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Executive Director
Valerie Delafosse

www.womencontractors.org

January 18, 2013

Mayor Annise Parker
City of Houston
P O Box 1562
Houston, Texas 77251

Via U.S. Mail
and Via E-Mail

Re: Disparity Study, City goals

Dear Mayor Parker:

The Women Contractor Association (WCA) is a dynamic organization created by women. We serve the greater Houston area and our membership is a collective of construction-related companies small to large. Most are WBEs, and many are also MBEs, DBEs, and SBEs. Our Members are approximately 65% corporate business owners / partners and 35% decision-making executives. Most are certified with the City of Houston, and all prosper and succeed from the economic development and growth in our region. Our members include general contractors, subcontractors, suppliers, engineers, architects, surveyors and other service related tax paying businesses in the construction industry. WCA has an active Student Chapter in partnership with the University of Houston, Construction Management College. The WCA is a growing medium size organization, but through our programs, we fill a big gap in the diverse greater Houston Construction community.

WCA recognizes that our member businesses directly affect the availability of jobs and tax revenue for the City of Houston. When our businesses succeed and grow, we hire more people, and often we develop and become medium and large businesses.

When WBEs were removed from the City's diversity goals for Construction Projects, the WCA members were directly, immediately, grossly hurt through loss of opportunity. We have read the NERA Disparity Study, Results, and Recommendations. We have participated in OBO outreach program to hear your Implementation of Recommendations summary.

This letter serves as an interim communication to support the needs and desires of our WCA membership as it relates to the City of Houston's, Office of Business Opportunity programming for the new goals, policies, and procedures. Please know WCA plans to issue a more formal "Position Paper" in the New Year in response to the Recommendations by NERA, OBO, and other industry groups.

The WCA is not satisfied with the status quo of acceptance of women within the construction industry, nor are we satisfied with the removal of WBEs from the City's diversity goals. The results of the Disparity Study were profound as to the negative impact to our members. We are committed to working with the City to return WBEs to the goals as rapidly as possible, and are discontented that so much time has passed.

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We support the recommendations made by NERA, with some additional clarifications and emboldened measures. The WCA believes that as the result of the study, the City should take the following action:

1. **Reinstate WBEs as a contracting goal to the maximum WBE Availability percentage**, which is in line with the percentage of ready, willing and able WBEs. This needs to expedited as the damage from WBEs being removed continues to negatively affect our members.
2. **Un-bundle contracts, both by dollar amount and by category of projects.** We see this as the primary method that women owned small businesses can grow into a prime contractor capacity for the city. Many of our members have suffered from failed Joint Ventures and Strategic partnerships, and do not have capacity to handle the legal ramifications to defend.
3. **Equalize the compliance and certification for SBEs.** SBEs must be certified with the same due diligence and effort as MWDBEs, and their Owners must comply to a maximum personal net worth and limited number of affiliated businesses, that MWDBEs are required to fulfill.
4. **Adjust MWSBE goals according to the requirements of each project and the Availability** of WBEs, SBEs, and MBEs for the particular type of work.
5. **Group Program Access to Bonding**: Do everything possible to assist MWSBEs to obtain bonding and capital to finance their projects.
6. Monitor general contractors post-award to insure that they are complying with the MWSBE plans submitted to the City to win the work.
7. Pay promptly on City contracts and monitor general contractors to be certain they pay their subcontractors and lower tiers promptly as well.
8. Respond quickly and effectively to claims by WBEs, SBEs, and MBEs regarding unfair or unethical treatment by general contractors.
9. Increase certification outreach and make certification an efficient, reliable, reciprocal and timely process.
10. Be vigilant in exposing MWSBE certification applications by "pass-through", fronts, or other fraudulent business entities.
11. Effectively manage the database of certified MWSBEs to eliminate those companies that are not ready, willing, and able to perform work.

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12. Continually review the performance of the program to ensure and maintain a high quality program.

We appreciate your consideration of these requests and will be happy to discuss them further. We also look forward to maintaining an open communication channel with your team and other City of Houston departments.

WCA will be submitting a Position Paper with further details, recommended metrics, anecdotal support, and clarity of policies and procedures. The Position Paper will further how we think the OBO program can be revised to better support WBEs and their contribution to our greater Houston area's economic development and jobs.

The WCA is confident that this partnership with strengthen our local businesses, promote diversity and provide a strong infrastructure for our construction industry, and for our young women aspiring to be professionals in construction, engineering, and architecture.

If you have any questions or comments, please contact our Executive Director, Valerie Delafosse. We hope to hear from you soon.

Sincerely,

Lianne Lami, PE, CEM, CEA
President of the Board
Women Contractors Association

Cc: Carlecia Wright, Office of Business Opportunity
Council Member Helena Brown, District A
Council Member Jerry Brown, District B
Council Member Ellen Cohen, District C
Council Member Wanda Adams, District D
Council Member Dave Martin, District E
Council Member Al Hoang, District F
Council Member Oliver Pennington, District G
Council Member Ed Gonzalez, District H
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Council Member Mike Laster, District J
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Council Member Stephen Costello, At Large Position 1
Council Member Andrews C. Burks, Jr., At Large Position 2
Council Member Melissa Noriega, At Large Position 3
Council Member C.O. Bradford., At Large Position 4
Council Member Jack Christie, At Large Position 4