

TRANSPORTATION DBE ADVISORY COMMITTEE
VTCA SPRING CONFERENCE – HOTEL ROANOKE
APRIL 11, 2007
2:00PM – 5:00PM

MEETING MINUTES

Attendees

Stanford Moore - K&M Enterprises, Inc.	Jenny Brewbaker – VDOT - Salem
Sandy Hutchens - San-Mar-Co, Inc.	Monica Esparza, VDOT – CRD
Melissa Hutchens - San-Mar-Co, Inc.	Kathy Dowdy - English Construction, Inc.
Prescott Sherrod - PEMCCO	David Sheppard - Valley Green Landscaping Inc.
James Squire - CHI Associates, Inc.	Cheryl Sheppard, Valley Green Landscaping Inc.
Dan Clymore – Shirley Contracting	Mike Russell, VDMBE
James Squire – CHI Associates, Inc.	Chris Tavenner, VDMBE
Kathy Dowdy – English Construction	Vincent Powell, VDMBE
Grindly Johnson - VDOT – CRD	Byron Coburn, VDOT-S&C
Freddie Jones - VDOT – CRD	Troy Davis, Davis Consulting, Inc.
Shay Hope - VDOT – CRD	LaVerne Budd, Dept of Veterans Affairs
Jessica Spencer – VDOT – BOWD	William Stader, Dept of Veterans Affairs
Carla Allen – VDOT – Culpeper	
Sam Davis – VDOT Hampton Roads	
Jim Kavina - VDOT Fredericksburg	

Minutes from the December 12, 2006 meeting were read and amended with Prescott Sherrod added to the DBE Picnic Planning Committee.

NOMINATION COMMITTEE AND REVIEW OF BYLAWS

David Sheppard was nominated and accepted leadership to head the TDAC nomination committee for the development of a slate of officers for the upcoming TDAC election. Other volunteers to the nomination committee included Kathy Dowdy and Freddie Jones. The nomination committee was also asked to recommend warranted changes to TDAC bylaws.

DISCUSSION OF PROPOSED TDAC LONG RANGE PROJECT ACTIVITY

- **Communication with the DBE Community:** Stanford Moore expressed the desire to do more to draw DBE participation to TDAC. An annual DBE meeting (including recognition of DBE and prime contractor achievements) was identified as essential. The meeting should also include training workshops and offer networking. Meetings such as this were especially beneficial to DBEs in the past. Prescott Sherrod, Sandy Hutchens, Joe King, Monica Esparza, Sam Davis and Troy Davis will form a planning committee to execute such a meeting.
- **DBE Picnic:** June 17 and June 23 were identified as potential dates for the 2007 DBE Picnic. A balance of \$786.19 was reported as left over from the 2006 picnic. All pledges from the 2006 picnic were collected. Stanford Moore commented on the

many good comments received about the picnic, and solicited ideas to improve this years event.

STATUS OF THE MINORITY DIRECTORY

Shay Hope conveyed that VDOT remains in discussion with the VA Department of Minority Business Enterprise (VDMBE) for improvement to the DBE certification directory. There are new initiatives that more information will be available about in the next two weeks. The list is now searchable, and Dan Clymore shared his improved experiences with the directory.

PROJECT GOALS ON FEDERAL / STATE CONTRACTS

Freddie Jones shared that this item was identified for the agenda per TDAC Executive Committee planning meeting with VDOT, where it was expressed that some federal projects do not have goals on them. He noted that every federal aid project will not have a goal, but that all contracts are reviewed for goals. He indicated that any interested party: primes, DBEs, or anyone with inquiry or concern can approach him or Shay (in that goal setting is a civil rights function), unless the project is already been advertised.

Troy Davis conveyed the difficulty in assessing goals when it is not known what type of work the prime is going to sub out, and inquired about a way to look at work, since we know historically what primes sub out --- to identify what is about to be sub-contracted. Mike Russell suggested that items utilized in advertisement communication, might be identified by an asterisk where DBE goal utilization may be considered, to give some indication where DBEs might be able to attend the goal. Dan Clymore recommended that district civil rights managers may be willing to provide insight on how the goal was developed at project showings.

Shay Hope indicated that letting the industry know how specific project goals were derived was a goal of the division. In the meantime, the goal setting methodology is posted on the VDOT website, Civil Rights Page.

BOWD CENTER

Jessica Spencer discussed the Business Opportunity and Workforce Development Center, a new VDOT initiative. The goal of the program is to assist twenty underutilized firms and fifty on-the-job trainees. The program will work with DBEs toward self sufficiency, helping DBEs with marketing, and partnering initiatives with prime contractors. The BOWD facility will be opening in the first part of June. At this time we are finalizing partnership agreements, and are soliciting two consultants – one for coordination of the OJT component and one consultant to assist with the supportive services component. All applications will be reviewed after June 1. Questions from the group related to the program were answered.

Question: What does underutilized mean?

Answer: A firm that hasn't gotten a contract in the last year, or a firm that has not grown as expected over the years.

Question: Does the workforce development training portion include assistance towards CDL or heavy equipment licensing? Answer: Employees of the DBE firm needing training in these areas can be considered.

Question: What if your company is not underutilized ... are you still eligible for the program? Answer: Yes, particularly if there is a new area that you would like to get experience in, would like to increase capacity or if you are looking to be a prime contractor.

Jessica and executive committee will be focused on identifying and meeting DBE partnering goals with primes. The BOWD Center emphasizes construction training, but is also open to consultants. VDMBE offered technical assistance and the fact that the agency has been part of ongoing partnering considerations was discussed.

PAPER REDUCTION

Sandra Hutchens discussed previous paper reduction committee work with Dave Nester and Joe King, such as putting DBE submittal of EO policy, minutes and other documents used by the department on a website so that inspectors, and other contract/project officers can access the information readily. It was recommended that another committee revisit these items.

Additional discussion on paper reduction included elimination of the C63A. Sandra Hutchens highlighted an example from West Virginia that identifies the date when a DBE should be paid. Shay Hope indicated that the Civil Rights Division was trying to capture all monies being paid to subcontractors, and if there is a problem with payment, concerns should be directed to the Civil Rights Division – District Managers.

C112

A scenario was shared with the group to assess industry practice: A DBE was asked as a subprime on a design build project to submit a C112 along with bid proposal. Since the C112 is a binding agreement, it was discussed whether this request was reasonable. Dan Clymore expressed current challenges in the industry with the design build process, and that the industry is continuing to learn what works and what doesn't. C112 is a best guess snapshot, and will have to be backed up. C111 on bids are still required and C112 are due the next day, therefore, it may be an attempt of the prime to reduce time in tracking down the sub for the C112. Byron Colburn offered Tom Pelnick as the proper authority to discuss the paperwork in this evolving design build process.

TDAC FUNCTIONAL ORGANIZATIONAL STRUCTURE (HOW DO WE GET THE WORK DONE?)

1. Role of officers
2. Role of members
2. Role of other DBEs

Freddie Jones discussed the need for better job descriptions for officers and members, with the primary emphasis to get TDAC to function better.

Prescott Sherrod shared his vision of the role of officers: to set the direction of TDAC and work with agency staff. He identified the need for clear committee direction, including a mission and vision – to highlight why TDAC exist now, and in the future. From that point, subcommittee relationships should be identified. TDAC needs to hear, address and convey issues heard from the industry. Membership should be “participating,” and the role of minority prime contractors is very critical to TDAC success. TDAC meetings should be advertised and TDAC members should speak to other DBE members.

Grindly Johnson recommended a person to person campaign, with each member calling people in their immediate region. This approach was agreed to boost participation for the next TDAC meeting in Hampton Roads. Vincent Powell agreed to take the coordination lead in Hampton Roads, and will distribute a script of group use. Prescott Sherrod will investigate a location that will accommodate broadened participation.

Michael Russell suggested as a means to advertise TDAC meetings – insertions in project advertisement. Byron Colburn supported the idea.

NEW BUSINESS

Prompt payment / Retainage: Joe King discussed and later motioned that VDOT examine the issue of releasing retainage to sub contractors at final acceptance. There is no retainage on prime contractors, but retainage is held on subcontractors: some as much as 5%, some less. A trend, especially with megaprojects, is that finals are out longer than the project took to build. Small contractors may have retainage held for 2 years or more after on projects that are complete. Another idea was to put money in escrow and at least pay interest where retainage is withheld. The motion was accepted.

Woodrow Wilson Bridge – Upcoming Work

Troy Davis shared information related to upcoming projects opportunities at the Woodrow Wilson Bridge Project.

Next Meeting – June 13, 2007

The meeting was adjourned.