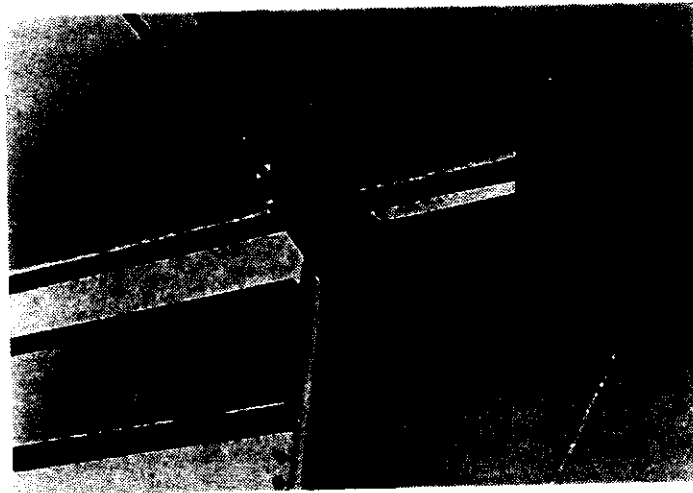


TECHNICAL PUBLICATION NO. 66

**A STUDY OF MANDATORY MINORITY
PARTICIPATION PROGRAMS ON
PUBLIC-FUNDED CONSTRUCTION
PROJECTS IN FLORIDA**

**SPONSORED BY A GRANT FROM THE BUILDING
CONSTRUCTION INDUSTRY ADVISORY COMMITTEE**



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**School of Building Construction
University of Florida
1989**



EXECUTIVE SUMMARY:

MANDATORY MINORITY SET-ASIDE PROGRAMS IN FLORIDA

By

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The School of Building Construction at the University of Florida, under a grant from the Building Construction Industry Advisory Committee, has undertaken a study of the opportunities and problems associated with minority set-aside programs on State, County and city public construction work in Florida. Because of the broad scope of this topic, its sensitive nature and technical difficulties, the study was broken down into two phases. Phase I included the development of the methodology used for the study, a review of existing minority participation construction programs in Florida, the mailing out of survey questionnaires and the conducting of interviews with contractors (minority and non-minority) and State, County and City personnel. Phase II included the compilation, review and analysis of the data collected in order to draw conclusions and make recommendations that can improve the effectiveness of these programs and enhance the chances of achieving their original intent. The controversial emotional, political, legal and sociological issues behind these programs were omitted so that greater attention could be paid to the main objectives of this study.

Questionnaires were developed and numerous interviews were conducted among minority and non-minority construction contractors as well as State agencies, Counties and Cities in Florida. The data collected indicated that even though these programs

presented great opportunities for minorities, there were definite problems from the perspective of both minorities and non-minorities as well as in the administration of these programs. The most significant problems revealed by this study include the following: 1) the lack of projects small enough for minority firms to bid on as general contractors; 2) Lack of adequate, experienced and legitimate minority firms; 3) Lack of adequate supportive services, tailored to the specific needs of minority construction contractors before and after contract award, and during construction; 4) Unrealistic goals often set by these programs; 5) inconsistencies in the various programs within the state; 6) Lack of adequate and technically qualified personnel to administer these programs effectively; 7). Lack of adequate funding for the administration of these programs ; and 8). the excessive amount of paperwork associated with these programs.

Copies of this overview of mandatory minority participation programs on public construction work in Florida and recommendations that can help enhance their success may be obtained by contacting:

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TABLE OF CONTENTS

SECTION		PAGE
	EXECUTIVE SUMMARY	
I	INTRODUCTION.....	1
	Background and objective.....	1
	Definitions.....	2
	Limitations of the study.....	5
	Extraneous Factors	7
II	METHODOLOGY AND APPROACH.....	10
	Data collection scheme.....	13
	Questionnaire Design	14
	Cover Letter Design	15
	Determination of sample size.....	15
	Selection of participants.....	16
III	SUMMARY OF FINDINGS.....	18
	Summary of Survey Results.....	18
	The Role of the SBA surety Bond Program.....	42
	Conclusion.....	56
IV	RECOMMENDATIONS.....	52
	Recommendations	52
	Recommendations for Future Research	59

V APPENDICES..... 61

- A. Contractor survey questionnaire
- B. Contractor survey cover letter
- C. Contractor survey follow-up letter
- D. City, County, and State agency questionnaire
- E. Listing of Florida MBE programs
- F. Listing of Minority Business Development Centers in Florida
- G. Listing of Small Business Development Centers in Florida

SECTION I
INTRODUCTION

BACKGROUND AND OBJECTIVE

In the past few years there has been a nationwide trend to assist minority¹ construction contractors into the mainstream of the construction industry. The issue of assisting minority construction firms to filter into the construction industry began to attract a lot of attention in 1977, when Round II of the \$4-billion Local Public Works Program was launched. That program required that 10% of all construction projects that had Federal funds be awarded to minority controlled construction firms (firms that are 51% owned or controlled by minorities). This was followed by a mandate issued by President Carter in 1978, ordering all Federal Agencies to triple the amount of Federal procurement that went to minorities effective October 1, 1979.

Since that time, several states (including Florida) have established mandatory minority participation programs on construction projects funded with public funds. While the intent of these

¹ A member of a socially or economically disadvantaged group including Blacks, Hispanics, American Indians, Alaska Natives, Pacific Islanders, Women and the physically or mentally disadvantaged.

programs are good, because they present some excellent opportunities for some minority contractors, they have not been without problems.

This is a preliminary study to investigate the problems in the administration and implementation of mandatory minority participation programs on public construction projects in Florida and, to make recommendations for improving their effectiveness in order to enhance the chances of achieving their original intent.

In order that greater attention will be devoted to the data gathering and documentation needed for this study, the controversial emotional, political, legal and sociological arguments behind the establishment of mandatory minority participation programs will be omitted.

DEFINITIONS

Throughout this study, several terms and abbreviations that may be new to some of its readers or that may be peculiar only to this study may be used. The most important of these terms are defined below as clarification of the context in which they are used in the study:

EXTRANEIOUS FACTORS. These are factors that are not of primary

interest to the study, based on the set objectives, but will have an impact on the results of the study.

GOAL. This is a number or percentage that is set by a city, county or the State to be achieved by making every reasonable and prudent ("good faith") effort. It is mostly used on public-funded construction work, where non-minority general contractors are expected to make "good faith efforts" to award subcontracts, equal to a certain percentage of the total contract amount, to minority contractors.

M.B.D.A. - Minority Business Development Agency. This is a Federal Agency, with Regional offices throughout the country, charged with the mission of helping in the establishment and development of minority businesses. The Regional office that serves Florida is located in Atlanta, but has a District office in Miami as well as several funded but privately operated centers (known as Minority Business Development Centers - M.B.D.C.) located in major cities throughout the State.

MINORITY. The Florida statute (chapter 287) defines a minority as a member of a socially or economically disadvantaged group which includes Blacks, Hispanics, American Indians, Alaskan Natives, Pacific Islanders, Women, and physically disadvantaged persons. For the purposes of this study, only Blacks, Hispanics and American Indians will be defined as minorities. The other groups (including white women) will be omitted so that greater attention

can be paid to the problems of the largest ethnic minority groups in Florida.

MINORITY FIRM OR MINORITY BUSINESS ENTERPRISE (MBE). This is a legal entity (other than a joint-venture) such as a corporation, partnership, proprietorship etc., 51% of which is owned or controlled by a minority or minorities.

NON-MINORITY. For the purpose of this study, this is a member of a white ethnic group.

NON-MINORITY (MAJORITY) FIRM. This is a legal entity which is a 100% owned or controlled by a member of a white ethnic group, or a legal entity where less than 51% is owned and controlled by a member of the minority group.

S.B.A. - Small Business Administration. This is a Federal Agency, with several Regional and District offices throughout the country, that has the responsibility of assisting all small businesses. Services offered include Bond guarantees, Loans and assistance in the establishment and marketing of small businesses.

SET-ASIDE. This is a specific contract or a specific percentage of a contract that is designated by a city, county or State agency to be awarded only to a minority firm either through competition limited to only minority firms or by negotiation.

LIMITATIONS OF THIS STUDY.

This study has several limitations which will have an impact on both its design and results. Secondly, it must be noted that this is a preliminary study where one of the objectives is to determine if further research is required. Therefore extreme caution should be exercised in the use and/or application of the results of this study.

The following are additional major limitations of this study that should be taken into consideration prior to its use:

- * It does not identify or recommend minority business enterprises in Florida or the rest of the country. This is a task that is beyond the scope and resources of this study.
- * It does not compile a current list of minority firms. This is an enormous task that is over and beyond the scope of this study.
- * This study is limited to public projects funded by the State of Florida and its Agencies, and local government (counties, cities, etc.) within the state. Therefore data from projects funded by the Federal Government and the private sector are neither considered nor included in this study.
- * It does not include white women and physically and mentally

disadvantaged persons as minorities. Even though the Florida Statutes classify the above groups as minorities, data on these groups are omitted from the study in order that greater attention can be focused on the data on the three largest ethnic minority groups (Blacks, Hispanics and American Indians) within the state.

* The number of participants selected for this study (contractors, State Agencies, Counties, Cities etc.) may be lower than desired. This is due to the funding constraints on the study.

* Even though a scientific method (stratified random sampling) was used in the selection of participants for the questionnaire survey, the sensitive nature of this topic as well as the anonymity needed to get the cooperation and the best responses, made it impractical for a true random sampling method to be used in the choosing of participants for the personal and telephone interviews conducted after the receipt of the questionnaire. This may cause a bias in the results of the personal interviews.

* It excludes the emotional, political, legal and sociological arguments behind any legislation, mandates or ordinances on minority participation programs on public construction projects.

* It has a margin of error of plus or minus 5%.

EXTRANEIOUS FACTORS.

There are several factors that are not of primary interest to the objectives of this study, but may affect its results. The following are the major factors that may have some effect on the responses to the questionnaires used for this study as well as the overall results:

* Size of firms. The sizes of firms (based on the number of employees, annual volume, etc.) selected for this study may have an impact on the results of the study. This is based on the assumption that smaller firms with limited choice of projects are more likely to participate on public work with mandatory minority participation requirements than large firms which have a wide choice of projects to submit bids on.

* Geographic location of participants. The location of contractors chosen for this study may affect the responses received. For instance, questionnaires sent to predominantly Hispanic areas will have different responses to those sent to predominantly white areas within the state.

* Age of firms selected for the study. The length of time that a firm has been in business may have some impact on their willingness to participate on public construction projects

that have mandatory minority participation requirements. This is because most firms felt that the administration and paperwork required on such projects is so involved and time-consuming. Therefore a new or recently established firm with very few sources of projects needed to stay in business, may have a tendency to participate on such public construction projects than an older established firm with several sources of work who would not participate due the if they can find work elsewhere.

* Prevailing Economic Conditions. The responses received and the results of this study may be affected by the economic conditions within the state at the time the study is conducted. In good economic times, when a lot of other work is available, there may be tendency on the part of non-minority contractors to avoid public construction projects that have minority participation requirements because of the often cumbersome administration involved. In bad economic times, when fewer projects are available, there may be a tendency for more contractors to compete for public work with MBE requirements.

* The number of minority contractors in the state. There is a limited number of minority contractors in the state, and the rate of attrition in the construction industry is characteristically high compared to other industries. This

may affect the number of responses received from minority firms.

* Responses from white women-owned construction firms.

The Florida state statutes recognize white females as minorities. For the purposes of this study, the term minority is limited to Blacks, Hispanics and American Indians. Therefore responses received from non-minorities, who may have registered their firms in the names of their wives or other female relatives in order to take advantage of minority participation programs, may affect the results of this study.

SECTION II

METHODOLOGY AND APPROACH

In order to arrive at a representative number of contractors for this study, lists of minority contractors were obtained from various state agencies, counties, cities and industry trade associations. Because of funding and other limitations it was not practical to survey every contractor in the state. Therefore, in order to minimize geographical bias and ensure participation of a cross-section of the entire state, the approach used in this study was to:

1. Divide the state into five geographic regions patterned after the five market regions of the 1986 Florida statistical abstract. These regions are Northwest, Northeast, Central, Southwest and Southeast. A copy of the map showing these regions is illustrated in Figure 1.

2. Select a sample of participants from the five designated regions. In order to make the sample size statistically valid, considering the limited funds available for the study, it was determined that 200 would be an appropriate sample size. In order to include representative numbers of both minority and non-minority contractors, a stratified

Market Regions in Florida

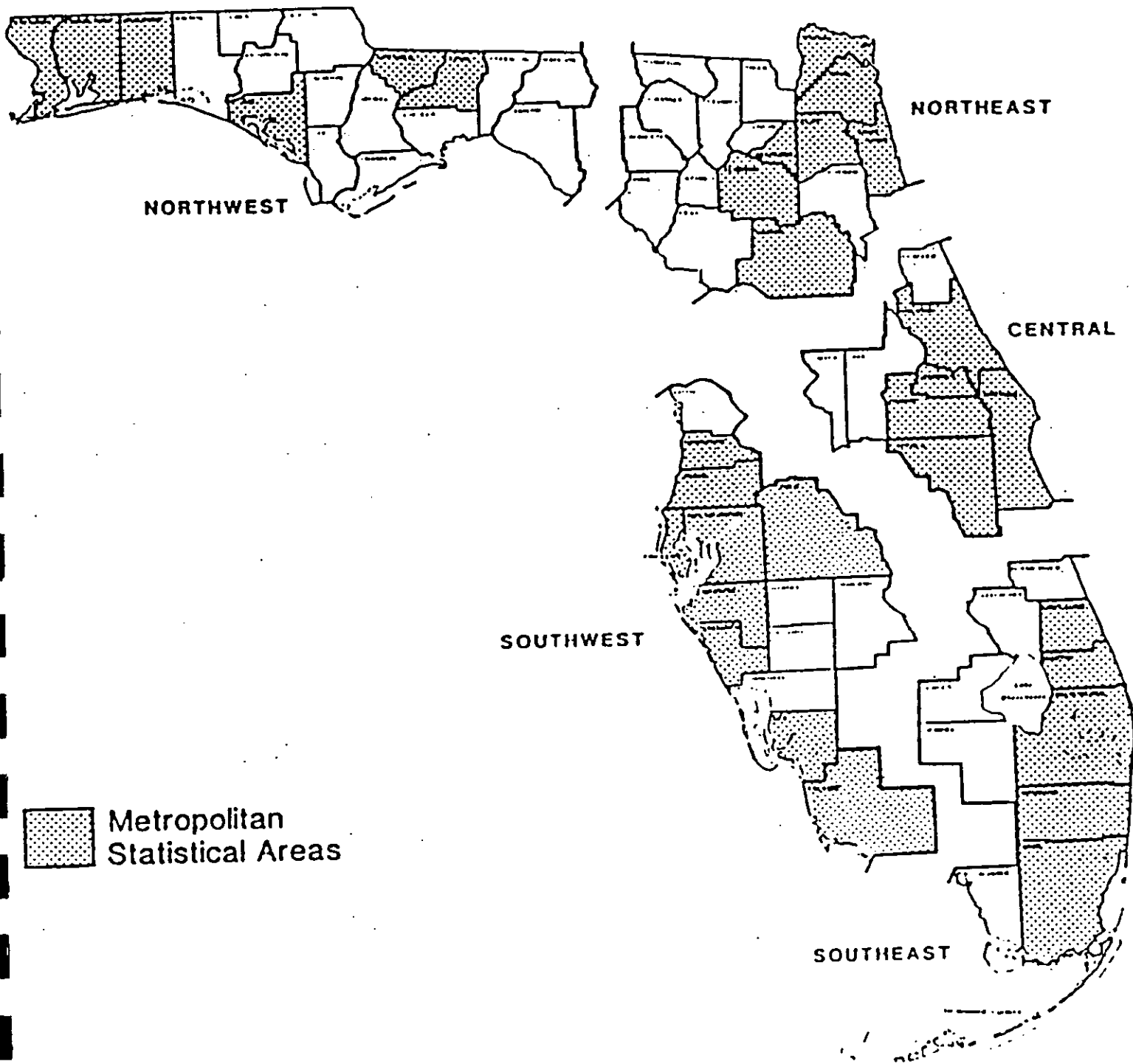


FIGURE 1

random sampling² method was used to select the participants for the study.

3. Design an initial questionnaire and cover letter. In order to validate the questionnaire, they were sent to 20 randomly selected contractors within the designated five regions in the State. Based on the questions raised, the responses and feedback received, the questionnaire was revised .
4. Validated questionnaires were mailed to 180 contractors.
5. Design questionnaire and cover letter for the survey of counties, cities and state agencies. Ten cities, ten counties and four agencies listed by the State of Florida Department of General Services as having minority participation programs were selected for the study.
6. Conduct 50 personal and telephone interviews with 25 minority and 25 non-minority (selected from the responses received from the 200 questionnaire surveys mailed out) and with ten cities, ten counties and four state agencies.
7. Analyze the data collected.

² This is a method where two strata (levels) of participants are considered and random samples are chosen from each stratum. In this study, the two strata are minority and non-minority contractors.

DATA COLLECTION SCHEME

In planning the data collection aspect of this study, two different questionnaires (one for contractors and one for cities, counties and State agencies) were developed. Questions that will provide answers to the objectives of the study were raised in the two questionnaires. In order to get the cooperation of respondents to answer freely without the fear of reprisal, they were promised anonymity. A plan for collecting the needed data was then established. The plan involved:

- * The mailing of the questionnaires with cover letters.
- * The mailing of follow-up letters two months afterwards. Since there was no way of determining who had responded (because responses were designed to be anonymous), these letters were sent to all the participants thanking those who had returned their questionnaire and encouraging those who had not to do so.
- * The scheduling of personal interviews. Where budgetary limitations made personal interviews impossible, telephone interviews were conducted.

As an added incentive, and to maintain the anonymity of respondents as promised, participants were requested to return completed questionnaires in a self-addressed stamped envelope attached to the questionnaire. A Sample of the questionnaire is included as appendix "A".

QUESTIONNAIRE DESIGN

In an effort to keep the cost of this survey to a minimum and stay within the modest budget for this study, two questionnaires were developed. One was designed with 18 questions to go to both minority and non-minority contractors. A different one was designed to go to cities, counties and agencies within the state. On the contractor questionnaire, the first five questions were of a general nature, applied to both minority and non-minority contractors and were designed to seek general information such as the type of contractor, location in the state, ethnic group and the effect of minority participation programs on the various communities within the State.

The next three questions (Nos. 6, 7, & 8) were directed towards minority contractors to get feedback, from their standpoint, on the opportunities and problems created by minority participation programs on public construction work in the state. Questions 9 through 12 were directed towards non-minority contractors to get feedback, from their standpoint, on the problems with these programs.

Questions 13 through 18 were general questions intended for both minority and non-minority contractors to get their opinion on the impact of minority programs on competition, cost etc, and to seek their suggestions for improving the programs.

COVER LETTER DESIGN

In order to encourage participants to respond, a cover letter was designed to accompany the questionnaire. The purpose of this letter was to:

- * Explain the purpose and importance of this study;
- * State the specific area of interest because the topic of the study is so broad;
- * Provide an incentive to respond by expressing the fact that the results of the study may bring about changes in minority participation programs that could affect the way they do business and
- * Provide a deadline for the return of the questionnaire.

Samples of the cover letters used in the study are provided as appendices "B" and "C" respectively.

DETERMINATION OF SAMPLE SIZE

In order to determine the number of participants that would make the results of this study statistically valid, a standard statistical method was used³, considering the time and budget constraints, the number of available minority contractors, and based on a margin of error (bound on error) of plus or minus 5%. The result obtained (195) was rounded off to 200 participants.

³ Marks, Ronald G.; "Designing a Research Project"; Van Nostrand Reinhold; New York, N.Y. 1982, page 132, Table 10.1, Row 24.

SELECTION OF PARTICIPANTS

In order to include a representative sample of contractors in Florida in this study, lists were obtained from various state agencies and major trade associations within the state. From this list, an equal number (100) of minority and non-minority contractors were randomly selected for the questionnaire survey. There were 20 minority and 20 non-minority contractors in each of the five geographic regions of Florida previously established.

A list obtained from the State of Florida Department of General Services indicated 10 cities and 10 counties within the state had minority participation requirements on public construction projects. Because this number was so small, all ten counties and cities were selected for the study. In addition, four state agencies with minority participation programs were also chosen to participate in the study.

PERSONAL INTERVIEWS

Following the receipt of the questionnaire survey, personal interviews were scheduled as a follow-up on the responses received and to obtain specific information for case studies. Due to budgetary limitations, telephone interviews were done in lieu of personal interview where appropriate. A total of 50 contractors (25 minorities and 25 non-minorities) were chosen from the five geographic regions of the state. Because of

the sensitive nature of this topic and technical difficulties related to anonymity of respondents, the number of contractors willing to be interviewed, the number of minority contractors, etc., it became impractical to select participants for the interviews strictly on a random basis. Therefore a combination of random and systematic selection of volunteers (respondents who had voluntarily contacted the Principal Investigator or expressed the desire for additional dialogue) and contractors recommended by other contractors was used.

SECTION III
SUMMARY OF FINDINGS

SUMMARY OF SURVEY RESULTS

A total of Two hundred questionnaires were mailed to randomly selected construction contractors throughout the five geographical regions of the state. 100 questionnaires (20 to each of the five regions) were sent to minority contractors and an equal number was sent non-minority contractors in each of the five geographical regions of Florida. As shown below, of the 100

Table 1: Summary of survey response

	RESPONDED		NO RESPONSE		RETURNED UNDELIVERED	
	NO.	%	NO.	%	NO.	%
MINORITIES	41	41	41	41	18	18
NON-MINORITIES	28	28	55	55	17	17
OVERALL	69	34.5	96	48	35	17.5

questionnaire sent to minority contractors, 41% responded as compared to the non-minorities where only 28% responded. The geographical location and ethnic classification contractors who responded to the survey are illustrated in Tables 2 and 3 respectively. Table 2 shows that the majority of the respondents were from the Northeast and Southeast regions of the state, while the least number of responses came from the Northwestern region.

Table 2: Contractor Response by Geographical Region

REGION	RESPONDENTS		MINORITY		NON-MINORITY	
	NO.	%	NO.	%	NO.	%
Northeast	18	26.5	13	19.1	5	7.4
Southeast	17	23.5	13	19.1	4	5.9
Central	14	20.6	5	7.4	9	13.2
Southwest	14	20.6	8	11.8	6	8.8
Northwest	6	8.8	2	2.9	4	5.9

Table 3 : Contractor Response by Ethnic Classification

<u>ETHNIC CLASSIFICATION</u>	<u>RESPONDENTS</u>	
	<u>NO.</u>	<u>%</u>
Whites (Anglo-saxons)	28	40.6
Blacks	25	36.2
Hispanics	15	21.7
Indians (American)	1	1.5

Table 3 shows that white anglo-saxons gave the highest number of responses, followed closely by blacks, with the least number of responses coming from American Indians.

The number of questionnaires returned by the United States Postal Service as undeliverable was almost the same for

minorities (18) and non-minorities (17). Considering the high rate of attrition in the construction industry, the number of questionnaires returned as undeliverable (which may be attributed to either those contractors being out of business or having relocated without leaving forwarding addresses), is not unusual. The total overall response or 54.5% from minority and non-minority contractors may be considered to be adequate for this study,

MAJOR FINDINGS

The following are the major findings of this study:

A. REVIEW OF EXISTING PROGRAMS

A review of existing minority participation programs within the state revealed the following:

- * Eight (8) cities in the state have minority participation programs. These cities are Fort Myers, Gainesville, Jacksonville, Miami, Orlando, St. Petersburg, Tallahassee and Tampa. Two other cities, Pensacola and West Palm Beach, were in the process of developing their programs at the time this study was undertaken.

- * There were major differences between the programs in the eight cities. For instance, the level of participation of minorities ranged from a goal of 10% to 51%. Ft. Myers (12% MBE and 2% WBE), Gainesville (12% MBE and 3% WBE) and Orlando

(18% MBE and 6% WBE) had separate goals for Minority Business Enterprises and Women Business Enterprises; Miami (17% Black owned Businesses, 17% for Hispanic owned Businesses, and 17% for Women owned Business), and Tampa (12% for Blacks, 6% for Hispanics, 5% for women and 2% for other minorities) had separate goals for Blacks, Hispanics, and Women-owned Businesses; Jacksonville (10% of capital operating budget) and St.Petersburg (level of required participation varies from contract to contract) have one goal for all minorities.

- * These cities had an average staff persons of two (usually a coordinator and a secretary) to administer their programs.
- * The majority of the cities had a certification process for minority firms wishing to participate in their program.
- * Ten (10) counties in the state have minority participation programs for their construction work. These are: Alachua, Broward, Dade, Escambia, Hillsborough, Lee, Leon, Orange, Palm Beach and Volusia.
- * Again there are major differences between the programs in the various counties and goals the level of goals ranged from 5% to 25%. For instance, Alachua (15% MBE), Hillsborough (25% of capital and 5% of operating budget for MBE), Leon (5% MBE), Lee (10% MBE), Dade (where they have a set-aside

program for individual projects as well as different percentage goals set on a project by project basis, and Volusia (10% MBE) counties have one goal for all Minority Business Enterprises; Escambia county had one goal of 15% for Disadvantaged Business Enterprises while Broward (15% MBE, 3% WBE and set-aside on individual projects) and Palm Beach (4% MBE & 3% WBE) counties had separate goals for Minority Business Enterprises and Women Business Enterprises.

- * Besides Dade County (13 persons), Broward county (9 persons), and Hillsborough county (5 persons), the average number of staff persons administering the programs for the other were two persons (often a secretary and a coordinator).
- * All the counties had a certification process for minority firms wishing to participate in the various programs.
- * Four state agencies have minority participation programs. They are: the Department of General Services (15% encouragement requirement), Department of Transportation (10% goal), Board of Regents (15% goal) and Jacksonville Port Authority (15% MBE and 3% WBE goal).
- * The problem of inadequate personnel was evident in two of the agencies. For instance, while the Department of General Services has 15 staff persons to administer their program and

the Department of Transportation has 21 persons, both the Board of Regents and the Jacksonville Port Authority have 2 persons each.

- * All the agencies have certification processes to screen minority contractors who wish to participate in their programs.

Detailed information about this review is provided in Appendix "E".

B. OPPORTUNITIES CREATED BY MINORITY PROGRAMS

The majority of the respondents of this study all agreed that these programs present opportunities that can help minorities to move into mainstream of the construction industry. However, as illustrated in Figure 2, only 49% of the minority contractors who responded to the survey indicated that they had been awarded contracts through these programs. This is an indication that even though the original intent was to create opportunities, there are problems that are hindering the effectiveness of these programs. These problems will be investigated in the next section of this report.

C. PROBLEMS OF MINORITY UTILIZATION PROGRAMS

1. Problems perceived by non-minority contractors

The results of this research (as illustrated in Figure 3) indicated that 69% of the non-minority contractors who

Figure 3 shows the percentage of minority contractors who have been awarded contracts by state and locally-funded programs.

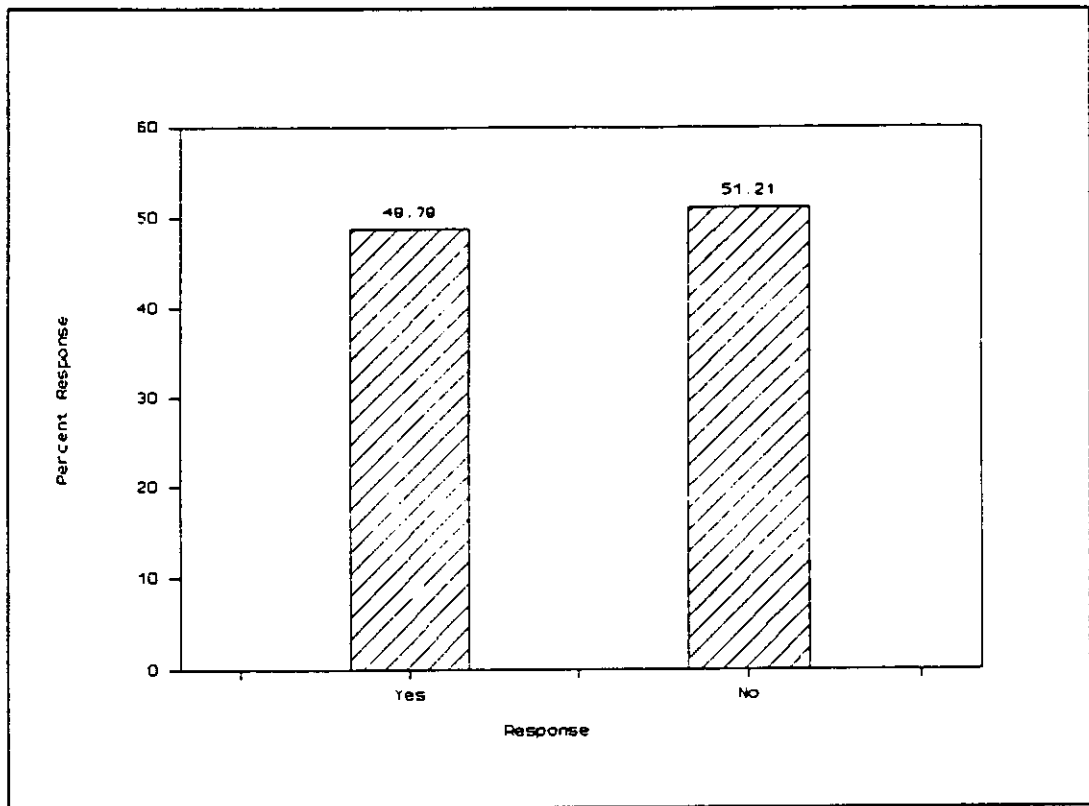


Figure 2. Minority contractors who have been awarded contracts from any state or locally-funded programs for mandatory utilization of minority contractors.

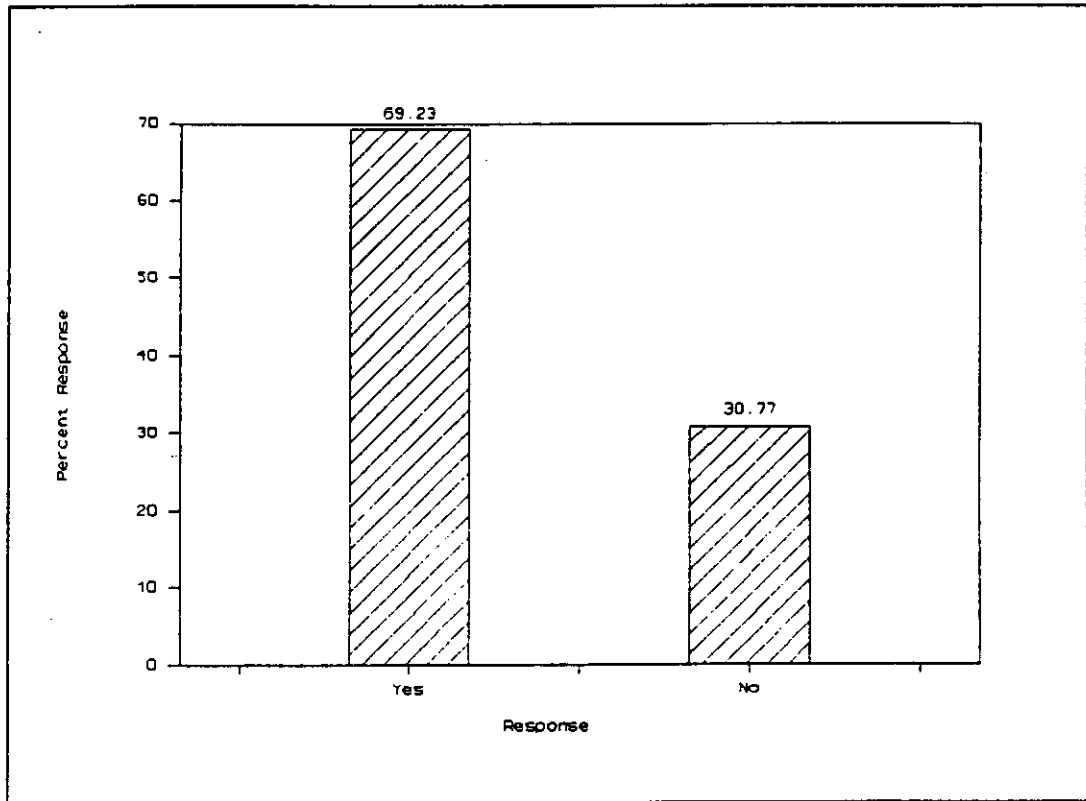


Figure 3. Non-minority contractors who have encountered problems with state and local programs for mandatory utilization of minority contractors.

responded alleged that they had encountered problems with State and local minority utilization programs. Based on the analysis of the results of the surveys conducted, the three most common problems encountered by non-minority contractors were :

- * Lack of qualified minority contractors;
- * Lack of bondable minority contractors; and
- * Lack of response (to bid requests) from minority contractors.

Table 4 shows the major problems encountered by non-minority contractors with their respective ranking.

Table 4: Ranking of problems perceived by non-minority Contractors

PROBLEM	% RESPONSE	RANKING
Lack of qualified minority contractors	63.2	1
Lack of bondable minority contractors	63.2	1
Lack of response (to bid requests) from minorities	57.9	2
Non-competitive prices	52.5	3
Insufficient number of minority contractors	47.4	4
Lost Contracts	26.3	5
Other problems	21.1	6

2. Problems perceived by minority Contractors

According to the results of the survey, the three most popular problems encountered by minority contractors were:

- * Lack of Bonding;
- * Lack of Financing; and
- * Location of projects.

Table 5 shows a listing of the major problems encountered by minority contractors and their respective rankings.

Table 5: Problems perceived by minority contractors

<u>PROBLEM</u>	<u>% RESPONSE</u>	<u>RANKING</u>
Lack of Bonding	54.2	1
Lack of Financing	33.3	2
Project Location	29.2	3
No Notification by non-minority Contractors	25.0	4
Insufficient bid time	25.0	4
Lack of Contract opportunities	20.8	5
Unacceptable Contract terms	20.8	5
Other Reasons	12.5	6
Unaware of the existence of programs	6.7	7

D. IMPACT OF MINORITY UTILIZATION PROGRAMS ON PROJECT COST

1. The non-minority Contractors' perspective

When asked what impact has mandatory minority utilization programs had on state and local public funded projects, the most popular responses given by non-minority contractors were that:

- * It has increased the cost of those projects; and
- * It has limited competition

Table 6 shows the responses given and their respective rankings.

Table 6: Non-minority Contractors' perception of the impact of minority programs.

ANSWER	% RESPONSE	RANKING
Increases project costs	26.7	1
Limits Competition	21.7	2
Other	8.3	3
No effect on competition	5.0	4
Little or no effect on project costs	3.3	5

2. The Minority Contractors' perspective

Contrary to the perception of non-minority contractors, the minority contractors who responded to the survey felt that

these programs have had little or no impact on the cost of State and local public projects. The responses given by minority contractors with their respective rankings are shown in Table 7.

Table 7: Minority Contractors' perception of the impact of Minority programs.

<u>ANSWER</u>	<u>% RESPONSE</u>	<u>RANKING</u>
Little or no effect on project costs	30.0	1
Limits competition	11.7	2
Increases project costs	8.3	3
No effect on competition	8.3	3
Increases competition	6.7	4

E. WHY NON-MINORITY CONTRACTORS ARE UNABLE TO COMPLY WITH MANDATORY MINORITY UTILIZATION PROGRAM REQUIREMENTS

1. NON-MINORITY CONTRACTOR RESPONSE

When asked why non-minority contractors are often unable to comply with the requirements of mandatory minority utilization programs, the most popular answers given by non-minority contractors were that:

- * They are unable to find qualified minority contractors;
- * Minority contractors often submitted non-competitive

prices; and

- * They work on specialized projects for which there are no minority contractors.

The responses given by the non-minority contractors surveyed and their respective rankings are shown in Table 8.

Table 8: Reasons given by non-minority as to why they are unable to comply with MBE program requirements.

REASON	% RESPONSE	RANKING
Unable to find <u>qualified</u> minority contractors	27.1	1
Non-competitive prices submitted by minority contractors	16.9	2
Specialized projects for which there are no minority contractors	10.2	3
Lack of minority contractor interest in submitting bids	8.5	4
Lack of effort by non-minority contractors to locate minority contractors	6.8	5
Unable to find minority contractors	5.1	6
Other	5.1	6

2. MINORITY CONTRACTOR RESPONSE

When minority contractors were posed the question of why

non-minority contractors are unable to meet the requirements of MBE programs, the most popular answers given were:

- * The lack of effort on the part of non-minority contractors to locate minority contractors;
- * The inability of non-minority contractors to locate qualified minority contractors; and
- * Non-competitive prices sometimes submitted by minority contractors.

Table 9 shows the major reasons given by the minority contractors who responded and the respective ranking of their response.

Table 9: Reasons given by minority contractors as to why non-minority contractors are unable to meet MBE requirements.

REASON	% RESPONSE	RANKING
Lack of effort on the part of non-minority contractors to locate minority contractors	35.6	1
Non-minority contractors are unable to find qualified minority contractors	23.7	2
Non-competitive prices submitted by minority contractors	10.2	3
Lack of interest on the part of minority contractors to submit bids	8.5	4
Specialized projects for which there are no minority contractors	5.1	5

3. STATE AND LOCAL AGENCY RESPONSE

The most popular reason given by state and local agencies as to why non-minority contractors are unable to meet MBE requirements was the lack of effort (on the part of non-minority contractors) to locate minority contractors. The reasons given by the state and local agencies surveyed with their respective rankings are presented in Table 10.

Table 10: Reasons given by state and local agencies as to why non-minority contractors are unable to meet MBE requirements.

<u>REASON</u>	<u>% RESPONSE</u>	<u>RANKING</u>
Lack of effort on the part of non-minority contractors to locate minority contractors	62.5	1
Specialized projects for which there are no minority contractors	25.0	2
Lack of interest on the part of minority contractors in submitting bids	25.0	2
Non-minority contractors are unable to find minority contractors	12.5	3
Non-minority contractors are unable to find qualified minority contractors	12.5	3
Non-competitive prices submitted by minority contractors	12.5	3
Strict enforcement of MBE requirements	12.5	3
All of the above reasons	12.5	3

F. IMPACT OF MINORITY CONTRACTOR UTILIZATION PROGRAMS ON FLORIDA
MINORITY AND NON-MINORITY COMMUNITIES

1. NON-MINORITY CONTRACTOR PERCEPTION

3% of the responses received from non-minority contractors indicated that these programs have had a positive effect on minority communities in the state and 10% of the responses indicated a negative effect as illustrated in Figure 4. However, as shown in Figure 5, 19.4% of the responses indicated that the programs have had a negative effect on non-minority communities.

2. MINORITY CONTRACTOR PERCEPTION

40.9% of the responses received from minority contractors indicated that the programs have had a positive effect on minority communities in the state as compared to 15.4% on non-minority communities. These results are illustrated in Figures 6 and 7 respectively.

3. STATE AND LOCAL AGENCY PERCEPTION

75% of the responses received from state and local agencies indicated that the programs have had a positive effect on minority communities in the state while 37.5% indicated a positive effect on non-minority communities as shown in Figures 8 and 9 respectively.

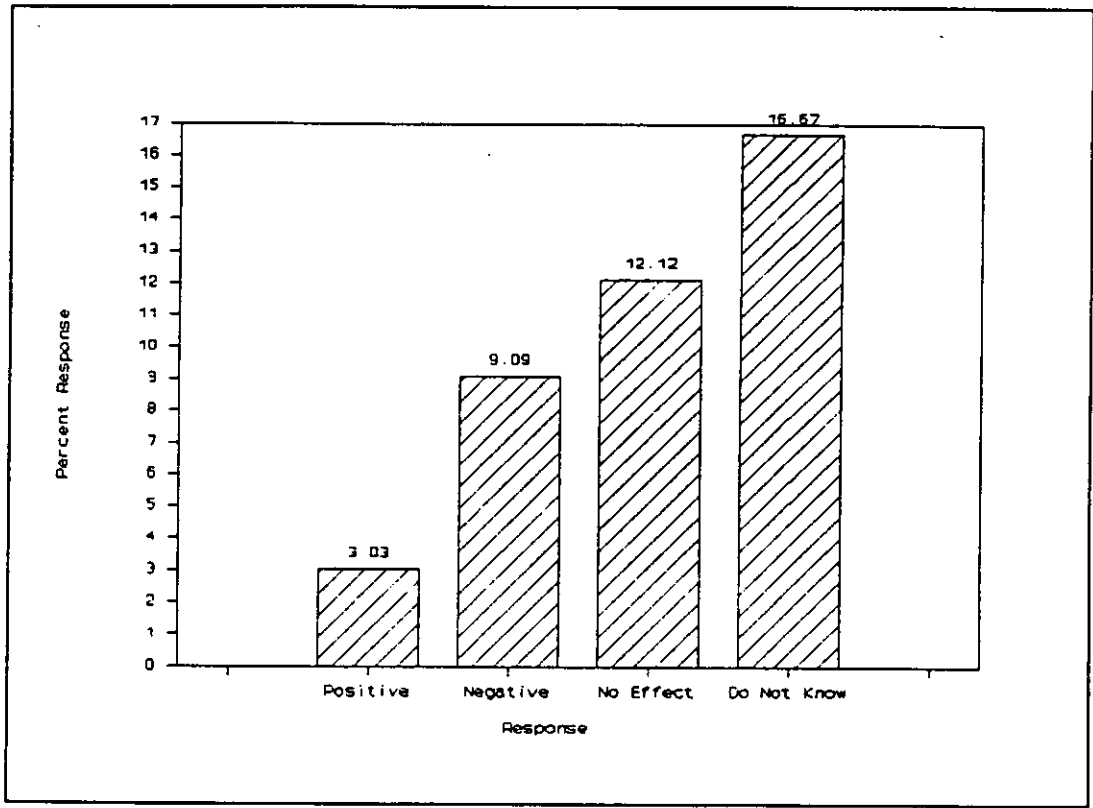


Figure 4 Non-Minority Contractor Response. What effect do you feel mandatory utilization of minority contractors has had on minority communities in the state?

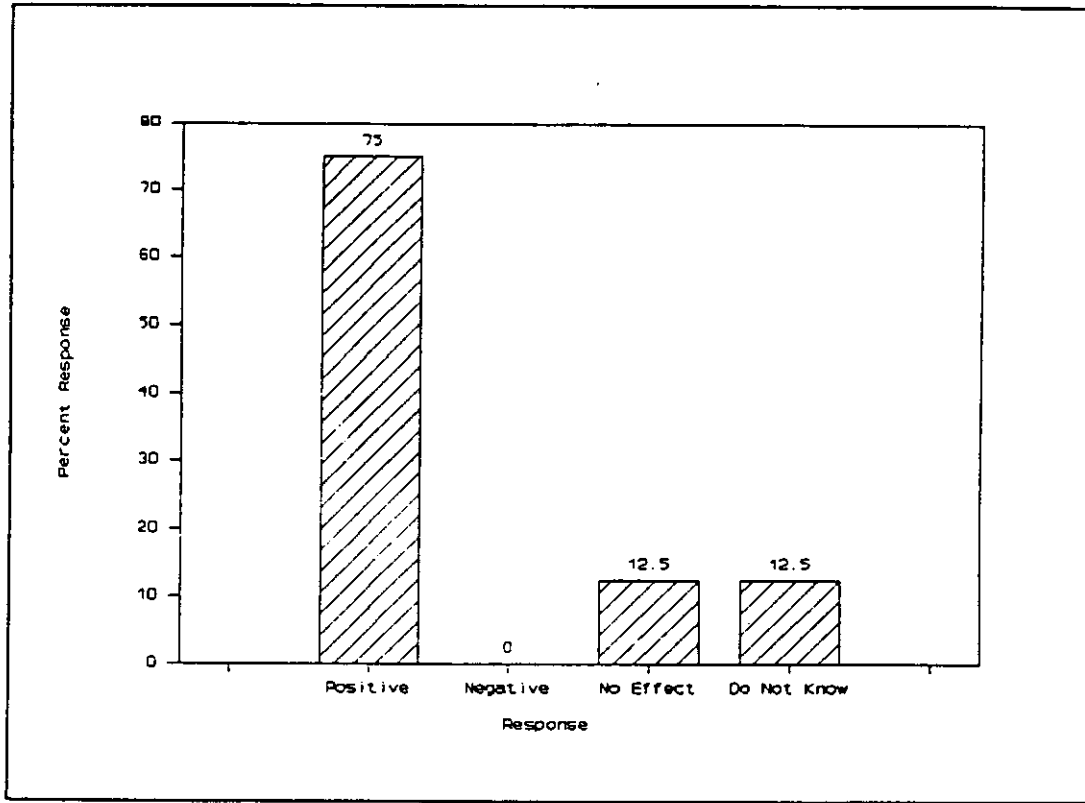


Figure 5. Agency Response. What effect do you feel mandatory utilization of minority contractors has had on the minority communities in the state?

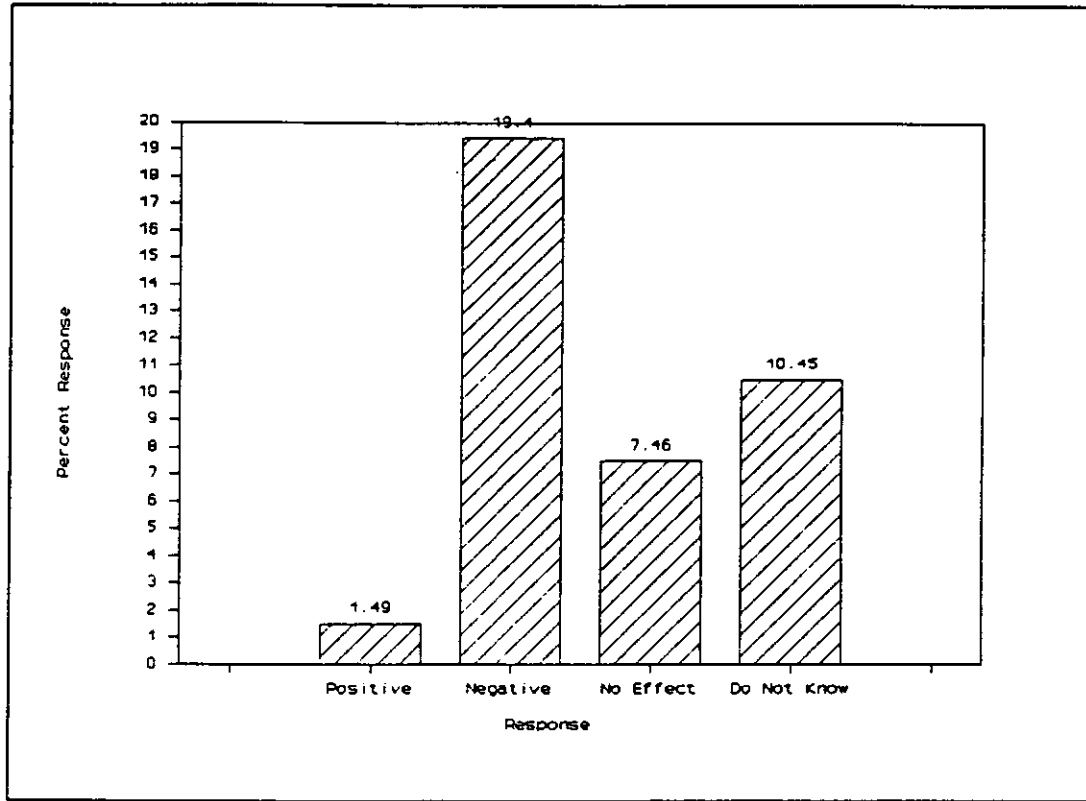


Figure 6. Non-Minority Contractor Response. What effect do you feel mandatory utilization of minority contractors has had on the non-minority communities in the state?

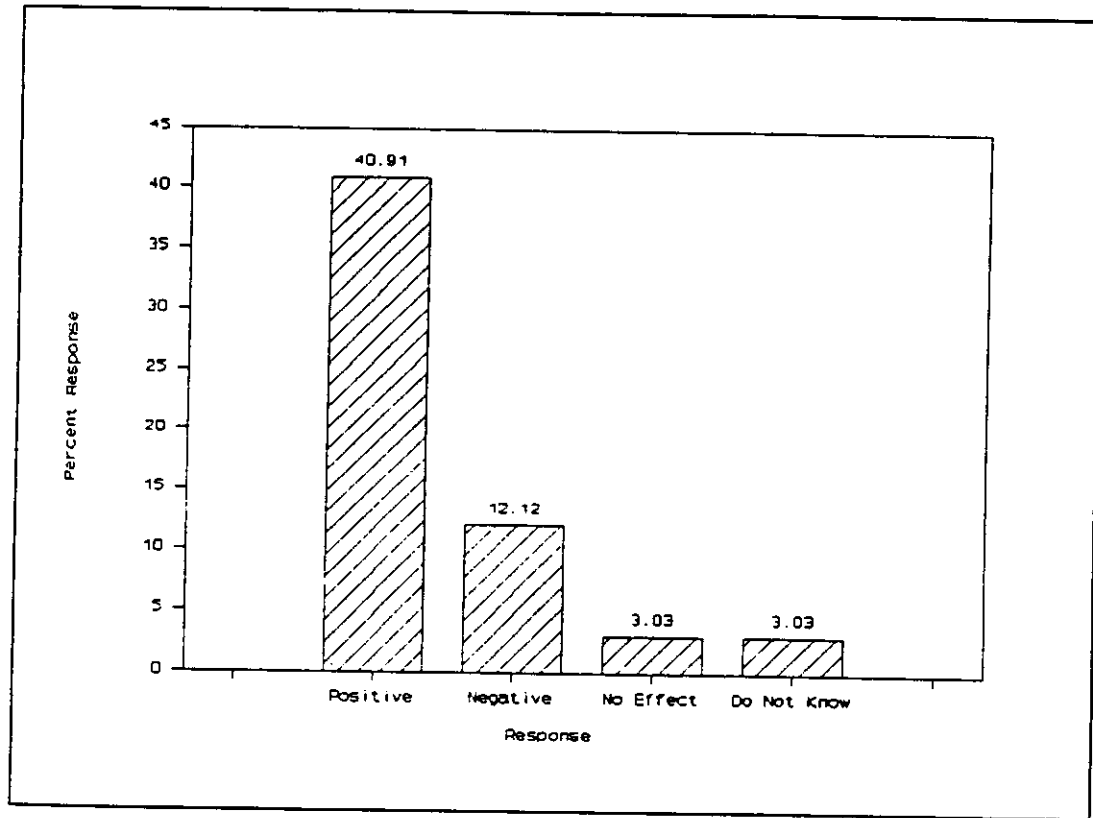


Figure 7. Minority Contractor Response. What effect do you feel mandatory utilization of minority contractors has had on minority communities in the state?

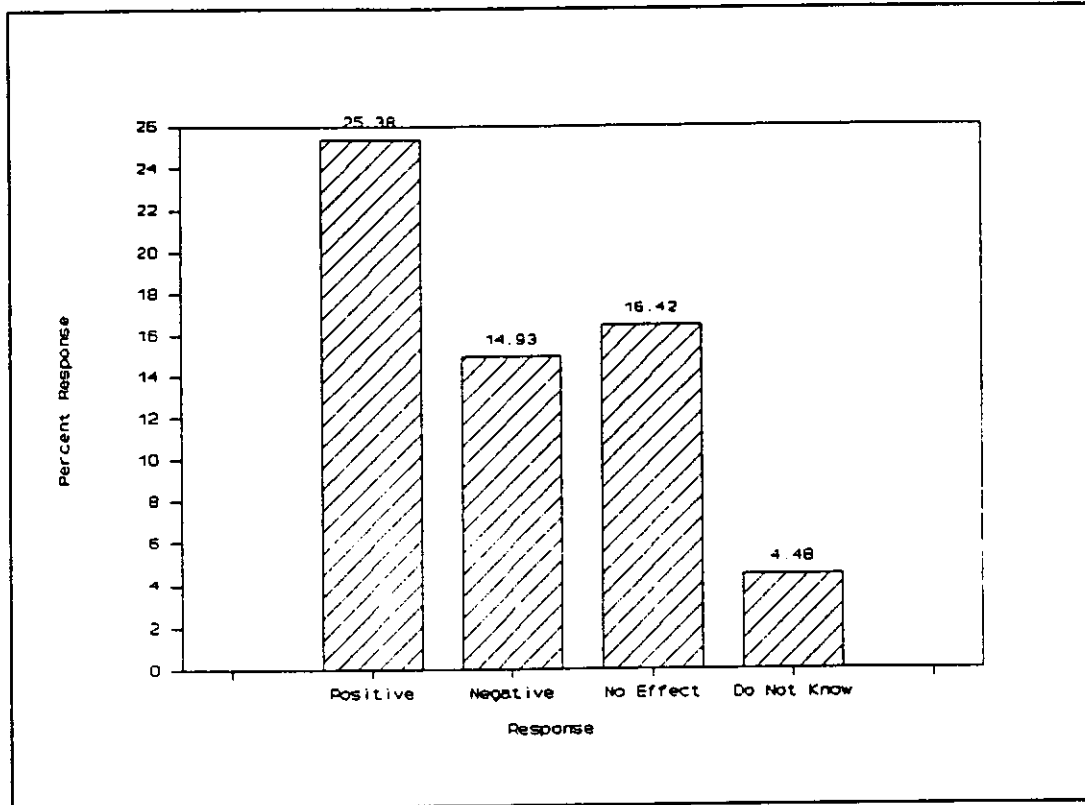


Figure 8 Minority Contractor Response. What effect do you feel mandatory utilization of minority contractors has had on the non-minority communities in the state?

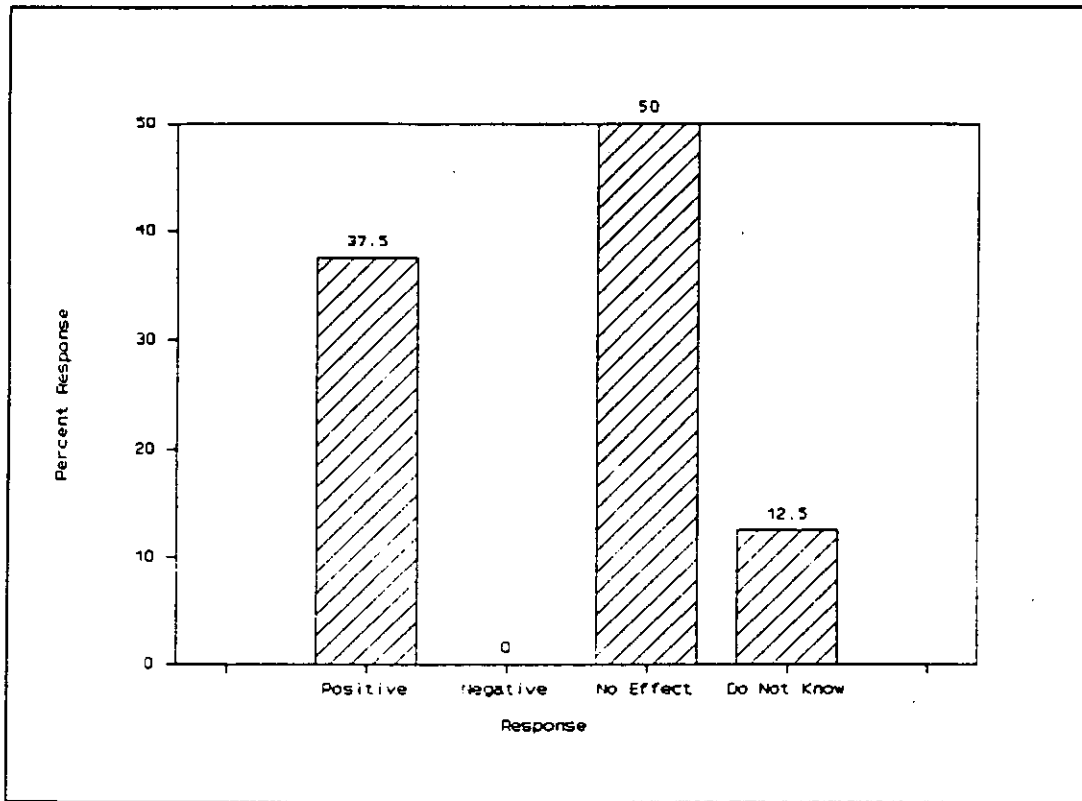


Figure 9 . Agency Response. What effect do you feel mandatory utilization of minority contractors has had on the non-minority communities in the state?

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G. THE ROLE OF THE SBA SURETY BOND PROGRAM

The SBA surety Bond program is available to all qualified small businesses and not limited to only minorities. The SBA does not issue the bonds directly. The bonds are issued by private and independent surety companies who have agreed and have been approved by the SBA to participate in the program. However, the SBA guarantees up to 80% of the losses incurred by a surety for bonds issued to SBA qualified small businesses.

In order to qualify for an SBA guaranteed bond, a small business (including contractors) must meet the following requirements:

- * The amount of the contract for which a bond is desired must not exceed \$1,250,000.00.
- * The contractor's average gross annual receipts for the immediately preceding three years must not exceed \$3,500,000.00.

In return for the 80% SBA guarantee, the SBA requires that the premium charged by surety companies, on SBA qualified and approved bond applications does not exceed 1.8% (\$18.00 per thousand dollars) of the contract amount. In addition, the participating surety companies are required to pay the SBA a guarantee fee that is equal to 20% of the bond premium charged the contractor. The participating contractor on the hand pays the SBA a processing fee equivalent to 0.6%

(\$6.00 per thousand dollars) of the contract amount in addition to the surety company's bond premium.

The SBA surety bond program has not played a major role in mandatory minority utilization programs in Florida. As shown in Figures 10 and 11, only 11.3% of the responses received from minority contractors indicated that they had used the SBA surety bond program. 12.5% of the State and local agencies who responded indicated that minority contractors to whom they had awarded contracts had utilized the SBA bond guarantee program.

The reasons given for the insignificant role of the SBA surety bond programs were as follows:

- * Too much paperwork was required in the submission of the application.
- * Too much red tape and a lot of time was involved in the processing of the application once submitted.
- * The perception by contractors that the requirements of the SBA surety bond program were more stringent than most regular bond programs.

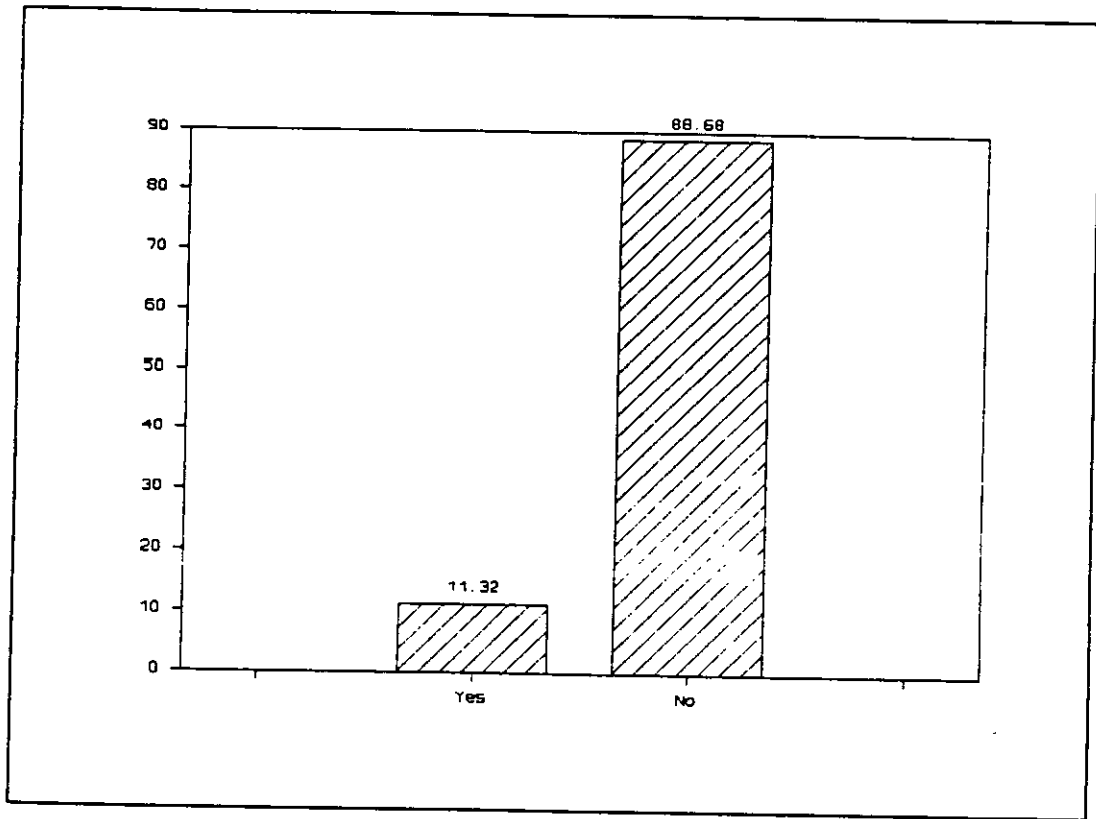


Figure 10 Minority Contractor Response. Have you ever utilized the SBA Surety Bond Program?

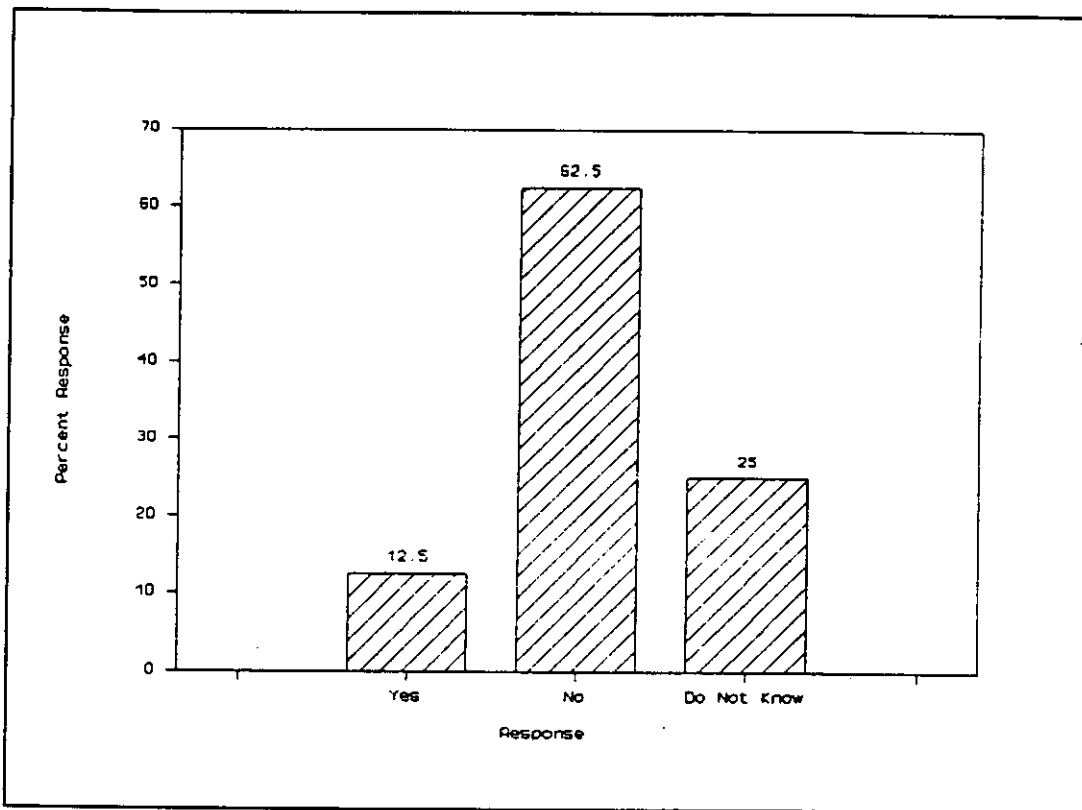


Figure 11 Agency Response. Have any minority contractors, awarded contracts by you, utilized the SBA Surety Bond Program?

CONCLUSIONS

The following general conclusions can be drawn from the investigation of existing minority participation programs on public construction work in Florida:

1. The majority of the programs lacked adequate, specific and appropriate technical supportive services (estimating, contract negotiation, purchasing, project management, cost control, contract administration, change order initiation, claims etc.) before contract award, after contract award and during the construction phase of projects. These are areas where most minorities need assistance if the original intent of eventually "graduating" minority contractors into the mainstream is going to be successfully achieved. Interviews conducted revealed that some of the programs had occasional seminars on topics such as starting a business, financing, bonding, marketing, etc. While these are of some help, it is believed that specific on-the-job type of assistance to individual minority contractors (based on the unique needs or deficiencies identified in each firm) can be more effective.

The study revealed that there were two groups of organizations already in existence to provide supportive services. They are:

- * MINORITY BUSINESS DEVELOPMENT CENTERS (MBDC). There are

five such centers in Florida, located in Jacksonville, Coral Gables, Orlando, Tampa and West Palm Beach. A list of these Centers is provided in Appendix "F". These centers are funded by the Minority Business Development Agency of the U. S. Department of Commerce, and charge a fee of \$10.00 per hour their services - The Minority Business Development Agency (MBDA) subsidizes 65% to 80% of this fee, based on the annual sales volume of the minority firm receiving the service).

According to surveys and interviews conducted, these centers provide assistance in areas such as How to start a Business, Management, Marketing, and special services to contractors such as estimating, bid preparation and securing of surety bonds. Since the mission of such Centers is to provide assistance to all types of minority businesses and not just Construction Contractors, their effectiveness in resolving the problems revealed by this study appears to be minimal.

* SMALL BUSINESS DEVELOPMENT CENTERS (SBDC). There are 16 of these centers in the state - 2 in Tallahassee, 1 in Panama city, 1 in Tampa, 1 in St. Petersburg, 1 in Fort Lauderdale, 1 in Boca Raton, 1 in Jacksonville, 1 at Eglin Air Force Base, 1 in Pensacola, 1 in

Gainesville, 1 in Orlando, 1 in Deland, 2 in Miami and 1 in Key West. A list of these centers with their respective locations are provided in Appendix "G".

Small Business Development Centers are jointly funded by the U.S. Small Business Administration and the Florida State University system. They are located on University and Community College Campuses throughout the State. Although their services are free of charge, they are designed to serve all small businesses, including small non-minority firms, and in most cases are staffed with personnel with no experience in the construction industry or are not sensitive to the problems and specific needs of minority construction contractors. Therefore, it appears that the emphasis is services generally to all small businesses, and not minority construction contractors specifically.

This is supported by the fact that only 5 out of the 16 centers indicated they had "construction procurement consultants". Based on these facts, it can be concluded that the effectiveness of these centers in providing supportive services towards the accomplishment of minority construction contracting participation programs is at best, minimal.

2. Most of the programs surveyed had a fixed percentage goal for minority participation regardless of type of project. This can result in compliance problems for General Contractors on specialized projects, such as a force main project in an area of the state where there are no minority contractors to do trucking, excavation or installation of large sewer lines. There is therefore a need for more realistic and different goals to be set on a project by project basis, based on such factors as type of project, the number of certified minority contractors capable and available to perform that type of work, etc.

3. Several inconsistencies were evident in the various programs reviewed. For instance, some have separate goals for Blacks, Hispanics, Women and other minorities; some programs have one goal for all minorities; some programs have a combination of set-asides and goals while others have just goals, and one program even had one known as "Encouragement, which was neither a goal nor set-aside. Although it may be impossible to have a uniform program throughout the state, due to legal and other ramifications, there is a need to determine (based on historical experience) which types of programs have been effective in realizing the intent of these programs. Some of the inconsistencies can be eliminated if programs can be patterned after those determined to be effective and successful.

4. The majority of the programs reviewed have no separate budget for the administration of their programs. These programs relied on their Equal Opportunity Employment or Purchasing departments to implement and administer the programs. Since personnel in these two Departments are usually not trained to handle the complex and intricate process of construction contracting, their effectiveness in the administration of the programs is very doubtful and can have an impact on the success or failure of these programs.
5. The study also revealed a lack of adequate and technically qualified personnel to effectively implement the programs. Out of 24 programs reviewed, only four have adequate personnel. The remaining 20 had an average of 2 to 3 staff persons, often consisting of a coordinator and secretaries. The limited number of adequate staff to properly administer these programs can have an impact on the effective administration, implementation, and monitoring of minority participation programs.
6. There was an indication that the projects often targeted for set-aside programs were too large for minority contractors to bid on as general contractors.

While all of the State and local surveyed had certification processes to screen minority firms who wish to participate in

their programs, the difficulty in determining which of the firms were legitimately minority-owned was constantly brought up.

From the above it can be concluded that there are several weaknesses in the existing programs that may have some bearing on the overall problems being experienced with minority participation requirements on public construction work in Florida. The exact impact and the extent it affects the effectiveness of these programs is in itself a subject that requires extensive study and is beyond the scope of this study.

During the investigation of existing minority programs, it was learned that even though the overall intent were the same, these programs had other variations besides the set-asides, such as "Goals" and "Encouragement". It is therefore suggested that on subsequent studies related to this subject, they be referred to as "Minority Participation Programs"

RECOMMENDATIONS

The following recommendations are offered by the principal investigator to help alleviate the problems facing the State of Florida on the minority contractor utilization programs:

- I. A state, quasi-state agency or a state-funded private firm (similar to the "Minority Contractors Assistance Project" - MCAP, formerly located in Washington, D.C. and with regional offices throughout the country) should be established to assist minority contractors with bonding, specific and custom-tailored on-the-job training, technical assistance and continuing education. The organization should be staffed with experienced and qualified personnel in the following areas: Bond Packaging, Loan packaging, Construction Management (estimating, scheduling, bidding, contract negotiation, etc.), Project Management (Mobilization, job start-up, purchasing, cost control, change orders recognition, estimating, negotiation, safety, contract documentation, job close-out, etc.) and Business Management/Administration (hiring of competent and experienced personnel, organization, accounting, cash flow management, record-keeping, marketing etc.). This organization should establish and implement tight budgetary and management controls for minority construction contractors seeking services, and be structured in such a manner that an expert or experts, with field and "hands-on" construction

experience, can be made available to minority contractor on an "on-call" basis and can be rapidly dispatched to various on-site locations in the state when needed to help resolve technical problems of minority contractors on construction sites. The organization should also establish agency agreements with surety companies (similar to the ones established by MCAP) to permit it to underwrite surety bonds directly to minority contractors, as well as arrangements provide short-term loans (Similar to Mcap's loan program, where letters of credit were issued to local banks to facilitate short-term loans to minority contractors on a project by project basis) on construction projects where the minority contractors consent to project and financial control in return for the above services. MCAP was very effective and successful and a similar type of organization in Florida, under proper management and supervision can resolve several of the problems presently being encountered in minority construction programs in Florida.

II. A needs assessment instrument should be developed and used to assess the individual needs of minority contractors, as soon as they are certified as eligible to participate in these programs, so that specific training, technical assistance, etc, can be tailored to suit the specific needs of each certified firm instead of conducting general

seminars for all firms.

III. The amount of paperwork required of contractors should be streamlined and minimized in order to reduce the indirect cost of these programs to contractors. This can help to lessen the negative image often perceived against these programs.

IV. There is a need to develop and establish a "graduation" system. For example, a timetable can be set for minority contractors who participate in these programs to "graduate" and bid competitively on their own, after they have achieved a pre-established level of competency, annual volume of work, or have been in the program after a pre-established number of years, or a combination of all or some of the above.

This will help steer these programs towards the original intent of assisting minority firms into the mainstream, eliminate the perception and fear of perpetual "give-away" programs often expressed by those who oppose them. The details, format and implementation of such a system should be determined individually by each state and local agency.

V. State and local government or agencies with these programs should commit to adequately fund them. Each program should be properly staffed with experienced and qualified personnel under the leadership of an experienced program director with extensive experience in minority programs. This will help administer the programs effectively and contribute significantly to their success.

VI. A mechanism should be established to remove the task of seeking qualified minority contractors, helping them get bonding and/or financing, assisting minority contractors with the estimating, actual performance of contracts, etc. that is sometimes placed on non-minority contractors.

This will give these programs a more positive outlook to the non-minority contractors and also help eliminate some of the legal, financial and other problems that can occur when non-minority contractors "help" minority contractors in the estimating or actual performance of contracts.

VII. All State and local government agencies with MBE programs should establish firm and enforceable policies to actively seek, terminate, ban from submitting future bids and legally prosecute illegitimate minority firms as well as non-minority firms who are knowingly

associated with such firms.

- IX. The existing MBE percentage goals, requirements, encouragement, etc. should be re-examined, and where appropriate, more realistic goals be re-established. In some situations, it may be appropriate to set goals, set-asides, etc. on a project by project basis and based on the availability of minority contractors, and not on the percentage of minority population. This can help eliminate the problem of penalizing non-minority contractors on highly specialized or remotely located projects for which minority contractors may not be legitimately available.
- X. A more effective mechanism and outreach efforts should be developed in order to disseminate specific and detailed project information about upcoming projects to minority contractors in a timely manner (at least four to six weeks before bid date, where possible).
- XI. Stricter and more stringent enforcement of MBE requirements, particularly against firms who fail to comply with them.
- XII. A mechanism should be established for State and local agencies to monitor the involvement, needs, status and

the welfare of minority firms prior to contract award, after contract award, during construction and at the end of the project.

XIII. A joint council of the major construction industry groups (Associated General Contractors, Associated Builders and Contractors, the National Association of Minority Contractors, the Florida Black Contractors Alliance, local minority contractors and representatives from State and local government agencies should be formed to improve communications and solicit suggestions for achieving the original intent of MBE programs, and to seek a more cohesive cooperation and effort by all parties towards a common goal. Formal and on-going meetings should be held by the council to make recommendations on the modification or development of training and continuing education programs for minority contractors who may need them. Cooperation, communication and positive interaction between these parties can result in the elimination of the adversary perception that often exists. This, can in turn lead to the effective and successful achievement of the intent of MBE programs.

XIV. A formal "network" system should be developed among the directors of all MBE programs in the state. This can

facilitate the exchange of ideas so that lessons can be learned from each other. Most importantly it can provide opportunities for minority contractors in one location to participate on projects in another location, where there may be problems finding enough minority contractors.

- XV. A plan should be developed to train more qualified minorities in the management aspects of construction contracting. One way to begin this plan is for non-minority general contractors to consider hiring and/or training minorities in management positions.

RECOMMENDATIONS FOR FUTURE RESEARCH

One of the objectives of this study was to determine if further research was required , and if so, recommend the scope of such research. During the course of this study, the following were identified as areas that need further investigation:

1. An in-depth study to investigate the feasibility of the establishment of a state-funded organization to provide custom-tailored one-on-one technical and other assistance, training, continuing education and other professionally-rendered supportive services for minority contractors, including surety bond underwriting and short-term loan programs.
2. An in-depth study to investigate the feasibility of establishing a certification, graduation or competency limit for minority contractors so that once they reach that point they can be asked to compete in the open market without the help of MBE programs.
3. An in-depth study on how to reduce the amount of paperwork associated with MBE programs without jeopardizing the intent of the programs.

4. An in-depth study of the actual cost impact of MBE programs, if any, on the cost for public funded projects in Florida.
5. An in-depth study to investigate the feasibility and legal ramifications of waiving the requirement for bonding for minority general contractors on state and local government public funded contracts.
6. An in-depth study of the actual impact of the lack of inadequate funding and personnel on the administration, success or failure of MBE programs.
7. A study on the feasibility of establishing a joint council of AGC, ABC, NAMC, FBCA and State and local agencies on MBE programs.
8. A study on the feasibility of assessing the needs of minority contractors and developing specific supportive services to correct any deficiencies.
9. A study of all the MBE programs in the state to determine which ones have been effective and successful in terms of criteria such as: the number and value of contracts awarded to minority contractors as relates to total number and value of contracts awarded to non-minority contractors, etc. so that

other programs can be patterned after them.

10. A study of the impact of the U.S. Supreme court's decision in the J.A. Croson (Richmond, Virginia) case on Minority construction programs in Florida. Some of the programs in the state have not been affected yet at the time of this report. Others (Such as Dade county, Hillsborough County and the City of Tampa) are in the process of having studies conducted to support their programs.

APPENDICES

APPENDIX A

A PILOT SURVEY OF THE PROBLEMS AND OPPORTUNITIES CREATED BY
MANDATORY UTILIZATION OF MINORITY CONTRACTORS IN
THE STATE OF FLORIDA

This survey has been sent to several contractors within the State of Florida. Responses will be strictly anonymous. Please take approximately 15 minutes to answer the following questions. Please note that this questionnaire pertains only to State and Local (Counties, cities, etc.) funded projects and excludes anything pertaining to Federal projects.

1. What best describes your firm?

- 1. General Contractor
- 2. Builder/Developer
- 3. Sub-Contractor - What Trade? (e.g. painter) _____
- 4. Other - Specify _____

2. In what part of the state is your firm located?

- 1. Northwest (e.g. Tallahassee)
- 2. Northeast (e.g. Jacksonville)
- 3. Central (e.g. Orlando)
- 4. Southwest (e.g. Tampa)
- 5. Southeast (e.g. Miami)

3. What best describes your ethnic group?

- 1. American Indian
- 2. Asian - American
- 3. Black - American
- 4. Hispanic - American
- 5. Black Female
- 6. Hispanic Female
- 7. Other _____

4. What effect do you feel mandatory utilization of minority contractors has had on the minority communities in the state? (Note: Minorities are defined as American Indians, Blacks, Asian Americans, and Hispanics.)

- 1. Positive effect
- 2. Negative effect
- 3. No effect
- 4. Do not know

5. What effect do you feel mandatory utilization of minority contractors has had on the non-minority communities in the state?

- 1. Positive effect
- 2. Negative effect
- 3. No effect
- 4. Do not know

6. As a minority contractor, have you been awarded any contracts from any state or locally-funded programs for mandatory utilization of minority contractors?

- 1. Yes
- 2. No

If yes, how many contracts? (e.g. 2 contracts) _____

If yes, please state the awarding agency, the approximate sizes of these contracts and when they were awarded. (e.g. FDOT, \$50,000.00, 1986)

If no, which of the following best describes the reasons why you have not been awarded any contracts.

- 1. Lack of bonding
- 2. Lack of financing
- 3. No contract opportunities
- 4. Unacceptable contract terms offered by non-minority contractors
- 5. Was never contacted by non-minority contractors
- 6. Location of jobs were too far
- 7. Did not have enough time to bid
- 8. Did not know about set-aside programs
- 9. Was too busy to bid
- 10. Other _____

7. What would you estimate the yearly dollar value of contracts received by your firm as a result of state and locally-funded programs for mandatory utilization of minority contractors to be?

- 1. \$ _____
- 2. Cannot estimate, but it is significant
- 3. Cannot estimate, but it is insignificant
- 4. None

8. Have you ever utilized the SBA Surety Bond Program?

- 1. Yes
- 2. No

If yes, how many times. (e.g. 2 times) _____

If no, why not? _____

9. As a non-minority contractor have you encountered any problems with state and local programs for mandatory utilization of minority contractors?

- 1. Yes
- 2. No

If yes, which of the following best describes the problems?

- 1. Lack of minority contractors
- 2. Lack of qualified minority contractors
- 3. Lost contracts
- 4. Unbondable contractors
- 5. Non-competitive prices
- 6. Lack of response from minority contractors
- 7. Other _____

10. How many contracts can you properly document that you have lost as a result of state and local programs for mandatory utilization of minority contractors? (e.g. 2 contracts)

11. Please state the name of the agency, the approximate sizes of these contracts, and when they were lost. (e.g. FDOT, \$50,000.00 contract, 1986)

12. What would you estimate the yearly dollar value of contracts lost by your firm as a result of non-compliance with state and local programs for mandatory utilization of minority contractors to be?

- 1. \$ _____
- 2. Cannot estimate, but it is significant
- 3. Cannot estimate, but it is insignificant
- 4. None

13. In your opinion, what impact has mandatory utilization of minority contractors had on state and locally-funded projects?

- 1. It has limited competition
- 2. It has increased competition
- 3. It has had no effect on competition
- 4. It has increased the cost of projects
- 5. It has had little or no effect on the cost of projects
- 6. None of the above
- 7. Other _____

14. Which of the following best describes the reasons why some contractors are unable to meet mandatory utilization requirements on state and locally-funded projects?

- 1. They are unable to find minority contractors
- 2. They are unable to find qualified minority contractors
- 3. They work on specialized projects for which there are no minority contractors (Please give an example of this type of project) _____
- 4. Lack of interest of minority contractors in bidding
- 5. Non-competitive prices submitted by minorities
- 6. Lack of effort in trying to find minority contractors
- 7. None of the above
- 8. Other _____

15. Some contractors contend that they are unable to find enough minority contractors to meet the requirements on state and locally-funded projects?

- 1. I agree
- 2. I disagree

16. Some contractors contend that when they cannot meet MBE requirements problems are created.

- 1. I agree
- 2. I disagree

If you agree please list five examples of such problems.

_____	_____
_____	_____
_____	_____

17. Please list the 5 things that you think would help minority or disadvantaged contractors to get the most out of programs for mandatory utilization of minority contractors on state and local projects.

_____	_____
_____	_____
_____	_____

18. Please list the 5 most serious problems that you have found with state and local programs for mandatory utilization of minority contractors.

_____	_____
_____	_____
_____	_____

THANK YOU for your time and interest. Please return the questionnaire in the stamped envelope provided. If you would like to further discuss this research or any of the School of Building Construction's activities, please call Kweku Bentil or LaNetra Ford at (904) 392-5965.



SCHOOL OF BUILDING CONSTRUCTION
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G. Arlan Toy
J. Morris Trimmer, DBA
Howard L. Underberger

Loys A. Johnson, FAIC
Emeritus

Thomas E. Martin
Emeritus

C. Dawson Zeigler, Jr.
Emeritus

APPENDIX B

Following a nationwide trend to assist minority construction contractors into the mainstream of the construction industry, the state of Florida as well as several counties and cities within it have passed legislation requiring mandatory utilization of minority contractors on local public contracts. Opinions on the successes and failures of these efforts vary tremendously. The school of Building Construction at the University of Florida is conducting a statewide pilot survey to learn more about the problems and opportunities created by these programs.

Specifically, we are interested in the kind of opportunities and/or problems that have resulted from these programs in order to determine if a more detailed research is needed on the magnitude of the opportunities and/or problems and their total impact on the construction industry within the state. The enclosed questionnaire has been designed to allow us to explore attitudes about these programs.

You can greatly assist us in this research by taking approximately 15 minutes to fill out the questionnaire and returning it in the enclosed postage paid envelope no later than February 15, 1988. We anticipate the submission of the data to the Building Construction Industry Advisory Committee of the State of Florida in order to stimulate further review in the planning and maintenance of programs in the state. It is therefore important that your answers are accurate since they may play a significant role in the future of mandatory utilization of minority contractors.

Thank you in advance for helping with this research.

Sincerely,

Kweku K. Bentil, AIC
Associate Professor

Enclosure

APPENDIX C

SCHOOL OF BUILDING CONSTRUCTION
UNIVERSITY OF FLORIDA
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February 1, 1988

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J. Morris Trimmer, DBA
Howard L. Underberger

Loys A. Johnson, FAIC
Emeritus

Thomas E. Martin
Emeritus

C. Dawson Zeigler, Jr.
Emeritus

Dear Mr.

A few weeks ago we sent you a questionnaire on the problems and opportunities created by Mandatory Utilization of Minority Contractors in the State of Florida. If you have already returned your completed questionnaire, we wish to take this opportunity to express our sincere gratitude to you for your input and assistance with this study. In the event that you have not returned the completed questionnaire, then we encourage you to take approximately 15 minutes to complete it and return it in the stamped self addressed envelope by February 15, 1988. Thank you once again for helping with this research.

Sincerely,

Kweku K. Bentil
Associate Professor

Enclosure

APPENDIX D

A PILOT SURVEY OF THE PROBLEMS AND OPPORTUNITIES CREATED BY
MANDATORY UTILIZATION OF MINORITY CONTRACTORS IN
THE STATE OF FLORIDA

This survey has been sent to several agencies, organizations, counties, and cities within the State of Florida. Please take approximately 15 minutes to answer the following questions. Please note that this questionnaire pertains only to State and Local (Counties, cities, etc.) funded projects and excludes anything pertaining to Federal projects.

1. What best describes your organization?

- 1. City
- 2. County
- 3. State Agency (e.g. D.O.T.) _____
- 4. Other - Specify (e.g. Urban League)

2. In what part of the state is your organization located?

- 1. Northwest (e.g. Tallahassee)
- 2. Northeast (e.g. Jacksonville)
- 3. Central (e.g. Orlando)
- 4. Southwest (e.g. Tampa)
- 5. Southeast (e.g. Miami)

3. What effect do you feel mandatory utilization of minority contractors has had on the minority communities in the state? (Note: Minorities are defined as American Indians, Blacks, Asian Americans, and Hispanics.)

- 1. Positive effect
- 2. Negative effect
- 3. No effect
- 4. Do not know

4. What effect do you feel mandatory utilization of minority contractors has had on the non-minority communities in the state?

- 1. Positive effect
- 2. Negative effect
- 3. No effect
- 4. Do not know

5. Have you awarded any contracts to any minority construction contractors?

- 1. Yes
- 2. No

If yes, how many contracts? (e.g. 2 contracts) _____

If yes, please state the approximate sizes of these contracts and when they were awarded. (e.g. \$50,000.00, 1986)

If no, which of the following best describes the reasons why you have not awarded any contracts.

- 1. Difficulty in finding bondable minority contractors
- 2. Difficulty in locating financially stable minority contractors
- 3. No contract opportunities
- 4. Jobs were too large
- 5. No bids were submitted by minority contractors
- 6. Location of jobs were too far
- 7. Jobs were too specialized
- 8. Did not know about mandatory utilization of minority contractors
- 9. Could not locate any minority construction firms
- 10. Other _____

6. What would you estimate the yearly dollar value of contracts awarded to be?

- 1. \$ _____
- 2. None

How much of the above went to each of the following groups?

- 1. Minorities \$ _____
- 2. Non - Minorities \$ _____

7. Have any minority construction contractors, awarded contracts by you, utilized the SBA Surety Bond Program?

- 1. Yes
- 2. No

If yes, how many times. (e.g. 2 times) _____

If no, why not? _____

8. Have you encountered any problems locating minority contractors?

- 1. Yes
- 2. No

If yes, which of the following best describes the problems?

- 1. Lack of minority contractors
- 2. Lack of qualified minority contractors
- 3. Lost contracts
- 4. Unbondable contractors
- 5. Non-competitive prices
- 6. Lack of response from minority contractors
- 7. Other _____

9. What would you estimate the yearly dollar amount lost by your organization/agency as a result of non-compliance with state and local programs for mandatory utilization of minority contractors to be?

- 1. \$ _____
- 2. Cannot estimate, but it is significant
- 3. Cannot estimate, but it is insignificant
- 4. None

10. Has the use of minority contractors had any effect on the dollar amount of contracts awarded by your organization/agency?

- 1. It has increased the amount of contracts
- 2. It has decreased the amount of contracts
- 3. It has had no effect on contracts
- 4. Other _____

If contract amounts have increased, please state the approximate dollar amount of the increase. \$ _____

11. In your opinion, what impact has mandatory utilization of minority contractors had on state and locally-funded projects?

- 1. It has limited competition
- 2. It has increased competition
- 3. It has had no effect on competition
- 4. It has increased the cost of projects
- 5. It has had little or no effect on the cost of projects
- 6. None of the above
- 7. Other _____

12. Which of the following best describes the reasons why some contractors are unable to meet mandatory utilization requirements on state and locally-funded projects?

- 1. They are unable to find minority contractors
- 2. They are unable to find qualified minority contractors
- 3. They work on specialized projects for which there are no minority contractors (Please give an example of this type of project) _____
- 4. Lack of interest of minority contractors in bidding
- 5. Non-competitive prices submitted by minorities
- 6. Lack of effort in trying to find minority contractors
- 7. None of the above
- 8. Other _____

13. Some contractors contend that they are unable to find enough minority contractors to meet the requirements on state and locally-funded projects?

- 1. I agree
- 2. I disagree

14. Some contractors contend that when they cannot meet MBE requirements problems are created.

- 1. I agree
- 2. I disagree

If you agree please list five examples of such problems.

_____	_____
_____	_____
_____	_____

15. Please list the 5 things that you think would help minority or disadvantaged contractors to get the most out of programs for mandatory utilization of minority contractors on state and local projects.

_____	_____
_____	_____
_____	_____

16. Please list the 5 most serious problems that you have found with state and local programs for mandatory utilization of minority contractors.

_____	_____
_____	_____
_____	_____

THANK YOU for your time and interest. Please return the questionnaire in the stamped envelope provided. If you would like to further discuss this research or any of the School of Building Construction's activities, please call Kweku Bentil or LaNetra Ford at (904) 392-5965.

MANDATORY UTILIZATION OF MINORITY CONTRACTORS
INTERVIEWS WITH CITY/COUNTY AGENCIES

CITY/COUNTY	CONTACT PERSON	BUDGET	EMPLOYEES	SET-ASIDE/GOAL	PROGRAM STARTED
Alachua County Purchasing Dept. P.O. Box 1467 Gainesville, FL, 32602 (904) 374-5219	Neil McCleod	No Budget Part of EEO Budget	1-Director 1-Coordinator/ EO Specialist 1-Secretary	Goal - 15% MBE	1984
City of Orlando Minority Business Enterprise Office 400 S. Orange Ave Orlando, FL 32801 (407) 849-2121	Veronica Anderson	Operating Budget \$150,000	1-Coordinator 1-Fulltime Sec. 1-Temp. Sec. 3-Consultants	Goal - 18% MBE 6% WBE	1983
City of Pensacola P.O. Box 12910 Pensacola, FL 32521 (904) 435-1821	Diana Bresnell	No Budget Program being Developed	1-Coordinator	Not established	
City of St. Pete. Minority/Women Business Enterprise Public Works Admin P.O. Box 2842 St. Petersburg, FL, 33731 (813) 8937846	Teresa Jones Capital Budget Jerry Syrket Operating Budget	No Budget Part of Public Works No Budget Part of Human Relation Dept.	1-Coordinator 1-Secretary 1-Coordinator 1-Secretary	Varies Contract/ Contract Goal - 10%	1985

MANDATORY UTILIZATION OF MINORITY CONTRACTORS
INTERVIEWS WITH CITY/COUNTY AGENCIES

CITY/COUNTY	CONTACT PERSON	BUDGET	EMPLOYEES	SET-ASIDE/GOAL	PROGRAM STARTED
City of Ft. Meyers P.O. Drawer 2217 Ft. Meyers, FL 33902 (813) 334-1261	Ken Hoffman	\$54,000	1-Coordinator 1-Secretary	Goal - 12% MBE 2% WBR	1986
City of Gainesville Human Relations Office 306 N.E. 6th Ave Gainesville, FL 32601 (904) 374-2108	Bill Reynolds	No Budget Part of Human Relat Dept.	1-Coordinator	Goal - 12% MBE Capital & Operating Budget 3% WBE	1985
City of Jacksonville Minority Business Enterprise Office 200 E. Bay Street City Hall, Rm 301 Jacksonville, FL 32202 (904) 630-1163	Connell Heyward	No Budget Part of Purchasing Dept.	1-Coordinator 1-Asst. Coord. 1-Secretary	Goal - 10% Capital & Operating	1984
City of Miami Minority Business Enterprise Office 1390 N.W. 20th St Miami, FL 33142 (305) 579-6380	Adriane McBeth	\$350,000	1-Coordinator 1-Secretary	Goal - 17% Women 17% Black 17% Hispanic	1983
City of Tampa EEO 1 City Hall Plaza, Tampa, FL 33602 (813) 223-8192	Pamela Hart	\$35,000	1-Coordinator	Goal - 12% Black 6% Hispanic 5% Women 2% Others	1985

MANDATORY UTILIZATION OF MINORITY CONTRACTORS
INTERVIEWS WITH CITY/COUNTY AGENCIES

CITY/COUNTY	CONTACT PERSON	BUDGET	EMPLOYEES	SET-ASIDE/GOAL	PROGRAM STARTED
Eschambia County EEO Office P.O. Box 1591 Pensacola, FL 32557 (904) 436-5811	Love Brown	No Budget Part of EEO	1-Coordinator 1-Affirmative Action Analyst	Goal - 15% DBE	1983
Leon County Director of Purchas Leon County Courthouse Tallahassee, FL 32301 (904) 488-6949	Lu Williams	\$4,000	1-Coordinator	Goal - 5% MBE	1988
Lee County EEO Specialist P.O. Box 398 Ft. Meyers, FL 33902 (813) 335-2256	Julia Davis	No Budget Part of EEO Dept.	1-Director/ EEO Specialist 1-Admin. Asst.	Goal - 10%	1986
Metropolitan Dade County Office of Minority Business Development 111 N.W. 1st St Suite 1710 Miami, FL 33128 (305) 375-4132	Milton Vickers	\$650,000	13	Goal - Per Project Set-Aside - Individual Projects	1982
Orange County Minority/Women Business Enterprise Department P.O. Box 1393 Orlando, FL 32802 (407) 236-7317	Charles Foreman	\$60,000	1-Coordinator 1-Secretary	Goal - 18% MBE 6% WBE	1984

MANDATORY UTILIZATION OF MINORITY CONTRACTORS
INTERVIEWS WITH CITY/COUNTY AGENCIES

CITY/COUNTY	CONTACT PERSON	BUDGET	EMPLOYEES	SET-ASIDE/GOAL	PROGRAM STARTED
City of Tallahassee Minority Business Enterprise Office City Hall Tallahassee, FL 32301 (904) 599-8184	Fred Payne	\$97,000	1-MBE Officer 1-Specialist 1-Secretary	Goal - 7 1/2% Black 7 1/2% Others	1982
City of West Palm Beach Minority/Women Business Enterprise P.O. Box 3366 West Palm Bch, FL 33402 (407) 659-8024	Neva Spann	No Budget Program being Developed	1-Coordinator	Not established	
Hillsborough County Minority Business Enterprise Office 403 N. Morgan St P.O. Box 1110 Tampa, FL 33601 (813) 272-5327	Jacqueline Barr	No Budget Part of EEO Dept.	1-Coordinator 1-EEO Assistant 2-EEO Specialist 1-Secretary	Goal - 25% Capital 5% Operating	1964
Broward County Office of Contract Compliance County Admin. Office Rm. 406-B 115 S. Andrews Ave Ft. Lauderdale, FL 33301 (305) 357-7800	Norman Taylor	\$350,000	9	Goal - 15% MBE 3% WBE Non-Construct 5% WBE Construct Set-Aside - Individual Projects	1984

MANDATORY UTILIZATION OF MINORITY CONTRACTORS
INTERVIEWS WITH CITY/COUNTY AGENCIES

CITY/COUNTY	CONTACT PERSON	BUDGET	EMPLOYEES	SET-ASIDE/GOAL	PROGRAM STARTED
Palm Beach County 301 N. Olive Avenue Rm. 104 West Palm Beach, Fl. 33401 (407) 820-2000	Carol Williams	No Budget Part of Purchasing Dept.	1-Coordinator 1-Secretary	Goal - 4% MBE 3% WBE	1985
Jacksonville Fort Authority Human Resource Manag P.O. box 3005 Jacksonville, Fl 32206 (904) 630-3099	Jackie Holmes	\$53,700	1-Coordinator 1-Secretary	Goal - 15% MBE 3% WBE	1984
Volusia County Purchasing Dept. P.O. Box 429 Deland, FL 32720 (904) 736-2700	Errick Young	No Budget Part of Purchasing	1-Coordinator	Goal - 10% MBE	1984

MANDATORY UTILIZATION OF MINORITY CONTRACTORS
INTERVIEWS WITH STATE AGENCIES

Agency Name, Address, Phone	Person Interviewed	No. and Type of Personnel	Type of Budget	Goal or Set-aside	Type of Interview
Florida Dept. of Gen. Services 200 E. Gaines St Larson Bldg. Tallahassee, FL (904) 487-0915	Carolyn Wilson- Newton Lloyd Ringold Thad Fortune	13 - 15	Not Avail.	15% Encour.	Phone
State of Florida Dept. of Transport. 605 Suwannee St. Rm. 260 Mail Sta. 65 Tallahassee, FL (904) 488-3145	Juanita Moore Al Boarders	21	\$1,685,000 Incl. Sal. Benefits, & Consultant Contracts	10% goal	Phone
Florida Board of Regents Rm. 301 B Collins Bldg. 107 W. Gaines St. Tallahassee, FL (904) 488-5251	Patricia Jackson	1-Director 1-Admin. Asst.	\$132,000	15% goal	Personal

APPENDIX F
MINORITY BUSINESS DEVELOPMENT CENTERS IN FLORIDA

<u>CENTER</u>	<u>DIRECTOR</u>	<u>ADDRESS/PHONE</u>
Jacksonville	Jean Pettis	333 N. Laura St. Room 465 Jacksonville, FL 32202 (904) 353-3826
Miami/Ft Laud.	William Rios	201 Alhambra Circle Coral Gables, FL 33134
Orlando	Jack Perkins	132 E. Colonial Dr Room 211 Orlando, FL 32801 (407) 422-6234
Tampa	Thomas Huggins	Flagship Bank Bldg 6th Floor 315 E. Madison St. Tampa, FL 33602 (813) 228-7555
West Palm Bch	Gerald Adams	Suite 1002, Forum Bldg Tower A 1675 Palm Bch Lakes Blvd. West Palm Bch, FL 33401 (407) 683-4400

APPENDIX G
SMALL BUSINESS DEVELOPMENT CENTERS IN FLORIDA

<u>CENTER</u>	<u>DIRECTOR</u>	<u>ADDRESS/PHONE</u>
Florida State Univ.	Dr. John Kerr Dr. Roy Thompson	Eastwood Office Plaza 1605 E. Plaza Dr. Suite 1 (904) 644-6524 4917 N. Bay Dr. Room 5 Panama City, FL 32401 (904) 872-4655
Fla A & M Univ.	Ms. Patricia McGowan	P.O. Box 708 Tallahassee, FL 32307 (904) 599-3407
Univ. of South Florida*	Mr. William Manck	College of Business Room 3331 Tampa, FL 33620 (813) 974-4274 830 First St. South Room 119 St. Petersburg, FL 33701 (813) 893-9529
Florida Atlantic Univ.	Mr. William Healy	One River Plaza Bldg. 305 S. Andrews Ave. Suite 910 Ft. Lauderdale, FL 33301 (305) 467-4238 Campus Fleming Hall Bldg. Boca Raton, FL 33431 (407) 393-3174

Univ. of North FL*	Dr. Lowell Salter	4567 St. John's Bluff Rd., S. Bldg. 11 Room 2197 Jacksonville, FL 32216 (904) 646-2476
Univ. of West FL*	Mr. Donald Clause	Campus Bldg. Eight Pensacola, FL 32514 (904) 474-2908
		Elgin Air Force Base Bldg. 251, Room 122 P.O. Box 1527 Elgin AFB, FL 32542 (904) 678-1143
Gainesville SBDC	Mr. Bill Stensgaard	1031 N.W. 6th St., Gainesville, FL 32601 (904) 377-5621
Univ. of Central FL*	Mr. Al Polfer	Orlando Campus 12424 Research Parkway Orlando, FL 32816 (407) 658-6808
Stetson Univ.	Mr. David Crosf	Davis Hall, W. Minnesota Ave. P.O. Box 8429 Deland, FL 32720 (904) 734-1066
FL Int. Univ.*	Mr. Marvin Nesbit	Tamiami Campus Trailer MO1 Miami, FL 33199 (305) 554-2272
		Bay Vista Campus NE 151 St. & Biscayne Blvd. Academic One Bldg., Room 384 North Miami, FL 33181 (305) 940-5790
FL Keys CC	Dr. William Smith	602 Duval St. Key West, FL 33040 (305) 294-8481

* Offices with construction procurement consultants

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south Daytona, FL 32019

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PALM COAST BA
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Gainesville, FL 32601

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Naples, FL 33942

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Sebring, FL 33870

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