



MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

9-18

October 5, 1992

(Executive Committee--Information)
(Engineering & Operations Committee--Information)
To: Board of Directors (Organization & Personnel Committee--Information)
From: General Manager
Subject: Minority, Women-Owned Business Enterprise (M/WBE) Program
Components

Report

Last month your Board adopted the Minority and Women-owned Business Enterprises (M/WBE) policy which states that:

It is the declared policy of the Metropolitan Water District of Southern California to implement a program that will aid, counsel and assist, insofar as is legally permissible, the participation of minority and women-owned business enterprises in contracts for Metropolitan properties, facilities and services.

In conjunction with the adoption of the M/WBE policy, your Board directed the General Manager to establish and monitor a program to support this policy. While fully detailed procedures must still be developed, the program will consist of the components identified in Attachment A.

A significant component of the program will be the creation of a new staff position--an M/WBE Administrator. The Administrator would be responsible for implementation of the specifics of the program components identified in job duties as proposed in Attachment B. This new position will be established from within the existing personnel compliment allocated for the current fiscal year. The Administrator would respond to inquiries from vendors, consultants and contractors to ensure they are brought together with appropriate District staff. The creation of this position will address repeated concerns of prospective contractors and vendors regarding the process involved in obtaining specific information about their respective interests. Attachment B sets forth the additional duties and responsibilities for the Administrator. Due to the amount of work required of the Administrator, a collaborative effort by all affected staff will be necessary to achieve the goals of the program.

Attachment C sets forth the definitions which will be used to determine minority and women-owned business enterprise status.

Board Committee Assignments

This letter is referred for information to:


The Executive Committee pursuant to Section 2417(e) of Metropolitan's Administrative Code to study, advise and make recommendations with regard to policies and procedures to be considered by the Board.

The Engineering and Operations Committee pursuant to Section 2431(a) of Metropolitan's Administrative Code to study, advise and make recommendations with regard to plans, specifications and bids.

The Organization and Personnel Committee pursuant to Section 2471(b) of Metropolitan's Administrative Code because of the committee's responsibility to review the organization, classification of positions, job duties, salaries, and salary ranges.

Recommendation

For information only.


Carl Boronkay

CB/dh/aj

Attachments

ATTACHMENT A

M/WBE PROGRAM COMPONENTS

1. Policy Statement

It is the declared policy of the Metropolitan Water District of Southern California to implement a program that will aid, counsel and assist, insofar as is legally permissible, the participation of minority and women-owned business enterprises in contracts for Metropolitan properties, facilities and services.

2. Program Targets

- a. Assessment and review of current participation statistics and reevaluation of program goals upon implementation.
- b. M/WBE program will have an overall contracting target of 15 percent for M/WBE business enterprises (12 percent for minority owned businesses and 3 percent for women-owned businesses) of the total value of all contracts.
- c. Disparity Study to provide legal support for current and future targets.

3. Program Administrator

- a. Job Description (Attachment B)

4. Development of Definitions for Minorities and Women-owned Business Enterprises. (Attachment C)

5. Certification and Status Verification Procedures

- a. Adoption of certification criteria of other agencies
- b. Time limitations and updates on validity

6. Database and Record Keeping

- a. Maintenance of Centralized Procurement Database
- b. Development of uniform statistics

7. Subcontracting Requirements and Procedures

- a. Development of requirements for utilization
- b. Development of waiver criteria for subcontractor utilization
- c. Development of enforcement procedures
- d. Record keeping

8. Evaluation and Revision of Specifications, Bid Documents, Requests for Statement of Qualifications, Requests for Proposals, Consulting Contracts, and Purchase Orders to include provisions and identify areas for M/WBE participation.
9. Appeal Procedures
 - a. The District shall provide a mechanism through which M/WBE firms can present complaints to the District management.
10. Public Outreach
 - a. Informational Symposiums
 - b. Attendance at Trade Shows
 - c. Notices in minority newspapers
 - d. Attendance at community events
 - e. Discussions with legislators
11. Internal Education
 - a. Training of buyers, contract administrators and specification writers in the implementation of the M/WBE program
 - b. Continuous communications with middle and upper management regarding program developments and requirements
12. Advisory Committee
 - a. Provides guidance related to policies
 - b. Interacts with program administrator and reviews progress reports
13. Board Reports
 - a. Quarterly and Annual Reports

ATTACHMENT B

PROPOSED JOB DUTIES

TITLE: MBE/WBE PROGRAM ADMINISTRATOR

DEPARTMENT: General Manager

BRIEF: The position allocated to this class function as a staff position is responsible for the administration and implementation of the Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) Program.

FUNCTIONS:

1. Develops, maintains, monitors, and disseminates information internally and externally to promote, foster, and facilitate the implementation of the program.
2. Responds to inquiries from potential vendors and consultants to establish and maintain liaison with vendors.
3. Assists with the development of contractual terms and conditions to ensure compliance with the District's policy.
4. Develops and maintains data utilized in establishing program goals; and makes recommendations for annual program goals.
5. Assists Division/Department Managers in the development and maintenance of documentation verifying the program's performance.
6. Monitors and evaluates the District's performance in meeting program objectives at division and departmental levels; prepares performance reports for the General Manager and Board review.
7. Acts in an advisory capacity to District management on program implementation enhancement strategies.
8. Monitors, reviews, and analyze legislation impacting contracts in cooperation with the Legal Department and Public Affairs Division.

9. Participates in outreach and technical assistance activities to promote growth and stability of the program; coordinates and disseminates information to the M/WBE organizations on the District's program.
10. Provides training to District staff on the program as required.
11. Performs other related duties as required.

MINIMUM REQUIREMENTS:

1. A bachelor's degree from an accredited college or university in Business Administration, Public Administration, or related field plus five years experience in an administrative capacity; or
2. A master's degree from an accredited college or university in Business Administration, Public Administration, or related field plus three years experience in an administrative capacity; or
3. Two years directly related experience as a Senior Administrative Analyst with the District.

PHYSICAL

CLASS: 2 - Light

**BARGAINING
UNIT CODE:**

4 - Management and Professional Association

**OVERTIME
EXEMPT:**

Yes

Personnel

10-5-92

ATTACHMENT C

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE PROGRAM DEFINITIONS

The California Public Utilities Commission (CPUC) uses the following definitions for utility companies' M/WBE programs.

1. **M/WBE**----Means minority-owned or women-owned business enterprise. The women and/or minorities owning such an enterprise should be either U.S. citizens or legal aliens with permanent residence status in the United States.
2. **WOMEN-OWNED BUSINESS**----Means a business enterprise that is at least 51 percent owned by a woman or women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women and whose management and daily business operations are controlled and operated by one or more women.
3. **MINORITY OWNED BUSINESS**----Means a business enterprise that is at least 51 percent owned by a minority individual or group; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more minority groups and whose management and daily operations are controlled and operated by one or more of those individuals. Minority includes, but is not limited to, African Americans, Hispanic Americans, Asian Americans, Native Americans and other groups.
 - a. **AFRICAN AMERICANS**--Persons having origins in any Black racial groups of Africa.
 - b. **HISPANIC AMERICANS**--All persons of Mexican, Puerto Rican, Cuban, South or Central American, Caribbean and other Spanish culture or origin.
 - c. **ASIAN PACIFIC AMERICANS**--Persons having origins in Asia or the Indian subcontinent, including but not limited to persons from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, Taiwan, India Pakistan and Bangladesh.
 - d. **NATIVE AMERICANS**--Persons having origins in any of the original peoples of North American or the Hawaiian Islands, in particular American Indians, Eskimos, Aleuts and Native Hawaiians.

- e. **OTHER GROUPS**--Groups whose members are found to be disadvantaged by the Small Business Administration pursuant to Section 8(d) of the Small Business Act.
- f. **CONTROL**--Means exercising the power to make policy decisions.
- g. **OPERATE**--Means being actively involved in the day-to-day management and not merely acting as officers or directors.