

Minority Contractor Participation Equity Committee Report

Challenges and Paths Forward for Future Development

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Purpose and Desired Outcomes

To acknowledge challenges on past and current minority-owned business enterprise (MBE) inclusion efforts in the Portland metropolitan region and strengthen equity and inclusion opportunities moving forward in order to increase minority-owned contracting opportunities while building capacity.

Introduction

This report was compiled from Minority Contractor Participation Equity Committee (MCPEC) member experiences, public comments, Equity Community Group findings, Coalition of Communities of Color findings, industry outcomes, contractor anecdotal experiences, regional equity and inclusion projects, and performance reports.

Oregon has been slower than other states to dismantle racist practices, from exclusionary laws about who could settle in the state, to home-owner discrimination that continued through the 1980s, to current but more subtle forms of bias. Decades-long systemic discrimination in housing, education, the criminal justice system, and economic development opportunities have disadvantaged minority workers and business owners economically.

MBE inclusion requirements are in part a remedy to historical and systemic discrimination in the construction industry. Over the past ten years, many advances have been made in Oregon construction to increase MBE inclusion, but some challenges still present themselves.

The report takes six levels of the construction world—the industry at large, trade partners and first-tier subcontractors, unions, MBE firms and technical assistance programs, agencies and owners, and general contractors—and breaks down challenges in those areas while proposing paths forward for solutions.

This document is intended as a first step toward a more thorough examination of how to increase MBE contracting in the region. Beyond remedying historic inequities, MBE inclusion is a path forward for strengthening the local economy, paving a new future for the construction industry, and building capacity in our communities.

Industry at Large

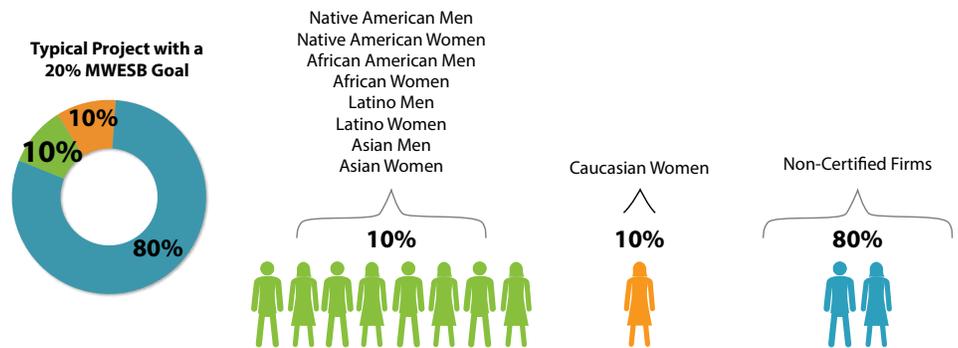
Challenges

The construction industry at large, including Oregon, has a history of bias against minority inclusion. While many practices have improved, overt discrimination still exists on the job and behind the desk. Contracts are often made within one's informal known network, which can lead to majority-owned firms contracting with other majority firms, or hiring women business enterprises (WBEs), emerging small businesses (ESBs), or service disabled veteran owned business (SDVs) firms (which are often white) to fulfill a Minority, Women and Emerging Small Business (MWESB) requirement.

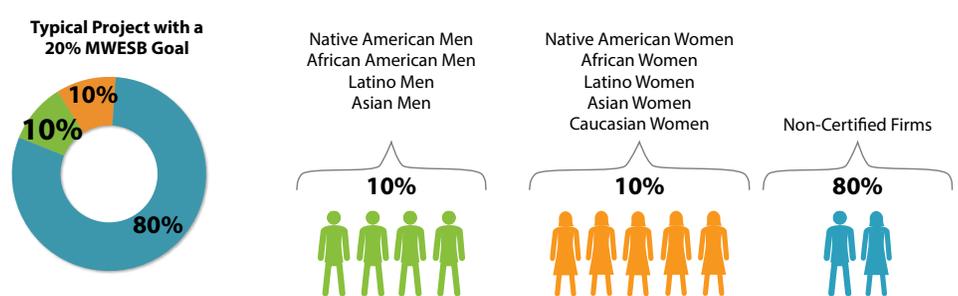
Oregon has a large Emerging Small Business (ESB) program, with more than 2,200 firms and growing everyday. Only 400 of those firms are MBE. This program, which is unique to Oregon, is seen by many industry partners as an opportunity to achieve "diversity" goals by working with smaller businesses (those often owned by white males) instead of MBE firms. Many ESB owners are experienced and well financed. They are often familiar with general contractors and trade partners, or are even former employees of larger firms. Sometimes, the owners lean on their wife, sisters, or daughters after they exhaust their ESB status to gain WBE status to maintain their certification. For these reasons, MBEs face the very similar general market conditions that they would with no certification program given that the competition is just as challenging. (For this reason, the ESB program is sometimes referred to as "Everybody Sept the Brothers" program.)

Some of these partnerships could be formed due to true bias and discrimination against minority firms (who may be thought of as less skilled and less qualified). But even unbiased and nondiscriminatory firms benefit from historical systemic inequity given that generational economic privilege allowed their companies to grow over time. Minority firms historically excluded from the same opportunities and experiences were unable to grow their businesses in the same way.

Current Goal Counting



Proposed Goal Counting



Majority-owned firms were able to continue building over decades while minority firms were stalled.

Outside of sociohistorical constraints, another industry-wide challenge is the way that MBEs are counted in MWESB requirements. In Oregon, MBEs comprise male African American, male Latino, male Asian, and male Native American contractors and female African American, female Latino, female Asian, and female Native American contractors. The predictable outcome of Oregon's certification program is that WBEs are primarily firms run by white women.

When it comes to contracting, male-owned MBEs and female-owned MBEs find themselves in competition for jobs and WBE participation goals are achieved through firms owned by white women. This leads to smaller gains for MBEs (male- and female-owned) overall (see diagram above).

Part of this issue is the current method for counting certified firms' participation and the Oregon certification process, both of which can lead to miscategorization. For example, a project with 80 percent majority participation, 15 percent WBE participation or a mixture of ESB and SDV, and 5 percent MBE participation could essentially have 95 percent majority participation in total.

Unfortunately, like many systems, there are loopholes in the certification process that people have exploited—for example, there are many documented instances of larger, majority-owned companies creating and certifying smaller WBEs or ESBs firms whom they then subcontract with and have other management involvement.

Paths Forward

Overall, more authentic, meaningful, and long-term connections need to be cultivated between industry partners and MBEs. For example, industry and labor partners can prioritize MBE contractor meetings, workforce training programs, advisory board and training programs, and/or support pre-apprenticeship training programs as a way to support future long-term outcomes.

Where possible, agencies in the same region should be encouraged to standardize MBE and WBE inclusion objectives and goals. Eventually, these goals should be incorporated into state-level legislation as a part of the MWSDVESB program rules (ORS 279C for public contracting) that would include state agencies, school districts, cities, counties, and other recipients of state and local funds.

Agencies should review their options for using Disadvantaged Business Enterprises (DBE) programs via the U.S. Department of Transportation's Section 49 Code of Federal Regulations, a program targeted to individuals with limited personal net worth. TriMet achieved 26 percent DBE participation on its Portland-Milwaukie Light Rail Transit Project with over \$100 million in DBE construction utilization.

In order to address the miscategorization of firms, agencies should establish uniformity of commercially useful function (CUF); engage in peer-to-peer venues to establish uniform standards; develop simple, objective metrics consistent across the industry; and consider using a third-party group to aggregate data. Interagency accountability standards can be created with community-based organizations (CBOs); trade groups such as OAME, NAMCO, and PBDG; and supported by organizations like the Business Diversity Institute (BDI) and Construction Apprenticeship & Workforce Solutions (CAWS) to raise social awareness among agencies.

In addition, agencies should independently conduct periodic on-site checks to verify the legitimacy of MWESB firms.

Trade Partners (Subcontractors) and First Tiers

Challenges

There appear to be fewer established relationships between trade partners and MBE firms when compared to their partnerships with WBE, ESB, and SDV firms.

There are many instances of trade partners not considering MBE firms for jobs unless specific requirements necessitate them. (Some agencies may face legal constraints when targeting MBE participation goals if they have not performed a disparity study.) If race or ethnicity goals are not required, trade partners can meet MWESB goals largely by subcontracting with majority-owned W/ESB and SDV firms with whom they have long-term relationships. Other trade partners see hiring MBE firms as training their competition or as taking a risk as they are unknown firms. These troubling reservations exist union-to-union and nonunion-to-nonunion.

Some MBEs have reported double standards when it comes to evaluation from trade partners. A trade partner may pass on a small MBE by assessing that their capacity isn't strong enough for a project and that they "aren't up for the challenge." Meanwhile, white-owned businesses of smaller size and capacity are then given the benefit of the doubt.

As mentioned earlier, there have been instances when trade partners sometimes created their own W/ESB affiliates to subcontract with rather than work with existing MWESBs. In these instances, majority trade partners often exercise some kind of control over these firms, such as financial ties, investment, or management committees. The W/ESB partners are often required to subcontract part of the work back to the majority firm and/or utilize their employees. MCPEC members have seen such instances on almost every large project taking place in the Portland Metro area.

That said, there are notable instances of trade partners who contract with MBE firms, whether requirements are in place or not. That is, even without mandated requirements specific to MBE utilization, these firms contract, train, and partner with MBEs. One local trade partner involved in a multimillion dollar public project is currently training two MBEs (one of which is owned by a woman) and worked with them over a year before the project began to establish work schedules, fees, and production rates. The initial support and mentorship has been invaluable to these firms and, notably, will make them even better partners on future projects.

Paths Forward

Trade partners should make an effort to subcontract with the existing bench of MBE firms, instead of creating their own subcontracting partners. Prime contractors should look for red flags indicating a firm is actually majority owned: For example, a known firm they have worked with for several years is now certified as WBE via a wife or daughter; an MWESB was created by or with a larger majority-owned firm; a firm with inextricable ties to other companies has their equipment and employees on the job site or a WBE that is not visible or participating on a project. In general, prime contractors should be more proactive in working with firms that are certified and legitimately owned, managed, and operated by MBEs and WBEs. Since Oregon's Certification Office for Business Inclusion and Diversity (COBID) is not on-site, the office is dependent on others to convey concerns.

Portland agencies should report these firms via existing vehicles (for example, the City of Portland Procurement Services online reporting system) and request a review for accountability and/or consequences. In 2015, the Oregon Department of Justice forfeited the certification of a local WBE masonry company when an investigation

determined that the company was simply subcontracting with the firm the WBE founder's white husband owned. In another instance, one firm owner was penalized and incarcerated for claiming to be a disabled veteran when they were not. On a national level, large majority firms who have created fraudulent DMWESB affiliate relationships have experienced prosecution, fines, and imprisonment. In April 2018, a Milwaukee, Wisconsin firm was indicted for operating construction companies with "straw owners" to obtain government-funded contracts meant for MWESB partnerships.

Trade partners should review the federal North American Industry Classification System (NAICS) or the National Institute of Government Purchasing (NIGP) codes as a part of their subcontractor selection process to verify that experience levels and qualifications have been met.

Trade partners should build relationships and mentorships with MBE firms—for example, participating in MBE programs, organizations, trade shows, and other activities—to dispel notions of competition or unfamiliarity and instead build partnerships and collaboration.

III. Unions

Challenges

In terms of overarching issues, historic instances of racism and bias in unions have alienated MBEs and discouraged them from joining and/or partnerships. Although unions have come a long way and some even excel at inclusion, these perceptions still exist.

In addition, perceptions of and challenges around the cost of participating in a union for potentially sporadic opportunities continue to discourage MBEs from partnerships with union trade partners. MBEs have expressed that they are encouraged by unions with diverse leadership, as it shows commitment to equity.

At a more technical level, union representatives who agree to a project labor agreement (PLA) or community benefits agreement (CBA) with a firm are often not the same union representatives who ultimately implement it. This disconnect, coupled with a lack of communication, can lead to failure in meeting aspirational equity goals.

Lastly, unions must navigate implementing a PLA or CBA while also ensuring compatibility (or clearly identifying specific exceptions) with their collective bargaining agreements, making sure they stay true to both.

Many of the above challenges are also germane to nonunion partners that provide similar services.

Paths Forward

Build relationships and engage with MBEs:

- One way that unions could make better strides around diversity and equity is engaging more with MBE firms directly. Union representatives can attend MBE meetings—such as those hosted by Oregon Association of Minority Entrepreneurs, National Association of Minority Contractors, Professional Business Development Group (PBDG), BESThq, local minority chambers, or Business Diversity Initiatives. In turn, union officials can invite MBE representatives to participate in trade conferences and trainings. By building up relationships—



networking, meeting face to face, and getting to know one another—trust is established for future opportunities. As an example, in 2016 the Pacific Northwest Regional Council of Carpenters invited and hosted local MBEs (both union and nonunion) to attend training at the Carpenters International Training Center in Las Vegas to see and experience the latest technology.

- Union relationships with diverse or equity-oriented organizations should be legitimate and reviewed for effectiveness—e.g., is this relationship dormant and stagnant or active and prolific? If the former, unions should re-evaluate and reach out to new people and/or make changes in their agreement. Partnerships in name only are not true partnerships; a direct and active relationship with MBEs or diverse organizations shows the strongest commitment to equity.
- Unions can establish programs and educate MBEs about the benefits of becoming a union contractor. Active and intentional outreach, equity in leadership, and programming will go a long way in making unions more approachable to MBEs. For example, unions could partner with MBEs (union or non-union) to branch out into trades with little MBE participation like plumbing, shoring, deep drilling, and dry wells.

Unions can work to make the union process easier and more transparent. For example, they can demystify what it means to become signatory. In addition, Oregon's Bureau of Labor and Industries plans to put together an online resource sharing fees associated with unions, (if there are any).

Improve processes and communication around PLAs and CBAs:

- Union representatives should have a thorough onboarding for anyone involved in PLA or CBA implementation, including the dispatcher. Onboarding should include the approach to the work, what is expected of everyone in the agreement, who will be on the job, what issues may occur, number of people, etc.
- Union representatives should also take greater responsibility for sharing workforce diversity reports from joint apprenticeship and training committees (JATCs) with a transparent and collaborative process for implementing PLAs or CBAs. One regional manager of a successful local union has a face-to-face conversation about what the agreement entails and ensures everyone is on the same page before going forward. The union leader is there when the agreement is signed, and then assigns a business agent to the contractor who visits the site and supports the contractor throughout the project. As a union leader put it, "Partnership is not a one-way street."
- Unions should use PLAs and CBAs to encourage stronger participation of equity partnerships, to hold contractors/leadership accountable, and communicate to trades how the PLA/CBA can impact future labor agreements.
- Small contractors taking on the load of systemic discrimination issues within the unions can be insurmountable hurdle, and unions should use their leverage to simplify many of the challenges that exist for those contractors.

Educate other parties about and advocate for MBE inclusion:

- Unions should establish performance measures for business managers and others on how to disaggregate and measure MWESB participation and recruitment goals.
- Unions should educate trades and any project trade partners when a different agreement will be used on projects.
- Union reps can educate union trade partners on how and under what conditions they can contract with nonunion MBE firms.
- There can be stronger union representation with regard to the contractor and trade partner subcontracting community.

- Unions can educate contractors on the value and benefits of diversity and equity. Just one example of the many tools and resources available is a 90-minute presentation the carpenters union shares for foremen, superintendents, business owners, and workers demonstrating the importance of equity and the role it plays in retaining apprentices and creating a healthy job environment. This is an example of applying “best practices” in the workplace. The short film *Sista in the Brotherhood* and play *My Walk Has Never Been Average* are other examples of media exploring these concepts.
- Unions should work to mitigate challenging issues between opportunities and trade partners and not sweep them under the rug so things appear successful.

MBE Firms and Technical Assistance Partners

IV.

Challenges

Due to issues of cash flow and barriers to insurance and/or bonding, many MBE firms are unable or reluctant to take on risks in the bidding process. In addition, MBE firms receive a plethora of untargeted and often unserious invitations to bid from contractors attempting a “good faith” effort by reaching out to MBEs (but rarely following through).

Costs for insurance, lending (if lending is even available), estimating, working capital, material costs, manpower and personnel, and actual cash flow mean MBEs often have higher fees than other WESBs, which can make them appear less competitive. MBEs continue to be underrepresented in crucial industries like plumbing, elevator operations, building envelopes and façade, masonry, shotcrete, rebar, and specialty roofing. Unfortunately, even in 2018, minorities find challenges and resistance when entering these fields—several contractors have reported more success when they intentionally send a non-minority representative to pre-bids or negotiation meetings.

Some small minority-owned firms are reluctant to pursue certification through Oregon’s Certification Office for Business Inclusion and Diversity (COBID) to become state certified due to perceptions of higher costs and complexities of working in the public sector, meaning less in-house training for potential MBE workers. Up-front requirements for certification—including but not limited to providing an operating business license, identifying ownership, providing updated taxes and payroll information—create large hurdles for small businesses who lack the time, resources, and capacity to fulfill the requirements.

In busy markets, these smaller minority-owned firms may not see the need to go through the certification process to work in the public sector, given that there is some piecemeal private-sector work that does not have the same constraints or requirements that public-sector work does. That said, these MBEs later report that overall, opportunities in the private sector are few and far between, given overt or entrenched systemic racism and lack of equity requirements. Currently, the public sector provides more sustainable work and growth opportunities for these businesses given their equity requirements.

Lastly, the pool of certified MBE subcontractors is shrinking as the older generation of MBEs retires and the younger generation realizes the barriers to participation. The very challenges outlined in this report deter younger minorities from pursuing careers in construction.



Paths Forward

Resources need to be allocated for more training and education for MBEs, including capital that can allow them to “make the leap” and bid for their own prime contract opportunities, grow their own companies, and competitively bid for work, as opposed to coming after bigger trade partners. One way to do this is for larger users and prime project managers to negotiate with suppliers for project rates in order to reduce rates for MBEs. One concrete subcontractor reported paying twice the rate as the subcontractor across the street on the same project; a negotiated project rate made his firm more competitive.

Capacity issues of certified MBEs in the Pacific Northwest region need to be addressed in partnership with larger prime contractors, unions, and agencies to understand how to better support commerce exchange.

- Firms that are not yet certified but are legitimately certifiable should be encouraged and monitored in order to increase the pool.
- Technical assistance (TA) partners and mentorships should train and focus on areas that have gaps in scope.
- MBEs should identify estimating support that understands their business. For example, they can seek support to continue using a familiar TA firm, especially when practical, or if it can be supported by a grant or a budget line item within an estimate or overall project budget. Trade partners can also offer classes and training on the latest software and estimating templates.
- MBEs can continue to grow and expand their pool of prime contractors whom they’ve identified as successful partners.

Because many MBE owners begin as part of the construction workforce, many of the suggestions for growing equity on the jobsite and cultivating diverse workers will, in turn, positively impact MBEs:

- Support incubators that can educate and nurture current construction workforce to consider a future as business owners and lend in-house expertise and trainings.
- Minimize travel requirements for newer apprentices. Invest in and continue to create mentorships.
- Formalize a program for journey workers to access resources and mentorships to build their own companies and start their own firms
- Give MBE firms constructive feedback on their performance

Agencies



Challenges

Some public agencies’ commitments to equity goals are in language only, but there is no follow-through on implementing these policies. In other instances, equity goals are not held at every level, nor are they communicated clearly to partners, general contractors, prime contractors, sole-source suppliers, and others. Communication and dedication to equity are both necessary, especially since trade partners and sole-source suppliers often have an established familiarity and comfort level with their contracts and do not always achieve minimum equity requirements.

Currently, systems intended to enforce accountability for failure to meet goals and diversity plans are underutilized. Even though there are no legal requirements for agencies to enforce compliance, mechanisms of accountability are one of the few ways to help encourage meaningful change.

Given the financial challenges mentioned above for MBEs, agencies working with general contractors can consider construction manager–general contractor (CM/GC) or alternative bid methodologies such as value engineering and/or responsible bidder language instead of the standard low-bid method.

Some public agencies use sole-source supply agreements, which means they contract with one vendor for all of their needs. These agreements—and the vendors—often do not share the equity and inclusion requirements of the agency. They are sometimes reluctant and surprised that they are expected to achieve the agency's goals.

Paths Forward

Agencies can strengthen equity inclusion goals by collaborating and developing more specific and robust MBE goals that would allow for better equity inclusion; for example, MWESB equity goals being disaggregated early in the procurement phase, which the City of Portland building project is currently doing. Some agencies may need a disparity study completed to allow for specific disaggregation goals, but alternative options are possible (for example, agencies can set their own aspirational goals with a project CMGC or remove low-bid requirements). TriMet does not set specific goals, but they clearly communicate their expectations around equity, conveying to trade partners that diversity and equity are intrinsic to all of their projects. Although their stated aspirational equity goals and targets hover around 10 percent, their voluntary commitments are always above 20 percent. They recently awarded a \$70 million contract to a DBE contractor.

Agencies must enforce accountability, including agency controls and compliance management tools. More agencies should provide technical assistance and feedback and then report noncompliant firms who appear to be violating COBID's certification rules.

Leadership can actively contribute to equity goals by ensuring that their values are carried out from the top down. To use a private sector example, one healthcare CEO deeply valued diversity and equity. The CEO made it clear to the heads of construction that MBE inclusion was important and should be implemented in their project. Construction administration were initially reluctant to work with an MBE and not one of the companies they were accustomed to, but they soon realized that the MBE excelled when it came to quality, safety, and standards. Not only did they contract with the MBE for future projects, the MBE was referred to another private healthcare organization for a new job. The healthcare field became a specialty for the MBE firm.

Agencies should work with their project MWESB procurement and compliance staff and consultant firms to survey MWESB firms on their individual experience evaluations. These surveys, along with one-on-one interviews, can inform the procurement director's evaluation and future recommendations for prime contractors or trade partners.

Disparity studies, which are often expensive, are not the only way to evaluate programs; agencies can also allocate funds for in-depth studies on MBE utilization and capacity. Inclusive workforce studies are currently being conducted with substantial resources, and MBE utilization should be the next tier to study. Collection of data and reporting on MBE utilization must also be prioritized and funded. Agencies can also create surveys and work closely with their general contractors to identify more gaps in the subcontracting trades and workforce.

Agencies should research a large pool of general contractors and prime contractors and share findings among agency partners. Firms' past performances and actions should be tracked with trade partner requests-for-proposal (RFP) with specific evaluation and pre-qualification criteria, and only those who are committed to meeting goals and have track records of equitable support should be hired, retained, and/or provided references for future jobs. Agencies also may explore opportunities for legislative changes to strengthen systems for evaluating contractors based on past achievements of equity goals.

Having a MWESB coordinator or diverse procurement manager at the interview stage is an important step of the process. Their presence sets a tone from a project's outset that equity goals are intrinsic to the project, reinforces

a commitment to diversity, and can help ensure that MBEs are included in diversity counts, not just WBEs and ESBs, which has traditionally been the case.

Agencies should set up RFP solicitations to encourage strategic partnerships between prime contractors, general contractors, and MBE contractors to build strategic partnerships to build capacity within an industry sector. This will help contractors not only meet equity goals but promote those relationships at the general contractor level. The recently completed Portland Community College Bond program had several joint-venture projects where large companies partnered with smaller MBE companies. As a result, those smaller MBE firms are now some of the strongest MBEs participating in the industry. One firm moved from \$5 million per year to \$10 million per year in gross receipts. Of the four PCC campuses, three still regularly work or consult with these partner firms on major growth decisions.

Agencies should consider local-first incentives to increase partnerships with in-state (or even in-county) subcontractors over larger, non-local companies to boost local companies, workforce, and the economy.

Lastly, agencies and/or trade partners should consider making provisions for twice monthly prompt payments and strongly discourage payments beyond 30 days, which allows more reliable payments for MBEs and helps with cash flow.

VI. General Contractors

Challenges

General contractors are not always as familiar or up to date with MWESB industry changes, goal-counting methods, NAICS or NIGP code requirements, and capacity changes specific to MWESB firms as they are with other areas of construction.

General contractors sometimes accept MBE bids without noting the firm's qualifications. MBE firms' qualifications must match the project they are bidding for; codes are specific to the expertise of the trades, and not every MBE can work on every project.

In addition, general contractors do not always use all the resources available to them for project delivery methods like CM/GC, Design Build, and other alternative delivery methods, which can help achieve equity. Expectations around equity goals (policy goals, value, implementation, etc.) can sometimes get lost or miscommunicated between the owner and the project team.

Lastly, because general contractors often have long-term relationships with trade partners, they may be more accepting and forgiving of trade partners' lack of effort to achieve the MBE portion of the MWESB requirements.



Paths Forward

Improve MBE inclusion efforts on projects:

- Work with an MWESB and workforce coordinator on large projects to help create and administer diversity plans with strong measures for accountability and compliance with the project's MBE inclusion goals.
- Establish requirements for all trade partners, submit an MWESB plan, assess the plan if it does not meet the owner's commitment, send it back for further review, and establish corrective action.

- Expose any market-availability challenges (such as demand on hiring halls) and work through them with the owner.
- When identifying trade partners, be very clear about the owner's expectations for achieving MBE inclusion goals and how they will be held accountable if they are not met.
- Challenge the status quo of owners' sole-source supply agreements and offer ways to achieve equity within those agreements (especially because these projects do not necessarily come with equity objectives).
- Participate in contractor-onboarding training programs at the project sites to raise awareness on PLA, CBA, or subcontractor and workforce agreements.
- Award work based on NAICS and NIGP codes and work with the agency to provide CUF reviews to ensure the project meets requirements.
- Actively invite and include MBEs when implementing financial bonus incentives, which allows MBEs to build up cash flow for the next project.

Create lasting MBE strategic partnerships:

- Consider the size of MBE firms when offering opportunities so that smaller MBEs with less capacity can bid for appropriate projects and larger firms can bid for larger projects
- Encourage and grow MBEs to be trade partners, splitting the scope where possible. Examples include mechanical and duct work or electrical and low voltage. Allow MBEs at that level to participate in bonuses for schedule completion and safety.
- Create bid packages appealing to the MBE community and then leverage trade partners
- Encourage more partnerships by bestowing more points to teams of MBEs as trade partners
- Reinforce commitment to meeting broader equity goals beyond meeting numerical percentage goals. Become acquainted with firms, monitor their progress, follow their business development and future plans, offer guidance and mentorships, provide feedback on estimating or unsuccessful bids, and work on general partnership-building measures.
- Continue supporting minority-owned businesses. When a minority-owned firm "graduates" or outgrows the certification program—say, by earning over \$22.5 million annually—they can still experience equity challenges when landing contracts. Assuming these firms are providing stellar, dependable service, general contractors should continue to work with graduated minority-owned firms, whether or not they are certified MBE or "countable."

Provide general support:

- Assure all trade partners and all subcontractors that they will be treated fairly.
- Support inclusive opportunities and strongly encourage trade partner commitment, make achievement of those objectives a key factor in selection process, and show value for projected outcomes and not just relationships.
- Create and enforce a thorough and meaningful diversity plan to take burden off of agencies, who face red tape and hurdles to create and implement equity goals.

Conclusion

This report is built from conversation and collaboration from experts across the field. We hope it will be discussed by our partners in various sectors and will become part of a broader dialog to develop strategies and protocols to foster MBE growth and enhance MBE utilization.

Increasing MBE participation requires bold action and strong collaboration across sectors. This can be supported by owners, trade partners, unions, MBE firms, technical assistance partners, agencies, and general contractors alike. Although sectors have different challenges and responsibilities, overall everyone has a role to play. Just as there are challenges at every level, so too are there opportunities.

As our report has detailed, Oregon construction has room to grow when it comes to better MBE equity in construction. That said, there are countless examples of what the industry is doing right, across all levels. We hope to continue that momentum through collaboration, communication, and partnerships created today that will create change far into the future.

For follow-ups, presentations, or next steps, contact Faye Burch at fayemburch@gmail.com, or Kelly Haines at khaines@worksystems.org, or call 503-936-6908.

Resources

- Bates, Lisa K., Ann Curry-Stevens, and the Coalition of Communities of Color. **"The African American Community in Multnomah County: An Unsettling Profile."** Portland State University School of Social Work, Social Work Faculty Publications and Presentations. 2014. Available online: https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1135&context=socwork_fac
- BBC Research & Consulting. **"City of Portland Disparity Study."** City of Portland. June 22, 2011. Available online: <https://www.portlandoregon.gov/brfs/article/344746>
- Chorpenning, Matt, Ann Curry-Stevens, Greg Schrock, and Nathen Lamb. **"Economic Equity in Communities of Color: The Effectiveness of Minority Contracting Initiatives."** Center to Advance Racial Equity, Portland State University. February 15, 2015. Available online: http://www.centertoadvanceraciaequity.org/download/i/mark_dl/u/4012696615/4618606692/Final%20-%20Minority%20Contracting.pdf
- Cornerstone Communications.** *A Day of Acknowledgment. Initiatives of Change Film Archives.* 1999. Available online: <https://vimeo.com/196608877>
- Fairchild, Denise and Kalima Rose. **"Inclusive Procurement and Contracting: Building a Field of Policy and Practice."** PolicyLink. February 2018. Available online: http://www.policylink.org/sites/default/files/InclusiveProcurement_final-3-5-18.pdf
- GCR staff. **"U.S. Contractor Prosecuted for \$200m 'Straw Man' Fraud."** Global Construction Review. April 4, 2018. Available online: <http://www.globalconstructionreview.com/news/us-contractor-prosecuted-200m-straw-man-fraud/>
- Gibson, Karen J. **"Bleeding Albina: A History of Community Disinvestment, 1940–2000."** Transforming Anthropology, vol. 15. 2007. Available online: http://kingneighborhood.org/wp-content/uploads/2015/03/ BLEEDING-ALBINA_-A-HISTORY-OF-COMMUNITY-DISINVESTMENT-1940%E2%80%932000.pdf
- Hunte, Roberta (Producer), and Dawn Jones-Redstone (Director). *Sista in the Brotherhood.* Hearts + Sparks Production. 2015.
- Lane, Dee. **"Major Lenders Discourage Homeownership, Aid Decline of NE Portland: 1990 Blueprint for a Slum Series."** *The Oregonian.* Originally published September 10, 1990; reprinted August 24, 2014. Available online: http://www.oregonlive.com/portland/index.ssf/2014/08/major_lenders_discourage_homeo.html
- Lehner, Josh. **"Economic Disparities: Geographic, Racial, and Ethnic."** Oregon Office of Economic Analysis. April 24, 2018. Available online: <https://oregoneconomicanalysis.com/2018/04/24/economic-disparities-geographic-racial-and-ethnic/>
- McLagan, Elizabeth. **"A Peculiar Paradise: A History of Blacks in Oregon, 1788-1940."** Georgian Press, 1980.
- Samuels, Alana. **"The Racist History of Portland, the Whitest City in America."** *The Atlantic.* July 22, 2016. Available online: <https://www.theatlantic.com/business/archive/2016/07/racist-history-portland/492035/>

