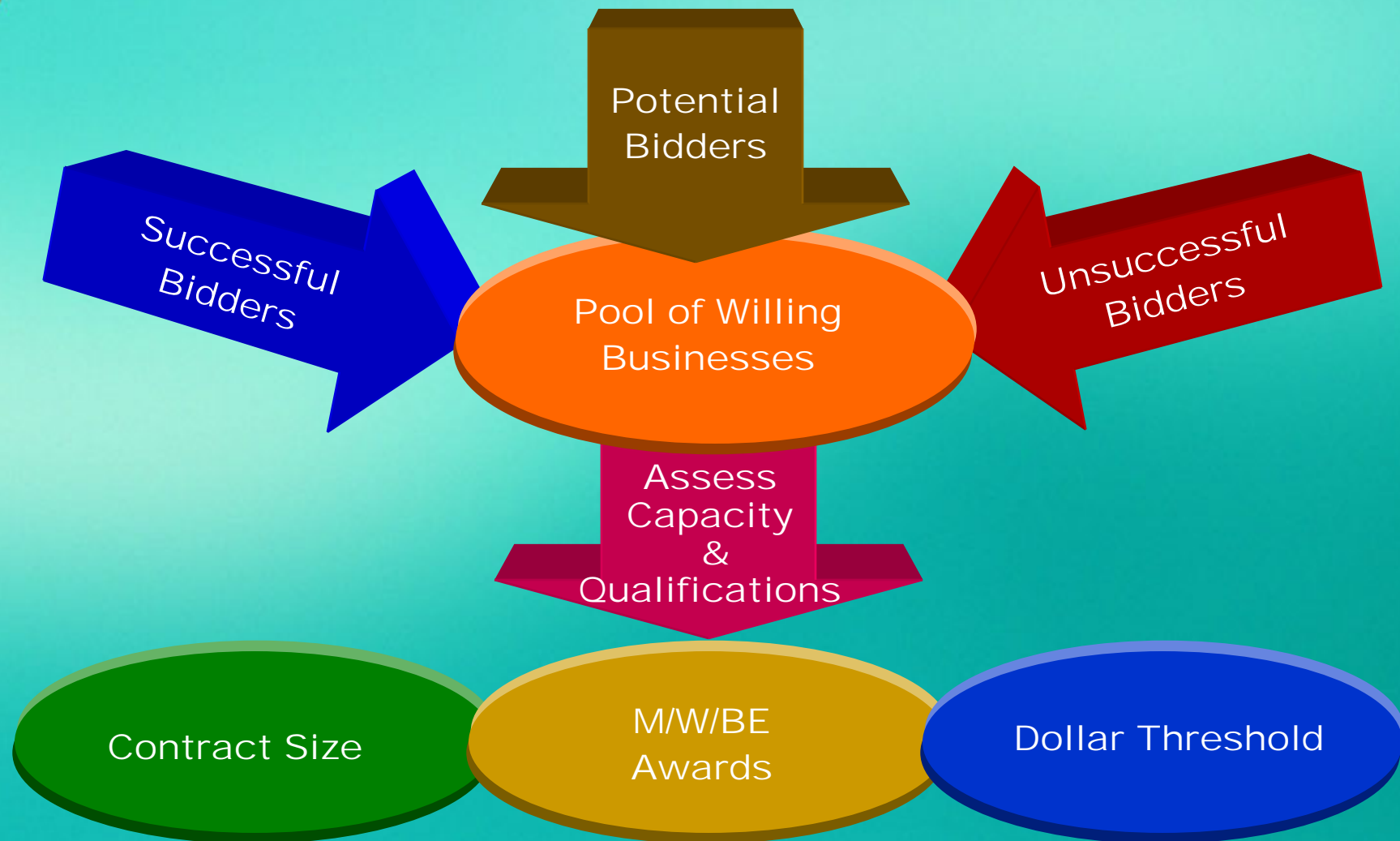
U.S Census: Survey of Business Owners 2002



WILLING AND ABLE SOURCES

Availability Sources	Market Area Businesses	Industry Class	Measure Willingness	Measure Capacity
Payment Records	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bidders Lists	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Vendors List	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Certified Lists	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Trade Assn. Lists	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chamber Lists	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Meetings	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Outreach	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AVAILABILITY: THE ACHILLES HEEL



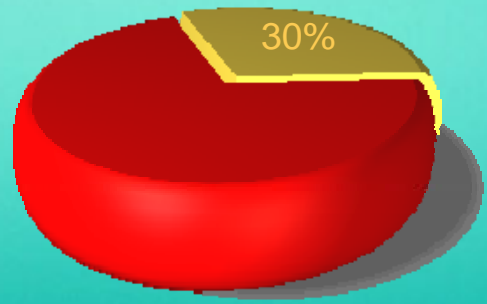


DISPARITY ANALYSIS

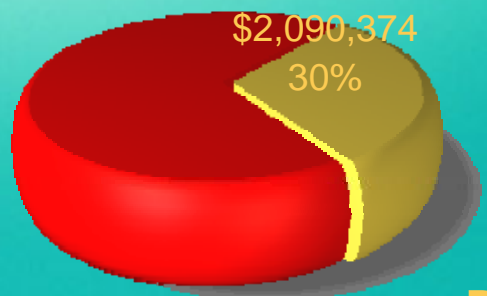
Total Award Dollars



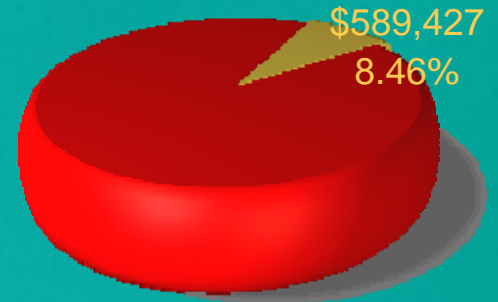
Available MBE Firms



Expected MBE Dollars



Actual MBE Dollars



Dollars Lost \$1,500,947

IN-DEPTH INTERVIEW PROCESS

- Screening of Potential Interviewees
- Selection of Interviewees
- 50 In-depth Interviews
- Transcription of Interviews
- Assessment of Patterns and Practices



WHAT IS AN ANECDOTAL FINDING?

ANECDOTAL FINDINGS

General Discrimination

- Stereotyping
- Harassment and Intimidation
- Difficulties Securing Financing and Credit

ANECDOTAL FINDINGS

Barriers Created by Public Agencies

- Bid Information Difficult to Obtain
- Inadequate Lead Time to Bid
- Bids Withdrawn When M/WBE is Low Bidder
- Bids Shopped after Award
- Excessive Monitoring
- Late Payment

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ANECDOTAL FINDINGS

Barriers Created by Prime Contractors and Suppliers

- Bid Shopping After Award
- Low Bidder Denied Contract
- Substitution of M/WBEs After Award
- Reduction in Scope of Work
- Cancellation of Contract
- Late Payment
- Higher Standards for M/WBEs than Caucasian Males



HELP US IDENTIFY . . .

Anecdotal Availability

Current Business Owners



Retired Business Owners



Ex-Business Owners



Former Government Employees



Former Employees of M/WBEs



Utilized Subcontractors





*TELL US YOUR
QUESTIONS OR ABOUT
YOUR EXPERIENCE. . .*



PLEASE STATE. . .

- Your Name
- Your Business
- Your Organizational Affiliation



MAKE YOUR VOICE HEARD. . .

- Agree to an Anecdotal Interview
- Complete a Business Survey
- E-mail to: wsscstudy@mtaltd.com
- Mail to: Mason Tillman Associates
1999 Harrison, Suite 1440
Oakland, CA 94612
- Call or fax to: (800) 793-4460



Who We Are
Services & Capabilities
Achievements

Worlds & Communications
Technology

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