

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: November 12, 2014

Board Item: III-A

Resolution to Re-establish the Small Business Enterprise Program and Minority and Women-owned Enterprise Program

Action by Consent

Action

Information

Background

On May 10, 1978, the Board adopted a Minority/ Women-owned Business Enterprise Program to facilitate participation of these groups in the Board's construction contract work. This program continued until 2000, when the City's program (which the Board's program was based on) was questioned in Concrete Works v. Denver, 86 F.Supp. 2d 1042 (D. Colo. 2000). After Concrete Works, the Board adopted a Nondiscrimination in Contracting Policy, and then on September 4, 2001, it adopted a Small or Disadvantaged Business Enterprise Program. The SDBE Program applied to all Board contracts – construction, services, and procurement.

Meanwhile, after Concrete Works, the City commissioned a number of studies evaluating the need for programs to improve access to public contract opportunities in construction, services, and procurement. The City's Construction Empowerment Initiative found disparity in construction contracting which provided a basis for the Board's current program, developed in 2008.

The City's most recent disparity study (2013) again found disparity in the construction area, as well as certain areas of non-construction services and procurement. These findings provide a basis for the Board to adopt a Minority/ Women-owned Business Enterprise Program for those contract areas.

Recommendation:

Staff recommends that the Board continue its "goals" program with regard to Minority and Women-owned Business Enterprise participation in its construction contracts, and that it extend its program to certain non-construction services and procurement contracts. Staff further recommends that the Board continue its efforts to increase participation by Small Business Enterprises in other services and procurement contracts.

The attached resolution: 1) adopts the City's recent findings of facts with regard to these issues; 2) establishes a Minority/ Women-owned Business Enterprise Program for certain non-construction services and procurement contracts; 3) continues the existing Program for construction and construction-related contracts; 4) continues the Small Business Enterprise Program for other contracts; and 5) establishes an Internal Oversight Committee and External Advisory Committee to assist the Board in reaching its participation and outreach goals.

Approvals:

Respectfully submitted,

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Sally Covington
Director of Public Affairs

James S. Lochhead
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Cursey S Funk For
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