

**city of west
palm beach
disparity
study**

PRESENTATION OF FINDINGS

OCTOBER 29, 2018



PRESENTATION AGENDA

- Introduce study team
- Describe study methodology
- Present study findings
- Outline proposed recommendations



DISTINGUISHING QUALIFICATIONS

- Conducted 141 unchallenged disparity studies
- Constitutionally sound and court-tested methodology
- Proprietary statistical applications
- Federal court certified disparity study expert
- Multiethnic and multilingual staff
- Culturally sensitive community engagement standards
- Post study client relationships valued



CORE STAFF EXPERIENCE

Team Member	Education	Disparity Studies	Years at MTA	Quantitative Analysis	Qualitative Analysis	Legal Analysis	Program Design
Eleanor Mason Ramsey, PH.D Project Manager	U of California, Berkeley Hunter College	141	37	●	●	●	●
Don O'Bannon, JD Outside Legal Counsel	U of Virginia Law School Dartmouth College	26	8		●	●	●
Allura Scott, JD Legal Advisor	Howard U School of Law Cal State U, Dominguez Hills	88	16	●	●	●	●
Antonina Salina, MS Database Manager	St. Petersburg State Institute for Information Technology	29	7	●			●
Aminatu Yusuf, BS Assistant Project Manager	U of Utah, Salt Lake City Westminster College	29	7	●	●		●
Mike Leong, MS Lead Statistician	U of California, Berkeley	141	25		●		
Robert Ramsey, MS Statistician	U of California, Berkeley Cal State U, East Bay	42	7		●		
Nicholas Negoro, BS Senior Survey Manager	California State University, Chico	17	3	●			●
Heather Maslowski, JD Senior Research Associate	Santa Clara U School of Law Cal Polytechnic State U	16	3	●		●	●



WEST PALM BEACH

MUNICIPAL DISPARITY STUDIES

Largest Cities		
City of Arlington, Texas	City of Fort Worth, Texas	City of Pittsburgh, Pennsylvania
City of Boston, Massachusetts	City of Gresham, Oregon	City of Portland, Oregon
City of Bridgeport, Connecticut	City of Houston, Texas	City of Richmond, California
City of Cincinnati, Ohio	City of Indianapolis, Indiana	City of San Jose, California
City of Cleveland, Ohio	City of Jacksonville, Florida	City of Seattle, Washington
City of Columbus, Ohio	City of Kansas City, Missouri	City of St. Louis, Missouri
City of Dallas, Texas	City of Knoxville, Tennessee	City of Tampa, Florida
City of Davenport, Iowa	City of New Haven, Connecticut	City of West Palm Beach, Florida
City of Durham, North Carolina	City of New York, New York	City and County of San Francisco
City of Fort Wayne, Indiana	City of Oakland, California	

141 Disparity Studies

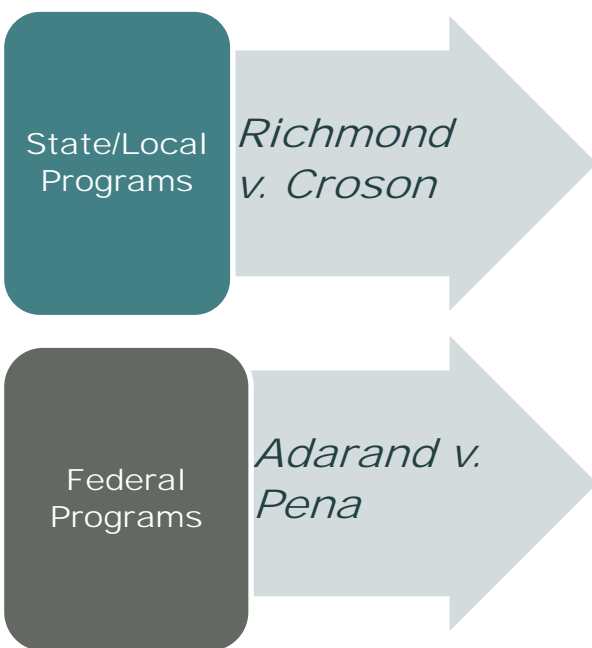


SUMMARY OF MASON TILLMAN'S DISPARITY STUDIES

Client Type	Studies Performed
Cities	29
Counties	22
States	19
Transportation Agencies	41
School Districts	15
Utility and Special Districts	15
TOTAL	141



U.S. SUPREME COURT STANDARDS



- Compelling interest
 - Evidence of systemic racial discrimination
- Narrowly tailored
 - Remedy documented discrimination
- Update periodically
 - Assess effectiveness of remedy



NARROWLY TAILORED REMEDY

- Disparity findings are ethnic- and gender- specific
- Race- and gender- goals limited to disparity findings
- Goals defined by availability
- Remedies applied to groups with disparity



STUDY METHODOLOGY

- Analyze prime and subcontracts awarded
- Determine market area location of primes contractors
- Identify market area businesses available to contract
- Determine if available businesses are being utilized
- Calculate any disparity in use of available MWBEs
- Narrowly tailored remedies to address disparity
 - Race specific
 - Race neutral



STUDY PARAMETERS

October 1, 2010 – September 30, 2014

Construction Services

Professional Services

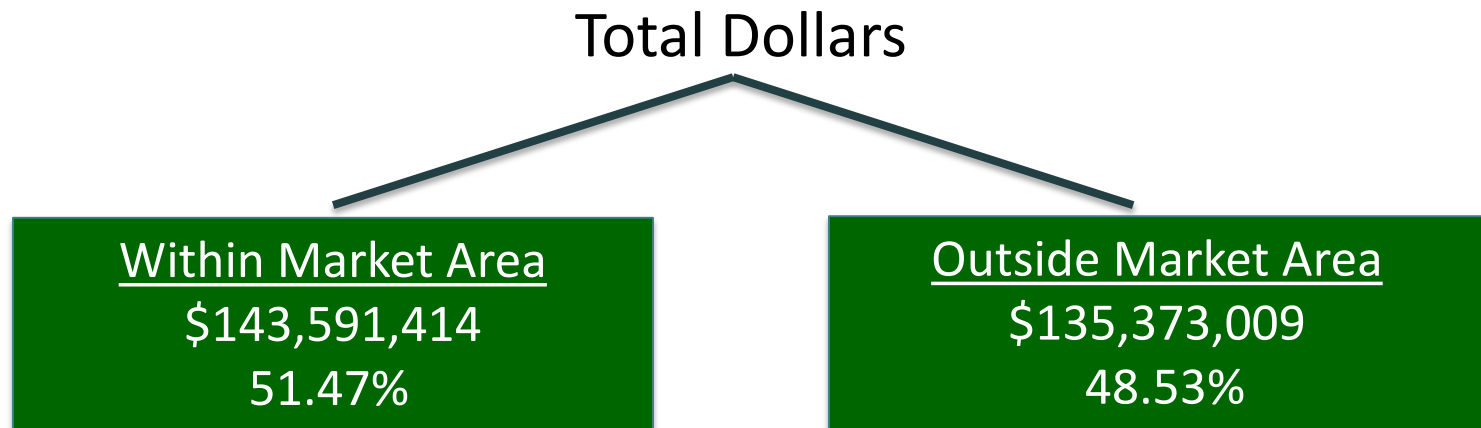
Goods and Services



WEST PALM BEACH

PRIME CONTRACT DOLLARS BY MARKET AREA

Market Area: Palm Beach County



ALL PRIME CONTRACT DOLLARS BY VENDOR

Total Contract Dollars		\$278,877,819
Total Utilized Vendors		1,281
Total Prime Contracts		5,081
Number of Vendors	Total Dollars Awarded	Percent of Dollars
28 Vendors Received	\$138,675,070	50%
46 Vendors Received	\$167,876,526	60%
73 Vendors Received	\$195,200,103	70%
1,208 Vendors Received	\$83,677,716	30%
1,281 Vendors Received	\$278,877,819	100%



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BUSINESS PROFILE IN MARKET AREA

Business Size by Employees	United States	State of Florida	Palm Beach County	City of West Palm Beach
Fewer Than 5 Employees	54.36%	61.84%	65.98%	57.32%
Fewer Than 10 Employees	72.74%	77.74%	80.60%	74.12%
Fewer Than 20 Employees	85.43%	88.19%	89.96%	84.74%
More Than 100 Employees	2.44%	2.03%	1.70%	3.67%
Minority-owned Business	28.94%	24.42%	26.20%	36.65%
Woman-owned Business	35.95%	21.85%	24.99%	27.35%

Source: US Census, Business Patterns and Business Survey 2017, 2012



ALL PRIME CONTRACT DOLLARS BY ETHNICITY AND GENDER

Ethnicity/ Gender	Percent Available	Expected Dollars	Dollars Awarded	Dollars Lost	Number of Contracts Awarded	Percent Dollars Awarded
African Americans	9.89%	\$27,577,799	\$4,267,680	-\$23,310,118	63	1.53%
Asian Americans	2.57%	\$7,161,676	\$1,399,990	-\$5,761,686	38	0.50%
Hispanic Americans	9.01%	\$25,119,313	\$6,724,101	-\$18,395,212	107	2.41%
Native Americans	0.23%	\$641,344	\$0	-\$641,344	0	0.00%
Caucasian Females	17.71%	\$49,383,500	\$10,610,694	-\$38,772,807	350	3.80%
TOTAL		\$109,883,632	\$23,002,465			
Non-minority Males	60.60%	\$168,994,186	\$255,875,354	\$86,881,167	4,523	91.75%



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FORMAL PRIME CONTRACT DISPARITY



CONSTRUCTION PRIME DISPARITY: \$500,000 AND UNDER

Ethnicity/ Gender	Percent Available	Percent of Contract Dollars Awarded \$500,000 and Under	Disparity Finding
African Americans	12.57%	10.32%	Yes
Asian Americans	1.42%	0.22%	Yes
Hispanic Americans	12.39%	12.86%	No
Native Americans	0.53%	0.00%	No
Caucasian Females	12.21%	6.74%	Underutilized
Non-minority Males	60.88%	69.86%	---

--- denotes overutilization



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PROFESSIONAL SERVICES PRIME DISPARITY: \$350,000 AND UNDER

Ethnicity/ Gender	Percent Available	Percent of Contract Dollars Awarded \$350,000 and Under	Disparity Finding
African Americans	12.77%	0.95%	Yes
Asian Americans	5.18%	5.54%	No
Hispanic Americans	11.16%	6.07%	Yes
Native Americans	0.23%	0.00%	No
Caucasian Females	20.60%	8.49%	Underutilized
Non-minority Males	50.06%	78.96%	---

--- denotes overutilization



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GOODS AND SERVICES PRIME DISPARITY: \$225,000 AND UNDER

Ethnicity/ Gender	Percent Available	Percent of Contract Dollars Awarded \$225,000 and Under	Disparity Finding
African Americans	7.23%	0.46%	Yes
Asian Americans	1.68%	0.13%	Yes
Hispanic Americans	7.23%	1.17%	Yes
Native Americans	0.07%	0.00%	No
Caucasian Females	18.76%	3.58%	Underutilized
Non-minority Males	65.04%	94.66%	---

--- denotes overutilization



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INFORMAL PRIME CONTRACT DISPARITY



CONSTRUCTION PRIME DISPARITY: \$100,000 AND UNDER

Ethnicity/ Gender	Percent Available	Percent of Contract Dollars Awarded \$100,000 and Under	Disparity Finding
African Americans	12.57%	15.08%	No
Asian Americans	1.42%	0.67%	Yes
Hispanic Americans	12.39%	7.84%	Yes
Native Americans	0.53%	0.00%	No
Caucasian Females	12.21%	11.08%	Underutilized
Non-minority Males	60.88%	65.33%	---

--- denotes overutilization



WEST PALM BEACH

PROFESSIONAL SERVICES PRIME DISPARITY: \$50,000 AND UNDER

Ethnicity/ Gender	Percent Available	Percent of Contract Dollars Awarded \$50,000 and Under	Disparity Finding
African Americans	12.77%	2.99%	Yes
Asian Americans	5.18%	4.32%	No
Hispanic Americans	11.16%	5.00%	Yes
Native Americans	0.23%	0.00%	No
Caucasian Females	20.60%	11.44%	Underutilized
Non-minority Males	50.06%	76.25%	---

--- denotes overutilization



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GOODS AND SERVICES PRIME DISPARITY: \$50,000 AND UNDER

Ethnicity/ Gender	Percent Available	Percent of Contract Dollars Awarded \$50,000 and Under	Disparity Finding
African Americans	7.23%	0.45%	Yes
Asian Americans	1.68%	0.25%	Yes
Hispanic Americans	7.23%	1.66%	Yes
Native Americans	0.07%	0.00%	No
Caucasian Females	18.76%	4.62%	Underutilized
Non-minority Males	65.04%	93.03%	---

--- denotes overutilization



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SUBCONTRACT DISPARITY



SUBCONTRACT DISPARITY: CONSTRUCTION

Ethnicity	Percent of Available Subcontractors	Percent of Subcontract Dollars Awarded	Disparity
African Americans	11.17%	0.31%	Yes
Asian Americans	1.12%	2.00%	No
Hispanic Americans	11.45%	1.86%	Yes
Native Americans	0.56%	0.00%	No
Caucasian Females	12.71%	3.56%	Underutilized
Non-Minority Males	62.99%	92.27%	---
TOTAL	100.00%	100.00%	

--- denotes overutilization



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SUBCONTRACT DISPARITY: PROFESSIONAL SERVICES

Ethnicity	Percent of Available Subcontractors	Percent of Subcontract Dollars Awarded	Disparity
African Americans	9.92%	0.22%	Yes
Asian Americans	2.55%	0.50%	No
Hispanic Americans	9.03%	11.04%	No
Native Americans	0.23%	0.00%	No
Caucasian Females	17.67%	14.64%	Underutilized
Non-minority Males	60.61%	73.60%	---
TOTAL	100%	100.00%	

--- denotes overutilization



RECOMMENDATIONS



RACE/GENDER CONSCIOUS RECOMMENDATIONS

- Adopt M/WBE program policy and implement procedures
- Establish prime contract remedies
 - Bid discount on construction prime contracts
 - Preference points for professional services prime contracts
 - Bid discount on goods and services prime contracts
- Set subcontract goals
 - Overall construction and professional services subcontract goals
 - Subcontract goal attainment required at bid opening
 - Quantify good faith effort waiver



PROCUREMENT MANAGEMENT RECOMMENDATIONS

- Create a subcontractor tracking system
- Monitor and track M/WBE participation
- Publish MWBE and SBE utilization reports quarterly
- Establish subcontractor prompt pay with penalties
- Review implementation of CCNA provisions
- Target small contracts to SBEs



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THANK
YOU

Merci!

¡Gracias!

Спасибо!

