



**CITY OF ALBANY  
MINORITY AND WOMEN  
OWNED BUSINESS  
ENTERPRISE (M/WBE)  
PROGRAM**

**CONTRACT MONITORING ACTIVITIES**  
REPORTING PERIOD: OCTOBER 2016 - APRIL 2017

**City of Albany Minority and Women Owned Business Enterprise  
24 Eagle Street Room 301, Albany, New York 12207  
(518) 445-0620**

## **Executive Summary**

This report is provided to the Albany Common Council as a point of reference in regards to the activities of the MWBE office. This report covers compliance monitoring on projects from October 2016 to April 2017. In addition to the compliance monitoring activities listed in this report, the MWBE Office has several goals for 2017. These goals include developing a program that would allow MWBEs to proactively reach out to potential prime contractors and expanding the MWBE list to businesses outside of its current construction-related focus, adding a “Professional Services” category.

It must be noted that this report covers construction project activity during the off-season for construction projects. The wide majority of construction work occurs between April and October each year. The October 2017 Biannual Report will provide a more complete picture of MWBE compliance monitoring activities across all of the City of Albany’s construction projects. During the period of October 2016 to April 2017, City let construction project utilized 29.54% in labor participation and 73.02% in cost, exceeding the 17.8% labor goals and 7.5% subcontracting goals. Stilsing Electric, LLC, a certified WBE with the City of Albany, was awarded the prime contract on the Traffic Signal Improvements project, boosting cost compliance.

## **I. INTRODUCTION**

The Minority and Women Business Enterprise 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 the maximum opportunity to participate in City Of Albany 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 goals and accomplishments for the MWBE program. Beginning March 2017, the MWBE Coordinator position has been vacant and the day to day duties have been assumed by another employee of Administrative Services.

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

The City of Albany's MWBE Office maintains the list of certified MWBE businesses. The first step in this process is to accept MWBE applications from local businesses who seek to become certified. The MWBE Office reviews applications, and if the materials are sufficient, the business is added to the MWBE list.

Recently, the MWBE Office has taken a proactive role in encouraging small business-ownership among women and in minority communities. The MWBE Office has mentored perspective business owners and assisted them in opening their own businesses.

Each year, the MWBE Office re-certifies all of the businesses on the MWBE List. This process involves reaching out to all MWBE firms that are already certified with the City of Albany. The MWBE Office will contact each of these firms and inform them of the requirements involved in becoming recertified with the City. Through this process the MWBE Office can look to eliminate confusion and miscommunication that may have arisen from MWBE firms changing names, contact information, address, and /or business type.

In the past, MWBE firms have expressed concerns about knowing when bids are going to be advertised. In response to these concerns, the MWBE office is working to place major construction project information on the City of Albany's MWBE website. 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 goal is that any MWBE firm can simply look on the website and see what projects are going to be advertised.

The MWBE is also working on developing a procedure to inform MWBEs on the list of the potential prime contractors who have previously bid on City of Albany projects.

Hopefully, this will allow MWBEs to develop professional working relationships with prime contractors, allowing MWBEs to expand their businesses and grow.

Before any contracts are awarded, bidders on City-let construction projects are required to submit MWBE Utilization Plans as a part of their bid packages. The Utilization Plans provide a detailed description of how the potential prime contractor specifically plans on meeting the 17.8% labor utilization goals and the 7.5% goals for subcontracting. The bidders are required to list specific MWBE businesses they intend to use on the project. A bid is not considered complete without these Utilization Plans.

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 % 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 % cost goal, the prime contractor needs to subcontract that amount to a certified MWBE.

The MWBE Office often finds that prime contractors have a good working relationship with other contractors that are eligible to become certified MWBEs 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 the office monitors MWBE firm activity. These firms have been hired on by the prime contractor to reach the 7.5% cost goal required by the City of Albany.

Since March of 2017 several new construction businesses have applied to be added to the MWBE List. As these applications are approved, the MWBE List on the City of Albany's website will be updated. The MWBE Office anticipates this growth to continue now that the MWBE office is working to become 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)**

**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.

The City of Albany's MWBE Office provides compliance for the Albany Community Development Agency's construction projects. The ACDA's construction projects are on a much smaller scale when compared to the City's general construction projects. ACDA projects allow newer and smaller MWBEs to find construction work, allowing them to expand and develop their businesses.

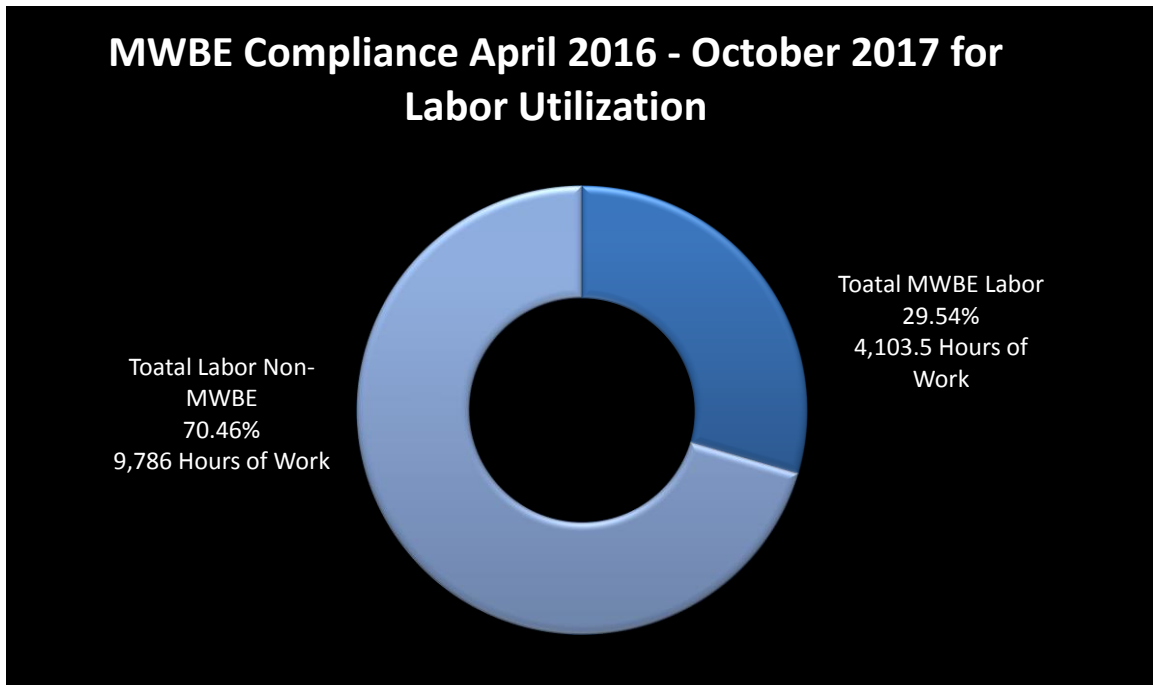
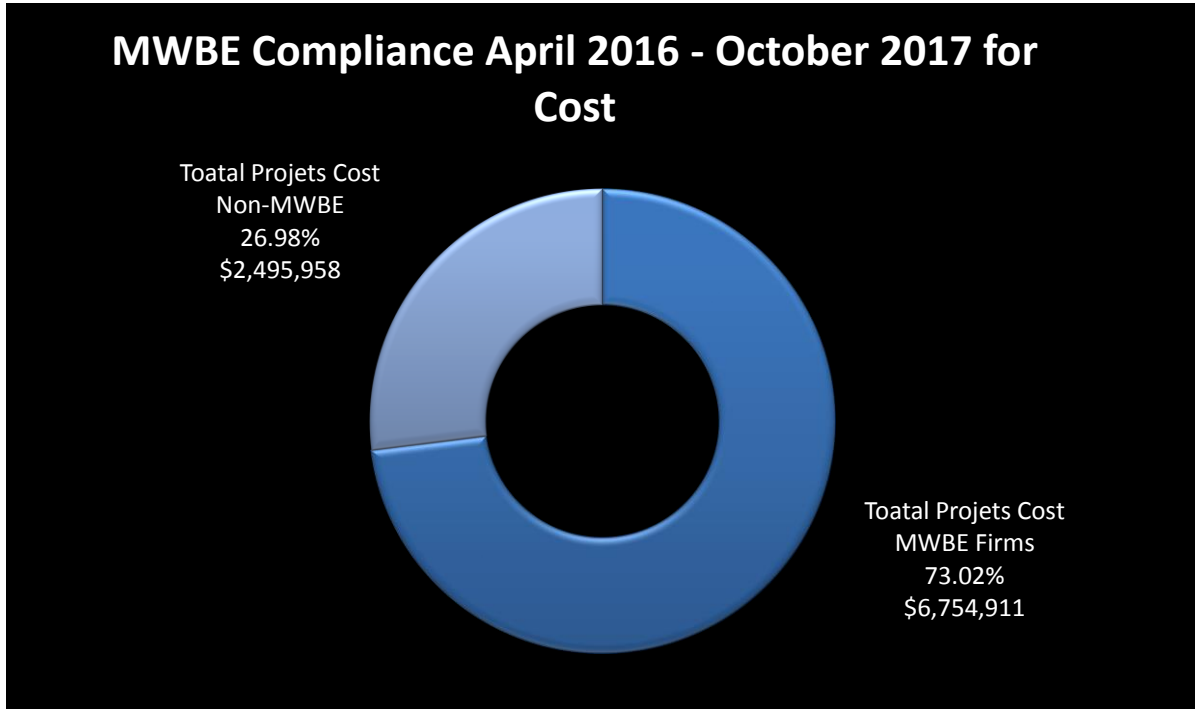
Over the last two years, the MWBE Office has worked diligently on developing a close relationship and open communication with the ACDA. The names and contact information of newly certified and up-and-coming MWBEs are forwarded to the ACDA's Rehabilitation Construction Director, who makes every effort to include those businesses on ACDA projects.

#### **IV. EXPANDING THE MWBE LIST**

As the MWBE Office has become more proactive in recent years, the office has received several inquiries from non-construction related businesses seeking to be added to the MWBE list. The MWBE Office will seek to expand the MWBE list in 2017, adding a “Professional Services” category. While the MWBE goals only apply to construction projects, the City of Albany’s MWBE list can be used for any individual or business seeking to employ a MWBE in the City of Albany. The “Professional Services” category will be added in 2017, and the MWBE Office will work on developing a plan to encourage opportunity for MWBEs beyond construction projects.



V. CONTRACT MONITORING



<b>Project Name:</b>	<b>Masonry Restoration</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February		
March		
April		
May		
June		
July		29
August		
September		39.00
October		
November	\$ 58,900.00	103.5
December	\$ 70,400.00	
<b>Contractor:</b>	<b>PCC Contracting, Inc.</b>	
<b>Total Project Amount</b>	<b>\$353,845.00</b>	<b>1,137</b>
<b>Actual Totals</b>	\$129,300.00	171.50
<b>Compliance Percentages</b>	36.54%	15.09%

<b>Project Name:</b>	<b>New Scotland Ave. Force Main</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		397
February		
March		
April		
May		
June	\$ 3,245.00	
July		
August		
September		
October		
November	\$ 297.50	
December		
<b>Contractor:</b>	<b>JAT Construction</b>	
<b>Total Project Amount</b>	<b>\$340,465.17</b>	<b>1944</b>
<b>Actual Totals</b>	\$3,542.50	397.00
<b>Compliance Percentages</b>	1.04%	20.42%

<b>Project Name:</b>	<b>Sheridan Hollow Village</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February		120.75
March	\$ 151,057.64	164
April		226
May		191
June		165.75
July		
August		202.25
September		243.75
October		
November		
December		
<b>Contractor:</b>	<b>Housing Visions Construction</b>	
<b>Total Project Amount</b>	<b>\$408,587.00</b>	<b>1589.5</b>
<b>Actual Totals</b>	\$ 151,057.64	1313.50
<b>Compliance Percentages</b>	36.97%	82.64%

<b>Project Name:</b>	<b>Traffic Signal Improvements</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		<b>144</b>
January		
February		
March		
April		
May		
June	\$ 6,231,644.00	37.5
July		
August		
September		
October		7.5
November		23.5
December		13
<b>Contractor:</b>	<b>Stilsing Electric, Inc.</b>	
<b>Total Project Amount</b>	<b>\$6,231,644.00</b>	<b>1058.5</b>
<b>Actual Totals</b>	\$6,231,644.00	225.50
<b>Compliance Percentages</b>	100.00%	21.30%

<b>Project Name:</b>	<b>Madison Avenue Road Diet Phase One</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November	91609	28
December		
<b>Contractor:</b>	<b>Stilsing Electric, Inc.</b>	
<b>Total Project Amount</b>	<b>91,609</b>	<b>214</b>
<b>Actual Totals</b>	91609.00	28.00
<b>Compliance Percentages</b>	100.00%	13.08%

<b>Project Name:</b>	<b>City Hall Windows</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>	<b>135442</b>	<b>1442</b>
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
<b>Contractor:</b>	<b>VMJR</b>	
<b>Total Project Amount</b>	<b>\$1,388,819.00</b>	<b>6429</b>
<b>Actual Totals</b>	<b>\$135,442.00</b>	<b>1442.00</b>
<b>Compliance Percentages</b>	<b>9.75%</b>	<b>22.43%</b>

<b>Project Name:</b>	<b>164 Second Street (ACDA)</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February		
March	\$ 2,280.00	
April		40
May		
June		
July		
August		
September		
October		
November		
December		
<b>Contractor:</b>	<b>All Mighty General Contracting</b>	
<b>Total Project Amount</b>	<b>\$28,500.00</b>	<b>128</b>
<b>Actual Totals</b>	\$2,280.00	40.00
<b>Compliance Percentages</b>	8.00%	31.25%



<b>Project Name:</b>	<b>360 Orange Street (ACDA)</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February	\$ 1,500.00	90
March		117
April		
May		
June		
July		
August		
September		
October		
November		
December		
<b>Contractor:</b>	<b>Sherwin PM</b>	
<b>Total Project Amount</b>	<b>\$13,900.00</b>	<b>553</b>
<b>Actual Totals</b>	\$1,500.00	207.00
<b>Compliance Percentages</b>	10.79%	37.43%

<b>Project Name:</b>	<b>In Our Own Voices (ACDA)</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February		117
March	\$ 2,500.00	
April		
May		
June		
July		
August		
September		
October		
November		
December		
<b>Contractor:</b>	<b>Audi Builders, LLC</b>	
<b>Total Project Amount</b>	<b>\$25,300.00</b>	<b>159</b>
<b>Actual Totals</b>	<b>\$2,500.00</b>	<b>117.00</b>
<b>Compliance Percentages</b>	<b>9.88%</b>	<b>73.58%</b>

<b>Project Name:</b>	<b>311-315 Clinton Ave (ACDA)</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February		
March		
April	\$4,500	92.00
May		
June		
July		
August		
September		
October		
November		
December		
<b>Contractor:</b>	<b>Baker Contracting</b>	
<b>Total Project Amount</b>	<b>\$ 349,000.00</b>	<b>318</b>
<b>Actual Totals</b>	\$4,500.00	92.00
<b>Compliance Percentages</b>	1.29%	28.93%

<b>Project Name:</b>	<b>21 Kent Street (ACDA)</b>	
<b>Month of Operation</b>	<b>Dollars Spent</b>	<b>Hours Worked</b>
<b>Previous PMT</b>		
January		
February	\$ 1,536.00	70
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
<b>Contractor:</b>		
<b>Total Project Amount</b>	<b>\$19,200.00</b>	<b>360</b>
<b>Actual Totals</b>	\$1,536.00	70.00
<b>Compliance Percentages</b>	8.00%	19.44%

## **2017 Goals for the M/WBE Program**

1. The MWBE Office will continue to expand and encourage small businesses ownership among women and in minority communities.
2. The MWBE Office will work to develop a list of upcoming construction projects and post this to the MWBE website; giving MWBE's the opportunity to proactively reach out to potential prime contractors to receive work.
3. The MWBE Office will work to expand the current MWBE list to include more locally-based MWBE construction firms.
4. The MWBE Office will work to expand the MWBE list to include non-construction related businesses, creating a "Professional Services" category.

## **CONCLUSION**

This reporting period does not represent the construction season at full capacity. Many construction projects were finished in September and October of 2016. 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 2017 –October 2017). The MWBE Office is 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.