



**Washington Suburban
Sanitary Commission**

**Small, Local and Minority
Business Enterprise Program**

Legislative Report

Fiscal Year 2009

(July 1, 2008–June 30, 2009)



Washington Suburban Sanitary Commission

SMALL, LOCAL AND MINORITY BUSINESS ENTERPRISE (SLMBE) PROGRAM LEGISLATIVE REPORT FISCAL YEAR 2009 JULY 1, 2008 - JUNE 30, 2009

"Diversity, just the way we do business!"

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Purpose

The Washington Suburban Sanitary Commission's (WSSC) Small, Local and Minority Business Enterprise (SLMBE) Office respectfully submits this Legislative Report in accordance with Article 29 §3-102(f)(6) and 3-109(2)(h) of the Annotated Code of Maryland, which states the following:

“By September 15th of each year, the WSSC shall issue a report concerning the implementation and administration of the Minority Business Enterprise Program for the fiscal year ending on the preceding June 30th, and appropriate recommendations concerning the program, to the Montgomery County and Prince George's County Senate and House Delegations to the Maryland General Assembly.”



Washington Suburban Sanitary Commission

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COMMISSIONERS
Gene W. Counihan, Chair
Joyce Starks, Vice Chair
Prem P. Agarwal
Antonio L. Jones
Hon. Adrienne A. Mandel
Dr. Roscoe M. Moore, Jr.

GENERAL MANAGER
Jerry N. Johnson

INTRODUCTION LETTER

Dear Community and Business Partners:

At the Commission, we recognize the value of a diverse supply chain and we are committed to integrating and leveraging supplier diversity into the way we do business. Fiscal Year (FY) 2009 proved to be both a challenging and rewarding year for our Small, Local and Minority Business Enterprise (SLMBE) Program. We relentlessly pursued competitive and innovative certified Minority Business Enterprises (MBEs) and Small Local Business Enterprises (SLBEs). WSSC drove this effort through supplier development, compliance, outreach, advocacy and acquisition initiatives.

As we look towards the future of our MBE and SLBE Programs and shaping a SLMBE Program that is both results focused and sustainable, we have to stop and celebrate how far we have come with our Program efforts. In spite of our Nation's failing economy, WSSC remained committed to stimulating our local economy through our SLMBE Program. FY 2009 was an excellent year for our SLMBE Program. Some of our significant accomplishments included:


- Exceeding our MBE Contract Payment objectives of 25% of total contract payments by achieving;
 - \$72 Million (30%) MBE Contract Payments which is a \$19 Million increase over FY 2008 (\$53 Million)
- Increasing Contract Award amounts by \$34 Million over FY 2008 (\$58.4 Million). Total Contracts Awarded to MBE firms in FY 2009 \$92 Million (24%);
- Increasing the registered firms in our on-line vendor database by 1,390 firms;
- Enrolling 131 new SLBE firms in our SLBE Program; and
- Achieving \$6.9 Million Payments to SLBE firms, which is \$3.1 Million over FY 2008 SLBE Payments \$3.8 Million.


It is our belief that our vendor base should be as diverse as the 1.8 million residents we serve in Montgomery and Prince George's Counties. As part of this effort, we remain committed to being a leader in promoting, utilizing and developing ready, willing and able SLMBE firms that will support the Commission in achieving its mission. The business case for our SLMBE Program can be summed up in one word-Value. The Commission realizes the value of having a diverse and inclusive acquisition process that provides us with more options for better products and lower costs, and having those options helps us to provide better and reliable service to our customers.

We appreciate the recognition we have received over the past fiscal year for our dedication to the SLMBE Community. In addition, we appreciate the attention and support all of you have provided to us. We are proud of our long history of inclusion and we remain committed to our SLMBE Program.

In closing, it gives us great pleasure to present to you our FY 2009 SLMBE Program Legislative Report.

Best Regards,


Gene W. Counihan
Chair


Jerry N. Johnson
General Manager

Who We Are

WSSC was established on May 1, 1918. However, the concept of a bi-county water/sewer agency was first contemplated in 1912 following a strong complaint from our neighbors in the District of Columbia about the streams within the Nation's Capital being fouled by waste from Montgomery and Prince George's Counties.

The Commission was the brainchild of the public health officials, but it took the concentrated efforts of civic leaders like E. Brooke Lee, an esteemed Montgomery County politician, and T. Howard Duckett, a prominent Prince George's County attorney and entrepreneur (generally recognized as the "founding father" of the WSSC) to transform these admirable ambitions into what we all know today as the Commission.

The WSSC, which started with essentially no resources, has grown with its service area (now 1,000 square miles, housing a population of nearly 1.8 million) to become the 8th largest water and wastewater facility in the United States.

The WSSC is governed by six Commissioners with equal representation from Montgomery and Prince George's Counties. The Commission is recognized as a national leader in the water and wastewater industry. In tandem with the mission of the Commission "to provide safe and reliable water in a financially and ethically responsible manner," the SLMBE Program seeks to increase the Commission's spending with small, local and minority businesses, creating an inclusive purchasing environment. The Minority Business Enterprise (MBE) Program and Small Local Business Enterprise (SLBE) Program are multi-tiered programs complete with policies and procedures. The policies and procedures include, but are not limited to, expenditure goals and compliance, certification requirements, dedicated resources and extensive community outreach.

Our Mission

We are **entrusted** by our community to provide safe and reliable water, life's most precious resource, and return clean water to our environment, all in an ethically and financially responsible manner.

The Small, Local and Minority Business Enterprise (SLMBE) Office

“Diversity, just the way we do business!”

The Mission of the SLMBE Office

The Small, Local and Minority Business Enterprise (SLMBE) Office is dedicated to creating an inclusive purchasing environment while building sustainable relationships; expanding opportunities; and cultivating the growth of small, local and minority business enterprises which adds value to the Commission and community we serve.

Our Strategy

Fiscally, to support the Commission in achieving its SLMBE objectives by offering trusted and convenient services to both our internal and external stakeholders through customized solutions that center around **Supplier Advocacy, Compliance, Extensive Outreach, and Supplier Development.**

“Diversity, just the way we do business!”



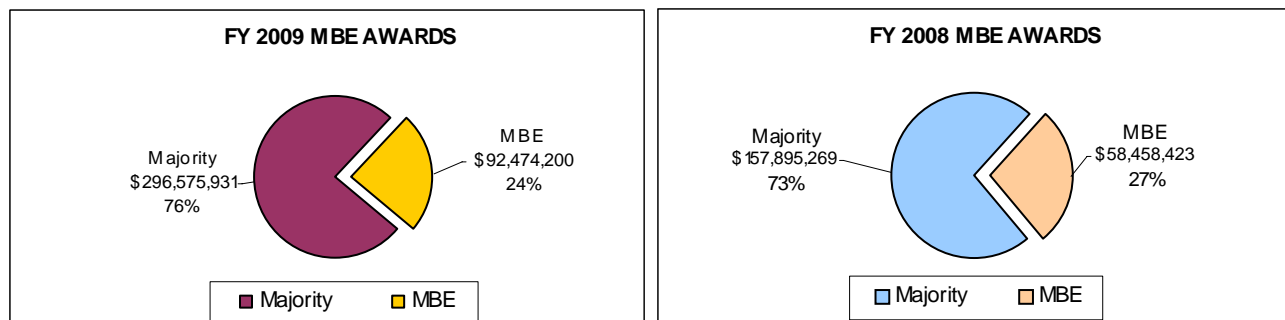
Executive Summary

“Diversity, just the way we do business!”

Executive Summary

WSSC, the 8th largest water and wastewater utility in the United States is committed to the growth, utilization and success of small, local and minority business enterprise firms through its Small, Local and Minority Business Enterprise (SLMBE) Program. In Fiscal Year (FY) 2009, the Commission spent \$72 million with Minority Business Enterprise (MBE) firms (MBE firms include Disadvantaged Business Enterprise (DBE) and Woman-owned Business Enterprise (WBE) firms) and awarded over \$92 million to MBE firms. The \$72 million in payments to MBE firms represents 30% of the Commission's total contract payments (see E-1 FY2009 WSSC MBE Contract Payments and Awards).

E-1: FY 2008 and FY 2009 WSSC MBE CONTRACT AWARD COMPARISON

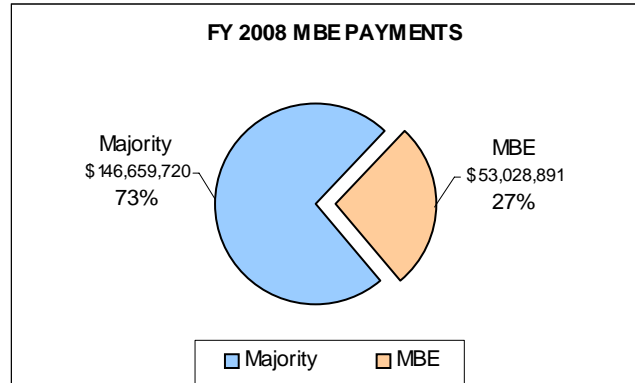
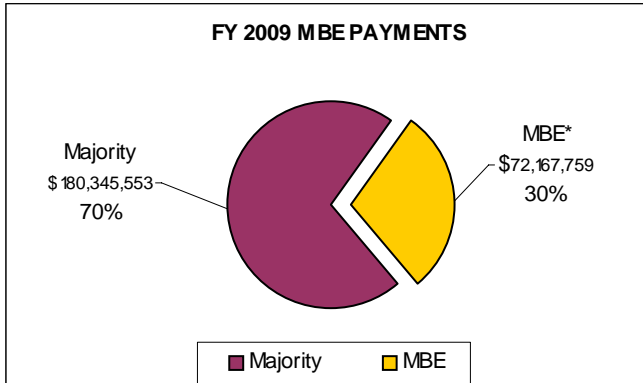


(See Award Data Notice on Page 25)

Our momentum continues to grow. Spending with SLMBE firms has increased significantly during the past fiscal year due to the Commission's continuous commitment to the Program. The Commission's total contract awarded dollars to MBE firms in FY 2009 increased by **\$34 million** from FY 2008. We continue to realize the commitment statement we established in FY 2008, which reinforces the Commission's acknowledgement that living our core values means looking beyond its walls and into the community, shouldering its social responsibility to the community and its socio-economic development.

In this FY 2009 Legislative Report, you will read about the progress that has been made over the past Fiscal Year. We will document the successes the Program has yielded in four contracting areas: Architecture and Engineering, Construction, Professional Service and Goods and Services, via data and metrics.

E-2: FY 2008 and FY 2009 WSSC MBE CONTRACT PAYMENT COMPARISONS



* Please Note: M/WBE dollars (excluding subcontract payments) + Majority dollars = Total Payments. The total M/WBE\$/Total Payments = Total M/WBE%

This report will share how the Commission implemented its various business initiatives to exceed its MBE payment objective in FY 2009 and increased participation of SLMBE firms in its contracting opportunities over FY 2008. Of the \$72 million paid to MBE firms, 35% (\$25 million) was paid to African American–owned firms; 30% (\$21 million) was paid to Hispanic-owned firms; 22% (\$16 million) was paid to Women-owned firms; and 13% (\$9 million) was paid to Asian-owned firms; (see Page 22, Figure 2-A for graphical depiction).

In FY 2009, the Commission continued to increase the business community’s awareness of WSSC’s Centralized Bidder Registration (CBR) System which was launched in FY 2008. This web-based tool is a point of entry for all businesses seeking to do business with WSSC. In FY 2009, 1,390 new businesses registered in our CBR system. The Commission is committed to ensuring fair access to all vendors, whether majority or large firms, small businesses, women-owned or minority business enterprises. The information outlined in this report supports this commitment and the achievements of the SLMBE Program.

Internal Efforts

“Diversity, just the way we do business!”

Internal Efforts

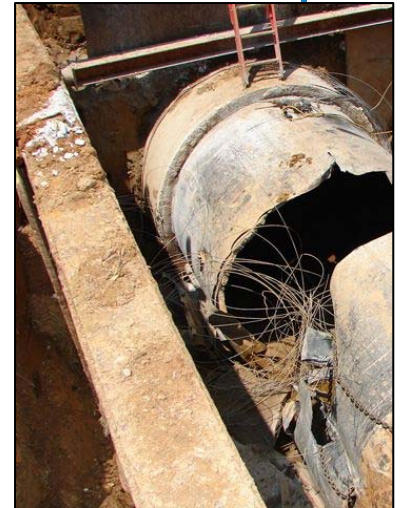
In the face of a national fiscal crisis, we have worked diligently to identify and implement timely internal initiatives designed to strengthen relationships and steadily improve our contract awards and payments to SLMBE firms. WSSC's SLMBE Program continues to move forward, reaching the goals set forth by WSSC in assisting MBE and SLBE firms with identifying contract opportunities. Before any solicitation over twenty-five thousand dollars is advertised in the Centralized Bidder Registration (CBR) System, the SLMBE Office first reviews the solicitation to determine the percentage of MBE/SLBE participation that should be included. The SLMBE Program continues to place emphasis on the importance of utilizing local SLMBE firms. The following describes the internal activities that took place in FY 2009.

- **Improved self-service options via the Internet/Intranet.** The SLMBE Office's Internet and Intranet companion websites were enhanced so that vendors and internal users could access and research comprehensive information about the SLMBE Program, including upcoming events, policies and procedures, certification information, SymTrac™ training, vendor days and workshops. The improvements of both sites has increased the overall efficiency of the SLMBE Program. We created a positive online user experience with easy navigation and enhanced functionality, permitting online registration for seminars and training workshops, providing immediate access to SLMBE information and enabling SLMBE staff to spend quality time with vendors visiting the Commission.
- **Conducted training for internal and external stakeholders on the SymTrac™ system.** In an effort to support our Compliance activities in FY 2009, the SLMBE Office conducted a series of SymTrac™ training sessions to instruct internal and external stakeholders on how to use the application and its functions. The training provided a platform to stress the importance of compliance using SymTrac™, provided instruction to vendors on how the application can be used to track and report subcontracting performance on WSSC-funded contracts, and helped internal/external stakeholders with their roles and responsibilities. Hands-on instruction was provided to attendees. The SymTrac™ training has been described as a success by all who attended, based on the improvements in validated SLMBE subcontract plan. The SLMBE Office



offers SymTrac™ training on a monthly basis. SymTrac™ training resulted in a total of 107 internal staff and 196 external vendors trained in FY 2009.

- **Demonstrated Improvements in Compliance.** WSSC's SLMBE compliance efforts continued to achieve significant success as a result of aggressive awareness, education, intervention and enforcement of Acquisition and SLMBE policies. The SLMBE Office established and implemented interface agreements with targeted teams and departments in WSSC to significantly improve compliance during FY 2009 via SymTrac™. Also through SymTrac™ enhancements, we have increased our ability to provide more detailed targeted reports to assist in monitoring contract compliance functionality of the system. In addition, the SLMBE Office continues to be an active participant on internal Contract Review Committees, which allows the SLMBE Office to provide additional governance over WSSC funded Contracts.
- **More detailed tracking systems and scorecards.** WSSC continues to improve its methods of monitoring, tracking and reporting contract payments and awards data for SLMBE objectives and goals. MBE awards and payments are tracked by ethnicity and gender, as well as locality and contracting areas. Monthly reports are generated and shared with WSSC Leadership and Staff that measures and summarizes such objectives. In addition, projection reports are generated and communicated to assist with business decisions related to maximizing the contracting participation of SLMBE firms. Reports related to subcontracting compliance and performance are generated and communicated monthly. In FY 2009, WSSC established a fiscal MBE contract payment objective of 25% and that objective was exceeded. In FY 2008, payments to MBE firms totaled \$53 million (27%) and in FY 2009 payments to MBE firms totaled \$72 million (30%). Additionally, in FY 2008 payments to SLBE firms totaled \$3.8 million and in FY 2009 payments to SLBE firms totaled \$6.9 million.
- **Improved internal business process controls.** The SLMBE Office continued to document and update its repeatable processes to ensure continuity and positive outcomes. In FY 2007, the SLMBE Office initiated the documentation of its business-related processes to improve customer service levels and processing times for requests.

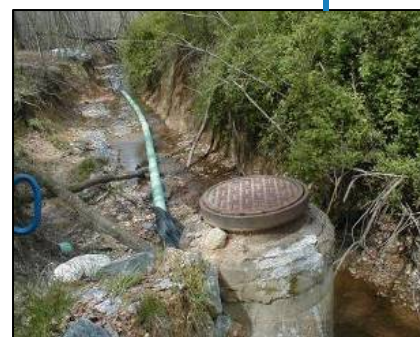


Since established, the notification process to Contract and Project Managers for non-compliance issues has improved. In FY 2009, the SLMBE Office began issuing a series of reports to the WSSC Change Leadership Team (CLT), indicating those Prime Contractors that were not adhering to Contract terms. The reports addressed compliance issues and included:

- Notice-To-Proceed (NTP) is issued without an approved subcontracting plan;
- Non-existent or incomplete SymTrac™ subcontract profiles;
- Fourteen-Day Rule - Failure to enter subcontracting plan; and
- Non-payment and payment delays to Subcontractors.

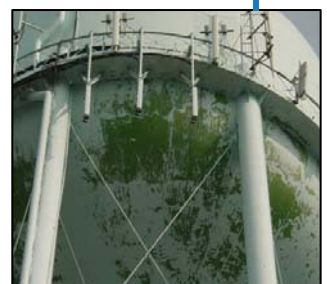
Beginning in FY 2009, these reports were provided to the CLT, who forwards the information to their Project Managers and Contract Managers to contact the Prime Contractors and inform them of their non-compliance status.

- **Improved Quality Assurance on Solicitations/Contract Memos/Good Faith Efforts/ Waiver Requests.** The SLMBE Office continued to improve upon delivering first-class customer service and minimizing the processing time to resolve inquiries or requests from internal and external stakeholders. The SLMBE Office continued to improve upon lowering its FY 2008 time of 5.6 business days for processing requests to 2.37 business days and improved responsiveness to customers' concerns. In FY 2009, the SLMBE Office processed 653 SLMBE memos and 31 waiver requests; of that, 11 requests were granted by the SLMBE Office. In addition, the SLMBE Office continues to serve on various contracting approval boards with the Commission, such as Purchase Order Review Committee (PORC), and Consultant Selection Committee (CSC).
- **Continued to educate and create awareness about the SLMBE Program.** Formal awareness and education about the Program was given to various teams Commission-wide at their staff meetings. The SLMBE Office shared communication via e-mails, internal publications and other media. Communications covered topics such as: SLMBE firms' services and capabilities, invitations to participate in



outreach events and networking opportunities and SLMBE Program updates. In FY 2009, the SLMBE Office created several vehicles such as an enhanced quarterly newsletter, weekly E-Blast, press releases, presentations and advertisements to inform the public and internal/external stakeholders about the SLMBE Program, contracting opportunities, outreach events, and compliance matters.

- **Hosted the first Women Business Expo.** In FY 2009, the SLMBE Office partnered with the Women Presidents' Educational Organization (WPEO) to host the **first** Women Business-Owners Expo at WSSC. The Expo was held in March 2009 during Women's History Month and proved to be a huge success with more than 100 women business-owners and professionals from the areas of Prince George's and Montgomery Counties. Attendees networked with WSSC department representatives and other area organizations that support small local and minority businesses. The presenters included the Commission Chair, WSSC's Interim General Manager, Director of WSSC's SLMBE Office and MBE Compliance and Outreach Manager from the Governor's Office of Minority Affairs. This event is directly related to the SLMBE Office's dedication to extensive outreach to encourage participation and build relationships with vendors in the community it serves.



Performance Measures, Data and Graphs

“Diversity, just the way we do business!”

Commitment To SLMBE Program Brings Results

In FY 2009, the Commission awarded contracts totaling \$389,050,131.00. This amount represents contracts awarded in four Contracting Areas: Architecture and Engineering, Construction, Professional Services and Goods and Services. Of the total value of contracts awarded in FY 2009, \$92,474,200.00 or 24% was awarded to certified MBE firms. In FY 2009, the Commission's total contract payments were \$252,513,312.00. The contract payments to Minority Business Enterprise (MBE) firms was \$72,167,759 or 30% of the Commission's total contract payments, which exceeded the organization-wide MBE payment objective of 25%. It is important to note that the Commission continues to surpass its peers in capturing, monitoring and reporting SLMBE payment data, which is essential to reporting the effectiveness of the SLMBE Program. The Leadership Team and Staff played an integral role in making significant progress in this area.

The SLMBE Program initiatives have resulted in 278 contracts being awarded to certified MBE firms and 17 contracts being awarded to approved SLBE firms. In addition, the Commission's Purchasing Card ("P-Card") payment performance in FY 2009 was \$4.8 million, of which 6%, or \$266,291.00 went to SLMBE Firms.

Performance Measures, Data and Graphs

Total Contract Payments for FY 2009

Figure 1: Summary of Total Contract Payments for FY 2009

| Contracting Area | Goal | M/WBE** | M/WBE% | MBE | WBE | Majority |
|-----------------------|-------------|----------------------|-------------|----------------------|----------------------|-----------------------|
| A/E Services | 24% | \$ 10,364,801 | 31% | \$ 8,287,634 | \$ 2,077,167 | \$ 29,908,578 |
| Construction Services | 20% | \$ 13,261,575 | 16% | \$ 13,019,857 | \$ 241,718 | \$ 75,279,326 |
| Goods and Services | 28% | \$ 46,274,968 | 40% | \$ 32,426,799 | \$ 13,848,169 | \$ 71,898,594 |
| Professional Services | 20% | \$ 2,266,415 | 41% | \$ 2,210,249 | \$ 56,166 | \$ 3,259,055 |
| Totals | 25%† | \$ 72,167,759 | 30%* | \$ 55,944,539 | \$ 16,223,220 | \$ 180,345,553 |

Please Note: M/WBE dollars (excluding subcontract payments) + Majority dollars = Total Payments. The total M/WBE\$/Total Payments = Total M/WBE%*

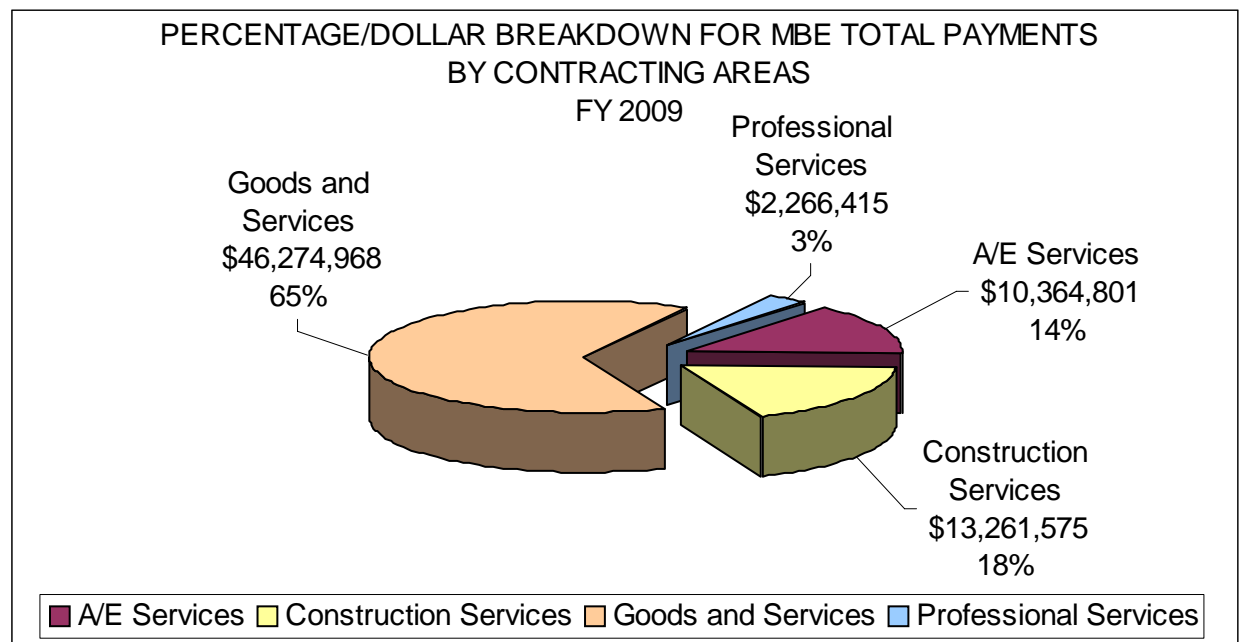
**M/WBE includes Certified MBE and WBE firms (displayed for reporting purposes only). Payments made to M/WBE firms in the SLBE program

Summary of Total Contract Payments and Awards for FY 2009

In FY 2009, the WSSC exceeded its goal to pay 25% of its total contracted dollars to minority-owned firms. MBE contract award amounts serve as a leading indicator for WSSC MBE Contract performance. However, it is the payments to MBE firms that measures the success of the Program and contribute to the growth of MBE firms. Architecture and Engineering and Construction generally have long-term contracts that may be paid over a period of multiple fiscal years. Goods and Services and Professional Services contracts normally pay out in a much shorter period of time.

The graph below represents the breakdown of the \$72 million dollars paid to MBE firms in the four Contracting Areas for FY 2009

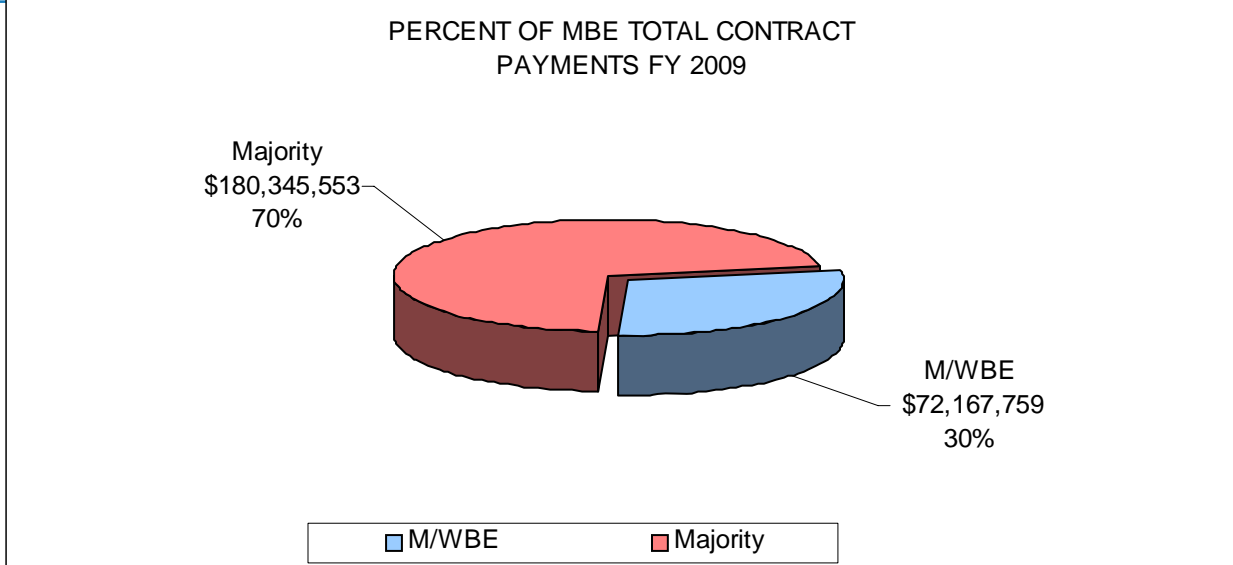
Figure 1-A : FY 2009 SUMMARY OF TOTAL MBE CONTRACT PAYMENTS BY CONTRACTING AREAS



Note: Payments reported above are the total of Women/Female-owned (WBE) and Minority-owned (MBE) Businesses. The dollars are shown separately and totaled by contract area in the Figure 1.

The following pages depicts a breakdown of the awards and payments for FY 2009. WSSC strives to provide current, correct, complete and transparent information to demonstrate how the MBE and the SLBE Programs performed in FY 2009.

FIGURE 1-B: FY 2009 PERCENTAGE OF MINORITY BUSINESSES ENTERPRISE TOTAL CONTRACT PAYMENTS

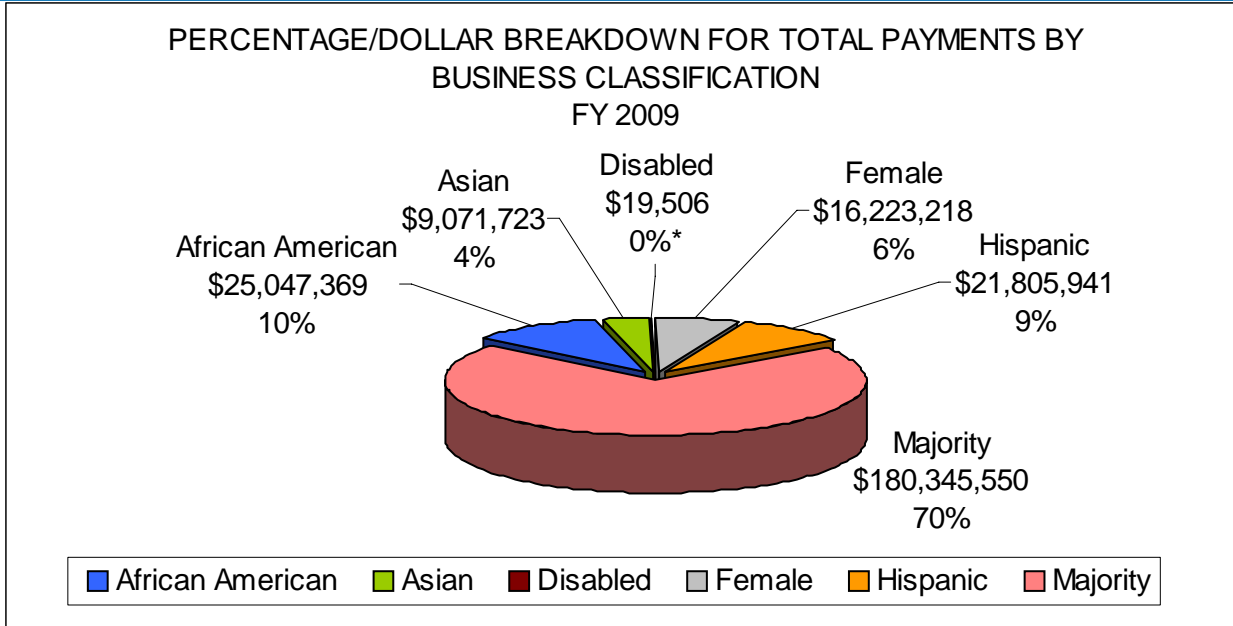


Please Note: M/WBE dollars (excluding subcontract payments) + Majority dollars = Total Payments. The total M/WBE\$/Total Payments = Total M/WBE%*

FY 2009 Total MBE Contract Payments

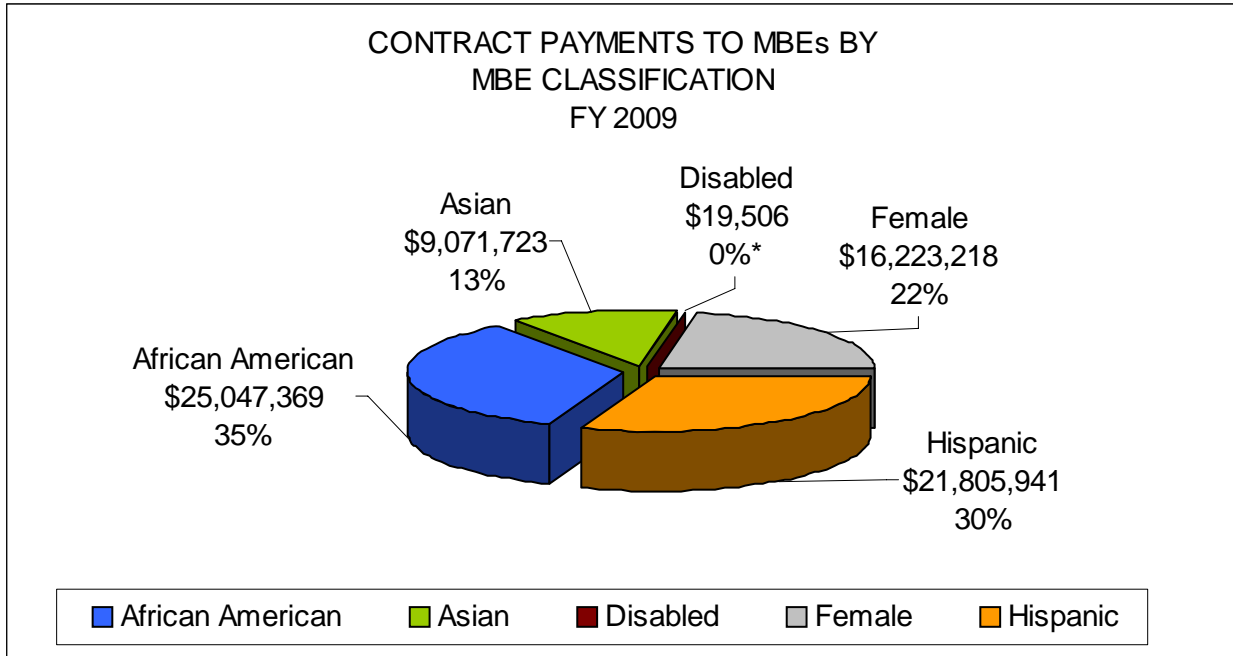
Of the \$72 million in contract payments to MBE firms in FY 2009 \$25 million (35%) went to African American–owned firms; \$21.8 million (30%) went to Hispanic-owned firms; \$16 million (22%) went to Female-owned firms; and \$9 million (13%) went to Asian-owned firms.

FIGURE 2-A : FY 2009 SUMMARY OF TOTAL DOLLAR CONTRACT PAYMENT AMOUNTS BY BUSINESS CLASSIFICATION



*Payments equal less than 1%

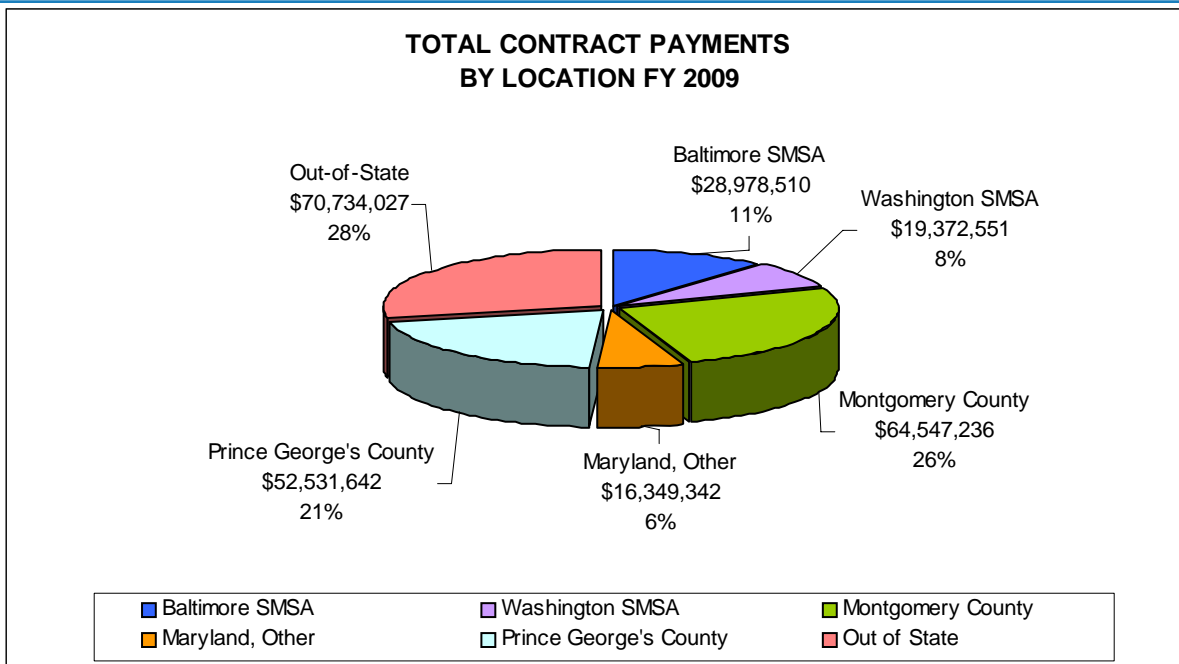
FIGURE 2-A : FY 2009 MBE CONTRACT PAYMENTS BY ETHNIC AND GENDER CLASSIFICATION



**Payments equal less than 1%*

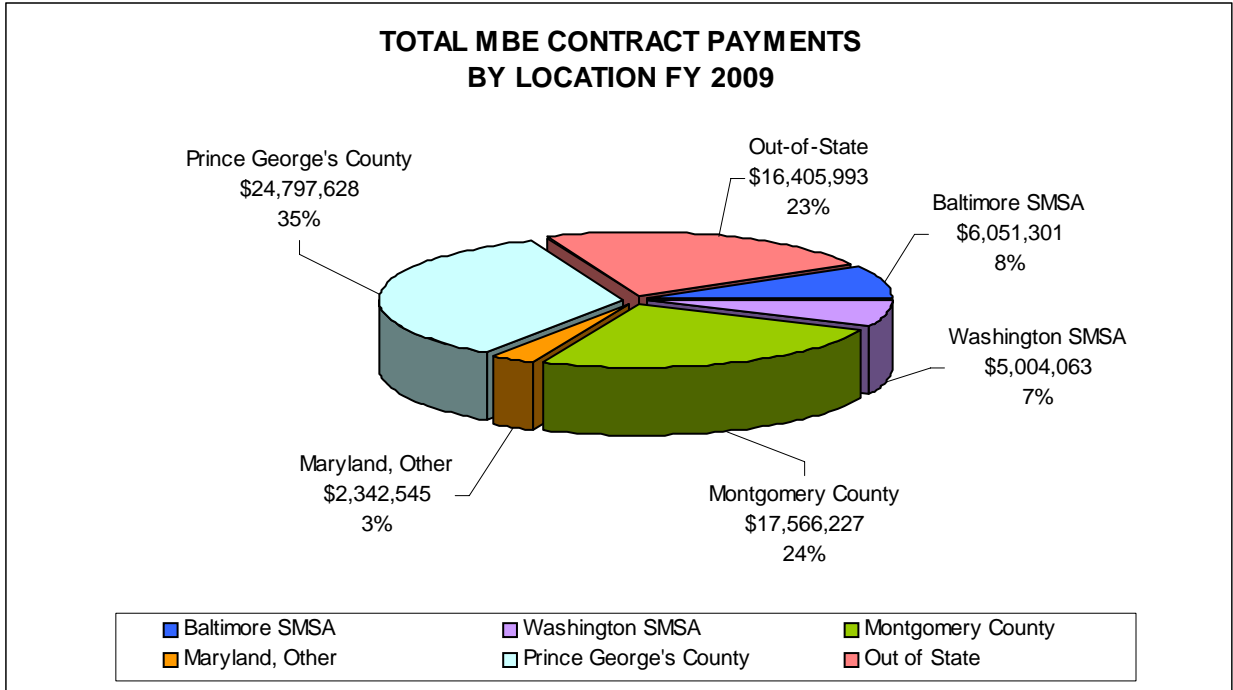
FY 2009 Total Contract Payments By Location

FIGURE 3 : FY 2009 SUMMARY OF TOTAL WSSC CONTRACT PAYMENTS BY LOCATION



Of the Commission's \$72 million contract payments to MBE firms in FY 2009, \$17 million (24%) went to firms in Montgomery County and \$25 million (35%) went to firms in Prince George's County.

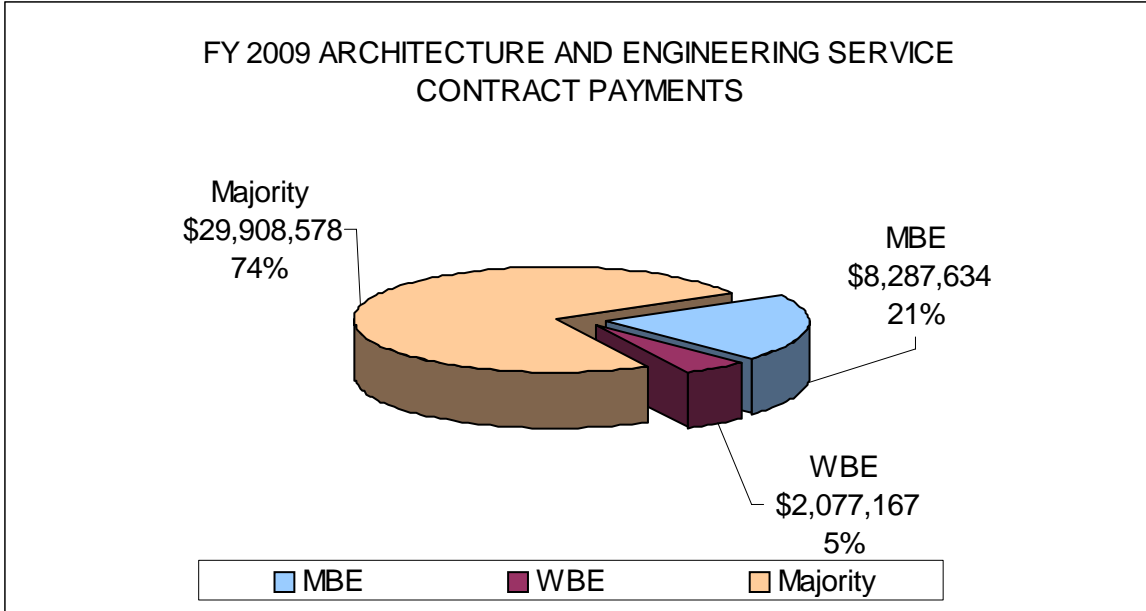
FIGURE 3-A : FY 2009 TOTAL MBE CONTRACT PAYMENTS BY LOCATION



FY 2009 Contract Payments to MBE Firms By Contracting Area

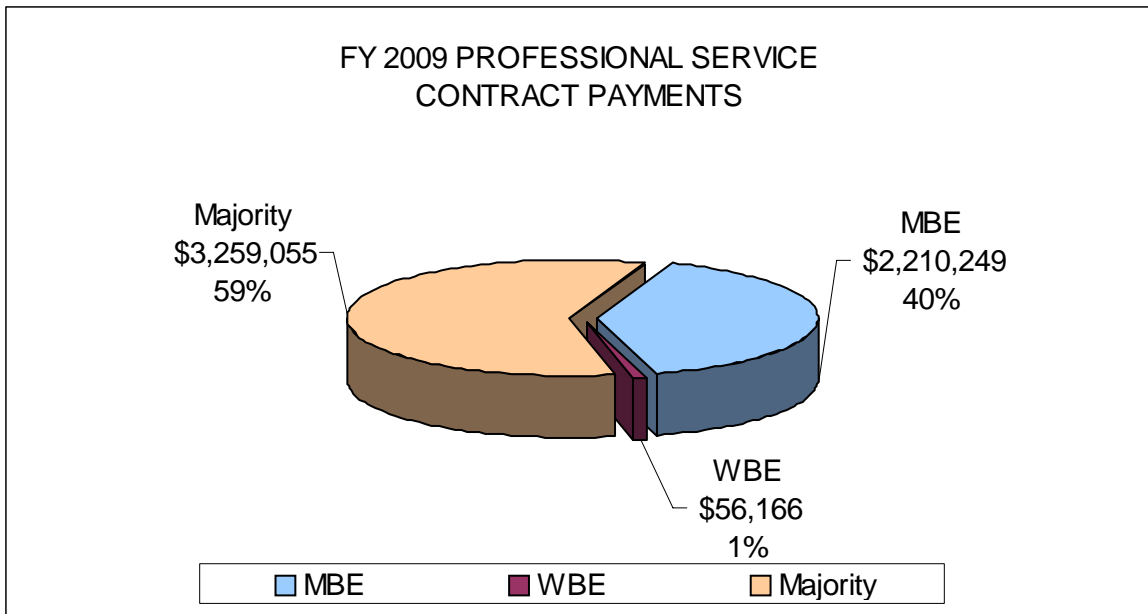
Architecture and Engineering contract payments totaled \$40.3 million. Of the total payment amount, \$8.2 million (21%) went to MBE firms and \$2 million (5%) went to women-owned businesses (WBE).

FIGURE 4-A : FY 2009 CONTRACT PAYMENTS ARCHITECTURAL AND ENGINEERING SERVICES



Professional Services contract payments totaled \$5.6 million. Of the total payment amount, \$2.2 million (40%) went to MBE firms and \$56 thousand (1%) went to women-owned businesses (WBE).

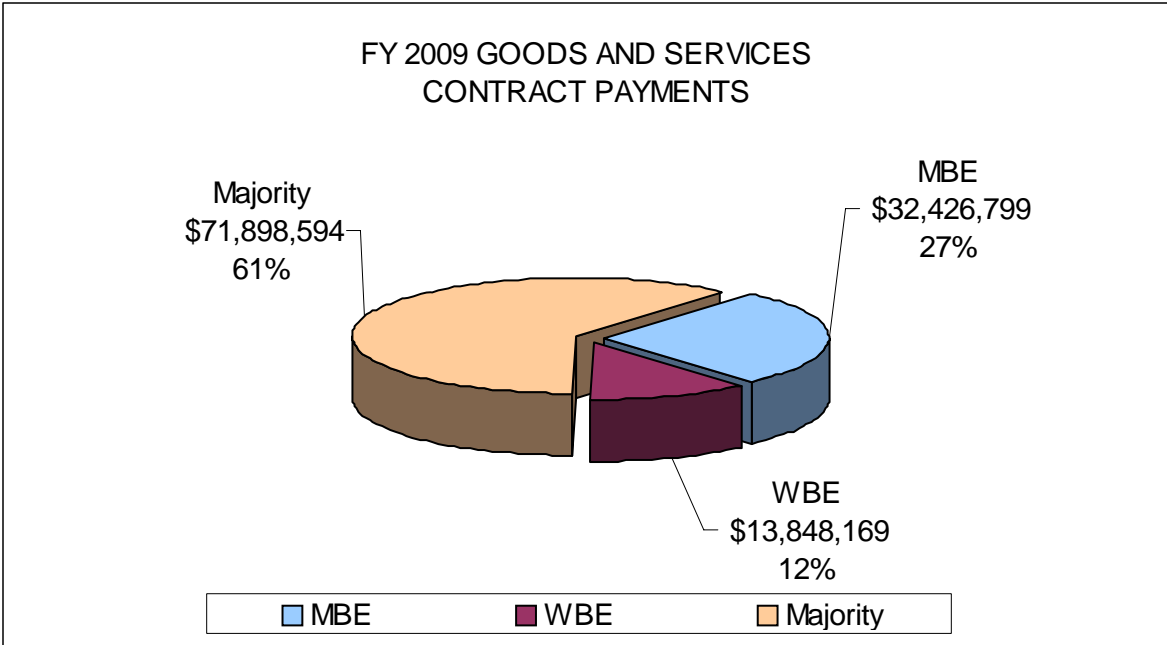
FIGURE 4-B : FY 2009 CONTRACT PAYMENTS PROFESSIONAL SERVICE



Please Note: M/WBE dollars (excluding subcontract payments) + Majority dollars = Total Payments. The total M/WBE\$/Total Payments = Total M/WBE%*

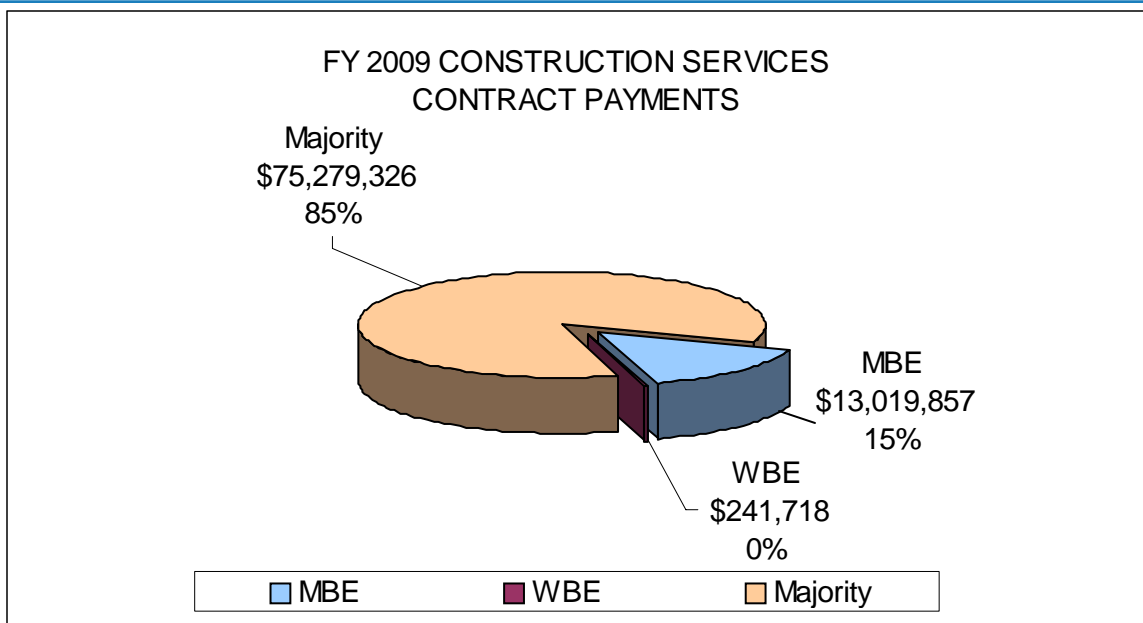
Goods and Services contract payments totaled \$118.2 million. Of the total payment amount, \$32.4 million (27%) went to MBE firms and \$13.8 million (12%) went to Women-owned businesses (WBE).

FIGURE 4-C : FY 2009 CONTRACT PAYMENTS GOODS AND SERVICES



Construction Services contract payments totaled \$88.5 million. Of the total payment amount, \$13 million (15%) went to MBE firms and \$242 thousand (less than 1%) went to Women-owned businesses (WBE).

FIGURE 4-D : FY 2009 CONTRACT PAYMENTS CONSTRUCTION SERVICES



Please Note: M/WBE dollars (excluding subcontract payments) + Majority dollars = Total Payments. The total M/WBE\$/Total Payments = Total M/WBE%*

In FY 2009, the total contracts awarded to MBE firms was \$92 million. Of the \$92 million, \$66 million (72%) was awarded to Prime MBE firms and \$26 million (28%) was awarded to MBE Subcontractors.

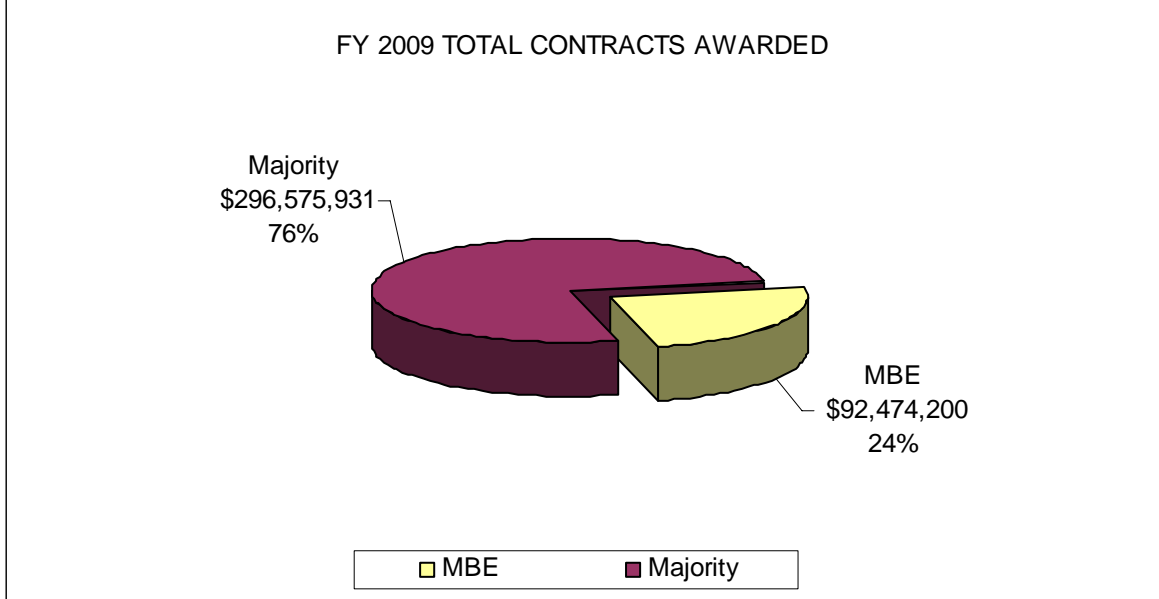
FIGURE 5: FY 2009 SUMMARY OF TOTAL MBE CONTRACT AWARDS

| Contracting Area | MBE % | MBE*+ | Majority | Total |
|-----------------------|--------------|----------------------|-----------------------|-----------------------|
| A/E Services | 26% | \$ 8,912,045 | \$ 25,384,583 | \$ 34,296,628 |
| Construction Services | 7% | \$ 13,394,506 | \$ 181,740,455 | \$ 195,134,961 |
| Goods & Services | 45% | \$ 67,338,576 | \$ 80,913,155 | \$ 148,251,731 |
| Professional Services | 25% | \$ 2,829,073 | \$ 8,537,738 | \$ 11,366,811 |
| Totals | 24%** | \$ 92,474,200 | \$ 296,575,931 | \$ 389,050,131 |

**This number represents the MBE percentage (%) of the total contract awarded amount.

*MBE refers to both certified minority and women business enterprises.

FIGURE 5-A: FY 2009 SUMMARY OF TOTAL CONTRACTS AWARDED

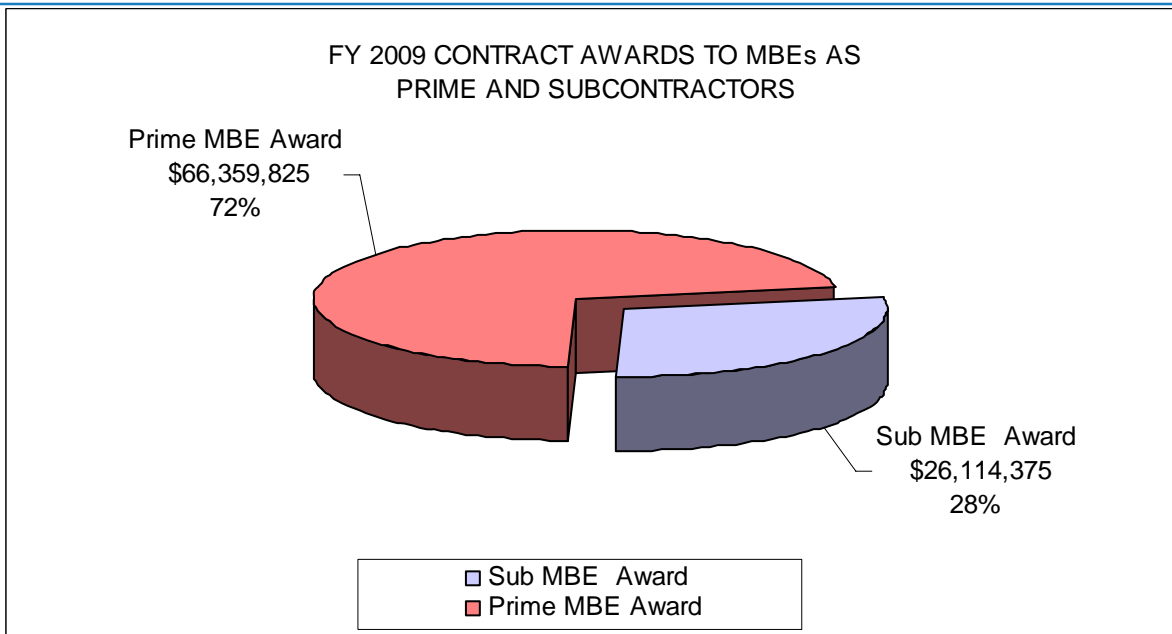


†Special Note: The Contract Award data for Goods & Services has been adjusted due to a Requirements Contract valued at \$16.05 million and awarded in FY 2009. The contract was awarded to an MBE vendor; however, the contract base year value did not accurately represent WSSC forecasted contract requirements for the base year. The Contract was erroneously awarded based on the quantities forecasted for FY 2013 instead of quantities needed for the base year of the Contract in FY 2009. In light of this error, the original Contract award amount (\$16.05 million) was replaced by the amount paid to the vendor during FY 2009 (\$939,880). The paid amount to the vendor was used as a proxy for the award amount for the base year of this Contract. Therefore, the FY 2009 Goods & Services MBE Contract Award Total which was previously reported as \$82.4 million reflects a decrease of approximately \$15.1 million. Previously, the total FY 2009 MBE Contract Awards was reported as \$107.6 million; however, it has been adjusted to \$92.5 million to reflect this correction.

FIGURE 5-B : FY 2009 SUMMARY OF TOTAL MBE SUBCONTRACT AWARDS

| Contracting Area | Sub % of MBE | Sub MBE* Award | Prime MBE Award | Total MBE Award† |
|-----------------------|--------------|----------------------|----------------------|----------------------|
| A/E Services | 71% | \$ 6,344,301 | \$ 2,567,744 | \$ 8,912,045 |
| Construction Services | 49% | \$ 6,514,333 | \$ 6,880,173 | \$ 13,394,506 |
| Goods & Services | 18% | \$ 11,871,391 | \$ 55,467,185 | \$ 67,338,576 |
| Professional Services | 49% | \$ 1,384,350 | \$ 1,444,723 | \$ 2,829,073 |
| Totals | 28%** | \$ 26,114,375 | \$ 66,359,825 | \$ 92,474,200 |

FIGURE 5-C : FY 2009 TOTAL MBE PRIME AND SUBCONTRACT AWARDS



†**Special Note:** The Contract Award data for Goods & Services has been adjusted due to a Requirements Contract valued at \$16.05 million and awarded in FY 2009. The contract was awarded to an MBE vendor; however, the contract base year value did not accurately represent WSSC forecasted contract requirements for the base year. The Contract was erroneously awarded based on the quantities forecasted for FY 2013 instead of quantities needed for the base year of the Contract in FY 2009. In light of this error, the original Contract award amount (\$16.05 million) was replaced by the amount paid to the vendor during FY 2009 (\$939,880). The paid amount to the vendor was used as a proxy for the award amount for the base year of this Contract. Therefore, the FY 2009 Goods & Services MBE Contract Award Total which was previously reported as \$82.4 million reflects a decrease of approximately \$15.1 million. Previously, the total FY 2009 MBE Contract Awards was reported as \$107.6 million; however, it has been adjusted to \$92.5 million to reflect this correction.

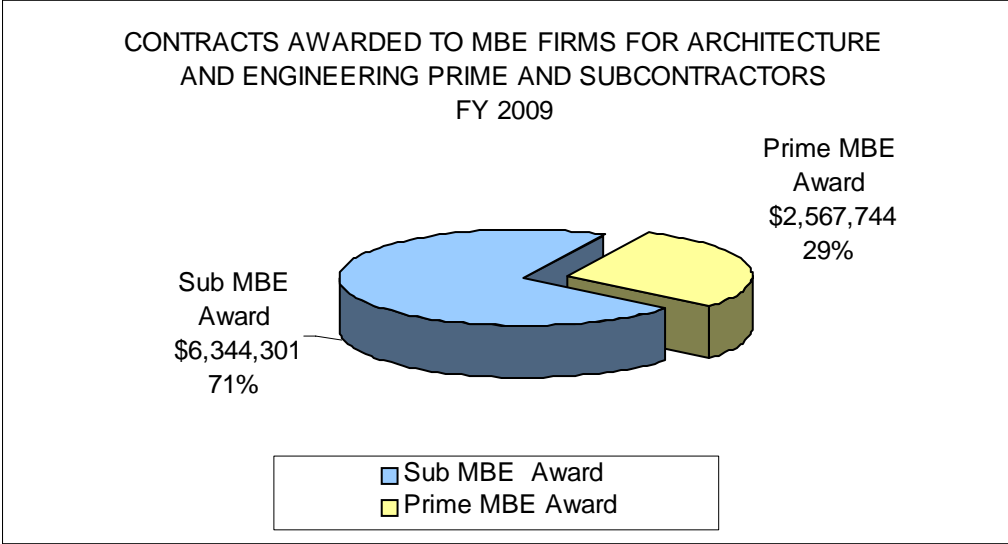
*MBE refers to both certified minority and women business enterprises.

**This number represents the Subcontractor MBE percentage (%) of the total contract awarded amount.

FY 2009 Contract Awards to MBE Firms By Contracting Area (Prime and Subcontractor Comparison)

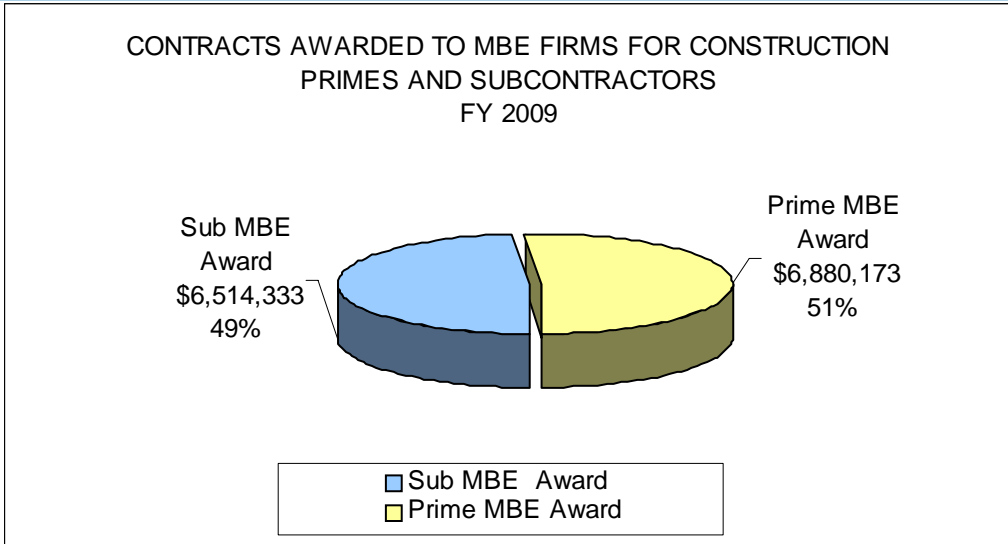
In FY 2009, the contracts awarded to Architecture and Engineering MBE firms totaled \$8.9 million. Of the total amount, approximately \$2.5 million (29%) was awarded to Prime Architecture and Engineering Service firms and of that \$6.3 million (71%) was proffered to MBE Architecture and Engineering Service Subcontractors.

FIGURE 6-A: FY 2009 ARCHITECTURE AND ENGINEERING SERVICE (\$8.9 MILLION)



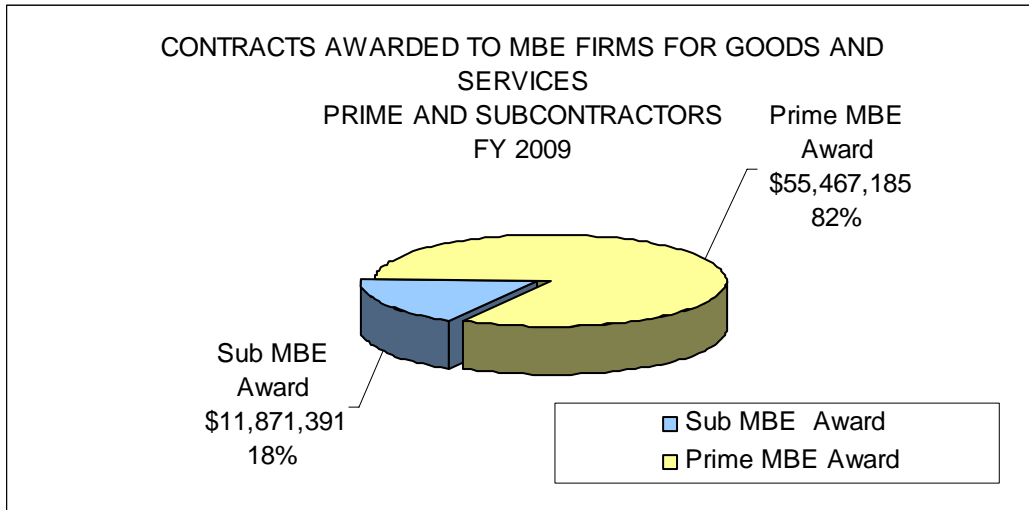
In FY 2009, the contracts awarded to Construction Service MBE firms totaled \$13.3 million. Of the total amount, approximately \$6.8 million (51%) was awarded to Prime Construction firms and of that \$6.5 million (49%) was proffered to MBE Construction Subcontractors.

FIGURE 6-B: FY 2009 CONSTRUCTION SERVICES (\$13.3 MILLION)



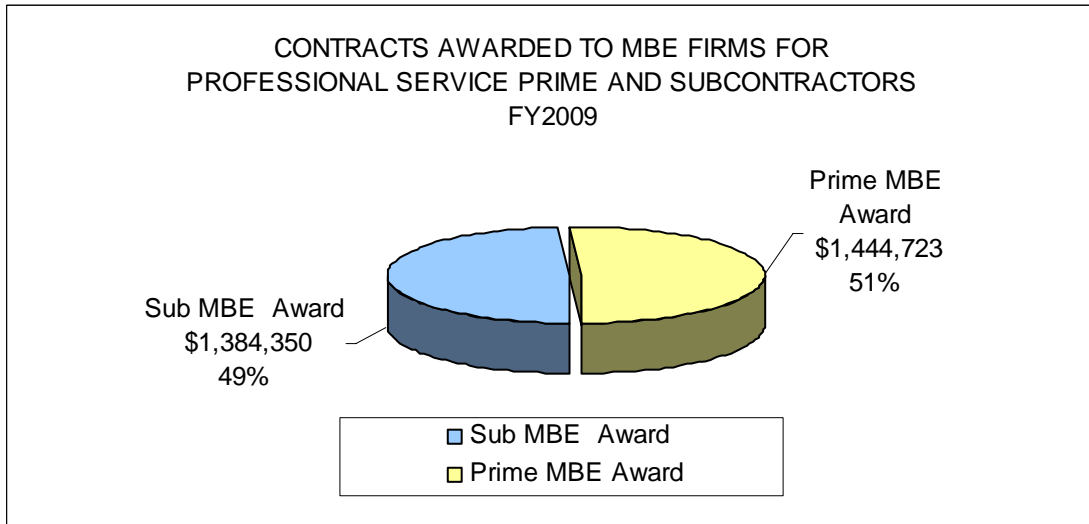
In FY 2009, the contracts awarded to Goods and Services MBE firms totaled \$67 million. Of the total amount, approximately \$55 million (82%) was awarded to Prime Goods and Service firms and of that \$11.8 million (18%) was proffered to MBE Goods and Service Subcontractors+ .

FIGURE 6-C: FY 2009 GOODS AND SERVICES



In FY 2009, the contracts awarded to Professional Service MBE firms totaled \$2.8 million. Of the total amount, approximately \$1.4 million (51%) was awarded to Prime Professional Service firms and of that \$1.3 million (49%) was proffered to MBE Professional Service Subcontractors.

FIGURE 6-D: FY 2009 PROFESSIONAL SERVICES (\$2.8 MILLION)



+Special Note: The Contract Award data for Goods & Services has been adjusted due to a Requirements Contract valued at \$16.05 million and awarded in FY 2009. The contract was awarded to an MBE vendor; however, the contract base year value did not accurately represent WSSC forecasted contract requirements for the base year. The Contract was erroneously awarded based on the quantities forecasted for FY 2013 instead of quantities needed for the base year of the Contract in FY 2009. In light of this error, the original Contract award amount (\$16.05 million) was replaced by the amount paid to the vendor during FY 2009 (\$939,880). The paid amount to the vendor was used as a proxy for the award amount for the base year of this Contract. Therefore, the FY 2009 Goods & Services MBE Contract Award Total which was previously reported as \$82.4 million reflects a decrease of approximately \$15.1 million. Previously, the total FY 2009 MBE Contract Awards was reported as \$107.6 million; however, it has been adjusted to \$92.5 million to reflect this correction.

FY 2009 Contract Awards: Five Year Fiscal Year Trending Report

The trending data reveals that on average, the Commission awards 28% of the total contracts to MBE firms. Although FY 2006 percentages for awards to MBE firms were higher (39%), FY 2008 and FY 2009 have higher dollar amounts awarded to MBE firms.

FIGURE 7: FIVE YEAR FISCAL YEAR PERCENTAGE TRENDING

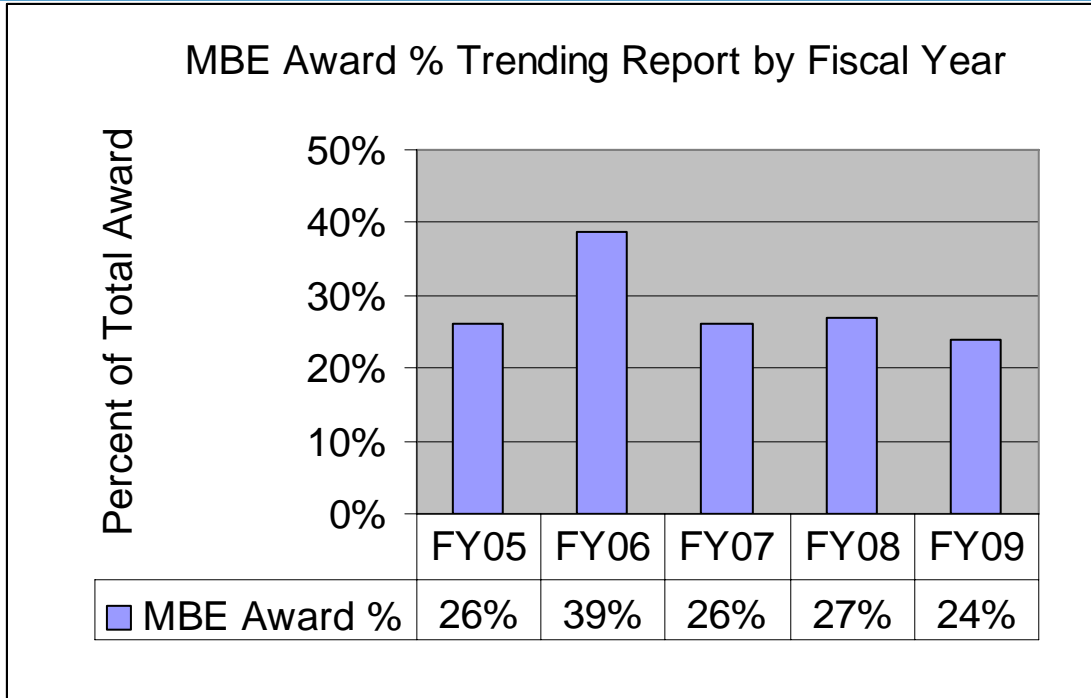


FIGURE 7-A: SUMMARY REPORT FISCAL YEAR TRENDING DOLLAR

| Fiscal Year | MBE% | MBE Award+ | Majority Award | Total Award |
|-------------|------|---------------|----------------|----------------|
| 2005 | 26% | \$ 37,640,676 | \$ 106,500,645 | \$ 144,141,321 |
| 2006 | 39% | \$ 53,524,242 | \$ 84,814,731 | \$ 138,338,973 |
| 2007 | 26% | \$ 72,782,806 | \$ 205,074,979 | \$ 277,857,785 |
| 2008 | 27% | \$ 58,458,423 | \$ 157,895,269 | \$ 216,353,692 |
| 2009 | 24% | \$ 92,474,200 | \$ 296,575,931 | \$ 389,050,131 |

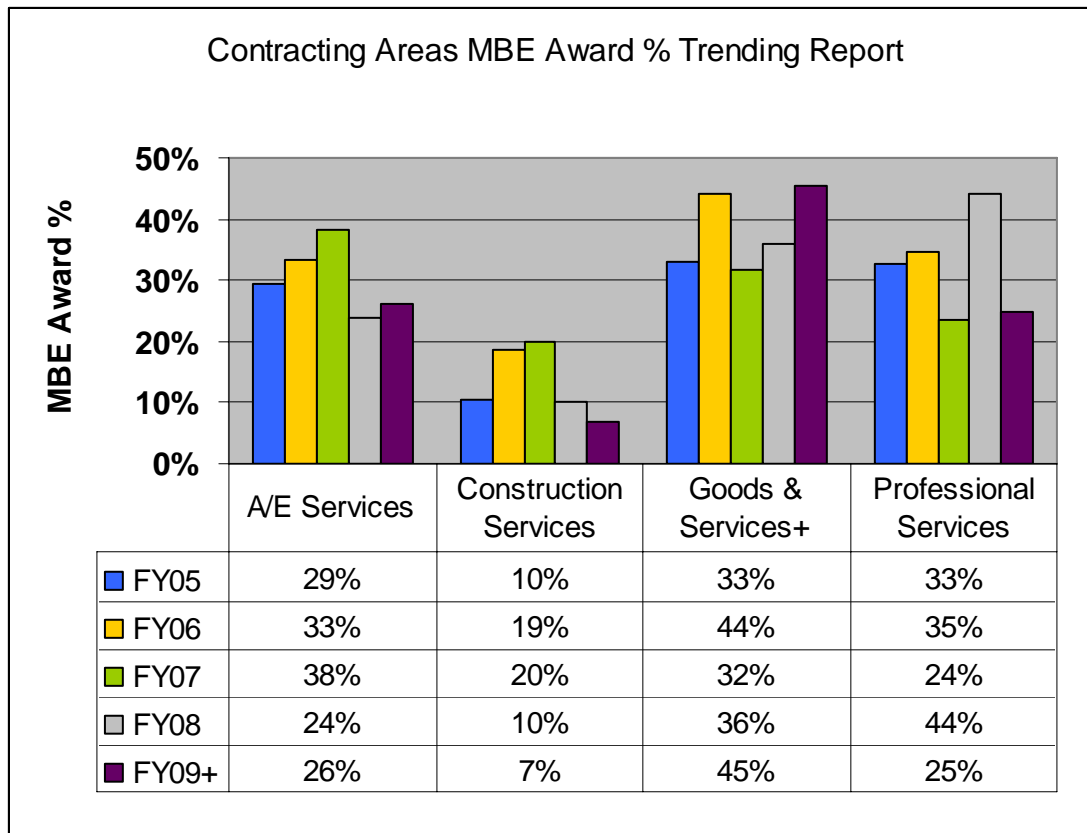
†Special Note: The Contract Award data for Goods & Services has been adjusted due to a Requirements Contract valued at \$16.05 million and awarded in FY 2009. The contract was awarded to an MBE vendor; however, the contract base year value did not accurately represent WSSC forecasted contract requirements for the base year. The Contract was erroneously awarded based on the quantities forecasted for FY 2013 instead of quantities needed for the base year of the Contract in FY 2009. In light of this error, the original Contract award amount (\$16.05 million) was replaced by the amount paid to the vendor during FY 2009 (\$939,880). The paid amount to the vendor was used as a proxy for the award amount for the base year of this Contract. Therefore, the FY 2009 Goods & Services MBE Contract Award Total which was previously reported as \$82.4 million reflects a decrease of approximately \$15.1 million. Previously, the total FY 2009 MBE Contract Awards was reported as \$107.6 million; however, it has been adjusted to \$92.5 million to reflect this correction.

FY 2009 Summary of MBE Contract Award Percentages Fiscal Year Trending Report

The chart and figures below provide information on MBE contract award trending data by contracting area. In FY 2009, MBE contracts awarded in Professional Services, fell significantly from FY 2008, decreasing from 44% to 25%. Construction MBE contract awards are also showing a steady decline from 20% in FY 2007 to 10% in FY 2008; in FY 2009 the contract award percentage was 7%.

Despite these declines, in other contracting areas there were increases in MBE awards. From FY 2008 to FY 2009, there was a 9% increase in Goods and Services and a 2% increase in Architecture and Engineering for contracts that were awarded.

FIGURE 8 : CONTRACTING AREAS MBE AWARD FISCAL YEAR TRENDING REPORT—BY PERCENTAGES

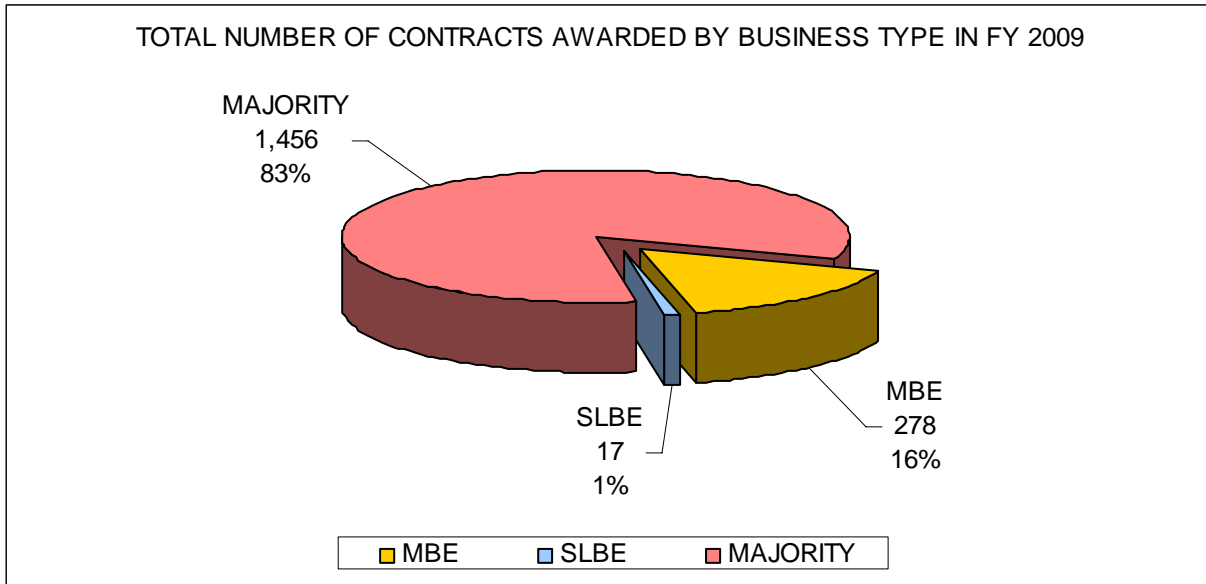


✚**Special Note:** The Contract Award data for Goods & Services has been adjusted due to a Requirements Contract valued at \$16.05 million and awarded in FY 2009. The contract was awarded to an MBE vendor; however, the contract base year value did not accurately represent WSSC forecasted contract requirements for the base year. The Contract was erroneously awarded based on the quantities forecasted for FY 2013 instead of quantities needed for the base year of the Contract in FY 2009. In light of this error, the original Contract award amount (\$16.05 million) was replaced by the amount paid to the vendor during FY 2009 (\$939,880). The paid amount to the vendor was used as a proxy for the award amount for the base year of this Contract. Therefore, the FY 2009 Goods & Services MBE Contract Award Total which was previously reported as \$82.4 million reflects a decrease of approximately \$15.1 million. Previously, the total FY 2009 MBE Contract Awards was reported as \$107.6 million; however, it has been adjusted to \$92.5 million to reflect this correction.

FY 2009 Total Number of Contracts Awarded

In FY 2009, the Commission awarded 1,751 contracts. Of this 16% (278) were awarded to MBE firms and 1% (17) was awarded to SLBE firms. This is 374 less than the total number of contracts awarded in FY 2008 which was 2,125.

FIGURE 9: FY 2009 SUMMARY OF TOTAL NUMBER OF CONTRACTS AWARDED BY BUSINESS TYPE



| TOTAL CONTRACTS AWARDED | | |
|-------------------------|--------------|-------------|
| BUSINESS TYPE | NUMBER | % OF AWARDS |
| MBE | 278 | 16% |
| SLBE | 17 | 1% |
| MAJORITY | 1,456 | 83% |
| TOTAL AWARDS | 1,751 | 100% |

The Small Local Business Enterprise (SLBE) Program Data and Metrics

The SLBE Program is intended to provide a race and gender-neutral vehicle for the Commission to use in its efforts to ensure that all segments of its local business community, Prince George's and Montgomery Counties, have a reasonable and significant opportunity to participate in WSSC contracts. The SLBE Program also furthers the Commission's public interest to foster effective broad-based competition from all segments of the vendor community, including but not limited to, minority business enterprises, small business enterprises and local business enterprises. In addition, the SLBE Program provides additional avenues for the development of new capacity and new sources of competition for WSSC contracts from the growing pool of small and local businesses.

In FY 2009, WSSC's payments to SLBE firms totaled \$6,923,886. This is a \$3.1 million increase from FY 2008 (\$3,835,602). The dollars associated with the SLBE Program are strictly SLBE payments. Of the total payments listed below, **\$4.23 million** went to SLBE firms located in Prince George's County and **\$2.33 million** went to SLBE firms located in Montgomery County. Payments to SLBEs by Contracting Area are listed in the table below.

FIGURE 10: FY 2009 PAYMENTS TO SLBE FIRMS

| Contracting Area | Totals |
|-----------------------|---------------------|
| Goods & Services | \$ 507,365 |
| Professional Services | \$ 42,840 |
| A/E Services | \$ 43,500 |
| Construction | \$ 6,330,181 |
| Totals | \$ 6,923,886 |

In FY 2009, the WSSC awarded a total of 17 contracts to SLBE firms. Of that, eight went to SLBE firms located in Montgomery County and nine went to SLBE firms located in Prince George's County.

FIGURE 10-A: SLBE CONTRACTS AWARDED BY COUNTY

| SLBE Contracts Awarded | |
|------------------------|-------------------|
| County | Contracts Awarded |
| Montgomery | 8 |
| Prince George's | 9 |
| Non-Local* | 0 |
| Total | 17 |

*Firms located outside Montgomery or Prince George's Counties may participate in the SLBE Program if at least twenty-five percent of their workforce is domiciled in one or both counties.

Fiscal Year 2009 Procurement Card (P-Card) Purchases

Procurement Cards (P-Card) are utilized for purchases under five thousand dollars. Currently, P-Card expenditures are not included in WSSC's SLMBE payment data. However, WSSC is exploring ways to enhance the ability to capture and track SLMBE payments via the P-Card and encourage SLMBE purchases via P-Card.

In FY 2009, WSSC's SLMBE P-Card performance totaled **\$266,271.56** or **6%** of all P-Card purchases were with SLMBE firms.

FIGURE 11: PROCUREMENT CARD PURCHASES

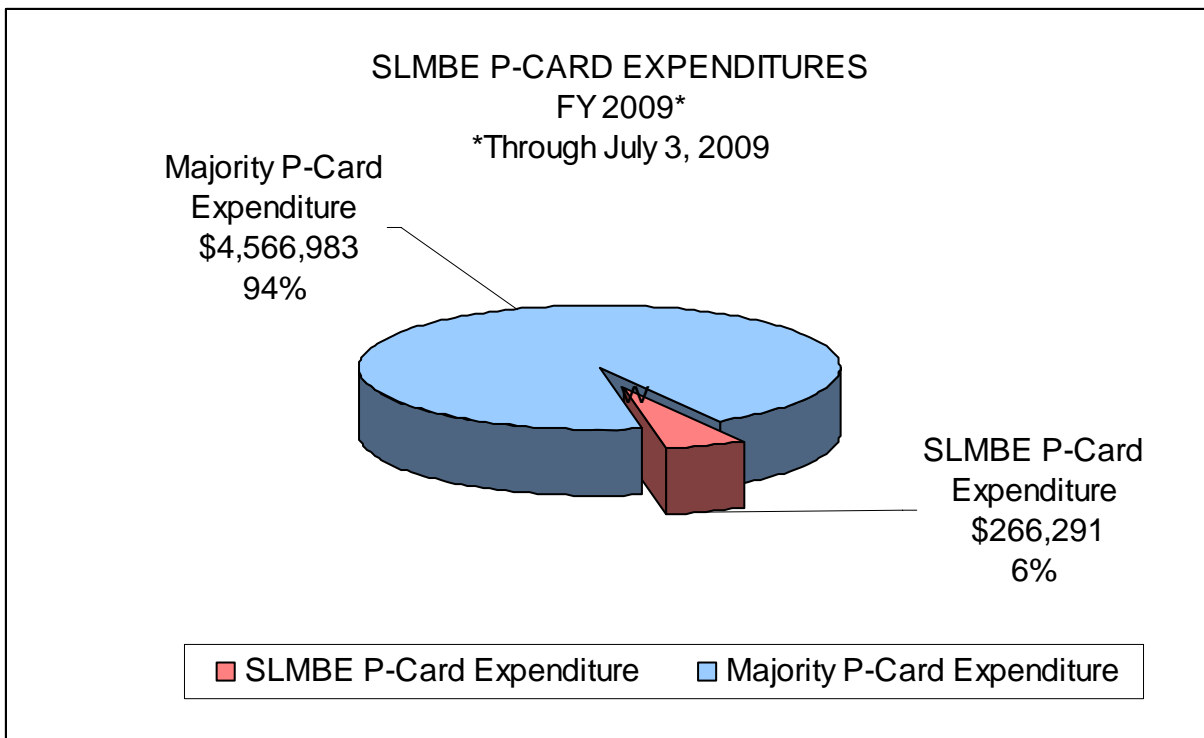


FIGURE 11-A: FY 2009 PROCUREMENT CARD TOTAL PURCHASE DOLLARS

| Month | SLMBE P-Card Expenditure | Total Expenditure | SLMBE % |
|-------|--------------------------|-------------------|---------|
| TOTAL | \$ 266,291.56 | \$ 4,833,274.00 | 6% |

Outreach Efforts and Events

“Diversity, just the way we do business!”

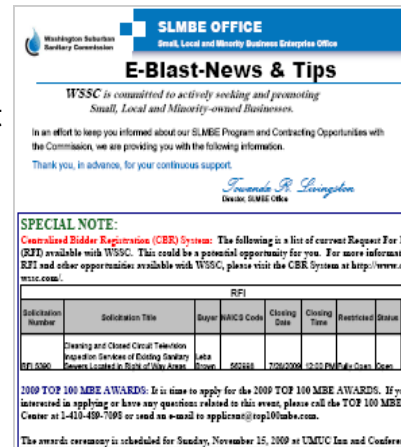
FY 2009 Outreach Efforts and Events

WSSC is committed to providing small, local and minority business enterprise firms with maximum opportunities to participate in the contracting process and creating a purchasing environment that is inclusive. The SLMBE Office outreach efforts support the growth and knowledge of the vendor community we serve. The following covers the communication efforts utilized by the SLMBE Office to effectively reach our vendor community. Additionally, this section will cover external outreach events that the SLMBE Office participated in for FY 2009 with other like-minded organizations and highlight the numerous internal outreach events hosted by the SLMBE Office.



The **SLMBE Connection Quarterly Newsletter** is sent via e-mail to our entire vendor base, both internal and external stakeholders. This newsletter is designed to not only inform the SLMBE firms, but also to reinforce the SLMBE Office's core strategies by educating the firms based on supplier advocacy, supplier development, compliance, and extensive outreach. This newsletter provides articles that focus on these core strategies. The newsletter also highlights SLMBE firms doing business with WSSC and who are doing it right.

The **SLMBE Weekly E-Blast** highlights weekly important news and tips for vendor success. This E-newsletter shares helpful news and information with the vendor community and is an effective tool to communicate late-breaking alerts, policy and procedure changes or updates.

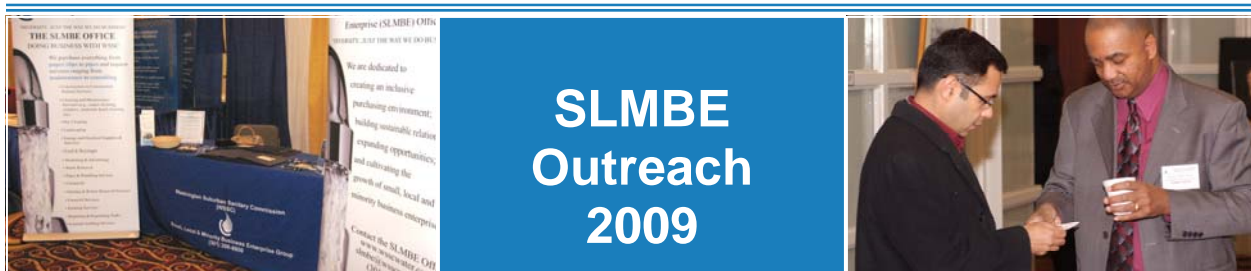


In FY 2009, the **SLMBE Office's Web site** underwent a reorganization which allowed the users to navigate through the information on the web site. This wealth of information more easily directs our customers on the web site to use the Centralized Bidder Registration (CBR) system, SymTrac™, the web-based compliance tool, and links to other resource agencies. Vendors can view upcoming outreach events for SLMBE businesses and review past event information and presentations. Applications for the SLMBE program are also available for download from the web site.

The list below contains a glimpse of the external and internal outreach activities and events the SLMBE Office hosted, attended and participated in during FY 2009, to further our commitment to promoting WSSC's SLMBE Programs.

External Outreach Events:

- **July 9, 2008:** The SLMBE Office attended and exhibited at the 2008 4th Annual Small Business Capacity Building Expo, hosted by Prince George's County. The theme of the event was "Readiness for Success." The Conference was held at Camelot in Upper Marlboro, Maryland.
- **August 1, 2008:** The 2008 "ProBiz" Business Opportunity Conference, held at the Hilton Hotel in Silver Spring, Maryland. The SLMBE Office attended and sponsored this event and was accompanied by members of WSSC's Acquisition Office, Communications and Community Relations Office, Fair Practice Office, the Interim General Manager and the Commission Chair.
- **September 18, 2008:** The Prince George's County Economic Development Corporation/Small Business Initiative (SBI) Annual WSSC Procurement Day featured the SLMBE Office. Representatives from the WSSC Acquisition Office, Customer Care Team, and A/E and Construction gave presentations on "How To Do Business with the Commission." WSSC employees participated in matchmaking sessions with prospective vendors. This event was held at the SBI Headquarters in Largo, Maryland.
- **October 16, 2008:** WSSC's Fair Practice Office and Laboratory Services Group joined the SLMBE Office at the Minority Buzz/Another Approach Enterprises 1st Annual "Celebrating Minority Businesses" Dinner/Gala at the Newton White Mansion in Mitchellville, Maryland. Over 1,000 small and minority businesses attended to honor minority business advocates and businesses for their outstanding contributions to the surrounding community.
- **October 17, 2008:** The SLMBE Office attended the Prince George's County NAACP Chapter Annual "Freedom Fund Dinner," held at Martin's Crosswinds in Greenbelt, Maryland. This event was hosted by the Prince George's County NAACP Chapter to honor the County's outstanding leaders who provide service to their community. The SLMBE Office was accompanied by WSSC Commissioners and representatives from the Communications and Community Relations Office.



- **October 22, 2008:** The Baltimore/Washington Corridor of Commerce (BWCC) hosted their annual Government Procurement Fair in Greenbelt, Maryland. The SLMBE Office along with the Acquisition Office exhibited at this event to educate local vendors on procurement opportunities with WSSC.
- **October 31, 2008:** The SLMBE Office attended the 13th Annual Workforce and Economic Development Awards Breakfast. This event was hosted by the Montgomery County Department of Economic Development at the Marriott Hotel in Bethesda, Maryland. The event honored government agencies that contributed to the economic development and growth of Montgomery County.
- **November 6, 2008:** The Top 100 MBEs awards program, hosted by Maryland's former Secretary of Minority Business, Ms. Sharon Pinder. This event honored 100 of the areas Small, Minority and Women-owned businesses. The SLMBE Office attended.
- **November 13, 2008:** The Prince George's County Chamber of Commerce hosted their 2008 Showcase, "Your Passport to Business Success" Business and Procurement Fair at Camelot in Upper Marlboro, Maryland. This event was sponsored by WSSC and attended by the SLMBE Office, Communications and Community Relations Office, and the Customer Care Team.
- **November 20-21, 2008:** The SLMBE Office attended and exhibited at the MD/DC MSDC Annual Procurement Fair and Leadership Awards Gala. The Procurement Fair was held at Martin's Crosswinds in Greenbelt, Maryland and the Leadership Gala was held at the Gaylord Hotel, National Harbor Resort. Accompanying the SLMBE Office at the Leadership Gala were representatives from the Commission Office, Acquisition Office, the General Counsel's Office, Laboratory Services Group and a WSSC Commissioner.
- **December 15, 2008:** The Hispanic Chamber of Commerce/Montgomery County invited the SLMBE Office to exhibit at their Hispanic Chamber of Commerce Minority Legislative Breakfast. This event attracted Legislative representatives and elected officials. Attending this event along with the SLMBE Office was the Interim General Manager, Interim Deputy General Manager, and the Intergovernmental Relations Office.
- **March 6, 2009:** The Women Presidents' Educational Organization (WPEO) hosted their WPEO Annual Awards Breakfast at the Mandarin Oriental Hotel in New York



City. The SLMBE Office attended this event as a Corporate Sponsor, educating Women Business Owners about WSSC's SLMBE Program.

- **April 22, 2009:** The Office of Small and Disadvantaged Business Utilization (OSDBU) Conference 2009 was held at the Dulles Expo Center North Hall, Chantilly, Virginia. Over 200 government (State and Federal) and local businesses exhibited at this event, which attracted over 700 attendees. The SLMBE Office exhibited; representatives from WSSC's Acquisition Office attended this two-day event.
- **April 30, 2009:** The Interim General Manager, accompanied by the SLMBE Office's Director, participated on a panel for the Professional Women in Construction (PWC), held at the Grand Hyatt Washington in Washington, DC. The panel of like-minded government agencies presented and answered questions in regards to Stimulus Funded Opportunities and How To Do Business with their organizations. Representatives from the IT department also attended this event.
- **April 30, 2009:** The SLMBE Office attended a forum hosted by the People for Change and the Prince George's Business and Community Coalition. The event was held at the Bowie Public Library in Bowie, Maryland.
- **May 7, 2009:** The SLMBE Office attended the Hubert H. Humphrey Civil Rights Awards Dinner at the Hilton Washington Towers in Washington, DC.
- **May 7, 2009:** The Latino Economic Development Corporation (LEDC) hosted their Celebration Annual Gala Event at The World Bank in Washington, DC. The SLMBE Office attended this event along with representatives from the Laboratory Services Group, Information Technology Department and the MD/DC MSDC President as a guest.
- **May 8, 2009:** The SLMBE Office exhibited at the Maryland Washington Minority Contractor Association 9th Annual Spring Membership Breakfast. WSSC was a sponsor for this breakfast. Accompanying the SLMBE Office at this event were the WSSC Interim General Manager, Interim Deputy General Manager, Acquisition Office, Customer Care Team, and Logistics Office.
- **June 8-9, 2009:** The SLMBE Office attended and exhibited at the Airport Minority Advisory Council's 25th Annual Airport Business Diversity Conference in Baltimore, Maryland. This two-day Conference hosted Airport supplier diversity programs from all over the United States.



- **June 11, 2009:** The SLMBE Office along with the Acquisition Office attended the 8th Annual SMALLBIZ POC 2009 event held in Takoma Park, Maryland. This event was hosted by the Hispanic Chamber of Commerce of Montgomery (HCCMC) and Prince George's County Hispanic Chamber of Commerce (PGCHCC) and the National Small Business League. A presentation was given by the WSSC Interim General Manager about WSSC and possible contracting opportunities.
- **June 17, 2009:** WSSC's Leadership Staff and the SLMBE Office attended, exhibited and presented at the 2009 WSSC/DC WASA/WMATA Contract and Procurement Fair, hosted by Delegates Aisha Braveboy and Michael Vaughn of Prince George's County. WSSC provided a Question and Answer Panel that consisted of the Customer Care Team, Project Delivery Group, Human Resources, Logistics Office, Construction, and IT. This event took place at the Prince George's Community College-Student Center in Largo, Maryland.
- **June 23-24, 2009:** WSSC's Interim Deputy General Manager, IT Department, and the SLMBE Office sponsored, attended and participated in the 2009 MD/DC Minority Supplier Development Council (MSDC) Golf Tournament on June 23, 2009 at the Turf Valley Country Club in Ellicott City, Maryland. The SLMBE Office also exhibited and participated in the MSDC Procurement Fair and Conference held on June 24, 2009 at Martin's Crosswind in Greenbelt, Maryland.

SLMBE Hosted Outreach Events:

- **December 4, 2008 - June 29, 2009:** The SLMBE Office held monthly SymTrac™ training classes for both internal and external stakeholders. Each training class took place at the WSSC RGH Building located in Laurel, Maryland. This hands-on training walked each participant through a basic overview of the SymTrac™ system and provided troubleshooting solutions.
- **January 30, 2009:** The SLMBE Office in collaboration with the System Inspections Group and Acquisitions Office hosted a targeted event focused on Water Connection contracts valued at \$100,000 or less. Fifty plus SLMBE firms were in attendance.
- **February 3, 2009:** The SLMBE Office hosted the Bi-County Water Tunnel Project, Pre-Bid Conference and SLMBE Workshop. The event was held at the WSSC RGH Building in Laurel, Maryland. This event kicked off with the Interim Deputy



General Manager speaking on the importance of the Bi-County Water Tunnel Project and the vast contracting opportunities WSSC has to offer. The Acquisition Office, Project Managers and the SLMBE Office provided the over 100 attendees an overview of the Scope of Work for the Project. The SLMBE Office provided a forum for small, local and minority businesses to network with the potential Prime Contractors interested in this Project. This forum not only allowed each SLMBE vendor an opportunity to speak with every potential Prime Contractor searching for partnerships, but also the opportunity to network with WSSC staff.

- **February 10, 2009:** In conjunction with the Acquisition Office and the Customer Care Team, the SLMBE Office hosted a Plumbing Workshop for SLBE and MBE firms in the Plumbing Industry. This workshop focused on two specific plumbing contracting opportunities. The Acquisition Office reviewed the Scope of Work and timeline with the attendees. The WSSC Customer Care Team was on hand to answer questions about the Scope of Work and the work required for each contract.
- **February 20, 2009:** The SLMBE Office hosted an Acquisition Vendor Day and its 1st Acquisition Workshop series: How to Bid Successfully. This event featured the Acquisition Office and the SLMBE Office. Towanda R. Livingston, Director of the SLMBE Office, set the tone by reinforcing WSSC's commitment to the SLMBE vendor community we serve. Bobbie Tolston, Acquisition Group Leader, took the 128 vendors step-by-step through the Bidding Document taking the time to answer any questions or concerns that the audience may have needed addressed. Evita Fields, Acquisition Consultant I, reviewed the bidding process as it applies to Construction and A/E projects. This event concluded with representatives from the Acquisition Office meeting one-on-one with each vendor interested in learning more about specific contracting opportunities.
- **February 27, 2009:** The SLMBE Office, in conjunction with the WSSC Project Delivery Group hosted an A/E Selection Process Workshop. This workshop provided the attendees a step-by-step walk through of the evaluation process and selection criteria for Phase 1 and Phase 2 of WSSC's A/E selection process. This event was held at the WSSC RGH Building in Laurel, Maryland.
- **March 2, 2009:** Due to inclement weather, the scheduled February 5, 2009 Vendor, Day featuring the Logistics Office was postponed to March 2, 2009. This Vendor Day provided an overview of the Logistics Office, identified forecasted contracting opportunities over the next 6 to 12 months from the Materials Services Groups, Security and Safety Services Office, Property Management Group and Fleet Services Group.



- **March 23, 2009:** The SLMBE Office in conjunction with the Customer Care Team hosted an Emergency Construction Contract Workshop at the RGH Building located in Laurel, Maryland. This event highlighted Emergency Construction Contracting opportunities, and Scope of Work requirements and regulations for these types of contracts. The SLMBE Office gave a presentation on the programs and assistance they provide to all vendors. The Customer Care Team gave an overview of the upcoming contracts that might require “on call” services. This was an open forum that allowed all participants to be engaged in the presentations.
- **March 25, 2009:** WSSC hosted its first Women Business Owners Expo at the RGH Building in Laurel, Maryland. This event was planned to coincide with Women’s History Month (March). The SLMBE Office, along with representatives from each contracting area within the Commission and external like-minded organizations set up exhibit tables for the WBE firms to meet WSSC staff, learn about contracting opportunities and network with other WBE firms. The event was kicked off by WSSC’s Commissioner Chair. Welcome and greetings were delivered by WSSC’s Interim General Manager. Delegate Aisha Braveboy, 25th District Prince George’s County, spoke on contracting opportunities in Prince George’s County. A message of greetings was presented by Ms. Sharon Jackson from the Maryland Governors Office of Minority Affairs, and the Director of the SLMBE Office delivered an inspiring message to the 110 women business owners in attendance, “Are You Shovel Ready?” The keynote speaker for this event was Ms. Sharon Pinder of the Pinder Group, and the former Secretary of Minority Business for the State of Maryland. Ms. Pinder delivered the message, “How to Survive this Man-Made Economic Mess.”
- **March 30, 2009:** The SLMBE Office hosted a Vendor Day featuring the Customer Care Team (CCT). The CCT gave a brief overview of their roles and responsibilities for the Commission. They presented contracting opportunities forecasted over the next 6 to 12 months, and keyed in on those projects that have subcontracting opportunities for minority vendors. The CCT panel opened the floor to answer questions for more than 75 attendees.
- **May 19, 2009:** The SLMBE Office hosted its first Certification Workshop. This event was held at the RGH Building located in Laurel, Maryland. This event featured MBE, DBE, WBE, SLBE Certification Agencies and their program criteria and certification process. Maryland Department of Transportation (MDOT), Women Presidents’ Educational Organization (WPEO/WBENC), Maryland/District of



Columbia Minority Supplier Diversity Council (MD/DC MSDC), Washington Metropolitan Area Transit Authority Disadvantaged Business Enterprise (WMATA-DBE), and Prince George's Minority Business Development Division (PGMBDD). These agencies presented information about their certification process, qualifications, and benefits for becoming certified. The SLMBE Office's, Program Specialist presented information on becoming an approved SLBE with the Commission.

- **May 29, 2009:** The SLMBE Office hosted a Vendor Day featuring the Information Technology (IT) Team. WSSC's Interim Chief Information Officer, presented information to the over 125 attendees seeking contracting opportunities by utilizing the SLMBE Office. A panel consisting of the IT Division Managers and a representative from the Acquisition Office was formed for this Vendor Day. Each IT Division Manager presented an overview of their group and any contracting opportunities forecast over the next 6 to 12 months. The panel responded to several questions both IT specific and on procurement processes matters. At the conclusion of the panel's question and answer session, vendors had the opportunity to speak with the IT Division Managers and other WSSC IT staff at the event and network. This event was held at the Holiday Inn—Laurel West, Laurel, Maryland.
- **June 29, 2009:** The SLMBE Office hosted a Vendor Day featuring the A/E and Construction Team. The Team gave a brief overview of their roles and responsibilities for the Commission. They presented contracting opportunities forecasted over the next 6 to 12 months, and went over tips for vendor success. This Vendor Day also included an A/E Selection Process Criteria Workshop. The 80 attendees had the opportunity to participate in a workshop that focused on the Phase 1 and Phase 2 A/E Selection Process Criteria and key items that could make them more successful. The workshop was given by a WSSC Project Manager and Principal Civil Engineer.





The Road Ahead

Dear Community and Business Partners:

The Commission and its Staff are extremely proud of the positive enhancements that have occurred over the past fiscal year, resulting in more opportunities for small, local and minority business enterprise firms in the community we serve. However, our intentions are not to rest on our laurels. Instead, we recognize that much work remains to be done in order for the SLMBE Program to move from being a “*Program*” to becoming “*just the way we do business*” and creating a contracting environment that will afford SLMBE firms fair and equal opportunities to “get in, and stay in until we all WIN” (to win in this context refers to achieving our mission and vision while maintaining a thriving, local and self-sustaining economy)! Both the visibility of the SLMBE firms and the commitment to utilize these firms on Commission-funded contracts is being interwoven into the culture of the Commission; nevertheless, this has to be consistent and sustainable in our Acquisition processes.

The SLMBE Program is invaluable and continues to support economic development in the Commission’s local community; however, it will take the strategic efforts of the Commission and its stakeholders to sufficiently improve results moving into the next fiscal year. Some of the urgent and very important items, we will be focusing on in FY 2010 are as follows:

Urgent:

- Sustaining Leadership Commitment and Stakeholder “buy-in;”
- Conducting, analyzing, and adopting a new Disparity Study;
- Developing and implementing viable MBE and SLBE Program policies and/or interim MBE/SLBE Program policies that will support us while we move forward with our Disparity Study; and
 - Aligning business processes to support our policies
- Developing Legislation for our MBE Program for consideration in the 2012 Legislative Session.

Very Important:

- Fully integrate the SLMBE policies/processes into the Acquisition strategy and processes of the Commission;

The Road Ahead Continued:

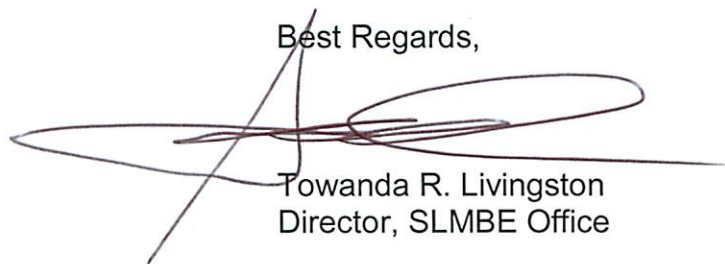


- Address the auto-pilot dependency on minimum mandatory MBE subcontracting requirements;
- Increase availability pool of both MBE and SLBE firms;
- Increase utilization of both MBE and SLBE firms to the maximum practicable;
- Improve compliance measures through education/awareness, developing and implementing the appropriate intervention strategies and enforcement (through accountability and performance checks); and, of course
- Maintain current, correct and complete records related to our contracting activities.

Moving forward, the SLMBE Program will remain a strategic objective of the Commission. Although we have many challenges facing our organization, we recognize that one of our critical priorities is to shape a Small, Local and Minority Business Enterprise Program that is prefaced by a quality Disparity Study and is legally sufficient while poised to address either active and/or passive discriminatory practices that our local MBE vendor community has faced over our 91- year history.

In summary, it is imperative that we work in conjunction with you to promote and enhance the availability of contracting opportunities for SLMBE firms with the Commission. Using best practice standards as a guide, the Commission can bring about significant improvements that will result in better costs, more jobs and economic development for Prince George's and Montgomery Counties. The Commission will continue to share its progress, processes, results, best practices, outcomes and successes, so that everyone can benefit from our Program.

Best Regards,

A handwritten signature in dark ink, appearing to be 'Towanda R. Livingston', written over a blue horizontal line. The signature is stylized and somewhat abstract.

Towanda R. Livingston
Director, SLMBE Office

Additional Supportive Information

“Diversity, just the way we do business!”

WSSC's Commissioners and General Manager's Office

Chair



Gene W. Counihan

Vice-Chair



Joyce Starks



Prem P. Agarwal



Honorable Adrienne A. Mandel



Dr. Roscoe M. Moore, Jr.



Antonio L. Jones



Jerry N. Johnson
General Manager



Teresa D. Daniell
Deputy General Manager



Towanda R. Livingston
Director, SLMBE Office



Washington Suburban Sanitary Commission

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Dr. Juanita D. Miller
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INTERIM
GENERAL MANAGER
Teresa D. Daniell

INTERIM DEPUTY
GENERAL MANAGER
Rudolph S. Chow

COMMITMENT TO SMALL, LOCAL AND MINORITY BUSINESS ENTERPRISE PROGRAM

The Washington Suburban Sanitary Commission ("WSSC") maintains strong and active relationships with highly qualified Small, Local and Minority Business Enterprise ("SLMBE") firms. The SLMBE Program not only helps our organization meet important business needs but promotes job creation and stimulates the local economy by increasing the contract opportunities for small and minority businesses located in Prince George's and Montgomery Counties, Maryland.

The SLMBE Program has created many win-win solutions for the Commission and our 1.8 million residents to whom we proudly provide water and sewer services. During the past decade, WSSC has awarded more than **\$400 million** dollars of business to SLMBE firms. We are determined to build on this record and to do even more.

The SLMBE Program is just good business. The success of WSSC is driven by an array of factors but most fundamentally includes our commitment to provide safe, cost effective and reliable water and wastewater services; anticipate the opportunities which lie ahead in this vital and essential industry; ensure the protection of our environment, and other areas critical to our business. We recognize that SLMBE firms help provide ideas and perspectives reflective of the diverse marketplace and community which we serve. In short, it is often the SLMBE firm that can and does help us better serve our community.

Our SLMBE Program was not developed as an isolated initiative. Rather, it is interwoven in our core strategies: developing people; caring for customers; communications and community relationships; infrastructure asset management, and environmental stewardship. As a result, we continue to reap the benefits of the innovation of SLMBE firms, as have our customers and other key stakeholders.

The SLMBE Program is an important area for reinforcing our leadership, not only in the water and wastewater industry but in the wider community. Our success depends on our ability to manage costs, as well as to provide safe and reliable service to our customers. We recognize that SLMBE firms play a key role in helping us achieve these essential goals.

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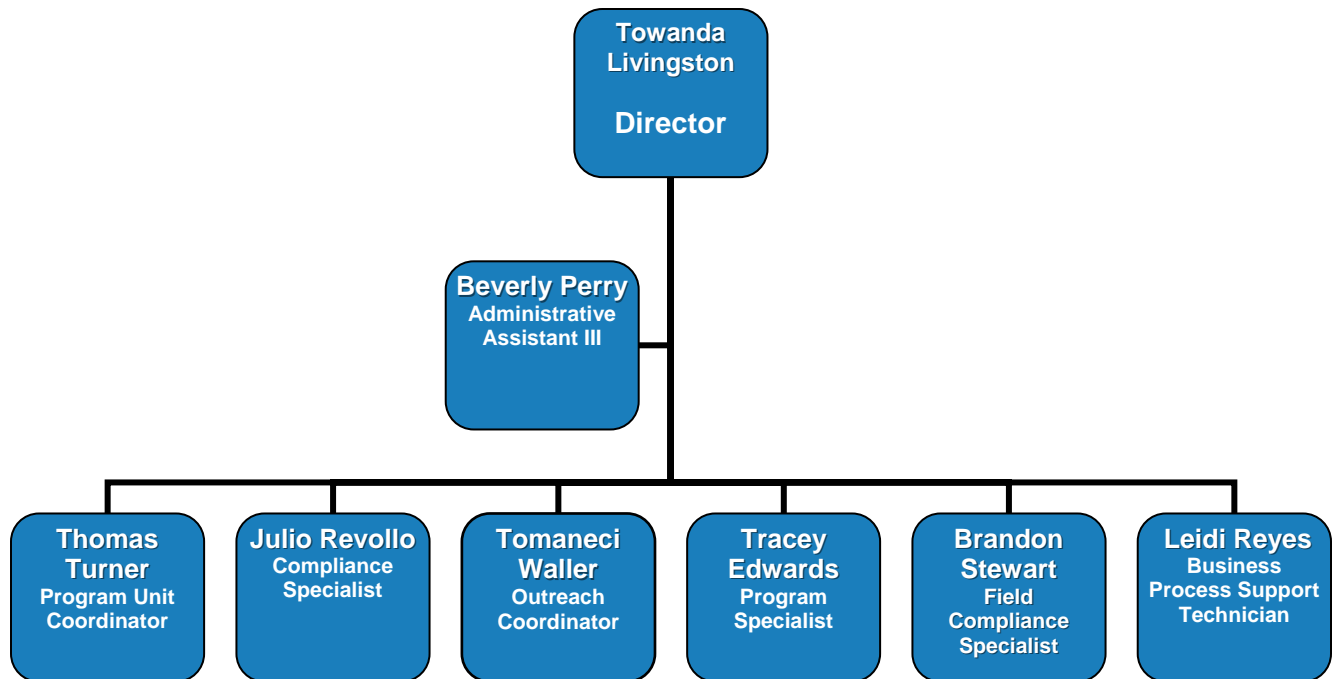
Adrienne A. Mandel
Chair

Handwritten signature of Teresa D. Daniell in black ink.

Teresa D. Daniell
Interim General Manager



SLMBE OFFICE ORGANIZATIONAL CHART



Director: responsible for the administration and oversight of the Small, Local and Minority Business Enterprise Program and Office.

Administrative Assistant: assists the Director with managing the SLMBE Office.

Program Unit Coordinator: responsible for ensuring the full coordination of the SLMBE Office's resources and alignment of practices and procedures with the Commission's contracting policies.

Compliance Specialist: responsible for tracking, monitoring and reporting compliance data.

Outreach Coordinator: responsible for the planning and managing of targeted outreach efforts and managing community partners relationships.

SLMBE Program Specialist: responsible for managing relationships with our SLMBE firms and the SLBE database, assisting with outreach to SLMBE firms and monitoring and auditing our SLBE Program certification process.

SLMBE Field Compliance Specialist: responsible for tracking and reporting subcontracting plan data and ensuring that SLMBE vendors are performing commercially useful work on WSSC-funded contracts.

SLMBE Business Process Support Technician: responsible for administrative and technical support of each program element within the SLMBE Office.

WSSC—SLMBE OFFICE'S DEFINITION OF TERMS

Acquisition Office – The Office that procures goods and professional services Commission-wide.

Affirmative Procurement Initiatives – Waivers, bid incentives, price preferences, sheltered market, mandatory subcontracting, competitive business development demonstration projects, and SLBE points in proposal evaluations.

Award of Contract – The decision of an owner/agent to accept the proposal of the lowest responsible bidder for the work, subject to the execution and the approval of a satisfactory contract and bond to secure the performance thereof, and to such other conditions as may be specified or otherwise required by law.

Bidder – A firm submitting a price or proposal in response to an Invitation for Bid (IFB) or Request for Proposal (RFP). Commission or WSSC shall mean the Washington Suburban Sanitary Commission.

Bid Incentives – Additional inducements or enhancements in the bidding process that are designed to increase the chances for the selection of SLBE firms in competition with other firms. These bid incentives may be applied to all solicitations, contracts, and letter agreements for architecture and engineering services, construction services, commodities, and services (professional and non-professional), including change orders and amendments.

Centralized Bidder Registration (“CBR”) - An automated web-based system wherein the Commission requires all prospective bidders that are ready, willing and able to provide goods and/or services to the Commission to register on-line. The CBR system assigns a unique user identification code (user ID) and password to each registrant that allows full access to bid opportunities listed on the CBR “Bid Opportunity” web page (Standard Procedure Number ACQ 07-01).

Compliance – The act of assuring that what is promised is what is paid. Also as it pertains to the SLMBE Office, compliance is the act of reviewing and reporting data to give an accurate picture of what the SLMBE Program is actually doing in the communities that we serve.

Consultant - An individual or organization engaged by the owner, the architect, or the engineer, to render professional consulting services complementing or supplementing the architect's or engineer's services.

Contract – The written agreement executed between an owner, a department or agency, and the successful bidder, covering the performance of the work and the furnishing of labor and materials by which the contractor is bound to perform the work and furnish the labor and materials, and by which the owner, department or agency is obligated to compensate him therefore at the mutually established and accepted rate or price.

Contracting Areas – Areas within the Commission that contract for goods and professional services: Architecture and Engineering (A/E), Construction, Goods and Services and Professional Services.

Contractor – The individual, firm or corporation undertaking the execution of the work under the terms of the contract and acting directly or through its agents or employees; a person or company who agrees to furnish materials and labor to do work for a certain price.

Contractor or Consultant shall mean any individual, company, firm, corporation, partnership, or other organization to whom contract award is made by the Commission.

Fiscal Year – WSSC’s Fiscal Year is July 1st through June 30th.

Goal – A non-mandatory percentage goal for SLBE contract participation is established each year for the Architecture and Engineering, Construction, Procurement and Professional Services areas by business category and by SLBE program components. A mandatory percentage goal for SLBE subcontract participation may be established on a contract-by-contract basis by the SLMBE Office for contracts in excess of \$25,000.

Graduation – The process by which a certified firm is deemed no longer eligible to participate in the SLBE Program due to the criteria set forth in this procedure.

“Good Faith” Efforts – Documentation of the bidders’ intent to comply with MBE Program goals, and evaluation of that intent from a review of, but not limited to, the following:

- Demonstration that the bidder timely advertised in general circulation, trade association, and minority-focused media concerning the subcontracting and/or joint venture opportunities;
- Assessment of the names and addresses of each MBE Subcontractor contacted and referred, and the actions taken with respect to contracting, and the results of the contracts;
- Identification of any actions taken by the bidder to subdivide the work in order to enhance the potential to subcontract with MBEs;
- Submission of a copy of information about the plans, specifications, and requirements of the contract provided to each interested MBE contacted;
- Evidence that the bidder did not reject interested MBEs as Subcontractors without sound reasons;
- Demonstration of efforts made by the bidder to assist interested MBEs in obtaining bonding or insurance required by the bidder;
- Demonstration of bidder’s efforts to use the services of available minority community organizations; minority business and contractor’s groups; local, state and federal MBE development organizations; and other organizations which provide assistance in the placement of MBE firms.

Industry Categories – Procurement groupings for the WSSC inclusive of Architecture and Engineering, Construction, Professional Services, and Goods and Services (commodity procurement--manufacturing, wholesale and retail, and non-professional services). Also referred to as Business Categories or Contracting Areas.

Information for Bidders (IFB) – Documents providing information and establishing procedures and conditions for the submission of bids, including information about Minority Business requirements.

Invitation, Invitation for Bids, or IFB –The Commission’s Invitation for Bids, which becomes a part of this Contract upon award by the Commission.

Joint Venture – A partnership between two or more firms established for a specific purpose with substantial control of the venture held by minority-owned firms. For competitively bid contracts, the minority-owned firm must have 51% control in order for the joint venture to be considered MBE-controlled. For Request for Proposals (RFPs), the minority-owned firm must have at least 40% control. A joint venture with the required substantial control by a local minority-owned firm is a local joint venture.

Local Business Enterprise (LBE) - A firm having a Principal Place of Business or a Significant Employee Presence in Prince George’s or Montgomery County, Maryland. This definition is subsumed within the definition of Small Local Business Enterprise.

Local MBE/Minority-Owned Firm – A firm with a place of business in Montgomery or Prince George’s Counties, or secondarily the greater Washington-Baltimore Metropolitan Area (SMSA), whichever is stipulated in the contract documents.

MBE – Minority Business Enterprise (MBE) – Any legal entity that is organized to engage in commercial transactions, which is at least fifty-one percent (51%) owned and controlled by one or more minority persons; and which has been certified as minority-owned by the Maryland Department of Transportation, Prince George’s County Government Minority Business Development Division, the District of Columbia Office of Small Local Business Development, or any governmental certification agency which substantially duplicates the requirements of the Maryland Department of Transportation.

MBE Directory – A compilation of minority businesses which is available from any of the approved certification organizations that can be used by contractors to identify Subcontractors, material suppliers, etc.

MBE Execution Certification – The certification as depicted on Form MBE-C verifying that an MBE agreement has been executed between the bidder and the MBE.

MBE Participation Plan – The plan as identified on Form MBE-A which describes how the Prime Contractor intends to comply with the minority participation requirements of the contract.

MBE Unavailability Certification – Proper completion of Form MBE-B which demonstrates a bidder’s unsuccessful efforts to meet the minority participation requirements of the contract.

MBE Utilization Report – A properly prepared Form MBE-D that reflects the percentage and dollar amount of Subcontractor utilization on the contract on a monthly basis.

Minority Business Enterprise (MBE) Officer – The person responsible for the oversight, tracking, monitoring, administration, and implementation of the MBE program, ensuring that compliance with contract participation is maintained, and overall program goals and objectives are met.

Minority Person – A minority person under this policy is defined as a member of one of the following groups: African American, Hispanic, Asian, female or the physically or mentally disabled.

Notice-to-Proceed – Written communication issued by the owner to the Contractor authorizing him to proceed with the work, and establishing the date of commencement of the work. This also applies to a notice from the Prime Contractor to a Subcontractor to proceed, although such notices are often oral.

Points – The quantitative assignment of value for a specific evaluation criteria in the selection process.

Prime Contractor – A firm that has been awarded a contract as a result of a bid or proposal.

Principal Place of Business – A location wherein a firm maintains a physical office and through which it obtains no less than fifty percent of its overall customers or sales dollars, or through which no less than 25% of its employees are located and domiciled either in Prince George's County or Montgomery County.

Procurement Card ("P-Card") – Credit card utilized by Commission employees to purchase items under five thousand dollars. These expenditures are not currently included in the MBE payment data.

Procurement Director – The Procurement Director of the Washington Suburban Sanitary Commission, having the authority to enter into, administer, and/or terminate contracts, as the agent of the General Manager of the Commission.

Program Directors – The persons responsible for the administration and oversight of the Minority Business Enterprise Program in their respective areas, i.e., the Directors of the Planning and Design, and Construction Bureaus; the Director of the Procurement Division; and designated Program Managers.

Request for Information (RFI) – A formal request from the Contractor for information, clarification, and/or explanation.

Request, Request for Proposals, or RFP – The Commission's Request for Proposals, which becomes a part of this Contract upon award by the Commission.

Responsible - A firm is capable in all respects to fully perform the contract requirements and has the integrity and reliability, which will assure good faith performance.

Responsive - A firm's bid or proposal conforms in all material respects to the IFB or RFP and shall include compliance with SLBE goals or good faith efforts.

Self-Certifying – Firms that have identified themselves as small, minority or disadvantaged. These firms have not received certification from any agency that considers financial and other business indicators.

Sheltered Market Program – An affirmative procurement initiative designed to set aside a portion of the WSSC procurements and contracts for bidding exclusively by SLBEs.

Significant Employee Presence – No less than 25% of a firm's total number of employees are domiciled in either Prince George's County and/or Montgomery County.

Small Business Enterprise (SBE) - A small business qualifying under the State of Maryland Small Business Preference as established in regulations adopted by the State of Maryland's Department of General Services under State Finance & Procurement Article § 14-203 or any successor provision. As of the effective date of this Standard Procedure, COMAR 21.11.01.04 defined a small business as:

Any for-profit enterprise that is not a broker as defined in COMAR 21.01.02.01B; that is independently owned and operated; that is not a subsidiary of another business; and that is not dominant in its field of operation; and

That satisfies the following size requirements:

- Wholesale operations of the business did not employ more than 50 persons, and the gross sales of the business did not exceed an average of \$2,000,000 in its most recently completed three (3) fiscal years;
- The retail operations of the Business did not employ more than 25 persons, and the gross sales of the Business did not exceed an average of \$2,000,000 in its most recently completed three (3) fiscal years.
- Manufacturing operations of the business did not employ more than 100 persons, and the gross sales of the business did not exceed an average of \$2,000,000 in its most recently completed 3 fiscal years;
- Service operations of the business did not employ more than 100 persons, and the gross sales of the business did not exceed an average of \$2,000,000 in its most recently completed 3 fiscal years; and
- Construction operations of the business did not employ more than 50 persons, and the gross sales of the business did not exceed an average of \$7,000,000 in its most recently completed three (3) fiscal years. If a business has not existed for three (3) years, the employment and gross sales limits described above shall be applied based upon the annual averages over the course of the existence of the business.

SLBE – Small Local Business Enterprise (SLBE) – An independently-owned and operated business, regardless of race, ethnicity or gender, with a net worth initially defined by the State of Maryland, located in Montgomery or Prince George's County or has 25% of its employees domiciled in one or both counties. The criteria for a small business qualifying under the State's small business preference program as established in regulations adopted by the Department of General Services (DGS) under 14-203 of the State finance and procurement article, but with specific criteria so that WSSC size standards would not change as the State's DGS.

SLBE Directory - A listing of small, local businesses that have been certified for participation in the SLBE Program.

Small, Local and Minority Business Enterprise ("SLMBE") Office Director - The WSSC employee responsible for the oversight, tracking, monitoring, administration, and implementation of the SLBE program, ensuring that compliance with contract participation requirements is maintained, and overall program goals and objectives are met. The Director has supervisory responsibility for the entire Small, Local and Minority Business Enterprise Office.

Small, Local and Minority Business Enterprise (SLMBE) Office – The office within the Commission that is primarily responsible for implementing and administering the Small Local Business Enterprise (SLBE) and Minority Business Enterprise (MBE) Programs.

Spend Dollars (Payments) – Dollars actually paid to Prime and/or Subcontractors and vendors for WSSC contracted goods and/or services.

Solicitation – The written or oral manner in which a procurement process is initiated. An invitation for Bids (IFB), Request for Proposals (RFP), or a telephonic request for Bids is each a form solicitation.

Subcontractor – Any vendor or contractor that is providing goods or services to a Prime Contractor in furtherance of the Prime Contractor’s performance under a contract or purchase order with the WSSC.

SymTrac™ - A web-enabled compliance tracking tool currently employed by the SLMBE Office and the WSSC to track SLMBE contract compliance.

Venture – A partnership between two or more firms established for a specific purpose with substantial control of the venture held by minority-owned firms. For competitively bid contracts, the minority-owned firm must have 51% control in order for the joint venture to be considered MBE-controlled. For Request For Proposals (RFPs), the minority-owned firm must have at least 40% control. A joint venture with the required substantial control by a local minority-owned firm is a local joint venture.

Voluntary – The contracting goal or method that does not require any pre-determined goal. The subcontracting goal is done willingly by the requested bidder.

Waiver – The WSSC at its discretion may waive or reduce the bonding, or insurance requirements depending on the type of contract and whether the Commission determines that the bonding and/or insurance requirements would deny the SLBE an opportunity to perform the contract which the SLBE has shown itself otherwise capable of performing.

WSSC or “The Commission” – Refers to the Washington Suburban Sanitary Commission.



**Washington Suburban
Sanitary Commission**



Diversity...just the way we do Business

**Minority and Small Local Businesses
Contact Our**

Small, Local and Minority Business Enterprise (SLMBE) Office

Developing Partnerships with Suppliers and Contractors

(301)-206-8800 • slmbe@wsscwater.com • www.wsscwater.com/business

Register in our Centralize Bidder Registration (CBR) Database to view all bid opportunities, download solicitations and receive e-mail notifications of bid opportunities in your field.

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It's FREE, Quick and Easy! REGISTER TODAY!