

Final



**CITY OF ALBANY
MINORITY AND WOMEN OWNED BUSINESS
ENTERPRISE**

CONTRACT MONITORING ACTIVITIES REPORTING PERIOD: APRIL 2015- OCTOBER 2015

**City of Albany Minority and Women Owned Business Enterprise
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Executive Summary

This report is provided to the Albany City Council as a point of reference in regards to the activities of the MWBE office. MWBE outreach and certification efforts have increased now that the annual MWBE re-certification drive has begun.

We have met with a representative from each department and are now working together to accomplish the goals of the MWBE office. This report covers compliance monitoring on projects from October 2014 to April 2015. The compliance monitoring process has been made simpler through the creation of a database to store calculate and track project data. Recent changes to the MWBE program include a partnership with the City Clerk's office; where we have implemented the bid pre-award MWBE approval process. There are several major goals for the administration of the MWBE Program outlined in this report. Moving forward the MWBE bi-annual report will be kept as brief as possible. Keeping the report brief and uncomplicated is part of an on-going effort to provide the City Council with an accurate, detailed, on-time report for every reporting period. In between reporting periods the MWBE office will make accessible, monthly compliance numbers and MWBE activity reports on the City of Albany's MWBE webpage

I. INTRODUCTION

The Minority and Women Business Enterprise and Fair Housing Office is responsible for implementing the MWBE Program and Minority and Women Labor Utilization Plan Ordinance. [Adopted 6-18-1984; amended in its entirety 4-1-2002 by Ord. No. 13-22-02] The intent of this Ordinance is to provide minorities and women with the maximum opportunity to participate on City-let construction projects.

The goals for participation on these projects are:

- a minimum of 7.5% of the total dollar value of all construction projects should be awarded to City of Albany Certified Minority or Women-owned Business Enterprises
- and a minimum of 17.8% of the total work hours on construction projects should be performed by minorities and women.

The MWBE Program and Minority and Women-owned Labor Utilization Plan Ordinance established that the Office is also responsible for implementing the City's MWBE Certification Program. The Ordinance specifies that the Office is responsible for administering the program as follows:

- Identify minority and women-owned businesses capable of engaging successfully in a competitive bid process for the procurement of construction and construction-related projects
- Maintain a central directory of minority and women-owned firms
- Discontinue and disqualify contractors and subcontractors when violations of policy and performance agreements occur.

The report will also outline many of the accomplishments achieved and the established goals for the MWBE program. During the period from January to September 2014 the MWBE Coordinator position was vacant and the day to day duties were assumed by another employee.

II. MINORITY AND WOMEN BUSINESS OUREACH, CERTIFICATION, & COMMUNICATION

Although it has been several years since any major registration efforts have taken place in the MWBE Office we've begun the annual MWBE recertification process. This process involves reaching out to all MWBE firms that are already certified with the City of Albany. We will contact each of these firms and inform them of the requirements involved in becoming recertified with the City. Through this process we can look to eliminate confusion and miscommunication that may have arisen from MWBE firms changing names, contact information, location, and /or business type.

In the past, MWBE firms have expressed concerns about not knowing when bids are going to be advertised. In response to these concerns we are working to place major construction project information on the MWBE webpage. This will inform the general public of construction projects that require MWBE involvement. Also, this takes a step to further involve MWBE firms in the procurement process. The idea is that the MWBE firm can simply look on the website and see what projects are advertised. Once the MWBE firm becomes informed of upcoming projects they can then attend preconstruction meetings.

Procurement of construction services can be a key economic tool in providing job opportunities for individuals living in the City of Albany. During preconstruction hearings, our office stresses the importance of hiring minority and women from the same neighborhoods and communities that these construction projects are being performed in.

While monitoring compliance, the MWBE office tracks all contractor activity at two levels. The first, the Prime contractor level, is the firm that won the bid for the project and is responsible for all project activity, such as hiring laborers and subcontractors.

When looking to achieve the 17.8 percent labor goal, the prime contractor can use its already existing labor force and /or hire women and minorities in order to fulfill these

goals. When it comes to the 7.5 percent total cost the prime contractor needs to spend that amount with a woman or minority owned business.

We often find that Prime contractors have a good working relationship with other contractors that are eligible to become certified MWBE's with the City of Albany. Usually, these firms are certified with one or more New York State agencies making it easier to become a City Of Albany certified MWBE. This has allowed our Office to increase the number of firms listed in the directory and track the scope of work available to be completed by City Of Albany MWBE firms.

The second level, the subcontractor level, is where we monitor the MWBE firm activity. These firms have been hired on by the prime contractor to reach the 7.5 percent goal required by the City of Albany.

The City of Albany MWBE Directory currently lists almost 70 certified firms. These firms are categorized as follows:

- 40 of these firms are certified as Minority Business Enterprises
- 17 of these firms are certified as Women Business Enterprises
- 5 of these firms are dually certified as a Minority and Women Business Enterprise

Since October of 2014 seven new businesses have been added to the MWBE directory. We anticipate this growth to continue now that the MWBE office is working to become more transparent and more accessible to all City departments, entities, prime contractors, subcontractor contractors, and MWBE firms.

III. CITY OF ALBANY DEPARTMENTS AND THE ALBANY COMMUNITY DEVELOPMENT AGENCY (ACDA)

As the MWBE office continues to track the progress of entities and departments that fall within its jurisdiction, it also continually assesses the program to identify areas where

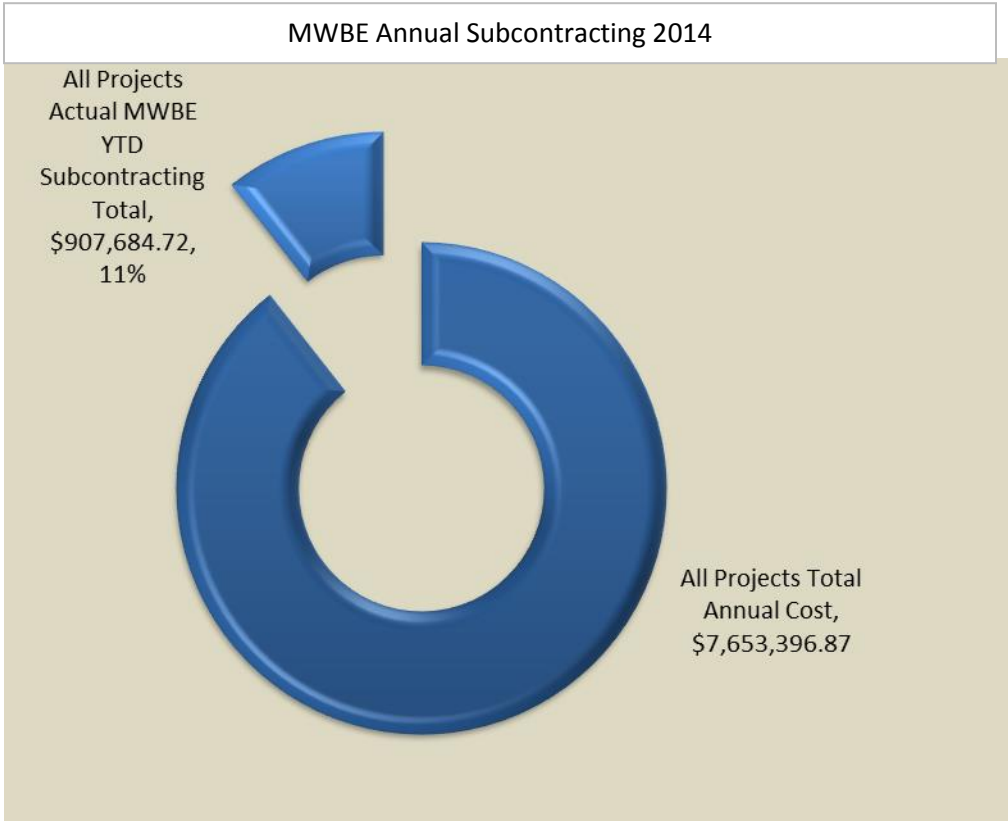
modifications can be made to improve the functions of the MWBE program. We are increasing efforts to share information between offices. We have identified key individuals within each department, office, and entity to work closely with us on achieving our compliance goals. We are working on strategies to make in the procurement process more streamlined and ensure compliance with the City of Albany Minority and Women Business Ordinance.

Albany Community Development Agency's (ACDA) goal is to provide suitable living environments and economic opportunities for persons of low and moderate income, The ACDA secures and administers community development funds to increase homeownership and property rehabilitation efforts. As the manager of Community Development Block Grant funds, ACDA also secures funding from the U.S. Department of Housing and Urban Development, the City of Albany, and the NYS Affordable Housing. As of March 2015 the City Of Albany's MWBE office will assist in providing compliance by reviewing MWBE preconstruction plans and providing a letter of approval or denial to the director of ACDA.

The MWBE office will continue to build off of the success of developing relationships with department representatives and engaging them in conversations regarding compliance monitoring.

IV. CONTRACT MONITORING

SUMMARY



DETAILS

The following pages provide a detailed look at the projects within the reporting period

Major goals accomplished in the past 7 months

- ✓ Created MWBE webpage on City website
- ✓ All MWBE forms created and made available on the new MWBE web page.
- ✓ Created a database that allows us to track, organize, and store information from all public works projects
- ✓ Re-instituted the MWBE pre-bid approval process by working closely with City Clerk's office to review the pre award utilization plans then approving or denying the proposal.
- ✓ Worked with Audit, Purchasing, and Treasures Office to create a chain of custody for contracts to ensure at no point in the voucher payment process are payments approved without MWBE stamp of approval.

Current Goals for the M/WBE Program

1. Use of MWBE website to provide updated information to the public regarding upcoming projects, bid information and a searchable directory of certified MWBE's
2. Over the next 6 months the office will be working closely with the corporation counsel to strengthen the MWBE Good Faith Efforts. These guidelines will help identify non-compliant contractors.
3. Work to get prime contractors registered with the City Of Albany. This process would be based in similar criteria to the MWBE certification process.

CONCLUSION

This reporting period does not represent the construction season at full capacity. Many construction projects were finished in September and October of 2014. Usually there are only a handful of projects that start in between October and April. The fall report will give a better depiction of the work that is done during the main construction season (April -October). We are certain the fall report will highlight all the compliance measures that the MWBE office has taken to reach the goals that are outlined in the City code.