

**Jack Thomas**  
**Chief Diversity Officer**

**St. Louis County's M/WBE Program**

**SITE Improvement Assoc. Investment in Infrastructure Expo**

**February 26, 2019**

### Discussion Points

- History
- Goals
- Responsibilities for Good Faith Efforts
- Evaluation of Good Faith Efforts

### Historical Overview

- Disparity Study
  - May 2017
  - January 1, 2012-December 31, 2015
    - Construction
    - Construction Related Professional Services
    - Other Professional Services
    - Other Services
    - Goods and Commodities

### Study Findings

- Significant Disparities for M/WBEs
- Disparities likely due to race, gender, ethnicity and/or veteran's status

### Remedial Action By County

- Adoption of Ordinance 27,043 (2018)

### Goals/Certification

- 24% MBE and 9.5% WBE
- City of St. Louis Airport; and
- MoDOT
- Business Presence in St. Louis Metropolitan Area
- Federal DBE Program thru MoDOT
  - DBE Goals by Project
  - Department of Transportation and Spirit of St. Louis Airport

### County Departments with Construction Programs

- Spirit of St. Louis Airport
- Department of Parks & Recreation
- Department of Transportation
- Public Works

### "Good Faith Efforts"

- *Good faith efforts means efforts to achieve a M/W/DBE goal or other requirement which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.*

### Responsibilities for Good Faith Efforts

- Owner
  - Realistic Contract Goal(s)
  - Plans and Specifications
  - Publically Advertise
  - Pre-Bid Meetings
  - Share list of plan-holders



### Responsibilities for Good Faith Efforts

- Bidder
  - Pre-Bid Conference
  - Follow-up with M/WBEs
  - Access to plans and specifications
  - Break subcontract work into smaller packages
  - Notify M/WBEs of outcome
  - Written policy supporting subcontracting to M/WBEs
  - Assign a senior level official as liaison with M/WBEs

### Responsibilities for Good Faith Efforts

- M/WBE Subcontractor
  - Attend Pre-Bid Conference
  - Capability Statement
  - Expression of Interest
  - Scope Letter

### Pre-Award Evaluation of Good Faith Efforts

- Did the apparent low Bidder meet the Contract goals?
- If not, did the Bidder make a good faith effort?

### Pre-Award Evaluation of Good Faith Efforts

- Quantity;
  - How many?
- Quality;
  - How well?
- Intensity
  - How hard?

### Post-Award Good Faith Efforts

- Allowing adequate notice and time to mobilize;
- Not self-performing the M/WBEs work;
- Not replacing a M/WBE without notice and Owner approval
- Replacing a M/WBE with another M/WBE
- Prompt and complete payment
- Fair evaluations/inspections of work;

### Staff

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