



San Francisco Bay Area Rapid Transit District Disparity Study Volume II

January 12, 2017

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**APPENDIX A: ADDITIONAL SUMMARY OF CASES IN
THE NINTH CIRCUIT AND THE STATE OF CALIFORNIA**

A.1 SUMMARY CASES

Coral Construction Co. v. King County, 729 F. Supp. 734 (E.D.Wa. 1989) (Coral I)

On May 1, 1989, the King County Council passed an ordinance amending the county's set-aside program for minority- and women-owned business enterprises (MWBEs). The program provided two methods by which MWBEs could receive preferences in bidding on County contracts.

Under the preference method, a five percent bid preference was given to MWBEs or prime contractors utilizing MWBEs (percentage preference method).¹ Thus, a MWBE whose bid was five percent higher than the lowest responsive bid could nevertheless be awarded the contract over a low bidder who was not a MWBE.

Under the set-aside method, contractors for County contracts of more than \$10,000 had to, with certain exceptions and limitations, use MWBEs for particular percentages of work on those contracts.²

Plaintiff Coral Construction Company (Coral) was the low bidder on a King County guardrail construction contract. Applying the percentage preference method, the County awarded the contract to a minority business enterprise (MBE), whose bid was higher than that of Coral.

Coral and the Oregon chapter of the Associated General Contractors of America, Inc. brought this suit claiming that King County's set-aside program, on its face and as applied to Coral, violated its equal protection rights. The district court ruled in favor of defendant, King County.

In evaluating the King County program, the district court used the *Croson* standard. With regard to the compelling state interest test, the court distinguished *Croson* from the current situation and noted that “King County has evidence of greater weight, detail, and specificity to support the adoption of its more flexible MWBE set-aside program. The WBE set-aside program survives the less intense scrutiny applied to gender-based programs.”³ The court also found that the King County program was supported by strong evidence of past discrimination in the King County construction industry. Several dozen people gave written or oral descriptions of such discrimination, including affidavits and letters. The court also observed that, after the lawsuit was filed, King County received a draft of a detailed report

¹ King County, Wash., Code § 4.18.060(A)(1)

² King County, Wash., Code § 4.18.060(A)(2).

³ *Id.* at 736

on past discrimination in the local construction industry. The court did not consider or discuss the report, finding that enough evidence was in the record to support the program.⁴

The plaintiffs argued that the County inappropriately relied on evidence of discrimination in other jurisdictions, such as Pierce County, Seattle, and the Municipality of Metropolitan Seattle (Metro). However, the court reasoned that *Croson* did not bar the "sharing" of evidence among local jurisdictions with inclusive or common geographic borders and that King County could properly consider evidence from Seattle, which is located within the County, and from Metro, whose borders are identical to those of the County.

Plaintiffs also argued that the County could rely only on evidence of discrimination by the County itself, and not on evidence that merely shows past discrimination in the local private construction industry. Taking language from *Croson*, the court stated that King County's construction project dollars flowed through the local construction industry, making the County a "passive participant" in the discrimination described in the record.

As to WBEs, the court held that the record contained ample evidence of past discrimination against women in the local construction industry, referencing two affidavits included in the record. This evidence, according to the court, provided the "exceedingly persuasive justification"⁵ required to support the gender-based remedy imposed by the County's WBE set-aside program, as well as identified the past discrimination clearly enough to insure that the remedy would be appropriate.

Further, the court found that King County's program was narrowly tailored to address the identified discrimination. Plaintiffs argued that several race-neutral alternatives could have been, but were not considered by the County. The court stated that *Croson* does not compel the County to consider every imaginable race-neutral alternative, nor to try alternatives that would be plainly ineffective.⁶

The court determined that the King County program was not a rigid quota system.

Two methods may be used to provide benefits to MWBEs. The percentage preference method used to award the contract at issue in this case is far less burdensome to non-MWBEs than the quota imposed by Richmond. The King County program includes several measures to conform the remedy provided to the identified discrimination. For example, MWBE utilization requirements are tied to the availability of qualified MWBE contractors, not to the percentage of minorities or women in the population in general. The county may waive or reduce the MWBE preferences if qualified MWBE's are not available, or if a bidding MWBE's higher price is not attributable to the effect

⁴ *Id.* at 737.

⁵ *Id.* at 738.

⁶ *Id.* at 739.

of past discrimination. These provisions prevent the county's MWBE program from extending benefits not related to past discrimination.⁷

The Richmond MBE program potentially provided benefits to groups not subjected to past discrimination. King County avoided this pitfall by allowing denial of MWBE program benefits in particular contracts or categories of contracts if the group in question had not been discriminated against.

In closing, the court validated the program, finding that “King County had enough evidence before it to prove the discrimination it sought to redress, and the remedy it has adopted is narrowly tailored to the need.”⁸

Associated General Contractors of California v. City of San Francisco, 748 F.Supp. 1443 N.D. Cal. (N.D. Ca.1990) (San Francisco I)

In 1989, the City of San Francisco unanimously passed the Minority/Women/Local Business Utilization Ordinance—II, No. 175-89. The ordinance provided a five percent bid preference for LBEs and a ten percent bid preference for local MBEs and WBEs, the latter representing a five percent locality preference, plus a five percent preference based on MBE or WBE status. The ordinance also allowed firms that would not otherwise qualify to benefit from preferences by joint venturing with an MWBE.

In December 1989, the Associated General Contractors of California filed a lawsuit in U.S. District Court, Northern District of California seeking to have the City of San Francisco’s M/W/LBE program declared unconstitutional.

The district court denied the plaintiff’s motion for a preliminary injunction against San Francisco, finding that the MWBE program did not violate equal protection and the plaintiff did not have standing to challenge the program.

The court found that the City had identified discrimination against MBEs in San Francisco by both the City and private contractors.⁹ The court pointed out that the City had performed a study that compared the availability of MBEs in San Francisco with the amount of contract dollars awarded by the City to San Francisco-based MBEs for the 1987-1988 fiscal year. The study found that, with respect to prime construction contracting, the disparities between the number of available Asian-owned, African American-owned, and Hispanic-owned locally based firms and the number of contracts awarded to such firms were statistically significant, not attributable to chance, and supported an inference of discrimination.¹⁰

In addition to statistics, the court observed that there was anecdotal evidence from MBEs who complained that discriminatory practices kept them excluded from prime contracts with

⁷ *Id.* at 739-40.

⁸ *Id.* at 740.

⁹ *Id.* at 1450.

¹⁰ *Id.* at 1450.

the City. MBEs were denied prime contracts, despite being the lowest bidder. Qualified MBE firms were told they were not qualified, but were awarded contracts when outside parties evaluated the proposals. The court also found examples of discrimination by white male contractors. Numerous MBEs complained that white male prime contractors would list them on their bid proposals, but then replace them with white subcontractors upon being awarded the contract. In other examples, MBEs were not taken on as subcontractors by the majority primes, even though they were the low bidders.¹¹ The court found that, based on the evidence submitted, the City had discriminated against MBEs and that remedial action was warranted.

The court next addressed the issue of whether the remedial efforts were narrowly tailored to address the identified discrimination. The court observed that the ordinance excluded no firm from bidding on any contract, and that majority firms could invoke the exact same preferences available to MBEs by joint venturing. The court also stated that White male firms had no settled expectation in attaining any given contract, and the effect of the preference, if any, would be spread over a large number of persons.¹²

The court observed that during the first six months the ordinance was in effect, 92.7 percent of all prime contract dollars awarded to San Francisco firms went to White male firms and that none of plaintiff's membership contended that it was denied a contract because of the MBE preference.¹³ The court found that the preference was only available to local MBEs that were economically disadvantaged. It also limited participation to those minority groups for which the evidence supported a finding of discrimination — Asians, African Americans, and Hispanics. The bid preferences were limited to those particular types of contracts for which evidence of discrimination was found. For example, the bid preference did not apply to Asian or Hispanic architectural/engineering firms, Hispanic computer system or management consultant firms, or African American medical services firms.

The ordinance was of limited duration (three years), and provided for waiver of the bid preferences under certain circumstances.¹⁴ Because the program was oriented toward the identified discrimination and it had flexibility, the court found that it was narrowly tailored.

On this basis, the court refused to issue a preliminary injunction.

Associated General Contractors of California v. City of San Francisco, 950 F.2d 1401(9th Cir. 1991) (San Francisco II)

¹¹ *Id.* at 1451.

¹² *Id.* at 1453.

¹³ *Id.* at 1453.

¹⁴ *Id.* at 1454-55.

In this case, the Ninth Circuit Court of Appeals agreed with the district court and upheld its decision not to issue a preliminary injunction against San Francisco, which would have prohibited the City from enacting its MWBE program before trial of the case.

The court began by finding the plaintiff had standing to file suit, because members of the association had firm intentions to bid for San Francisco City contracts and the application of the ordinance to City bids was compulsory in nature.

The court began its strict scrutiny analysis by finding that the record in this case disclosed that the City had detailed findings of prior discrimination in the construction and building industry within its borders. The court found that large statistical disparities existed between the percentage of contracts awarded to MBEs and the percentage of available MBEs. As such, it accepted the City's conclusion that the disparity was not by chance. The court also observed that private sector discrimination was supported by the City's procurement policies and procedures.¹⁵ The court found the statistics relevant and noted that such statistical disparities are "an invaluable tool" in demonstrating the discrimination necessary to establish a compelling interest.¹⁶

Additionally, the court found the anecdotal evidence persuasive, noting that there was testimony from many MBEs regarding discrimination. The testimony included numerous reports of MBEs being denied contracts, despite being the low bidder; MBEs being told they were not qualified, although they were later found qualified when evaluated by outside parties; MBEs being refused work, even after they were awarded the contracts as low bidder; and MBEs being harassed by City personnel to discourage them from bidding on City contracts. The court said that such a "combination of convincing anecdotal and statistical evidence is potent."¹⁷

The plaintiff challenged the methodology used by the City in conducting its study, in that it felt certain contracts were excluded from the analysis. However, the court stated that, even if this was the case, it did not mean that the district court could not have considered the study.¹⁸

The court found it sufficient that the finding of discrimination was supported by only the anecdotal instances of discrimination and the statistical disparities and nothing more specific. The record, according to the Court, showed that the City could likely lay a strong evidentiary foundation justifying the adoption of a race-conscious program.

In determining whether the program was narrowly tailored, the court considered three factors. A race-conscious plan 1) should be implemented after, or in conjunction with race-neutral means, 2) should employ case-by-case consideration of goals, as opposed to fixed quotas, and 3) should be limited to the geographical boundaries of the enacting entity. The

¹⁵ *Id.* at 1414.

¹⁶ *Id.* at 1414, citing *Coral Const. v King County*, 941 F.2d 910, 918.

¹⁷ *Id.* at 1415, citing *Coral Const.*, 941 F.2d 910, 919.

¹⁸ *Id.* at 1415.

court found that the City had considered race-neutral means, but rejected them. The court held that strict scrutiny does not require the implementation of unreasonable and likely futile race-neutral measures. The court also stated that the City had tried race-neutral means to address the problem of discrimination and had an anti-discrimination ordinance that was still in effect.¹⁹

The court observed that the program was flexible with its use of bid preferences and not goals, quotas, or set-asides. The program addressed identified discrimination because the City provided preferences only to those minority groups found to have previously received a lower percentage of specific types of contracts than their availability to perform such work would suggest. The court was not convinced that the remedy had to be tailored to specific individuals.²⁰ Because the ordinance confined the preference to those who were economically disadvantaged, the court found that it was narrowly tailored.

The plaintiff also argued that the bid preference was not narrowly tailored because individual firms who submitted the lowest bid might not be awarded a contract because of the City's program. According to the court, race-conscious plans, by their nature, were not tailored to remedy individual injuries suffered by individual victims. Here, the City found that continued discrimination placed MBEs at a competitive disadvantage and sought to counteract this situation by providing MBEs with a counterbalancing advantage. The court held that this was enough to approve the lower court's decision.

The court also found that the burdens of the bid preferences on those not entitled to them seemed relatively light and well-distributed. The court noted that white male firms still received the vast majority of the contracts. The court also observed that White male firms could take advantage of the preference through joint ventures with MBEs. Finally, the court found that the program allowed waivers under certain conditions, including where MBEs or WBEs are unavailable. Preliminary reports indicated that preferences had been waived for approximately 44 percent of contracting dollars awarded during the first nine months of the ordinance.²¹

Further, the court found that the geographical limitation increased the likelihood of the program being found valid, as San Francisco had properly limited the 1989 ordinance to benefit only those MBEs located within the City's borders.

Because the court found that the program was likely constitutional, the court agreed with the district court's refusal to issue the preliminary injunction, since the plaintiff would not likely win at trial.²²

***Coral Construction Co. v. King County*, 941 F.2d 910 (9th Cir.1991) (Coral II)**

¹⁹ *Id.* at 1417.

²⁰ *Id.* at 1417.

²¹ *Id.* at 1418.

²² *Id.* at 1418.

In this case, the court of appeals found that a portion of the MBE program was not facially valid and that more facts were needed to determine whether the program violated equal protection. The court sent the case back to the district court for further fact-finding. The court also found the WBE portion of the program to be facially valid.

Relying on *Croson* in evaluating the MBE program elements, the court began by finding that King County's use of information from the City of Seattle, Port of Seattle, and Metro was properly considered by both the County and the district court. However, the court found the use of procurement information compiled by Pierce County to be overly broad, stating that its utility was outweighed by its irrelevant content.²³ The court held that any inquiry should be limited to the relevant jurisdiction.

The court also distinguished that the record consisted entirely of anecdotal evidence (57 affidavits of minority and women business owners) which suggested that on-going discrimination may have been occurring King County. It observed that there was no statistical data in support of the County's MBE program and reminded the parties that the U.S. Supreme Court approved the use of statistical comparisons to evaluate an affirmative action program.²⁴ The court then ruled that because the program lacked statistical support, it was invalid.²⁵

The County contended that any deficiencies in the record, such as the lack of a statistical foundation, had been remedied by post-enactment studies. The study was submitted to the district court four days prior to the hearing on the parties' cross-motions for summary judgment. Coral argued that post-enactment data was irrelevant, as the district court did not consider the study in upholding King County's program.²⁶

The appeals court reasoned that any program adopted without some legitimate evidence of discrimination is presumptively invalid. The court then clarified that this requirement of some evidence does not mean that a race-conscious program would be automatically struck down, if the evidence before the municipality at the time of enactment did not completely fulfill both prongs of the strict scrutiny test. It found that the factual predicate for any such program should be evaluated based upon all evidence presented to the court, whether some evidence was produced before or after enactment of the program.²⁷

Coral argued that, even if the consulting studies were relevant, it should first have had an opportunity to challenge the studies in the district court. The court agreed and held that Coral should have its "day in court" and the opportunity to attack the evidence. Since Coral

²³ *Id.* at 917.

²⁴ *Id.* at 918, citing *International Brotherhood of Teamsters v. United States*, 431 U.S. 324 (1977).

²⁵ *Id.* at 921-22.

²⁶ *Id.* at 920, *Coral Construction Co. v. King County*, 729 F. Supp. 734, 737 (U.S. Dist. Ct. Western Dist. Wash. 1989).

²⁷ *Id.* at 920.

was not afforded its opportunity for rebuttal at the trial level, the court reversed the district court's grant of summary judgment to King County.²⁸

The court then conducted a limited "narrow tailoring" review, since the factual predicate for the program had not been fully developed or litigated before the district court, finding that the program was not in fact narrowly tailored.

The program's definition of "minority business" indicated that a minority-owned business could qualify for preferential treatment if the business had been discriminated against "in the particular geographical areas in which [it] operates."²⁹ The court stated that the necessary information was whether a company had ever been victimized by discrimination within King County. If the County could prove malignant discrimination within the King County business community, an MBE would be presumptively eligible for relief if it had previously sought to do business in the County. However, if the MBE was a newcomer to King County, or otherwise had not been discriminated against, it could not benefit from the MBE program. The court held that before an MBE could participate in the program, it must establish that it had previously tried to do business in King County. Since King County's program permitted MBE participation by MBEs who had no prior contact with King County, the program was overbroad.³⁰

The court went on to examine the WBE portion of the statute, finding that Coral had standing to challenge this portion because it competed with WBEs on unequal footing. In a short discussion, the court noted the lesser scrutiny for gender and upheld the finding that the WBE portion was valid.³¹

***Domar Electric v. City Of Los Angeles*, 23 Cal. Rptr. 2d 857 (Cal. Ct. App. 1993) , (Domar I)**

In 1983, the Mayor of Los Angeles issued Executive Directive 1-B, declaring a MBE/WBE policy for all aspects of contracting relating to procurement, construction, and personal services. After the Supreme Court decision in *City of Richmond v. J.A. Croson*,³² the mayor issued Executive Directive 1-C, which clarified 1-B by defining outreach through good faith efforts. The directive provided that a bidder's good faith effort to involve MBEs and WBEs would be based on 10 enumerated factors: whether the bidder made efforts to obtain participation by MBEs and WBEs; 2) attended a pre-bid meeting; 3) identified and selected economically feasible units to be subcontracted to MBEs and WBEs; 4) advertised for MBE and WBE firms in general circulation media; 5) provided written notice of its interest in receiving subbids from MBEs and WBEs; 6) followed up on the initial solicitations; 7) provided interested MBEs and WBEs with sufficient information about the project's plans

²⁸ *Id.* at 922.

²⁹ *Id.* at 925.

³⁰ *Id.* at 925.

³¹ *Id.* at 931-933.

³² 488 U.S. 469 (1989).

and specifications; 8) requested assistance from organizations that assist MBEs and WBEs; 9) negotiated in good faith with MBEs and WBEs; and 10) made efforts to advise and assist MBEs and WBEs in obtaining bonds, credit and insurance.³³

In 1991, the Public Works Department requested bids for a computer control system for a sewer facility. The request specified that bidders would have to demonstrate compliance with the outreach criteria within three days after the bids were opened. Plaintiff, Domar Electric (“Domar”), submitted the lowest bid at \$3,335,450. Domar’s bid was deemed nonresponsive because Domar failed to submit documentation of compliance with the outreach program. The next low bid was submitted by Bailey Controls Company (“Bailey”) in the amount of \$3,987,622. Bailey submitted documentation of its compliance with the outreach criteria. The project was awarded to Bailey.

After award of the project to Bailey, Domar filed a lawsuit to force the City to award the contract to it. The trial court denied Domar’s petition and Domar appealed to the California Court of Appeals. In its appeal, Domar contended that the outreach program violated the City charter, violated the state’s procurement laws, and violated the Equal Protection clause of the U.S. Constitution.

The court ruled for Domar on its first contention, making analysis of the subsequent contentions unnecessary. The court found that because the charter required that a public contract be awarded to the “lowest and best regular responsible bidder” and the outreach program was not a part of the charter, the city was without power to force compliance with the outreach program.

The appeals court overruled the trial court and sent the case back for further proceedings.

***Domar Electric v. City Of Los Angeles*, 36 Cal. Rptr. 521 (Cal. Sup.Ct. 1994), (Domar II)**

Overruling the lower court, the California Supreme Court ruled for the City and found the outreach program to be permissible under the State law and the Equal Protection clause. The court found that the outreach program did not violate the City charter because: 1) restrictions on powers under the charter are not to be implied, 2) the outreach program was not in conflict with the charter, and 3) the outreach program did not necessarily undermine the concept of competitive bidding.³⁴

The court also found that the outreach efforts required did not have Equal Protection implications. The court responded to the appeals court’s dicta regarding the unlawful San Francisco program by distinguishing that the San Francisco program required mandatory set-asides and bid preferences, while the Los Angeles program did not require this, but

³³ *Id. at 859, FN 4.*

³⁴ *Id. at 526-28.*

involved outreach efforts.³⁵ The court also noted that there was no disparity study or similar analysis underlying the outreach program.

The California Supreme Court sent the case back to the appeals court for further proceedings.

Domar Electric v. City Of Los Angeles, 48 Cal. Rptr. 2d 822 (Cal.Ct. App. 1995), (Domar III)

On remand from the California Supreme Court, the California Appeals Court found that the outreach program did not violate State laws regarding public contracting, because prior legislation had created exceptions to the “lowest responsible bidder” definition. The court also found the outreach criteria to be consistent with the purposes of state procurement laws.³⁶

The court further found that the program did not offend the Equal Protection Clause. Quoting liberally from the Supreme Court, the appeals court distinguished the outreach program from race-conscious set-asides, preferences, and goals. It noted that the outreach program was race-neutral, because it called for participation in public contracting by all subcontractors. The court said that, without a factual predicate study, outreach was all the City could do to level the playing field. The court concluded that because the outreach program simply provided guidelines for how prime contractors could maximize the number of subcontractors from which to select and did not have requirements as to participation or preferences, Equal Protection was not violated. The court found that the outreach was race-neutral activity, whose purpose was to increase participation by all subcontractors.³⁷

The appeals court rejected Domar’s remaining challenges to the outreach program.

Michael Cornelius v. Los Angeles County Metropolitan Transportation Authority et al. 57 Cal. Rptr.2d 618 (Cal.Ct. App. 1996)

This action was brought by Michael Cornelius, challenging the Disadvantaged Business Enterprise Program (DBE program), a program with which MTA had to comply in order to receive federal funds. Cornelius was a licensed engineer who worked for Wagner Construction, which submitted a sub bid to PCL Construction Services, the prime bidder. PCL submitted the lowest bid. MTA denied the bid to PCL, because it had not achieved the requisite DBE 10 percent goals.

The trial court held that the DBE program was unconstitutional and enjoined MTA from any further activity under the program.³⁸ The California Court of Appeals reversed the grant of summary judgment and attorney fees in favor of Cornelius and directed the lower court to enter judgment in favor of MTA. The court held that Cornelius lacked standing, because he failed to show that he had suffered any actual or imminent injury. The court found that the

³⁵ *Id.* at 530.

³⁶ *Id.* at 823-24.

³⁷ *Id.* at 827.

³⁸ *Id.* at 621.

plaintiff was not a licensed contractor and failed to show that he was able to bid on contracts. The court also held that plaintiff lacked standing as a taxpayer, because he was not a resident of Los Angeles County and had not paid real property taxes in that County.

Coalition For Economic Equity v. Wilson, 946 F. Supp 1480 (N.D. Cal. 1996), (Coalition I)

The plaintiffs filed a lawsuit challenging Proposition 20939 the day after the controversial law was passed. The suit was filed against the Governor, Attorney General and several public entities and officers.⁴⁰

With their complaint, plaintiffs filed an application for a temporary restraining order ("TRO") and a preliminary injunction. The district court entered a TRO on November 27, 1996, and granted a preliminary injunction on December 23, 1996. The preliminary injunction kept the State, pending trial or final judgment, from enforcing Proposition 209 insofar as it purported to prohibit affirmative action programs in public contracting, public employment or public education.⁴¹

The plaintiffs argued that the relevant portion of Proposition 209 violated the U.S. Constitution on two separate grounds. First, they alleged that Proposition 209, though couched in neutral terms, violated the Fourteenth Amendment's Equal Protection guarantee of "the right to full participation in the political life of the community."⁴² They argued that Proposition 209 erected unique political hurdles only for those seeking legislation intended to benefit women and minorities, while allowing those seeking preferential legislation on any other grounds unimpeded access to the political process at all levels.⁴³

Second, plaintiffs argued that Proposition 209 violated the Supremacy Clause of the U.S. Constitution, because it interfered with Congress' intent that employers be afforded the option of utilizing constitutionally permissible race- and gender-conscious affirmative action to comply with their obligations under Titles VI⁴⁴ and VII⁴⁵ of the Civil Rights Act of 1964, and Title IX⁴⁶ of the Education Amendments of 1972.

³⁹ The relevant portion of Proposition 209 (Cal. Const., Art. I, Sec. 31) reads as follows:

The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

⁴⁰ On the same day that Proposition 209 was passed, the State and the University of California immediately implemented Proposition 209.

⁴¹ *Id.* at 1491.

⁴² *Washington v. Seattle School Dist. No. 1*, 458 U.S. 457, 467, 73 L. Ed. 2d 896, 102 S. Ct. 3187 (1982); *see also Romer v. Evans*, 134 L. Ed. 2d 855, 116 S. Ct. 1620, 1628 (1996)

⁴³ *Id.* at 1506-1508.

⁴⁴ Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. 42 U.S.C. § 2000d et seq.

⁴⁵ Title VII of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, color, religion, sex or national origin. 42 U.S.C. § 2000e et seq.

⁴⁶ Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance. 20 U.S.C. § 1681.

The court first addressed whether the plaintiffs had standing to file the lawsuit. The court said that plaintiffs had shown a real and immediate threat of injury, because Proposition 209 was clearly applicable to statutes and programs that benefited the named plaintiffs and it was certain to be enforced. The court further found that the constitutional injury asserted by the plaintiffs was directly connected to the actions of the defendants, by showing that they would suffer the alleged constitutional injury when any one of the defendants enforced the constitutional amendment. Finally, since the constitutional injury to the plaintiffs was allegedly caused by the enforcement of Proposition 209, plaintiffs' requested remedy-- a declaration that the Proposition was unconstitutional and unenforceable-- would unquestionably address the plaintiffs' alleged injuries. Because of the foregoing reasons, plaintiffs met the requirements for standing.⁴⁷

The district court provided extensive findings of fact and conclusions of law in support of the injunction. The court explained that the lawsuit challenged Proposition 209's prohibition against race and gender preferences, not its prohibition against discrimination. Plaintiffs' constitutional challenge is "only to that slice of the initiative that now prohibits governmental entities at every level from taking voluntary action to remediate past and present discrimination through the use of constitutionally permissible race- and gender-conscious affirmative action programs."⁴⁸

The district court found that the elimination of such programs would reduce opportunities in public contracting, and employment for women and minorities. It also would cause enrollment of African-American, Latino, and American Indian students in public colleges to fall, though enrollment of Asian-American students would increase. Finally, the court found that minorities and women, to reinstate race-based or gender-based preferential treatment, would have to re-amend the California Constitution by initiative.⁴⁹

From these findings of fact, the district court concluded, first, that plaintiffs demonstrated a likelihood of success on their Equal Protection claim. Proposition 209, the court reasoned, had a racial and gender focus which imposed a substantial political burden on the interests of women and minorities. After the passage of Proposition 209, women and minorities who wished to petition their government for race- or gender-conscious remedial programs faced a considerably more daunting burden.⁵⁰ According to the court, before such persons could approach their school district, city council, county government, or any other subdivision of government with such a proposal, they had to first obtain an amendment to the California Constitution that would either (a) repeal Proposition 209, or (b) permit the specific government entity at issue to adopt a particular race- or gender- conscious affirmative action program. As a result of the new political-process hurdles erected by Proposition 209, members of the plaintiff class were effectively precluded from petitioning local and state policymakers and representatives to adopt, maintain, or expand race- or gender-conscious

⁴⁷ *Id. at 1492.*

⁴⁸ *Id. at 1489, Coalition v. Wilson*, 946 F.Supp. 1480, 1489 (1996).

⁴⁹ *Id. at 1498.*

⁵⁰ *Id. at 1498.*

affirmative action programs. The court held that federal case law⁵¹ prohibited such treatment of racial and gender issues in the political process.⁵²

The district court concluded, secondly, that plaintiffs had also demonstrated a likelihood of success on certain of their pre-emption claims. Title VII, the court reasoned, preserves the discretion of public employers voluntarily to use race- and gender- preferences. The court found that EEOC interpretations of Title VII proved an intention to preserve the option of using race- and gender-conscious criteria under Title VII. To the extent that Proposition 209 banned such preferences statewide, the court held that Title VII pre-empted it under the Supremacy Clause. The court found that Title VI or Title IX did not preempt Proposition 209, because those laws' language, agency interpretations and legal histories did not show an intention to preserve race- and gender-conscious classifications.⁵³

The district court next explained that plaintiffs would suffer irreparable harm if Proposition 209 took effect. If not enjoined, Proposition 209 immediately would ban existing preference programs in violation of plaintiffs' constitutional rights. The State, in contrast, the court concluded, would suffer little hardship from a preliminary injunction, which merely would suspend implementation of Proposition 209 pending trial.⁵⁴

Finally, the district court believed that a preliminary injunction would serve the public interest. Preserving the pre-election status quo would "harmonize" the public need for "clear guidance with respect to Proposition 209" with "the compelling interest in remedying discrimination that underlies existing constitutionally-permissible state-sponsored affirmative action programs threatened by Proposition 209."⁵⁵

Monterey Mechanical Co v. Wilson, 125 F.3d 702 (9th Cir. 1997) (Monterey I)

California Polytechnic State University, San Luis Obispo (the University) solicited bids for a major utilities upgrade. Monterey Mechanical ("Monterey"), the plaintiff-appellant, submitted the low bid, \$21,698,000, but did not get the job. The second lowest bidder, Swinerton and Walberg, won the contract, with a bid \$318,000 higher than Monterey's. Monterey's bid was disqualified because the company did not comply with a state minority business procurement statute.⁵⁶ The statute set goals for minority-, women-, and disabled veteran-owned subcontractor participation in prime contracts, and required good faith efforts to meet the goals. The required goals were "not less than" 15 percent for minority business enterprises, five percent for women, and three percent for disabled veterans. To count

⁵¹ *Id.* at 1504-1506, citing *Hunter v. Erickson, 393 U.S. 385, 21 L. Ed. 2d 616, 89 S. Ct. 557 (1969)* and *Washington v. Seattle School District No. 1, 458 U.S. 457, 73 L. Ed. 2d 896, 102 S. Ct. 3187 (1982)*

⁵² *Id.* at 1504-06.

⁵³ *Id.* at 1517-18.

⁵⁴ *Id.* at 1520.

⁵⁵ *Id.* at 1520.

⁵⁶ Cal. Public Contract Code § 10115(e).

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towards fulfilling the goal, a subcontractor had to be at least 51 percent owned and controlled by members of those classes.⁵⁷

The statute required a bidder using "good faith" as its means of qualifying to contact government agencies and organizations to identify potential subcontractors in the designated classes, advertise in papers "focusing on M/W/DVBEs," and solicit bids from "potential M/W/DVBE subcontractors and suppliers." The contractor had to document its efforts in order to establish good faith.⁵⁸

Monterey did not fully comply with the statute. Monterey was not eligible for classification as an MBE or a WBE, nor did it subcontract out the required 23 percent of the contract amount. Further, Monterey did not fully comply with the "good faith effort" requirement, as it did not document contact with the University physical planning and development office to identify minority, women, and disabled veteran business enterprises.⁵⁹

Swinerton and Walberg, also did not meet the goals, but it did fully comply with the "good faith" requirement.⁶⁰

Monterey protested the contract award, then sued the University's trustees and Swinerton and Walberg for a declaratory judgment, injunction, and damages. Monterey claimed that the procurement statute violated Equal Protection. The district court judge denied the preliminary injunction, concluding that Monterey had a low probability of success on the merits. The facts before the court were uncontested. Monterey appealed.

The court of appeals reversed the district court finding that the minority/women business procurement statute was constitutional and sent the case back to the district court for reconsideration of whether the plaintiff's request for injunction should have been granted.

After finding that Monterey had standing to sue, the court addressed whether the statute used a discriminatory classification. The court found that the statute in question was not a quota system, but a goals/good faith effort program. However, the program was not immunized from scrutiny because it relied upon goals, rather than quotas.⁶¹ Under the court's review, both the goal and good faith efforts components were found to be race/gender-conscious. Additionally, according to the court, neither the University nor Swinerton and Walberg offered any justification of these race/gender-conscious programs through submission of evidence of discrimination.

The court next engaged in a narrowly tailored analysis and held that the program's definition of minority was overbroad. Under the statute, minority meant a U.S. citizen or permanent resident who was African American or any other group of natural persons identified as minorities in the respective project specifications of an awarding department or participating

⁵⁷ Cal. Public Contract Code § 10115.1(e).

⁵⁸ *Id. at 704.*

⁵⁹ *Id. at 704.*

⁶⁰ *Id. at 711.*

⁶¹ *Id. at 711.*

local agency.⁶² The court found it unlikely that all of the listed groups had been discriminated against in public contracting in California.⁶³

***Coalition For Economic Equity v. Wilson*, 122 F.3d 692 (9th Cir. 1997) (Coalition II)**

In this case, the Ninth Circuit reviewed the district court’s injunction against Proposition 209. The court of appeals started its discussion by questioning whether this case even belonged in federal court. It noted that no California state court had yet construed the meaning or effect of Proposition 209. The court referred to the principle that federal courts should defer to state courts on matters requiring a first interpretation of state law.

The court found that Proposition 209 did not violate the Equal Protection Clause, as it prohibited racial classifications, and did not classify by race or sex as a matter of “law and logic.”⁶⁴ The court then determined that, because minorities and women constituted a majority of California voters at the passage of Proposition 209, they could not be presumed to have placed unique political burdens on themselves.⁶⁵ Additionally, by prohibiting all race and gender preferences, according to the court, the State had promulgated a law that addressed, in neutral fashion, race- and gender-related matters. The court classified the plaintiffs’ claim as seeking preferential treatment and observed that the Constitution naturally obstructs such treatment.⁶⁶

The court found no conflict with federal law because the plain language of the federal statutes indicated that they were not intended to be the only law, but that the federal laws contemplated state laws involving discrimination.⁶⁷

Because the court found any constitutional injury to be unlikely under its analysis, it overruled the trial court and vacated its order of injunction.

***Monterey Mechanical Co. v. Wilson*, 138 F.3d 1270 (9th Cir. 1998) (Monterey II)**

After the court of appeals reversed the district court finding that the minority/women business procurement statute was constitutional and sent the case back to district court for reconsideration of whether the plaintiff’s request for injunction should have been granted, a judge on the court of appeals requested that the entire panel of judges rehear the case. A majority of judges did not vote to rehear the case, effectively ending it. A number of judges then issued this written opinion of their reasoning as to why the case should not have been reheard by the full panel.⁶⁸

⁶² *Id. at. 714. Cal. Public Contract Code § 10115.1(d).*

⁶³ *Id. at 714.*

⁶⁴ *Coalition v. Wilson*, 122 F.3d 692, 702 (1997).

⁶⁵ *Id. at 704-05.*

⁶⁶ *Id. at 708.*

⁶⁷ *Id. at 710.*

⁶⁸ *Id. at. 1270.*

First, the court noted that the panel properly heard the case, that the statute was correctly interpreted, and, that the parties had an opportunity to present any evidence for their case. The court defended its ability to be impartial in race cases, despite not having any African American or Hispanic judges. The court also stated that the statute was overbroad and included minorities not likely to have suffered from discrimination in the California construction industry.⁶⁹

The dissent argued that full panel consideration was necessary because of the importance of the issues and the error of the appeals court decision. The dissent also pointed out that the appellate decision was so excessive that it had little value as a precedent for future decisions.⁷⁰

The dissent characterized the program as outreach that did not require M/W/DVBE participation, only contacting specific groups to ensure the opportunity to bid. The dissent noted that, by finding the statute unconstitutional before trial, the court had not allowed the facts to be considered. It also stated that the court had imposed a new construction of the statute, one that had not been so construed during the law's twenty-year history.⁷¹ Further, it pointed out that the court cited no California law in its decision.

The dissent then attacked the court's holding that there was no basis justifying the race- and gender-conscious program, by citing a long list of cases involving discrimination against minorities in California. The dissent argued that economic and political power had always resided with the White majority, not only in California, but nationally.⁷²

The dissent concluded by emphasizing that the court was wrong to decide the ultimate issues of the case at the preliminary injunction stage before either side had a chance to present evidence and fully litigate the case.

***Andrew Barlow Et Al. v. Grady Davis, As Governor, et al.* 72 Cal. App. 4th 1258, 85 Cal. Rptr. 2d 752 (Cal.Cit. App. 1999)**

This case sought to determine the constitutionality of the State's MWBE reporting requirements. The provision specifically at issue here, Section 10115.5, provided in subdivision (a) that:

"On January 1 of each year, each awarding department shall report to the Governor and the Legislature on the level of participation by minority, women, and disabled veteran business enterprises in contracts as identified in this article for the fiscal year and beginning July 1 and ending June 30.

⁶⁹ *Id. at. 1273.*

⁷⁰ *Id. at 1279.*

⁷¹ *Id. at 1275.*

⁷² *Id. at 1277.*

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"The report must "contain the levels of participation by minority, women, and disabled veteran business enterprises" for enumerated categories of contracts. If established participation goals are not met, the awarding department "shall report the reasons for its inability to achieve the standards and identify remedial steps"⁷³

The participation goals and good faith requirements of Article 1.5 were found in violation of Equal Protection principles by the Ninth Circuit in *Monterey Mechanical Co. v. Wilson* (9th Cir. 1997) 125 F.3d 702, 714-715. The *Monterey Mechanical* decision did not specifically consider the reporting provision.

In response to, the Governor issued Executive Order No. W-172-98, on March 10, 1998, which *Monterey Mechanical* directed all state agencies and departments to cease enforcement of the MWBE goals, including the reporting functions required by Section 10115.5.74

Barlow brought this suit, challenging the validity of Executive Order No. W-172-98 and the failure of the Governor to comply with Article III, Section 3.5 of the California Constitution, and Sections 2056 and 10115.5. The trial court denied giving Barlow injunctive relief, based upon the conclusion "that the Governor and the other respondents have no duty to enforce the provisions of Section 10115.5 as it applies to MBEs and WBEs because the reporting that it directs is dependent upon, and is inextricably intertwined with, the enforcement of Article 1.5's statutory scheme which has been found by the Ninth Circuit Court of Appeals in *Monterey Mechanical Co. v. Wilson* to be unconstitutional."⁷⁵ In accordance with the stipulation, judgment was entered in favor of the Governor.

Barlow appealed. Barlow claimed that *Monterey Mechanical* did not declare Section 10115.5 invalid, and its provisions were severable from the remainder of Article 1.5 which were found unconstitutional. Therefore, Barlow submitted that the State had to continue to adhere to the statutory "information-gathering mandate" of Section 10115.5.

According to the court, the criteria for severability of the invalid provision was that it had to be grammatically, functionally, and volitionally separable.⁷⁶ The court agreed with Barlow that Section 10115.5 was mechanically and grammatically severable from the provisions of Article 1.5 that were declared unconstitutional in *Monterey Mechanical*. Section 10115.5 constituted an entirely separate statute, grammatically and mechanically, from the invalid substantive provisions relating to bidding and awarding contracts, participation goals for MBE's and WBE's, and "good faith efforts."

However, the court held that the clause was not, functionally autonomous, as the reporting requirements of Section 10115.5 found efficacy only when correlated with the invalidated

⁷³ *Id* at 755.

⁷⁴ *Id*. at 755.

⁷⁵ *Id*. at 756.

⁷⁶ *CalFarm Ins. Co. v. Deukmejian* (1989) 48 Cal. 3d 805, 821 [258 Cal. Rptr. 161, 771 P.2d 1247]; *California Gillnetters Assn. V. Department of Fish & Game* (1995) 39 Cal. App. 4th 1145, 1158 [46 Cal. Rptr. 2d 338].)

substantive provisions of Article 1.5. Section 10115.5 was not a generic reporting law. The statute specified in subdivision (a) that annual reports had to be made "on the level of participation by minority, women, and disabled veteran business enterprises in contracts as identified in this Article" (Italics added.)⁷⁷ If participation goals were not met, subdivision (b) directed that the awarding department had to articulate in the reports the reasons for "its inability to achieve the standards" expressed in the invalidated statutes, and "identify remedial steps."

The awarding departments had to further implement procedures, rules and regulations for the express purpose of monitoring and implementing "the goals specified in this Article." (§ 10115.3.) Thus, Section 10115.5, when evaluated in conjunction with the act of which it was a part, operated in a specific and limited context: it monitored the execution and administration of those programs and participation goals enunciated in the remainder of the statutory scheme. No other reporting obligation was imposed by Section 10115.5. With the abrogation of the numerical participation goals for minority and women business enterprises, the reports could not serve the function intended by the statute.

The court thus found that Section 10115.5 was without independent basis of operation. Therefore, the appellant court concluded that the reporting provisions of Section 10115.5, insofar as they concerned minority and women business enterprises, were neither functionally nor volitionally severable from the rest of Article 1.5, and along with it, had to be declared void.⁷⁸

***Hi-Voltage v. City of San Jose*, 84 Cal. Rptr. 2d 88 (Cal.Ct.App. 1999) (Hi-Voltage I)**

In 1983, the City of San Jose ("City") established a MWBE program and set a "participation goal" based on the availability and ability of the MBE and WBE to do the work to be contracted. There was no definition of ability provided. A construction contract would be awarded to the lowest responsible bidder, where a responsible bidder had met or exceeded the MBE/WBE participation goal or demonstrated reasonable efforts to do so.⁷⁹

In 1989, after the *Croson* decision,⁸⁰ the City suspended its MBE/WBE program and commissioned a disparity study. In 1990, the report was issued and it concluded that there was no significant disparity for the number of contracts awarded to MBEs/WBEs based on their availability, but that there was a significant disparity in the dollar amounts awarded to MBEs/WBEs. It was unclear as to whether the study was limited to construction. The

⁷⁷ *Id.* at 758.

⁷⁸ *Id.* at 759.

⁷⁹ Reasonable efforts by the contractor entailed documenting the steps taken, including at least the following: Written notice to at least four MBE/WBEs soliciting their interest in the project; follow-up contact to determine whether these MBE/WBEs were interested; and written reasons justifying rejection of an MBE's or WBE's low bid.

⁸⁰ *City of Richmond v. J.A. Croson*, 488 U.S. 469 (1988)

City then adopted an MBE/WBE Construction Program that involved participation goals and documentation of steps taken to meet those goals (“good faith efforts”).⁸¹

In 1996, in response to Proposition 209, the City enacted a new program, the “Nondiscrimination/Nonpreferential Treatment Program Applicable to Construction Contracts in excess of \$50,000.00.” The program required that prime contractors bidding on City work demonstrate that they had not discriminated against or given preference to any subcontractor based on race, sex, color, age, religion, sexual orientation, disability, ethnicity, or national origin.

There were two ways to fulfill the requirement: Documentation of Outreach or Documentation of Participation. Outreach entailed sending written notice to four certified MBE/WBEs for each trade area identified by the project; follow-up the solicitation letter by contacting the MBE/WBEs to ascertain their interest in participating in the project; and negotiating in good faith with any interested MBE/WBE and not unjustifiably rejecting any MBE/WBE bid. Participation allowed a bidder to invoke an evidentiary presumption of nondiscrimination by listing a sufficient number of MBE/WBE participants in the bid. If the bid included at least the number of MBE/WBE subcontractors that could be expected in the absence of discrimination, the city presumed no discrimination had occurred. For each project, the City determined the percentage of MBE/WBE firms that would be expected, absent discrimination according to a number of factors, including the number of potential subcontracting opportunities and the number of available MBE/WBE firms. If a bidder failed to demonstrate strict compliance with either of these two options, his or her bid was deemed “nonresponsive” and was rejected.⁸²

In 1997, Hi-Voltage Wire Works (“Hi-Voltage”) was the apparent low bidder on a circuit switcher upgrade project for a water pollution control plant. Hi-Voltage planned to use its own workforce and did not satisfy either criteria of the City’s new program in submitting its bid. Hi-Voltage’s bid was rejected.

Hi-Voltage filed a lawsuit challenging the legality of the program. The trial court found that both components of the program violated Article 1, Section 31 of the California constitution (Proposition 209). The City appealed the decision to the California Court of Appeals. The appeals court affirmed the decision of the trial court that the outreach and participation requirements of the program were invalid.

The question considered by the court of appeals was whether the outreach and evidentiary features of the program amounted to discrimination or preferential treatment favoring MBE/WBEs. The court started its inquiry by recognizing that the “adoption of Article 1, Section 31 placed governments seeking to eradicate discrimination in a no-win situation.”⁸³ The court examined the circumstances surrounding the enactment of Article 1, Section 31 and found that preferential treatment was meant to be “any treatment offering or

⁸¹ *Id. at 888.*

⁸² *Id. at 889.*

⁸³ *Hi-Voltage v. San Jose*, 84 Cal Rptr. 885, 891 (1999).

constituting an advantage.”⁸⁴ The court rejected the City’s argument that only quotas, set-asides, and plus factors used in selection of individuals comprised preferential treatment. The court also reasoned that the populace intended to prohibit MBE/WBE outreach programs, because a legislative analysis spoke of such programs as those that would be prohibited if Proposition 209 passed. The court said that proponents of 209 sought to dispel the myth that minorities and women could not compete without special preferences. Based on the foregoing, the court found that a broad definition of preferences and discrimination was required for its analysis.⁸⁵

With regard to the City’s outreach program, the court found that contractors were required to give personal attention and consideration to MBE/WBEs that need not be given to non-MBE/WBE subcontractors. Because the prime contractor could not unjustifiably reject as unsatisfactory bids prepared by any MBE or WBE, the court stated that this requirement gave a distinct preference to MBE/WBEs.⁸⁶

Regarding participation, the court found that bidders had incentive to include MBE/WBEs in their bids or document their efforts so that their bids would not be rejected and that this was tantamount to requiring the bidder to use a minimum number of minorities and women or engage in a costly outreach effort. The court reasoned that the outreach and participation requirements amounted to preferential treatment and/or discrimination.⁸⁷ It went on to find that the two-pronged Equal Protection analysis of *Croson* was not relevant in this lawsuit. Further the court also found that there was no conflict between Article 1, Section 31 and federal law prohibiting discrimination, namely Title VI of the Civil Rights Act of 1964, as Article 1, Section 31, was inapplicable to any actions required to establish or maintain federal funding.

***Hi-Voltage v. City of San Jose*, 101 Cal. Rptr. 2d 653 (Cal.Sup.Ct. 2000) (Hi-Voltage II)**

After the appeals court affirmed the trial court’s decision, the City then appealed that decision to the California Supreme Court.

The Supreme Court began its discussion with an expansive review of federal cases involving race, going back over 100 years. Its inquiry focused on whether the program violated the California Constitution, Article 1, Section 31. The court agreed with the appeals court that the City’s outreach and participation requirements were discriminatory.⁸⁸

With regard to outreach, the court found that contractors were compelled to contact MBE/WBEs and that this amounted to preferential treatment for MBE/WBEs. The court stated that the participation component encouraged what amounts to discriminatory quotas

⁸⁴ *Id. at. 893.*

⁸⁵ *Id. at. 895.*

⁸⁶ *Id. at 896.*

⁸⁷ *Id. at.896.*

⁸⁸ *Id. at. 971-72.*

or set-asides, or at least race- and sex-conscious numerical goals because a “participation goal differs from a quota or set-aside only in degree.”⁸⁹

With regard to equal protection, the court found that discriminatory preferences were permissible when there was a compelling government interest and narrowly tailored remedial measures, but that a state was not precluded from providing its citizens greater protection against both. In other words, the court held that states were not required to use affirmative action to redress discrimination. The court concluded that Article 1, Section 31 was not in conflict with federal law and also observed that the Ninth Circuit Court of Appeals had ruled similarly.⁹⁰

The court went on to say that the City’s disparity study showed an inference of discrimination by prime contractors, but not intentional acts by the City. It also noted that the disparity study was not a part of the record in the case. However, the court closed its opinion on a vague note, where it stated “without [the disparity study], the court has no basis for measuring the fit between the program and the goal of eliminating a disparity in the amount of contract dollars awarded MBEs in comparison to non-MBEs.”⁹¹ The court suggested that the lack of a study kept it from deciding the merits of the case using the Equal Protection analysis.

A.2 REQUIREMENTS OF 49 CFR PART 26

Federal regulations resulting from *Croson* and *Adarand*, 49 CFR Part 26 governs BART’s federal DBE programs and the methodology to be utilized by BART in conducting its availability analysis and DBE goal setting. The focus, in this legal analysis, is on the availability and goal setting requirements.

The U.S. DOT established a national aspirational goal of 10 percent. This goal should not be treated as a set-aside. Particular jurisdictions must narrowly tailor their DBE programs to the particularities in their marketplace. A public entity cannot simply rely on the national goal. The overall goal must be “based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses ready, willing and able to participate on your DOT- assisted contracts,” which is the definition of relative availability. To do so, public entities receiving DOT funding must conduct an availability analysis and establish a DBE goal.

Establishing a DBE goal consistent of two steps:

Step 1: Calculate base figure for relative availability

Step 2: Make adjustments, if any, to base figure to determine overall goal.

⁸⁹ *Hi-Voltage v. San Jose*, 101 Cal Rptr. 653, 671 (2000).

⁹⁰ *Id.* at 676, citing *Coalition v. Wilson*, 122 F.3d 672 (1997).

⁹¹ *Id.* at 676.

Under Step 1, a public entity may use 5 types of analysis to arrive at a based figure for relative availability, as part of its goal-setting methodology:

1. DBE Directories and Census Bureau Data
2. Bidders List
3. Data from a Disparity Study
4. Goal of Another DOT Recipient, if same or substantial similar market
5. Alternative method

In determining whether to make an adjustment to the base availability figure, DOT allows the public entity to consider several types of evidence:

1. Current capacity as measured by the volume of work performed by DBEs in recent years:
 - a. Evidence from disparity studies within the public entity's jurisdiction;
 - b. If public entity's goal is from another entity, then adjustments to account for differences in public entity's market and contracting program;
2. Evidence from other fields that impact a DBE's formation, growth, and ability to compete:
 - a. Statistical disparity in bonding, financing and insurance required by public entity;
 - b. Data on employment, self-employment, training, apprenticeships, to the extent this data can be connected to opportunities for DBEs to perform on the public entity's contracts;
3. But for discrimination (continuing effects of past discrimination) or effects of an on-going DBE program.

Once a percentage figure has been established, the DBE goal should be expressed as follows:

1. A percentage of all FTA funds (exclusive of FTA funds for the purchase of transit vehicles) that will be expended on FTA-assisted contracts in the 3 upcoming years;
2. In appropriate cases, a percentage of funds on a particular project or grant; and,
3. Provide for participation by all certified DBEs and not be subdivided into group specific goals.

Transit Vehicle Manufacturers are treated differently under 49 CFR Part 26. In order to bid or propose on FTA-supported contracts, a transit vehicle manufacturer must show that it has "established and submitted to FTA for approval an annual overall percentage goal." With the approval of FTA, the public entity may establish project-specific DBE goals on procurements for transit vehicle manufacturers.

In meeting the goal, the public entity must meet the maximum feasible portion utilizing race neutral means. The possible race neutral means are outlined in Section 26.51. The public

entity must also identify the portion of the goal that will be met through race neutral means and the portion that will be met through race conscious means.

A public entity can also establish contract goals. However, these goals can only be established on projects where there are subcontract opportunities. Contract goals are not a requirement and may not be the same as the overall goal.

The public entity may also establish goals on design-build or turnkey projects. The master contractor agrees to meet the goal during the bid process. The master contractor is then responsible for establishing contract goals for the subcontract it lets. However, the public entity is responsible for maintaining oversight of the master contractor's activity to ensure that the requirements of 49 CFR Part 26 are properly adhered to.

A.2.1 2014 Final Rule on 49 CFR Part 26

In 2014, the U.S. DOT issued a final rule on 49 CFR Part 26. As part of the DBE Program Modifications, DOT addressed the continued utilization of bidders lists as an availability measure. The DOT retained the utilization of bidders list, with the following requirements:

- The bidders list must include all successful and unsuccessful prime and subcontractors, suppliers, truckers, service providers etc. interested in competing for the public entity's work;
- If the bidders list does not capture all available firms that bid or quote, it must be utilized in conjunction with other sources consistent with the alternative method requirements;
- Pre-qualification and plan holders list can be utilized, but must be supplemented by other data sources; these lists cannot be utilized solely to calculate the base figure for availability.

U.S. DOT also revisited the design-build goal setting process, in its discussion regarding negotiated procurements. DOT did so, because of the discussion amongst stakeholders about responsiveness determinations (participation at the time of bid) vs. responsibility determinations (participation sometime after bid, but before contract award) in establishing good faith efforts to meet the DBE contract goal. DOT recognized that under negotiated procurements, it is not always possible to identify subcontractors at the point of bid. However, DOT continues to be concerned about bid shopping, and other practices such as reverse auctions and bid peddling. DOT established a period of 5 days after bid submission for firms to meet good faith efforts requirements; this 5-day period will be enforced starting January, 2017. DOT reiterated that design build continues to be an exception to this general practice.

Appendix B

Additional Statistical Tables

APPENDIX B: ADDITIONAL STATISTICAL TABLES

B.1 RELEVANT MARKET

Table B.1.
Relevant Market Calculations
Bidders and Sub-bidders
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	#	%	#	%	#	%	#	%	#	%	#
A&E	252	76.36	275	83.33	277	83.94	281	85.15	316	95.76	330
Construction	564	58.20	696	71.83	737	76.06	769	79.36	923	95.25	969
Other Services	69	63.30	84	77.06	87	79.82	87	79.82	100	91.74	109
Procurement	68	35.98	78	41.27	82	43.39	83	43.92	108	57.14	189
Professional Services	93	58.86	99	62.66	99	62.66	107	67.72	135	85.44	158
Total	1,046	59.60	1,232	70.20	1,282	73.05	1,327	75.61	1,582	90.14	1,755

Source: M³ Consulting; BART Procurement

Appendix B

Additional Statistical Tables

Table B.2.
Relevant Market Calculations
Bidders, Sub-bidders and Awardees
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	#	%	#	%	#	%	#	%	#	%	#
A&E	379	58.67	423	65.48	430	66.56	435	67.34	505	78.17	646
Construction	656	57.70	803	70.62	847	74.49	885	77.84	1,061	93.32	1,137
Other Services	190	51.08	223	59.95	232	62.37	239	64.25	291	78.23	372
Procurement	313	26.21	401	33.58	414	34.67	428	35.85	621	52.01	1,194
Professional Services	305	50.41	338	55.87	343	56.69	370	61.16	454	75.04	605
Total	1,843	46.61	2,188	55.34	2,266	57.31	2,357	59.61	2,932	74.15	3,954

Source: BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data;

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Table B.3.
Relevant Market Calculations
Bidders, Sub-bidders, Awardees, Plan Holders and Vendors
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	#	%	#	%	#	%	#	%	#	%	#
A&E	524	60.23	593	68.16	601	69.08	613	70.46	708	81.38	870
Construction	1,010	54.57	1,275	68.88	1,336	72.18	1,399	75.58	1,716	92.71	1,851
Other Services	431	58.96	515	70.45	527	72.09	540	73.87	620	84.82	731
Procurement	390	28.76	500	36.87	514	37.91	531	39.16	749	55.24	1,356
Professional Services	499	54.84	570	62.64	578	63.52	612	67.25	732	80.44	910
Total	2,854	49.91	3,453	60.39	3,556	62.19	3,695	64.62	4,525	79.14	5,718

Source: BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Vendors; BART Plan Holders

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Table B.4.
Relevant Market Calculations
Purchase Order--Dollars
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	\$	%	\$	%	\$	%	\$	%	\$	%	\$
A&E	268,499,867	78.09	269,177,058	78.28	269,272,902	78.31	272,569,852	79.27	301,111,046	87.57	343,854,378
Construction	645,731,016	57.11	1,001,650,705	88.59	1,002,054,012	88.62	1,002,145,227	88.63	1,108,663,777	98.05	1,130,714,761
Other Services	12,844,907	59.43	15,772,097	72.97	15,996,687	74.01	16,020,219	74.12	17,897,668	82.80	21,591,917
Procurement	73,383,297	22.36	75,788,616	23.09	76,126,449	23.19	80,063,505	24.39	99,835,138	30.42	327,693,386
Professional Services	55,324,187	70.22	56,268,478	71.42	56,636,153	71.88	58,623,958	74.41	66,669,437	84.62	78,688,183
Total	1,057,258,322	55.47	1,418,656,954	74.54	1,420,086,203	74.62	1,429,422,761	75.11	1,594,177,067	83.76	1,902,542,626

Source: M³ Consulting; BART Procurement; BART PeopleSoft Financial Management Information System

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Table B.5.
Relevant Market Calculations
Purchase Order--Counts
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	#	%	#	%	#	%	#	%	#	%	#
A&E	1,463	63.86	1,484	64.78	1,487	64.91	1,505	65.69	1,708	74.55	2,290
Construction	1,375	73.92	1,618	86.99	1,629	87.58	1,638	88.06	1,737	93.39	1,860
Other Services	469	58.19	504	62.53	511	63.40	513	63.65	621	77.05	805
Procurement	4,633	32.31	5,407	37.71	5,436	37.91	5,638	39.32	7,530	52.51	14,329
Professional Services	842	51.06	916	55.55	926	56.16	1,036	62.83	1,268	76.90	1,645
Total	8,782	41.93	9,929	47.40	9,989	47.69	10,330	49.32	12,864	61.42	20,929

Source: M³ Consulting; BART Procurement; BART PeopleSoft Financial Management Information System

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Table B.6.
Relevant Market Calculations
Accounts Payable--Dollars
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	\$	%	\$	%	\$	%	\$	%	\$	%	\$
A&E	197,806,487	79.38	198,310,323	79.58	198,403,095	79.62	200,997,668	80.66	220,669,786	88.55	249,190,684
Construction	601,098,532	68.34	852,496,015	96.92	852,828,586	96.96	852,906,404	96.97	874,658,222	99.44	879,581,470
Other Services	3,442,602	48.31	3,915,935	54.95	3,998,099	56.10	4,021,363	56.43	5,096,887	71.52	7,126,721
Procurement	44,493,124.4	33.59	46,171,788.5	34.86	46,256,592	34.92	48,579,723	36.67	61,057,291.7	46.09	132,390,317
Professional Services	24,243,625	63.23	24,762,034	64.58	25,048,460	65.33	26,100,508	68.07	31,424,050	81.95	38,342,500
Total	871,084,370	66.66	1,125,656,096	86.14	1,126,534,833	86.21	1,126,534,833	86.21	1,192,906,236	91.29	1,306,631,692

Source: M³ Consulting; BART Procurement; BART PeopleSoft Financial Management Information System

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Table B.7.
Relevant Market Calculations
Accounts Payable--Counts
By Relevant Market
By Procurement Type, FY 2011-2014

Procurement Type	MSA		Bay Area		CSA		CSAPlus		State		Nationwide
	#	%	#	%	#	%	#	%	#	%	#
A&E	6,596	77.48	6,632	77.90	6,635	77.94	6,679	78.46	7,327	86.07	8,512
Construction	2,574	80.29	2,880	89.83	2,891	90.17	2,899	90.42	3,095	96.54	3,206
Other Services	1,134	56.19	1,230	60.95	1,238	61.35	1,242	61.55	1,684	83.45	2,018
Procurement	6,937	37.72	7,774	42.27	7,808	42.46	8,059	43.82	10,360	56.33	18,381
Professional Services	2,212	54.20	2,388	58.52	2,412	59.10	2,629	64.42	3,507	85.93	4,079
Total	19,453	53.72	2,388	58.52	20,984	57.95	21,508	59.40	25,973	71.73	36,196

Source: M³ Consulting; BART Procurement; BART PeopleSoft Financial Management Information System

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Additional Statistical Tables

B.2 ADDITIONAL AVAILABILITY TABLES

B.2.1. TOTAL RWASM AVAILABILITY BY NAIC CODE

Table B.8. RWA SM Availability Total Availability By NAICS Code Bay Area Rapid Transit District Relevant Market; FY-2011-2014									
NAICS Code	NAICS Description	Non- M/W/DBE		Total Certified M/W/DBE		D&B MWBE		Total	
		#	%	#	%	#	%	#	%
42	Wholesale Trade	919	95.23	12	1.24	34	3.52	965	100.00
23721	Land Subdivision	12	80.00	1	6.67	2	13.33	15	100.00
48211	Rail Transportation	27	75.00	8	22.22	1	2.78	36	100.00
51462	Environmental Consulting Services	10	71.43	4	28.57	-	0.00	14	100.00
53132	Offices of Real Estate Appraisers	34	68.00	9	18.00	7	14.00	50	100.00
53242	Office Machinery and Equipment Rental and Leasing	15	100.00	-	0.00	-	0.00	15	100.00
54121	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	3	100.00	-	0.00	-	0.00	3	100.00
54182	Public Relations Agencies	9	100.00	-	0.00	-	0.00	9	100.00
56171	Exterminating and Pest Control Services	4	80.00	-	0.00	1	20.00	5	100.00
56172	Janitorial Services	9	52.94	3	17.65	5	29.41	17	100.00
56173	Landscaping Services	6	100.00	-	0.00	-	0.00	6	100.00
62191	Ambulance Services	5	100.00	-	0.00	-	0.00	5	100.00
81131	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	46	92.00	-	0.00	4	8.00	50	100.00
114119	Other Marine Fishing	1	100.00	-	0.00	-	0.00	1	100.00

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237130	Power and Communication Line and Related Structures Construction	117	78.52	18	12.08	14	9.40	149	100.00
237310	Highway, Street, and Bridge Construction	119	73.46	32	19.75	11	6.79	162	100.00
237990	Other Heavy and Civil Engineering Construction	1,088	73.51	290	19.59	102	6.89	1,480	100.00
238110	Poured Concrete Foundation and Structure Contractors	20	60.61	6	18.18	7	21.21	33	100.00
238150	Glass and Glazing Contractors	21	65.63	6	18.75	5	15.63	32	100.00
238160	Roofing Contractors	29	80.56	5	13.89	2	5.56	36	100.00
238210	Electrical Contractors and Other Wiring Installation Contractors	132	90.41	13	8.90	1	0.68	146	100.00
238220	Plumbing, Heating, and Air-Conditioning Contractors	35	97.22	-	0.00	1	2.78	36	100.00
238310	Drywall and Insulation Contractors	8	100.00	-	0.00	-	0.00	8	100.00
238320	Painting and Wall Covering Contractors	28	71.79	8	20.51	3	7.69	39	100.00
238330	Flooring Contractors	7	100.00	-	0.00	-	0.00	7	100.00
238910	Site Preparation Contractors	104	77.04	20	14.81	11	8.15	135	100.00
238990	All Other Specialty Trade Contractors	79	90.80	4	4.60	4	4.60	87	100.00
323111	Commercial Printing (except Screen and Books)	57	93.44	2	3.28	2	3.28	61	100.00
325320	Pesticide and Other Agricultural Chemical Manufacturing	14	87.50	-	0.00	2	12.50	16	100.00
332111	Iron and Steel Forging	111	86.05	7	5.43	11	8.53	129	100.00
332410	Power Boiler and Heat Exchanger Manufacturing	4	80.00	1	20.00	-	0.00	5	100.00
333120	Construction Machinery Manufacturing	2	66.67	1	33.33	-	0.00	3	100.00
333316	Photographic and Photocopying Equipment Manufacturing	25	73.53	7	20.59	2	5.88	34	100.00
333921	Elevator and Moving Stairway Manufacturing	21	95.45	1	4.55	-	0.00	22	100.00
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	55	93.22	1	1.69	3	5.08	59	100.00
336510	Railroad Rolling Stock Manufacturing	168	91.30	8	4.35	8	4.35	184	100.00
339950	Sign Manufacturing	23	85.19	1	3.70	3	11.11	27	100.00
453998	Home security equipment stores	1	50.00	-	0.00	1	50.00	2	100.00
481111	Scheduled Passenger Air Transportation	2	100.00	-	0.00	-	0.00	2	100.00
484210	Used Household and Office Goods Moving	5	62.50	-	0.00	3	37.50	8	100.00
485113	Bus and Other Motor Vehicle Transit Systems	2	66.67	-	0.00	1	33.33	3	100.00
485510	Charter Bus Industry	8	80.00	-	0.00	2	20.00	10	100.00
492110	Couriers and Express Delivery Services	12	92.31	-	0.00	1	7.69	13	100.00
511110	Newspaper Publishers	3	100.00	-	0.00	-	0.00	3	100.00
512110	Motion Picture and Video Production	3	100.00	-	0.00	-	0.00	3	100.00

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512290	Other Sound Recording Industries	3	75.00	1	25.00	-	0.00	4	100.00
517210	Wireless Telecommunications Carriers (except Satellite)	4	100.00	-	0.00	-	0.00	4	100.00
522110	Commercial Banking	3	27.27	3	27.27	5	45.45	11	100.00
523110	Investment Banking and Securities Dealing	53	91.38	5	8.62	-	0.00	58	100.00
524210	Insurance Agencies and Brokerages	3	60.00	2	40.00	-	0.00	5	100.00
524291	Claims Adjusting	17	94.44	1	5.56	-	0.00	18	100.00
524298	Other Insurance Related Activities	14	82.35	3	17.65	-	0.00	17	100.00
531210	Offices of Real Estate Agents and Brokers	26	96.30	1	3.70	-	0.00	27	100.00
541219	Other Accounting Services	42	73.68	12	21.05	3	5.26	57	100.00
541310	Architectural Services	59	90.77	6	9.23	-	0.00	65	100.00
541330	Engineering Services	263	71.86	78	21.31	25	6.83	366	100.00
541360	Geophysical Surveying and Mapping Services	6	100.00	-	0.00	-	0.00	6	100.00
541430	Graphic Design Services	29	93.55	-	0.00	2	6.45	31	100.00
541511	Custom Computer Programming Services	83	86.46	2	2.08	11	11.46	96	100.00
541519	Other Computer Related Services	76	89.41	4	4.71	5	5.88	85	100.00
541611	Administrative Management and General Management Consulting Services	110	80.88	23	16.91	3	2.21	136	100.00
541612	Human Resources Consulting Services	13	100.00	-	0.00	-	0.00	13	100.00
541613	Marketing Consulting Services	25	73.53	3	8.82	6	17.65	34	100.00
541620	Environmental Consulting Services	82	75.23	19	17.43	8	7.34	109	100.00
541690	Other Scientific and Technical Consulting Services	13	86.67	2	13.33	-	0.00	15	100.00
541810	Advertising Agencies	79	91.86	5	5.81	2	2.33	86	100.00
541820	Public Relations Agencies	8	100.00	-	0.00	-	0.00	8	100.00
541922	Commercial Photography	4	100.00	-	0.00	-	0.00	4	100.00
541930	Translation and Interpretation Services	3	60.00	2	40.00	-	0.00	5	100.00
561311	Employment Placement Agencies	134	86.45	10	6.45	11	7.10	155	100.00
561492	Court Reporting and Stenotype Services	3	75.00	-	0.00	1	25.00	4	100.00
561510	Travel Agencies	3	100.00	-	0.00	-	0.00	3	100.00
561612	Security Guards and Patrol Services	13	92.86	-	0.00	1	7.14	14	100.00
561621	Security Systems Services (except Locksmiths)	46	92.00	-	0.00	4	8.00	50	100.00
561710	Exterminating and Pest Control Services		0.00	1	100.00	-	0.00	1	100.00
561720	Janitorial Services	7	100.00	-	0.00	-	0.00	7	100.00
561730	Landscaping Services	9	64.29	3	21.43	2	14.29	14	100.00

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561740	Carpet and Upholstery Cleaning Services	3	100.00	-	0.00	-	0.00	3	100.00
561790	Other Services to Buildings and Dwellings	20	100.00	-	0.00	-	0.00	20	100.00
562998	All Other Miscellaneous Waste Management Services	9	90.00	-	0.00	1	10.00	10	100.00
621111	Offices of Physicians (except Mental Health Specialists)	15	88.24	-	0.00	2	11.76	17	100.00
621330	Offices of Mental Health Practitioners (except Physicians)	4	100.00	-	0.00	-	0.00	4	100.00
711510	Independent Artists, Writers, and Performers	7	58.33	4	33.33	1	8.33	12	100.00
811111	General Automotive Repair	6	85.71	-	0.00	1	14.29	7	100.00
811192	Car Washes	15	88.24	1	5.88	1	5.88	17	100.00%
812320	Drycleaning and Laundry Services (except Coin-Operated)	4	100.00	-	0.00	-	0.00	4	100.00%
812930	Parking Lots and Garages	1	50.00	1	50.00	-	0.00	2	100.00%
922160	Fire Protection	11	61.11	-	0.00	7	38.89	18	100.00%
Grand Total		4,731	82.32	660	11.48	356	6.19	5,747	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

B.2.2. DBE AVAILABILITY BASED ON RWASM AVAILABILITY

Table B.9. DBE Availability: Levels 1-4 Total Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
Race/Ethnicity/Gender	#	%	#	%	#	%	#	%
Non- M/W/DBE	1,229	70.03	3,086	82.43	3,255	82.32	4,730	82.72
African American	69	3.93	80	2.14	86	2.18	130	2.27
Asian American	92	5.24	102	2.72	105	2.66	154	2.69
Caucasian Female	73	4.16	84	2.24	94	2.38	108	1.89
Hispanic American	66	3.76	72	1.92	79	2.00	94	1.64
Hispanic American	1	0.06	1	0.03	1	0.03	1	0.02
Native American	2	0.11	2	0.05	2	0.05	2	0.03
Other DBE	2	0.11	2	0.05	3	0.08	12	0.21
Total DBE	305	17.38	343	9.16	370	9.36	501	8.76
Other Certified SMWBE	95	5.41	108	2.88	112	2.83	147	2.57
Total M/W/DBE	400	22.79	451	12.05	482	12.19	648	11.33
D&B MWBE	126	7.18	207	5.53	217	5.49	340	5.95
Total	1,755	100.00	3,744	100.00	3,954	100.00	5,718	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Table B.10. DBE Availability: Levels 1-4 Architecture and Engineering Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	MSA*							
	Level 1		Level 2		Level 3		Level 4	
Race/Ethnicity/Gender	#	%	#	%	#	%	#	%
Non- M/W/DBE	131	51.98	204	60.00	236	62.27	341	65.08
African American	20	7.94	22	6.47	23	6.07	29	5.53
Asian American	33	13.10	34	10.00	35	9.23	42	8.02
Caucasian Female	20	7.94	21	6.18	24	6.33	29	5.53
Hispanic American	8	3.17	8	2.35	8	2.11	10	1.91
Other DBE	2	0.79	2	0.59	2	0.53	2	0.38
Total DBE	83	32.94	87	25.59	92	24.27	112	21.37
Other Certified SMWBE	19	7.54	21	6.18	21	5.54	27	5.15
Total M/W/DBE	102	40.48	108	31.76	113	29.82	139	26.53
D&B MWBE	19	7.54	28	8.24	30	7.92	44	8.40
Total	252	100.00	340	100.00	379	100.00	524	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Table B.11. DBE Availability: Levels 1-4 Construction Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	Bay Area*							
	Level 1		Level 2		Level 3		Level 4	
Race/Ethnicity/Gender	#	%	#	%	#	%	#	%
Non- M/W/DBE	456	65.52	500	66.67	541	67.37	953	74.75
African American	29	4.17	29	3.87	30	3.74	33	2.59
Asian American	35	5.03	36	4.80	36	4.48	45	3.53
Caucasian Female	22	3.16	23	3.07	26	3.24	28	2.20
Hispanic American	36	5.17	36	4.80	40	4.98	47	3.69
Total DBE	122	17.53	124	16.53	132	16.44	153	12.00
Other Certified SMWBE	47	6.75	50	6.67	51	6.35	61	4.78
Total M/W/DBE	169	24.28	174	23.20	183	22.79	214	16.78
D&B MWBE	71	10.20	76	10.13	79	9.84	108	8.47
Total	696	100.00	750	100.00	803	100.00	1275	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Table B.12. DBE Availability: Levels 1-4 Other Services Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	State of California							
	Level 1		Level 2		Level 3		Level 4	
Race/Ethnicity/Gender	#	%	#	%	#	%	#	%
Non- M/W/DBE	77	77.00	226	85.28	243	83.51	508	81.94
African American	4	4.00	6	2.26	8	2.75	20	3.23
Asian American	0	0.00	1	0.38	1	0.34	9	1.45
Caucasian Female	0	0.00	1	0.38	3	1.03	4	0.65
Hispanic American	2	2.00	2	0.75	4	1.37	6	0.97
Other DBE	0	0.00	0	0.00	0	0.00	1	0.16
Total DBE	6	6.00	10	3.77	16	5.50	40	6.45
Other Certified SMWBE	2	2.00	3	1.13	5	1.72	11	1.77
Total M/W/DBE	8	8.00	13	4.91	21	7.22	51	8.23
D&B MWBE	15	15.00	26	9.81	27	9.28	61	9.84
Total	100	100.00	265	100.00	291	100.00	620	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Table B.13.
DBE Availability: Levels 1-4
Procurement Availability
Bay Area Rapid Transit District
Relevant Market; FY 2011-2014

	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
Non- M/W/DBE	164	86.77	1,106	93.73	1,118	93.63	1,259	92.85
African American	3	1.59	7	0.59	8	0.67	11	0.81
Asian American	5	2.65	9	0.76	9	0.75	12	0.88
Caucasian Female	2	1.06	4	0.34	4	0.34	5	0.37
Hispanic American	3	1.59	6	0.51	6	0.50	7	0.52
Other DBE	0	0.00	0	0.00	0	0.00	1	0.07
Total DBE	13	6.88	26	2.20	27	2.26	36	2.65
Other Certified SMWBE	4	2.12	7	0.59	8	0.67	11	0.81
Total M/W/DBE	17	8.99	33	2.80	35	2.93	47	3.47
D&B MWBE	8	4.23	41	3.47	41	3.43	50	3.69
Total	189	100.00	1,180	100.00	1,194	100.00	1,356	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.14. DBE Availability: Levels 1-4 Professional Services Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	State of California							
	Level 1		Level 2		Level 3		Level 4	
Race/Ethnicity/Gender	#	%	#	%	#	%	#	%
Non- M/W/DBE	94	69.63	362	83.22	375	82.60	586	80.05
African American	4	2.96	7	1.61	8	1.76	21	2.87
Asian American	6	4.44	9	2.07	10	2.20	20	2.73
Caucasian Female	7	5.19	9	2.07	10	2.20	14	1.91
Hispanic American	3	2.22	5	1.15	6	1.32	8	1.09
Other DBE	0	0.00	0	0.00	0	0.00	1	0.14
Total DBE	20	14.81	30	6.90	34	7.49	64	8.74
Other Certified SMWBE	16	11.85	20	4.60	20	4.41	28	3.83
Total M/W/DBE	36	26.67	50	11.49	54	11.89	92	12.57
D&B MWBE	5	3.70	23	5.29	25	5.51	54	7.38
Total	135	100.00	435	100.00	454	100.00	732	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

Appendix B

Additional Statistical Tables

B.2.3. NON-DISCRIMINATION AVAILABILITY BASED ON RWASM

Table B.15. Non-Discrimination Availability: Levels 1-4 Total Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
Race/Ethnicity/Gender	#	%	#	%	#	%	#	%
Non-MWBE	1,228	69.97	3,085	82.40	3,253	82.27	4,726	82.65
African American	91	5.19	108	2.88	115	2.91	175	3.06
Female	24	1.37	29	0.77	31	0.78	48	0.84
Male	67	3.82	79	2.11	84	2.12	127	2.22
Asian American	106	6.04	117	3.13	120	3.03	176	3.08
Female	30	1.71	33	0.88	34	0.86	53	0.93
Male	76	4.33	84	2.24	86	2.18	123	2.15
Caucasian Female	87	4.96	99	2.64	112	2.83	127	2.22
Hispanic American	89	5.07	96	2.56	103	2.60	120	2.10
Female	24	1.37	25	0.67	27	0.68	28	0.49
Male	65	3.70	71	1.90	76	1.92	92	1.61
Native American	2	0.11	2	0.05	2	0.05	2	0.03
Female	-	0.00	-	0.00	-	0.00	-	0.00
Male	2	0.11	2	0.05	2	0.05	2	0.03
Other MBE	2	0.11	2	0.05	4	0.10	15	0.26
Female	2	0.11	2	0.05	3	0.08	3	0.05
Male	-	0.00	-	0.00	1	0.03	12	0.21

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Additional Statistical Tables

Total BART Certified MWBE	377	21.48	424	11.32	456	11.53	615	10.76
Female	167	9.52	188	5.02	207	5.24	259	4.53
Male	210	11.97	236	6.30	249	6.30	356	6.23
Other Certified S M/W/DBE	24	1.37	28	0.75	28	0.71	37	0.65
Total MWBE	401	22.85	452	12.07	484	12.24	652	11.40
D&B MWBE	126	7.18	207	5.53	217	5.49	340	5.95
Total	1,755	100.00	3,744	100.00	3,954	100.00	5,718	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

Appendix B

Additional Statistical Tables

Table B.16.
Non-Discrimination Availability: Levels 1-4
Architecture & Engineering Availability
Bay Area Rapid Transit District
Relevant Market; FY 2011-2014

Race/Ethnicity/Gender	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
	#	%	#	%	#	%	#	%
Non-MWBE	130	51.59	203	59.71	235	62.01	340	64.89
African American	25	9.92	28	8.24	29	7.65	38	7.25
Female	7	2.78	8	2.35	9	2.37	11	2.10
Male	18	7.14	20	5.88	20	5.28	27	5.15
Asian American	36	14.29	37	10.88	38	10.03	46	8.78
Female	9	3.57	9	2.65	10	2.64	12	2.29
Male	27	10.71	28	8.24	28	7.39	34	6.49
Caucasian Female	22	8.73	23	6.76	26	6.86	31	5.92
Hispanic American	14	5.56	14	4.12	14	3.69	17	3.24
Female	4	1.59	4	1.18	4	1.06	5	0.95
Male	10	3.97	10	2.94	10	2.64	12	2.29
Native American	0	0.00	-	0.00	-	0.00	-	0.00
Female	0	0.00	-	0.00	-	0.00	-	0.00
Male	0	0.00	-	0.00	-	0.00	-	0.00
Other MBE	2	0.79	2	0.59	2	0.53	2	0.38
Female	2	0.79	2	0.59	2	0.53	2	0.38
Male	-	0.00	-	0.00	1	0.26	-	0.00
Total BART Certified MWBE	99	39.29	104	30.59	109	28.76	134	25.57
Female	44	17.46	46	13.53	51	13.46	61	11.64

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Additional Statistical Tables

Male	55	21.83	58	17.06	59	15.57	73	13.93
Other Certified S M/W/DBE	4	1.59	5	1.47	5	1.32	6	1.15
Total MWBE	103	40.87	109	32.06	114	30.08	140	26.72
D&B MWBE	19	7.54	28	8.24	30	7.92	44	8.40
Total	252	100.00	340	100.00	379	100.00	524	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.17.
Non-Discrimination Availability: Levels 1-4
Construction Availability
Bay Area Rapid Transit District
Relevant Market; FY 2011-2014

	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
	#	%	#	%	#	%	#	%
Non-MWBE	456	65.52	500	66.67	540	67.25	950	74.51
African American	37	5.32	38	5.07	39	4.86	46	3.61
Female	5	0.72	6	0.80	6	0.75	7	0.55
Male	32	4.60	32	4.27	33	4.11	39	3.06
Asian American	43	6.18	44	5.87	44	5.48	54	4.24
Female	13	1.87	13	1.73	13	1.62	16	1.25
Male	30	4.31	31	4.13	31	3.86	38	2.98
Caucasian Female	27	3.88	28	3.73	32	3.99	34	2.67
Hispanic American	46	6.61	47	6.27	51	6.35	59	4.63
Female	14	2.01	14	1.87	15	1.87	15	1.18
Male	32	4.60	33	4.40	36	4.48	44	3.45
Native American	-	0.00	-	0.00	-	0.00	-	0.00
Female	-	0.00	-	0.00	-	0.00	-	0.00
Male	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	1	0.12	3	0.24
Female	-	0.00	-	0.00	1	0.12	2	0.16
Male	-	0.00	-	0.00	-	0.00	1	0.08
Total BART Certified MWBE	153	21.98	157	20.93	167	20.80	196	15.37
Female	59	8.48	61	8.13	67	8.34	74	5.80

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Male	94	13.51	96	12.80	100	12.45	122	9.57
Other Certified S M/W/DBE	16	2.30	17	2.27	17	2.12	21	1.65
Total MWBE	169	24.28	174	23.20	184	22.91	217	17.02
D&B MWBE	71	10.20	76	10.13	79	9.84	108	8.47
Total	696	100.00	750	100.00	803	100.00	1,275	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.18.
Non-Discrimination Availability: Levels 1-4
Professional Services Availability
Bay Area Rapid Transit District
Relevant Market; FY 2011-2014

	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
	#	%	#	%	#	%	#	%
Non-MWBE	94	69.63	362	83.22	375	82.60	586	80.05
African American	10	7.41	16	3.68	17	3.74	34	4.64
Female	5	3.70	7	1.61	8	1.76	13	1.78
Male	5	3.70	9	2.07	9	1.98	21	2.87
Asian American	7	5.19	10	2.30	11	2.42	23	3.14
Female	2	1.48	3	0.69	3	0.66	8	1.09
Male	5	3.70	7	1.61	8	1.76	15	2.05
Caucasian Female	10	7.41	12	2.76	13	2.86	17	2.32
Hispanic American	7	5.19	9	2.07	10	2.20	12	1.64
Female	1	0.74	2	0.46	2	0.44	2	0.27
Male	6	4.44	7	1.61	8	1.76	10	1.37
Native American	-	0.00	-	0.00	-	0.00	-	0.00
Female	-	0.00	-	0.00	-	0.00	-	0.00
Male	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	1	0.14
Female	-	0.00	-	0.00	-	0.00	-	0.00
Male	-	0.00	-	0.00	-	0.00	1	0.14
Total BART Certified MWBE	34	25.19	47	10.80	51	11.23	87	11.89
Female	18	13.33	24	5.52	26	5.73	40	5.46

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Additional Statistical Tables

Male	16	11.85	23	5.29	25	5.51	47	6.42
Other Certified S M/W/DBE	2	1.48	3	0.69	3	0.66	5	0.68
Total MWBE	36	26.67	50	11.49	54	11.89	92	12.57
D&B MWBE	5	3.70	23	5.29	25	5.51	54	7.38
Total	135	100.00	435	100.00	454	100.00	732	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.19.
Non-Discrimination Availability: Levels 1-4
Other Services Availability
Bay Area Rapid Transit District
Relevant Market; FY 2011-2014

	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
	#	%	#	%	#	%	#	%
Non-MWBE	77	77.00	226	85.28	243	83.51	508	81.94
African American	5	5.00	8	3.02	11	3.78	27	4.35
Female	1	1.00	2	0.75	2	0.69	7	1.13
Male	4	4.00	6	2.26	9	3.09	20	3.23
Asian American	-	0.00	1	0.38	1	0.34	11	1.77
Female	-	0.00	-	0.00	-	0.00	4	0.65
Male	-	0.00	1	0.38	1	0.34	7	1.13
Caucasian Female	-	0.00	1	0.38	4	1.37	5	0.81
Hispanic American	2	2.00	2	0.75	4	1.37	6	0.97
Female	1	1.00	1	0.38	2	0.69	2	0.32
Male	1	1.00	1	0.38	2	0.69	4	0.65
Native American	-	0.00	-	0.00	-	0.00	-	0.00
Female	-	0.00	-	0.00	-	0.00	-	0.00
Male	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	1	0.16
Female	-	0.00	-	0.00	-	0.00	-	0.00
Male	-	0.00	-	0.00	-	0.00	1	0.16
Total BART Certified MWBE	7	7.00	12	4.53	20	6.87	50	8.06
Female	2	2.00	4	1.51	8	2.75	18	2.90

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Additional Statistical Tables

Male	5	5.00	8	3.02	12	4.12	32	5.16
Other Certified S M/W/DBE	1	1.00	1	0.38	1	0.34	1	0.16
Total MWBE	8	8.00	13	4.91	21	7.22	51	8.23
D&B MWBE	15	15.00	26	9.81	27	9.28	61	9.84
Total	100	100.00	265	100.00	291	100.00	620	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.20.

Non-Discrimination Availability: Levels 1-4
 Procurement Availability
 Bay Area Rapid Transit District
 Relevant Market; FY 2011-2014

Race/Ethnicity/Gender	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
	#	%	#	%	#	%	#	%
Non-MWBE	164	69.97	1,106	93.73	1,118	93.63	1,259	92.85
African American	4	3.19	8	0.68	9	0.75	13	0.96
Female	2		2	0.17	2	0.17	3	0.22
Male	2		6	0.51	7	0.59	10	0.74
Asian American	5	3.42	10	0.85	10	0.84	14	1.03
Female	1		3	0.25	3	0.25	3	0.22
Male	4		7	0.59	7	0.59	11	0.81
Caucasian Female	3	2.22	6	0.51	7	0.59	9	0.66
Hispanic American	4	2.85	7	0.59	7	0.59	8	0.59
Female	1		1	0.08	1	0.08	1	0.07
Male	3		6	0.51	6	0.50	7	0.52
Native American	-		-	0.00	-	0.00	-	0.00
Female	-		-	0.00	-	0.00	-	0.00
Male	-		-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	1	0.07
Female	-		-	0.00	-	0.00	-	0.00
Male	-		-	0.00	-	0.00	1	0.07
Total BART Certified MWBE	16	8.47	31	2.63	33	2.76	45	3.32
Female	7	3.70	12	1.02	13	1.09	16	1.18
Male	9	4.76	19	1.61	20	1.68	29	2.14

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Other Certified S M/W/DBE	1	0.53	2	0.17	2	0.17	2	0.15
Total MWBE	17	8.99	33	2.80	35	2.93	47	3.47
D&B MWBE	8	4.23	41	3.47	41	3.43	50	3.69
Total	189	100.00	1,180	100.00	1,194	100.00	1,356	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

B.2.4. SBE AVAILABILITY BASED ON RWASM

Table B.21. SBE Availability: Levels 1-4 Total Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	Nationwide							
	Level 1		Level 2		Level 3		Level 4	
SBE Status	#	%	#	%	#	%	#	%
Non-SBE	1,464	83.42	3,352	89.53	3,541	89.55	5,095	89.10
BART Certified SBE	97	5.53	104	2.78	108	2.73	145	2.54
SBE	68	3.87	81	2.16	88	2.23	138	2.41
Total SBE	165	9.40	185	4.94	196	4.96	283	4.95
D&B MWBE	126	7.18	207	5.53	217	5.49	340	5.95
Total	1,755	100.00	3,744	100.00	3,954	100.00	5,718	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.22. SBE Availability: Levels 1-4 Architecture and Engineering Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	MSA*							
	Level 1		Level 2		Level 3		Level 4	
SBE Status	#	%	#	%	#	%	#	%
Non-SBE	172	68.25	247	72.65	281	74.14	395	75.38
BART Certified SBE	41	16.27	43	12.65	44	11.61	51	9.73
SBE	20	7.94	22	6.47	24	6.33	34	6.49
Total SBE	61	24.21	65	19.12	68	17.94	85	16.22
D&B MWBE	19	7.54	28	8.24	30	7.92	44	8.40
Total	252	100.00	340	100.00	379	100.00	524	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.23.
SBE Availability: Levels 1-4
Architecture and Engineering Availability
Bay Area Rapid Transit District
Relevant Market; FY 2011-2014

	Bay Area*							
	Level 1		Level 2		Level 3		Level 4	
	#	%	#	%	#	%	#	%
Non-SBE	559	80.32	607	80.93	652	81.20	1,070	83.92
BART Certified SBE	34	4.89	35	4.67	37	4.61	48	3.76
SBE	32	4.60	32	4.27	35	4.36	49	3.84
Total SBE	66	9.48	67	8.93	72	8.97	97	7.61
D&B MWBE	71	10.20	76	10.13	79	9.84	108	8.47
Total	696	100.00	750	100.00	803	100.00	1,275	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.24. SBE Availability: Levels 1-4 Other Services Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	State of California							
	Level 1		Level 2		Level 3		Level 4	
SBE Status	#	%	#	%	#	%	#	%
Non-SBE	79	79.00	231	87.17	255	87.63	537	86.61
BART Certified SBE	0	0.00	1	0.38	1	0.34	7	1.13
SBE	6	6.00	7	2.64	8	2.75	15	2.42
Total SBE	6	6.00	8	3.02	9	3.09	22	3.55
D&B MWBE	15	15.00	26	9.81	27	9.28	61	9.84
Total	100	100.00	265	100.00	291	100.00	620	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

Table B.25. SBE Availability: Levels 1-4 Professional Services Availability Bay Area Rapid Transit District Relevant Market; FY 2011-2014								
	State of California							
	Level 1		Level 2		Level 3		Level 4	
SBE Status	#	%	#	%	#	%	#	%
Non-SBE	121	89.63	397	91.26	413	90.97	641	87.57
BART Certified SBE	6	4.44	8	1.84	9	1.98	16	2.19
SBE	3	2.22	7	1.61	7	1.54	21	2.87
Total SBE	9	6.67	15	3.45	16	3.52	37	5.05
D&B MWBE	5	3.70	23	5.29	25	5.51	54	7.38
Total	135	100.00	435	100.00	454	100.00	732	100.00

Source: M³ Consulting; BART Procurement Bidder Data, PeopleSoft Financial Management Information System Data, BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data; BART Plan Holders; BART Vendors

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Additional Statistical Tables

B.3 ADDITIONAL UTILIZATION TABLES

B.3.1. ADDITIONAL CONTRACT AWARD UTILIZATION

A. Contract Award Dollars and Counts

Table B.26. Architecture and Engineering Pure Prime + Sub Contract Awards Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	36,108,000	60.33	32,790,000	43.18	25,000,000	100.00	60,000,000	77.92	153,898,000	64.72
African American	3,000,000	5.01	23,360,000	30.77	-	0.00	-	0.00	26,360,000	11.09
Asian American	16,280,000	27.20	9,070,000	11.95	-	0.00	15,000,000	19.48	40,350,000	16.97
Hispanic American	1,510,000	2.52	940,000	1.24	-	0.00	-	0.00	2,450,000	1.03
Other MBE	-	0.00	180,000	0.24	-	0.00	-	0.00	180,000	0.08
Total MBE	20,790,000	34.74	33,550,000	44.19	-	0.00	15,000,000	19.48	69,340,000	29.16
Caucasian Female	2,562,000	4.28	3,820,000	5.03	-	0.00	-	0.00	6,382,000	2.68
Total M/W/DBE	23,352,000	39.02	37,370,000	49.22	-	0.00	15,000,000	19.48	75,722,000	31.85
D&B MWBE	390,000	0.65	5,770,000	7.60	-	0.00	2,000,000	2.60	8,160,000	3.43
Total	59,850,000	100.00	75,930,000	100.00	25,000,000	100.00	77,000,000	100.00	237,780,000	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.27.
Architecture and Engineering
Pure Prime + Sub Contract Awards—Detailed
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	153,898,000	64.72	132,168,000	72.41	21,730,000	39.32	125,398,000	66.65	28,500,000	57.40
African American	26,360,000	11.09	16,360,000	8.96	10,000,000	18.10	23,660,000	12.58	2,700,000	5.44
Asian American	40,350,000	16.97	24,000,000	13.15	16,350,000	29.59	24,910,000	13.24	15,440,000	31.10
Hispanic American	2,450,000	1.03	750,000	0.41	1,700,000	3.08	1,300,000	0.69	1,150,000	2.32
Other MBE	180,000	0.08	-	0.00	180,000	0.33	180,000	0.10	-	0.00
Total MBE	69,340,000	29.16	41,110,000	22.52	28,230,000	51.09	50,050,000	26.60	19,290,000	38.85
Caucasian Female	6,382,000	2.68	3,962,000	2.17	2,420,000	4.38	4,672,000	2.48	1,710,000	3.44
Total M/W/DBE	75,722,000	31.85	45,072,000	24.69	30,650,000	55.47	54,722,000	29.09	21,000,000	42.30
D&B MWBE	8,160,000	3.43	5,280,000	2.89	2,880,000	5.21	8,010,000	4.26	150,000	0.30
Total	237,780,000	100.00	182,520,000	100.00	55,260,000	100.00	188,130,000	100.00	49,650,000	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.28.
Architecture and Engineering
Pure Prime + Sub Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	40	45.98	45	47.37	1	100.00	23	36.51	109	44.31
African American	8	9.20	9	9.47	-	0.00	6	9.52	23	9.35
Asian American	21	24.14	19	20.00	-	0.00	20	31.75	60	24.39
Hispanic American	4	4.60	3	3.16	-	0.00	6	9.52	13	5.28
Other MBE	-	0.00	1	1.05	-	0.00	-	0.00	1	0.41
Total MBE	33	37.93	32	33.68	-	0.00	32	50.79	97	39.43
Caucasian Female	12	13.79	7	7.37	-	0.00	3	4.76	22	8.94
Total M/W/DBE	45	51.72	39	41.05	-	0.00	35	55.56	119	48.37
D&B MWBE	2	2.30	11	11.58	-	0.00	5	7.94	18	7.32
Total	87	100.00	95	100.00	1	100.00	63	100.00	246	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.29.										
Architecture and Engineering										
Pure Prime + Sub Contract Awards—Detailed										
Counts										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	109	44.31	11	52.38	98	43.56	84	44.44	25	43.86
African American	23	9.35	2	9.52	21	9.33	17	8.99	6	10.53
Asian American	60	24.39	2	9.52	58	25.78	43	22.75	17	29.82
Hispanic American	13	5.28	1	4.76	12	5.33	10	5.29	3	5.26
Other MBE	1	0.41	-	0.00	1	0.44	1	0.53	-	0.00
Total MBE	97	39.43	5	23.81	92	40.89	71	37.57	26	45.61
Caucasian Female	22	8.94	2	9.52	20	8.89	17	8.99	5	8.77
Total M/W/DBE	119	48.37	7	33.33	112	49.78	88	46.56	31	54.39
D&B MWBE	18	7.32	3	14.29	15	6.67	17	8.99	1	1.75
Total	246	100.00	21	100.00	225	100.00	189	100.00	57	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.30.
Construction
Pure Prime + Sub Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	77	47.53	23	48.94	37	49.33	57	51.82	194	49.24
African American	14	8.64	1	2.13	2	2.67	5	4.55	22	5.58
Asian American	17	10.49	8	17.02	12	16.00	12	10.91	49	12.44
Hispanic American	15	9.26	5	10.64	10	13.33	14	12.73	44	11.17
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	46	28.40	14	29.79	24	32.00	31	28.18	115	29.19
Caucasian Female	23	14.20	1	2.13	8	10.67	8	7.27	40	10.15
Total M/W/DBE	69	42.59	15	31.91	32	42.67	39	35.45	155	39.34
D&B MWBE	16	9.88	9	19.15	6	8.00	14	12.73	45	11.42
Total	162	100.00	47	100.00	75	100.00	110	100.00	394	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.31.
Construction
Pure Prime + Sub Contract Awards—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	194	49.24	55	67.90	139	44.41	88	53.33	106	46.29
African American	22	5.58	1	1.23	21	6.71	9	5.45	13	5.68
Asian American	49	12.44	2	2.47	47	15.02	21	12.73	28	12.23
Hispanic American	44	11.17	7	8.64	37	11.82	20	12.12	24	10.48
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	115	29.19	10	12.35	105	33.55	50	30.30	65	28.38
Caucasian Female	40	10.15		0.00	40	12.78	14	8.48	26	11.35
Total M/W/DBE	155	39.34	10	12.35	145	46.33	64	38.79	91	39.74
D&B MWBE	45	11.42	16	19.75	29	9.27	13	7.88	32	13.97
Total	394	100.00	81	100.00	313	100.00	165	100.00	229	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.32.
Professional Services
Pure Prime + Sub Contract Awards
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	139,000	2.26	2,624,900	69.83	5,049,039	49.11	2,032,225	87.25	9,845,164	43.74
African American	5,999,615	97.74	913,597	24.30	834,000	8.11	-	0.00	7,747,212	34.42
Asian American	-	0.00	-	0.00	-	0.00	297,000	12.75	297,000	1.32
Hispanic American	-	0.00	122,465	3.26	17,500	0.17	-	0.00	139,965	0.62
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	5,999,615	97.74	1,036,062	27.56	851,500	8.28	297,000	12.75	8,184,177	36.36
Caucasian Female	-	0.00	58,031	1.54	4,341,360	42.22	-	0.00	4,399,391	19.55
Total M/W/DBE	5,999,615	97.74	1,094,093	29.11	5,192,860	50.50	297,000	12.75	12,583,568	55.91
D&B MWBE	-	0.00	40,000	1.06	40,000	0.39	-	0.00	80,000	0.36
Total	6,138,615	100.00	3,758,993	100.00	10,281,899	100.00	2,329,225	100.00	22,508,732	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.33.
Professional Services
Pure Prime + Sub Contract Awards –Detailed
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
	\$	%	\$	%	\$	%	\$	%	\$	%
Ethnicity										
Non- M/W/DBE	9,845,164	43.74	9,715,579	46.92	129,585	7.19	5,709,183	44.43	4,135,981	42.82
African American	7,747,212	34.42	6,635,362	32.04	1,111,851	61.70	5,999,615	46.69	1,747,597	18.09
Asian American	297,000	1.32	297,000	1.43	-	0.00	-	0.00	297,000	3.07
Hispanic American	139,965	0.62	17,500	0.08	122,465	6.80	-	0.00	139,965	1.45
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	8,184,177	36.36	6,949,862	33.56	1,234,315	68.50	5,999,615	46.69	2,184,562	22.61
Caucasian Female	4,399,391	19.55	4,041,360	19.52	358,031	19.87	1,060,000	8.25	3,339,391	34.57
Total M/W/DBE	12,583,568	55.91	10,991,222	53.08	1,592,346	88.37	7,059,615	54.94	5,523,953	57.18
D&B MWBE	80,000	0.36	-	0.00	80,000	4.44	80,000	0.62	-	0.00
Total	22,508,732	100.00	20,706,801	100.00	1,801,931	100.00	12,848,798	100.00	9,659,934	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.34.
Professional Services
Pure Prime + Sub Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	1	33.33	10	58.82	9	52.94	3	75.00	23	56.10
African American	2	66.67	3	17.65	1	5.88	-	0.00	6	14.63
Asian American	-	0.00	-	0.00	-	0.00	1	25.00	1	2.44
Hispanic American	-	0.00	1	5.88	2	11.76	-	0.00	3	7.32
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	66.67	4	23.53	3	17.65	1	25.00	10	24.39
Caucasian Female	-	0.00	2	11.76	3	17.65	-	0.00	5	12.20
Total M/W/DBE	2	66.67	6	35.29	6	35.29	1	25.00	15	36.59
D&B MWBE	-	0.00	1	5.88	2	11.76	-	0.00	3	7.32
Total	3	100.00	17	100.00	17	100.00	4	100.00	41	100.00

Source: BART Procurement, M³ Consulting

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Additional Statistical Tables

Table B.35.
Professional Services
Pure Prime + Sub Contract Awards—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	23	56.10	16	69.57	7	38.89	9	52.94	14	58.33
African American	6	14.63	3	13.04	3	16.67	2	11.76	4	16.67
Asian American	1	2.44	1	4.35	-	0.00	-	0.00	1	4.17
Hispanic American	3	7.32	1	4.35	2	11.11	-	0.00	3	12.50
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	
Total MBE	10	24.39	5	21.74	5	27.78	2	11.76	8	33.33
Caucasian Female	5	12.20	2	8.70	3	16.67	3	17.65	2	8.33
Total M/W/DBE	15	36.59	7	30.43	8	44.44	5	29.41	10	41.67
D&B MWBE	3	7.32	-	0.00	3	16.67	3	17.65	-	0.00
Total	41	100.00	23	100.00	18	100.00	17	100.00	24	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.36.
Other Services
Pure Prime + Sub Contract Awards
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	2,147,978	100.00	3,439,697	94.24	28,318,811*	97.06	4,151,350	64.32	38,057,836	91.86
African American	-	0.00	210,303	5.76	-	0.00	854,210	13.23	1,064,513	2.57
Asian American	-	0.00	-	0.00	67,145	0.23	-	0.00	67,145	0.16
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	210,303	5.76	67,145	0.23	854,210	13.23	1,131,658	2.73
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	210,303	5.76	67,145	0.23	854,210	13.23	1,131,658	2.73
D&B MWBE		0.00		0.00	791,783	2.71	1,448,700	22.45	2,240,483	5.41
Total	2,147,978	100.00	3,650,000	100.00	29,177,739	100.00	6,454,260	100.00	41,429,977	100.00

Source: BART Procurement, M³ Consulting
 *Includes Wollborg Temporary Services Dollars

Table B.37.
Other Services

Appendix B

Additional Statistical Tables

Pure Prime + Sub Contract Awards—Detailed Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	State of California									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	38,057,836	91.86	38,011,241	92.47	46,595	14.38	18,386,292	98.51	19,671,544	86.41
African American	1,064,513	2.57	854,210	2.08	210,303	64.90	210,303	1.13	854,210	3.75
Asian American	67,145	0.16	-	0.00	67,145	20.72	67,145	0.36	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1,131,658	2.73	854,210	2.08	-	0.00	277,448	1.49	854,210	3.75
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	1,131,658	2.73	854,210	2.08	-	0.00	277,448	1.49	854,210	3.75
D&B MWBE	2,240,483	5.41	2,240,483	5.45	-	0.00	-	0.00	2,240,483	9.84
Total	41,429,977	100.00	41,105,934	100.00	324,043	0.11	18,663,740	100.00	22,766,237	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.38.
Other Services
Pure Prime + Sub Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Ethnicity										
Non- M/W/DBE	5	100.00	3	75.00	9	81.82	3	42.86	20	74.07
African American	-	0.00	1	25.00	-	0.00	1	14.29	2	7.41
Asian American	-	0.00	-	0.00	1	9.09	-	0.00	1	3.70
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	1	25.00	1	9.09	1	14.29	3	11.11
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	1	25.00	1	9.09	1	14.29	3	11.11
D&B MWBE	-	0.00	-	0.00	1	9.09	3	42.86	4	14.81
Total	5	100.00	4	100.00	11	100.00	7	100.00	27	100.00

Source: BART Procurement, M³ Consulting

Appendix B

Additional Statistical Tables

Table B.39.
Other Services
Pure Prime + Sub Contract Awards—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	20	74.07	19	79.17	1	5.56%	3	60.00	17	77.27
African American	2	7.41	1	4.17	1	5.56%	1	20.00	1	4.55
Asian American	1	3.70	-	0.00	1	5.56%	1	20.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00%	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00%	-	0.00	-	0.00
Total MBE	3	11.11	1	4.17	2	11.11%	2	40.00	1	4.55
Caucasian Female	-	0.00	-	0.00	-	0.00%	-	0.00	-	0.00
Total M/W/DBE	3	11.11	1	4.17	2	11.11%	2	40.00	1	4.55
D&B MWBE	4	14.81	4	16.67	-	0.00%	-	0.00	4	18.18
Total	27	100.00	24	100.00	3	16.67%	5	100.00	22	100.00

Source: BART Procurement, M³ Consulting,

Appendix B

Additional Statistical Tables

Table B.40.
Procurement
Pure Prime + Sub Contract Awards
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	24,334,503	89.48	21,745,375	100.00	41,829,096	100.00	62,338,247	100.00	150,247,221	98.13
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	211,079	0.78	-	0.00	-	0.00	-	0.00	211,079	0.14
Hispanic American	2,355,228	8.66	-	0.00	-	0.00	-	0.00	2,355,228	1.54
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,566,307	9.44	-	0.00	-	0.00	-	0.00	2,566,307	1.68
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	2,566,307	9.44	-	0.00	-	0.00	-	0.00	2,566,307	1.68
D&B MWBE	293,321	1.08	-	0.00	-	0.00	-	0.00	293,321	0.19
Total	27,194,131	100.00	21,745,375	100.00	41,829,096	100.00	62,338,247	100.00	153,106,849	100.00

Source: BART Procurement, M³ Consulting,

Appendix B

Additional Statistical Tables

Table B.41.
Procurement
Pure Prime + Sub Contract Awards—Detailed
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	150,247,221	98.13	132,386,140	97.89	17,861,081	99.95	67,430,665	99.99	82,816,555	96.67
African American	-	0.00	-	0.00	-	0.00	9,657	0.01	-	0.00
Asian American	211,079	0.14	201,422	0.15	9,657	0.05	-	0.00	201,422	0.24
Hispanic American	2,355,228	1.54	2,355,228	1.74	-	0.00	-	0.00	2,355,228	2.75
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,566,307	1.68	2,556,650	1.89	9,657	0.05	9,657	0.01	2,556,650	2.98
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	2,566,307	1.68	2,556,650	1.89	9,657	0.05	9,657	0.01	2,556,650	2.98
D&B MWBE	293,321	0.19	293,321	0.22	-	0.00	-	0.00	293,321	0.34
Total	153,106,849	100.00	135,236,111	100.00	17,870,738	100.00	67,440,322	100.00	85,666,526	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.42.
Procurement
Pure Prime + Sub Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Ethnicity										
Non- M/W/DBE	13	76.47	18	100.00	17	100.00	21	75.00	69	86.25
African American	-	0.00	-	0.00	-	0.00	1	3.57	1	1.25
Asian American	2	11.76	-	0.00	-	0.00	3	10.71	5	6.25
Hispanic American	1	5.88	-	0.00	-	0.00	1	3.57	2	2.50
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	3	17.65	-	0.00	-	0.00	5	17.86	8	10.00
Caucasian Female	-	0.00	-	0.00	-	0.00	2	7.14	2	2.50
Total M/W/DBE	3	17.65	-	0.00	-	0.00	7	25.00	10	12.50
D&B MWBE	1	5.88	-	0.00	-	0.00	-	0.00	1	1.25
Total	17	100.00	18	100.00	17	100.00	28	100.00	80	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.43.
Architecture and Engineering
Pure Prime + Sub Contract Awards—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	Pure Prime + Sub		Pure Prime Only		Subcontractors Only		Federal Prime + Sub		Nonfederal Prime + Sub	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	69	86.25	40	93.02	29	78.38	26	96.30	43	81.13
African American	1	1.25	-	0.00	1	2.70	-	0.00	1	1.89
Asian American	5	6.25	1	2.33	4	10.81	1	3.70	4	7.55
Hispanic American	2	2.50	1	2.33	1	2.70	-	0.00	2	3.77
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	8	10.00	2	4.65	6	16.22	1	3.70	7	13.21
Caucasian Female	2	2.50		0.00	2	5.41	-	0.00	2	3.77
Total M/W/DBE	10	12.50	2	4.65	8	21.62	1	3.70	9	16.98
D&B MWBE	1	1.25	1	2.33	-	0.00	-	0.00	1	1.89
Total	80	100.00	43	100.00	37	100.00	27	100.00	53	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

B. Pure Prime Awards Dollars and Counts

Table B.44. Architecture and Engineering Pure Prime Contract Awards Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	24,968,000	69.98	22,200,000	49.51	25,000,000	100.00	60,000,000	77.92	132,168,000	72.41
African American	-	0.00	16,360,000	36.49	-	0.00	-	0.00	16,360,000	8.96
Asian American	9,000,000	25.22	-	0.00	-	0.00	15,000,000	19.48	24,000,000	13.15
Hispanic American	750,000	2.10	-	0.00	-	0.00	-	0.00	750,000	0.41
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	9,750,000	27.33	16,360,000	36.49	-	0.00	15,000,000	19.48	41,110,000	22.52
Caucasian Female	962,000	2.70	3,000,000	6.69	-	0.00	-	0.00	3,962,000	2.17
Total M/W/DBE	10,712,000	30.02	19,360,000	43.18	-	0.00	15,000,000	19.48	45,072,000	24.69
D&B MWBE	-	0.00	3,280,000	7.31	-	0.00	2,000,000	2.60	5,280,000	2.89
Total	35,680,000	100.00	44,840,000	100.00	25,000,000	100.00	77,000,000	100.00	182,520,000	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.45.
Architecture and Engineering
Pure Prime Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	3	50.00	3	37.50	1	100.00	4	66.67	11	52.38
African American	-	0.00	2	25.00	-	0.00	-	0.00	2	9.52
Asian American	1	16.67	0	0.00	-	0.00	1	16.67	2	9.52
Hispanic American	1	16.67	0	0.00	-	0.00	-	0.00	1	4.76
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	33.33	2	25.00	-	0.00	1	16.67	5	23.81
Caucasian Female	1	16.67	1	12.50	-	0.00	-	0.00	2	9.52
Total M/W/DBE	3	50.00	3	37.50	-	0.00	1	16.67	7	33.33
D&B MWBE	-	0.00	2	25.00	-	0.00	1	16.67	3	14.29
Total	6	100.00	8	100.00	1	100.00	6	100.00	21	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.46.
Construction
Pure Prime Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	197,159,647	92.25	15,720,097	62.83	26,957,059	97.29	61,315,529	87.71	301,152,333	89.53
African American	234,500	0.11	-	0.00	-	0.00	-	0.00	234,500	0.07
Asian American	131,636	0.06	-	0.00	-	0.00	130,894	0.19	262,530	0.08
Hispanic American	-	0.00	319,000	1.28	113,382	0.41	1,920,241	2.75	2,352,622	0.70
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	366,136	0.17	319,000	1.28	113,382	0.41	2,051,135	2.93	2,849,652	0.85
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	366,136	0.17	319,000	1.28	113,382	0.41	2,051,135	2.93	2,849,652	0.85
D&B MWBE	16,197,029	7.58	8,979,850	35.89	637,772	2.30	6,536,808	9.35	32,351,458	9.62
Total	213,722,812	100.00	25,018,947	100.00	27,708,213	100.00	69,903,472	100.00	336,353,445	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.47.
Construction
Pure Prime Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	21	77.78	8	53.33	11	84.62	15	57.69	55	67.90
African American	1	3.70	0	0.00	-	0.00	-	0.00	1	1.23
Asian American	1	3.70	0	0.00	-	0.00	1	3.85	2	2.47
Hispanic American	-	0.00	2	13.33	1	7.69	4	15.38	7	8.64
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	7.41	2	13.33	1	7.69	5	19.23	10	12.35
Caucasian Female	-	0.00	0	0.00	-	0.00	-	0.00		0.00
Total M/W/DBE	2	7.41	2	13.33	1	7.69	5	19.23	10	12.35
D&B MWBE	4	14.81	5	33.33	1	7.69	6	23.08	16	19.75
Total	27	100.00	15	100.00	13	100.00	26	100.00	81	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.48.
Professional Services
Pure Prime Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	139,000	2.72	2,535,315	75.25	5,009,039	50.59	2,032,225	87.25	9,715,579	46.92
African American	4,967,552	97.28	833,810	24.75	834,000	8.42	-	0.00	6,635,362	32.04
Asian American	-	0.00	-	0.00	-	0.00	297,000	12.75	297,000	1.43
Hispanic American	-	0.00	-	0.00	17,500	0.18	-	0.00	17,500	0.08
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	4,967,552	97.28	833,810	24.75	851,500	8.60	297,000	12.75	6,949,862	33.56
Caucasian Female	-	0.00	-	0.00	4,041,360	40.81	-	0.00	4,041,360	19.52
Total M/W/DBE	4,967,552	97.28	833,810	24.75	4,892,860	49.41	297,000	12.75	10,991,222	53.08
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	5,106,552	100.00	3,369,125	100.00	9,901,899	100.00	2,329,225	100.00	20,706,801	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.49.
Professional Services
Pure Prime Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Ethnicity										
Non- M/W/DBE	1	50.00	6	85.71	6	60.00	3	75.00	16	69.57
African American	1	50.00	1	14.29	1	10.00	-	0.00	3	13.04
Asian American	-	0.00	0	0.00	-	0.00	1	25.00	1	4.35
Hispanic American	-	0.00	0	0.00	1	10.00	-	0.00	1	4.35
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1	50.00	1	14.29	2	20.00	1	25.00	5	21.74
Caucasian Female	-	0.00	0	0.00	2	20.00	-	0.00	2	8.70
Total M/W/DBE	1	50.00	1	14.29	4	40.00	1	25.00	7	30.43
D&B MWBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total	2	100.00	7	100.00	10	100.00	4	100.00	23	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.50.
Other Services
Pure Prime Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	2,147,978	100.00	3,439,697	100.00	28,272,216	97.28	4,151,350	64.32	38,011,241	92.47
African American	-	0.00	-	0.00	-	0.00	854,210	13.23	854,210	2.08
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	-	0.00	854,210	13.23	854,210	2.08
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	-	0.00	854,210	13.23	854,210	2.08
D&B MWBE	-	0.00	-	0.00	791,783	2.72	1,448,700	22.45	2,240,483	5.45
Total	2,147,978	100.00	3,439,697	100.00	29,063,999	100.00	6,454,260	100.00	41,105,934	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.51.
Other Services
Pure Prime Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	5	100.00	3	100.00	8	88.89	3	42.86	19	79.17
African American	-	0.00	0	0.00	-	0.00	1	14.29	1	4.17
Asian American	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	0	0.00	-	0.00	1	14.29	1	4.17
Caucasian Female	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	0	0.00	-	0.00	1	14.29	1	4.17
D&B MWBE	-	0.00	0	0.00	1	11.11	3	42.86	4	16.67
Total	5	100.00	3	100.00	9	100.00	7	100.00	24	100.00

Source: BART Procurement, M³ Consulting

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Additional Statistical Tables

Table B.52.
Procurement
Pure Prime Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

Ethnicity	Nationwide									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	23,314,502	89.11	19,737,523	100.00	26,995,866	100.00	62,338,247	100.00	132,386,140	97.89
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	201,422	0.77	-	0.00	-	0.00	-	0.00	201,422	0.15
Hispanic American	2,355,228	9.00	-	0.00	-	0.00	-	0.00	2,355,228	1.74
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,556,650	9.77	-	0.00	-	0.00	-	0.00	2,556,650	1.89
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	2,556,650	9.77	-	0.00	-	0.00	-	0.00	2,556,650	1.89
D&B MWBE	293,321	1.12	-	0.00	-	0.00	-	0.00	293,321	0.22
Total	26,164,473	100.00	19,737,523	100.00	26,995,866	100.00	62,338,247	100.00	135,236,111	100.00

Source: BART Procurement, M³ Consulting

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Additional Statistical Tables

Table B.53.
Procurement
Pure Prime Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	9	75.00	10	100.00	14	100.00	7	100.00	40	93.02
African American	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Asian American	1	8.33	0	0.00	-	0.00	-	0.00	1	2.33
Hispanic American	1	8.33	0	0.00	-	0.00	-	0.00	1	2.33
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	16.67	0	0.00	-	0.00	-	0.00	2	4.65
Caucasian Female	-	0.00	0	0.00	-	0.00	-	0.00		0.00
Total M/W/DBE	2	16.67	0	0.00	-	0.00	-	0.00	2	4.65
D&B MWBE	1	8.33	0	0.00	-	0.00	-	0.00	1	2.33
Total	12	100.00	10	100.00	14	100.00	7	100.00	43	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

C. Subcontractor Awards Dollars and Counts

Table B.54. Architecture and Engineering Subcontractor Contract Awards Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	11,140,000	46.09	10,590,000	34.06	-	0.00	-	0.00	21,730,000	39.32
African American	3,000,000	12.41	7,000,000	22.52	-	0.00	-	0.00	10,000,000	18.10
Asian American	7,280,000	30.12	9,070,000	29.17	-	0.00	-	0.00	16,350,000	29.59
Hispanic American	760,000	3.14	940,000	3.02	-	0.00	-	0.00	1,700,000	3.08
Other MBE		0.00	180,000	0.58	-	0.00	-	0.00	180,000	0.33
Total MBE	11,040,000	45.68	17,190,000	55.29	-	0.00	-	0.00	28,230,000	51.09
Caucasian Female	1,600,000	6.62	820,000	2.64	-	0.00	-	0.00	2,420,000	4.38
Total M/W/DBE	12,640,000	52.30	18,010,000	57.93	-	0.00	-	0.00	30,650,000	55.47
D&B MWBE	390,000	1.61	2,490,000	8.01	-	0.00	-	0.00	2,880,000	5.21
Total	24,170,000	100.00	31,090,000	100.00	-	0.00	-	0.00	55,260,000	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.55.
Architecture and Engineering
Subcontractor Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	37	45.68	42	48.28	-	0.00	19	33.33	98	43.56
African American	8	9.88	7	8.05	-	0.00	6	10.53	21	9.33
Asian American	20	24.69	19	21.84	-	0.00	19	33.33	58	25.78
Hispanic American	3	3.70	3	3.45	-	0.00	6	10.53	12	5.33
Other MBE		0.00	1	1.15	-	0.00	-	0.00	1	0.44
Total MBE	31	38.27	30	34.48	-	0.00	31	54.39	92	40.89
Caucasian Female	11	13.58	6	6.90	-	0.00	3	5.26	20	8.89
Total M/W/DBE	42	51.85	36	41.38	-	0.00	34	59.65	112	49.78
D&B MWBE	2	2.47	9	10.34	-	0.00	4	7.02	15	6.67
Total	81	100.00	87	100.00	-	0.00	57	100.00	225	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: Several A&E Subcontracts do not have dollar amounts

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Additional Statistical Tables

Table B.56.
Construction
Subcontractor Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	44,032,997	47.25	8,635,449	33.90	6,445,088	50.73	9,556,994	40.04	68,670,528	44.23
African American	11,134,979	11.95	710,000	2.79	480,000	3.78	2,736,590	11.47	15,061,569	9.70
Asian American	5,822,524	6.25	5,640,250	22.14	1,851,005	14.57	4,355,968	18.25	17,669,747	11.38
Hispanic American	15,093,578	16.20	735,224	2.89	1,740,457	13.70	2,778,102	11.64	20,347,361	13.11
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	32,051,081	34.39	7,085,474	27.81	4,071,462	32.04	9,870,660	41.36	53,078,677	34.19
Caucasian Female	7,481,934	8.03	540,580	2.12	506,220	3.98	1,377,947	5.77	9,906,681	6.38
Total M/W/DBE	39,533,015	42.42	7,626,054	29.93	4,577,682	36.03	11,248,607	47.13	62,985,358	40.57
D&B MWBE	9,626,656	10.33	9,214,831	36.17	1,683,000	13.25	3,062,302	11.82	23,586,789	15.19
Total	93,192,668	100.00	25,476,335	100.00	12,705,770	100.00	23,867,903	100.00	155,242,675	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.57.
Construction
Subcontractor Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	21	77.78	8	53.33	11	84.62	15	57.69	55	67.90
African American	1	3.70	0	0.00	-	0.00	-	0.00	1	1.23
Asian American	1	3.70	0	0.00	-	0.00	1	3.85	2	2.47
Hispanic American	-	0.00	2	13.33	1	7.69	4	15.38	7	8.64
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	7.41	2	13.33	1	7.69	5	19.23	10	12.35
Caucasian Female	-	0.00	0	0.00	-	0.00	-	0.00		0.00
Total M/W/DBE	2	7.41	2	13.33	1	7.69	5	19.23	10	12.35
D&B MWBE	4	14.81	5	33.33	1	7.69	6	23.08	16	19.75
Total	27	100.00	15	100.00	13	100.00	26	100.00	81	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.58.
Professional Services
Subcontractor Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	-	0.00	89,585	22.98	40,000	10.53	-	0.00	129,585	7.19
African American	1,032,063	100.00	79,788	20.47		0.00	-	0.00	1,111,851	61.70
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	122,465	31.41	-	0.00	-	0.00	122,465	6.80
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1,032,063	100.00	202,252	51.88	-	0.00	-	0.00	1,234,315	68.50
Caucasian Female	-	0.00	58,031	14.88	300,000	78.95	-	0.00	358,031	19.87
Total M/W/DBE	1,032,063	100.00	260,283	66.76	300,000	78.95	-	0.00	1,592,346	88.37
D&B MWBE	-	0.00	40,000	10.26	40,000	10.53	-	0.00	80,000	4.44
Total	1,032,063	100.00	389,868	100.00	380,000	100.00	-	0.00	1,801,931	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.59.
Professional Services
Subcontractor Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	0	0.00	4	40.00	3	42.86	0	0.00	7	38.89
African American	1	100.00	2	20.00	0	0.00	0	0.00	3	16.67
Asian American	0	0.00		0.00	0	0.00	0	0.00	-	0.00
Hispanic American	0	0.00	1	10.00	1	14.29	0	0.00	2	11.11
Other MBE	0	0.00		0.00	-	0.00	-	0.00	-	0.00
Total MBE	1	100.00	3	30.00	1	14.29	-	0.00	5	27.78
Caucasian Female	0	0.00	2	20.00	1	14.29	0	0.00	3	16.67
Total M/W/DBE	1	100.00	5	50.00	2	28.57	-	0.00	8	44.44
D&B MWBE	0	0.00	1	10.00	2	28.57	0	0.00	3	16.67
Total	1	100.00	10	100.00	7	100.00	-	0.00	18	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.60.
Other Services
Subcontractor Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	-	0.00	-	0.00	46,595	40.97	-	0.00	46,595	14.38
African American	-	0.00	210,303	100.00	-	0.00	-	0.00	210,303	64.90
Asian American	-	0.00	-	0.00	67,145	59.03	-	0.00	67,145	20.72
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	210,303	0.00	67,145	0.00	-	0.00	277,448	0.00
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	210,303	0.00	67,145	0.00	-	0.00	277,448	0.00
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	-	0.00	210,303	0.33	113,740	0.76		0.00	324,043	0.11

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.61.										
Other Services										
Subcontractor Contract Awards										
Counts										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	-	0.00	-	0.00	1	50.00	-	0.00	1	33.33
African American	-	0.00	1	100.00	-	0.00	-	0.00	1	33.33
Asian American	-	0.00	-	0.00	1	50.00	-	0.00	1	33.33
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	1	100.00	1	50.00	-	0.00	2	66.67
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	1	100.00	1	50.00	-	0.00	2	66.67
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	-	0.00	1	100.00	2	100.00	-	0.00	3	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.62.
Procurement
Subcontractor Contract Awards
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

Ethnicity	Nationwide									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	1,020,000	99.06	2,007,851	100.00	14,833,230	100.00	-	0.00	17,861,081	99.95
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	9,657	0.94		0.00		0.00	-	0.00	9,657	0.05
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	9,657	0.94	-	0.00	-	0.00	-	0.00	9,657	0.05
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	9,657	0.94	-	0.00	-	0.00	-	0.00	9,657	0.05
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	1,029,657	100.00	2,007,851	100.00	14,833,230	100.00	-	0.00	17,870,738	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.63.
Procurement
Subcontractor Contract Awards
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	4	80.00	8	100.00	3	100.00	14	66.67	29	78.38
African American	-	0.00	-	0.00	-	0.00	1	4.76	1	2.70
Asian American	1	20.00	-	0.00	-	0.00	3	14.29	4	10.81
Hispanic American	-	0.00	-	0.00	-	0.00	1	4.76	1	2.70
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1	20.00	-	0.00	-	0.00	5	23.81	6	16.22
Caucasian Female	-	0.00	-	0.00	-	0.00	2	9.52	2	5.41
Total M/W/DBE	1	20.00	-	0.00	-	0.00	7	33.33	8	21.62
D&B MWBE	-	0.00	-	0.00	-	0.00	0	0.00	-	0.00
Total	5	100.00	8	100.00	3	100.00	21	100.00	37	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

D. Contract Awards by Federal Dollars and Counts

Table B.64. Architecture and Engineering Pure Prime + Sub Contract Awards Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	7,608,000	74.59	32,790,000	43.18	25,000,000	100.00	60,000,000	77.92	125,398,000	66.65
African American	300,000	2.94	23,360,000	30.77	-	0.00	-	0.00	23,660,000	12.58
Asian American	840,000	8.24	9,070,000	11.95	-	0.00	15,000,000	19.48	24,910,000	13.24
Hispanic American	360,000	3.53	940,000	1.24	-	0.00	-	0.00	1,300,000	0.69
Other MBE	-	0.00	180,000	0.24	-	0.00	-	0.00	180,000	0.10
Total MBE	1,500,000	14.71	33,550,000	44.19	-	0.00	15,000,000	19.48	50,050,000	26.60
Caucasian Female	852,000	8.35	3,820,000	5.03	-	0.00	-	0.00	4,672,000	2.48
Total M/W/DBE	2,352,000	23.06	37,370,000	49.22	-	0.00	15,000,000	19.48	54,722,000	29.09
D&B MWBE	240,000	2.35	5,770,000	7.60	-	0.00	2,000,000	2.60	8,010,000	4.26
Total	10,200,000	100.00	75,930,000	100.00	25,000,000	100.00	77,000,000	100.00	188,130,000	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.65.
Architecture and Engineering
Pure Prime + Sub Contract Awards
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	15	50.00	45	47.37	1	100.00	23	36.51	84	44.44
African American	2	6.67	9	9.47	-	0.00	6	9.52	17	8.99
Asian American	4	13.33	19	20.00	-	0.00	20	31.75	43	22.75
Hispanic American	1	3.33	3	3.16	-	0.00	6	9.52	10	5.29
Other MBE	-	0.00	1	1.05	-	0.00	-	0.00	1	0.53
Total MBE	7	23.33	32	33.68	-	0.00	32	50.79	71	37.57
Caucasian Female	7	23.33	7	7.37	-	0.00	3	4.76	17	8.99
Total M/W/DBE	14	46.67	39	41.05	-	0.00	35	55.56	88	46.56
D&B MWBE	1	3.33	11	11.58	-	0.00	5	7.94	17	8.99
Total	30	100.00	95	100.00	1	100.00	63	100.00	189	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.66.
Construction
Pure Prime + Sub Contract Awards
Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	31,487,579	84.85	7,135,775	40.37	19,901,995	81.82	7,307,014	44.66	65,832,363	68.95
African American	1,965,310	5.30		0.00	468,000	1.92	262,323	1.60	2,695,633	2.82
Asian American	104,000	0.28	2,867,250	16.22	1,633,695	6.72	1,685,530	10.30	6,290,475	6.59
Hispanic American	1,613,670	4.35	735,224	4.16	781,500	3.21	1,171,454	7.16	4,301,848	4.51
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	3,682,980	9.92	3,602,474	20.38	2,883,195	11.85	3,119,307	19.07	13,287,956	13.92
Caucasian Female	1,721,570	4.64	540,580	3.06	124,320	0.51	647,200	3.96	3,033,670	3.18
Total M/W/DBE	5,404,550	14.56	4,143,054	23.44	3,007,515	12.36	3,766,507	23.02	16,321,626	17.10
D&B MWBE	219,300	0.59	6,398,131	36.19	1,416,000	5.82	5,287,208	32.32	13,320,639	13.95
Total	37,111,429	100.00	17,676,960	100.00	24,325,510	100.00	16,360,729	100.00	95,474,628	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.67.
Construction
Pure Prime + Sub Contract Awards
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	31	56.36	12	48.00	22	48.89	23	57.50	88	53.33
African American	7	12.73	0	0.00	1	2.22	1	2.50	9	5.45
Asian American	2	3.64	5	20.00	10	22.22	4	10.00	21	12.73
Hispanic American	6	10.91	3	12.00	6	13.33	5	12.50	20	12.12
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	15	27.27	8	32.00	17	37.78	10	25.00	50	30.30
Caucasian Female	6	10.91	1	4.00	4	8.89	3	7.50	14	8.48
Total M/W/DBE	21	38.18	9	36.00	21	46.67	13	32.50	64	38.79
D&B MWBE	3	5.45	4	16.00	2	4.44	4	10.00	13	7.88
Total	55	100.00	25	100.00	45	100.00	40	100.00	165	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.68.
Professional Services
Pure Prime + Sub Contract Awards
Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	-	0.00	1,520,000	95.00	3,939,183	78.80	250,000	100.00	5,709,183	44.43
African American	5,999,615	100.00	-	0.00	-	0.00	-	0.00	5,999,615	46.69
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	5,999,615	100.00	-	0.00	-	0.00	-	0.00	5,999,615	46.69
Caucasian Female	-	0.00	40,000	2.50	1,020,000	20.40	-	0.00	1,060,000	8.25
Total M/W/DBE	5,999,615	100.00	40,000	2.50	1,020,000	20.40	-	0.00	7,059,615	54.94
D&B MWBE	-	0.00	40,000	2.50	40,000	0.80	-	0.00	80,000	0.62
Total	5,999,615	100.00	1,600,000	100.00	4,999,183	100.00	250,000	100.00	12,848,798	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.69.
Professional Services
Pure Prime + Sub Contract Awards
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	-	0.00	3	60.00	5	55.56	1	100.00	9	52.94
African American	2	100.00	-	0.00	-	0.00	-	0.00	2	11.76
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	100.00	-	0.00	-	0.00	-	0.00	2	11.76
Caucasian Female	-	0.00	1	20.00	2	22.22	-	0.00	3	17.65
Total M/W/DBE	2	100.00	1	20.00	2	22.22	-	0.00	5	29.41
D&B MWBE	-	0.00	1	20.00	2	22.22	-	0.00	3	17.65
Total	2	100.00	5	100.00	9	100.00	1	100.00	17	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.70.
Other Services
Pure Prime + Sub Contract Awards
Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	-	0.00	839,697	0.00	17,546,595	99.62	-	0.00	18,386,292	98.51
African American	-	0.00	210,303	0.00	-	0.00	-	0.00	210,303	1.13
Asian American	-	0.00	-	0.00	67,145	0.38	-	0.00	67,145	0.36
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	210,303	0.00	67,145	0.38	-	0.00	277,448	1.49
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	210,303	0.00	67,145	0.38	-	0.00	277,448	1.49
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	-	0.00	1,050,000	0.00	17,613,740	100.00	-	0.00	18,663,740	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.71.
Other Services
Pure Prime + Sub Contract Awards
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	-	0.00	1	0.00	2	66.67	-	0.00	3	60.00
African American	-	0.00	1	0.00	-	0.00	-	0.00	1	20.00
Asian American	-	0.00	-	0.00	1	33.33	-	0.00	1	20.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	1	0.00	1	33.33	-	0.00	2	40.00
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	1	0.00	1	33.33	-	0.00	2	40.00
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	-	0.00	2	0.00	3	100.00	-	0.00	5	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.72.
Procurement
Pure Prime + Sub Contract Awards
Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	20,229,134	99.95	18,227,366	100.00	28,109,115	100.00	865,050	100.00	67,430,665	99.99
African American	-	0.00	-	0.00	-	0.00	-	0.00	9,657	0.01
Asian American	9,657	0.05	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	9,657	0.05	-	0.00	-	0.00	-	0.00	9,657	0.01
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	9,657	0.05	-	0.00	-	0.00	-	0.00	9,657	0.01
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	20,238,791	100.00	18,227,366	100.00	28,109,115	100.00	865,050	100.00	67,440,322	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.73.
Procurement
Pure Prime + Sub Contract Awards
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	6	85.71	11	100.00	7	100.00	2	100.00	26	96.30
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	1	14.29	-	0.00	-	0.00	-	0.00	1	3.70
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1	14.29	-	0.00	-	0.00	-	0.00	1	3.70
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	1	14.29	-	0.00	-	0.00	-	0.00	1	3.70
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	7	100.00	11	100.00	7	100.00	2	100.00	27	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

E. Contract Awards by Non Federal Dollars and Counts

Table B.74.										
Architecture and Engineering										
Pure Prime + Sub Contract Awards										
Non Federal Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	28,500,000	57.40	-	0.00	-	0.00	-	0.00	28,500,000	57.40
African American	2,700,000	5.44	-	0.00	-	0.00	-	0.00	2,700,000	5.44
Asian American	15,440,000	31.10	-	0.00	-	0.00	-	0.00	15,440,000	31.10
Hispanic American	1,150,000	2.32	-	0.00	-	0.00	-	0.00	1,150,000	2.32
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	19,290,000	38.85	-	0.00	-	0.00	-	0.00	19,290,000	38.85
Caucasian Female	1,710,000	3.44	-	0.00	-	0.00	-	0.00	1,710,000	3.44
Total M/W/DBE	21,000,000	42.30	-	0.00	-	0.00	-	0.00	21,000,000	42.30
D&B MWBE	150,000	0.30	-	0.00	-	0.00	-	0.00	150,000	0.30
Total	49,650,000	100.00	-	0.00	-	0.00	-	0.00	49,650,000	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.75.
Architecture and Engineering
Pure Prime + Sub Contract Awards
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	25	43.86	-	0.00	-	0.00	-	0.00	25	43.86
African American	6	10.53	-	0.00	-	0.00	-	0.00	6	10.53
Asian American	17	29.82	-	0.00	-	0.00	-	0.00	17	29.82
Hispanic American	3	5.26	-	0.00	-	0.00	-	0.00	3	5.26
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	26	45.61	-	0.00	-	0.00	-	0.00	26	45.61
Caucasian Female	5	8.77	-	0.00	-	0.00	-	0.00	5	8.77
Total M/W/DBE	31	54.39	-	0.00	-	0.00	-	0.00	31	54.39
D&B MWBE	1	1.75	-	0.00	-	0.00	-	0.00	1	1.75
Total	57	100.00	-	0.00	-	0.00	-	0.00	57	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.76.
Construction
Pure Prime + Sub Contract Awards
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	209,705,065	77.72	17,219,771	52.47	13,500,153	83.91	63,565,509	82.11	303,990,498	76.74
African American	9,404,169	3.49	710,000	2.16	12,000	0.07	2,474,267	3.20	12,600,436	3.18
Asian American	5,850,160	2.17	2,773,000	8.45	217,310	1.35	2,801,332	3.62	11,641,802	2.94
Hispanic American	13,479,908	5.00	319,000	0.97	1,072,339	6.67	3,526,889	4.56	18,398,136	4.64
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	28,734,237	10.65	3,802,000	11.58	1,301,649	8.09	8,802,488	11.37	42,640,374	10.76
Caucasian Female	5,760,364	2.14	-	0.00	381,900	2.37	730,747	0.94	6,873,011	1.74
Total M/W/DBE	34,494,601	12.79	3,802,000	11.58	1,683,549	10.46	9,533,235	12.32	49,513,385	12.50
D&B MWBE	25,604,385	9.49	11,796,550	35.95	904,772	5.62	4,311,902	5.57	42,617,609	10.76
Total	269,804,051	100.00	32,818,321	100.00	16,088,474	100.00	77,410,646	100.00	396,121,492	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.77.
Construction
Pure Prime + Sub Contract Awards
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	46	42.99	11	50.00	15	50.00	34	48.57	106	46.29
African American	7	6.54	1	4.55	1	3.33	4	5.71	13	5.68
Asian American	15	14.02	3	13.64	2	6.67	8	11.43	28	12.23
Hispanic American	9	8.41	2	9.09	4	13.33	9	12.86	24	10.48
Other MBE	-	0.00	0	0.00	-	0.00	-	0.00	-	0.00
Total MBE	31	28.97	6	27.27	7	23.33	21	30.00	65	28.38
Caucasian Female	17	15.89	0	0.00	4	13.33	5	7.14	26	11.35
Total M/W/DBE	48	44.86	6	27.27	11	36.67	26	37.14	91	39.74
D&B MWBE	13	12.15	5	22.73	4	13.33	10	14.29	32	13.97
Total	107	100.00	22	100.00	30	100.00	70	100.00	229	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.78.
Professional Services
Pure Prime + Sub Contract Awards
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	139,000	100.00	1,104,900	51.18	1,109,856	21.01	1,782,225	85.72	4,135,981	42.82
African American	-	0.00	913,597	42.32	834,000	15.79	-	0.00	1,747,597	18.09
Asian American	-	0.00	-	0.00	-	0.00	297,000	14.28	297,000	3.07
Hispanic American	-	0.00	122,465	5.67	17,500	0.33	-	0.00	139,965	1.45
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	1,036,062	47.99	851,500	16.12	297,000	14.28	2,184,562	22.61
Caucasian Female	-	0.00	18,031	0.84	3,321,360	62.87	-	0.00	3,339,391	34.57
Total M/W/DBE	-	0.00	1,054,093	48.82	4,172,860	78.99	297,000	14.28	5,523,953	57.18
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	139,000	100.00	2,158,993	100.00	5,282,716	100.00	2,079,225	100.00	9,659,934	100.00

Source: BART Procurement, M³ Consulting

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Additional Statistical Tables

Table B.79.
Professional Services
Pure Prime + Sub Contract Awards
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	1	100.00	7	58.33	4	50.00	2	66.67	14	58.33
African American	-	0.00	3	25.00	1	12.50	-	0.00	4	16.67
Asian American	-	0.00	-	0.00	-	0.00	1	33.33	1	4.17
Hispanic American	-	0.00	1	8.33	2	25.00	-	0.00	3	12.50
Other MBE					-		-		-	
Total MBE	-	0.00	4	33.33	3	37.50	1	33.33	8	33.33
Caucasian Female	-	0.00	1	8.33	1	12.50	-	0.00	2	8.33
Total M/W/DBE	-	0.00	5	41.67	4	50.00	1	33.33	10	41.67
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	1	100.00	12	100.00	8	100.00	3	100.00	24	100.00

Source: BART Procurement, M³ Consulting

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Additional Statistical Tables

Table B.80.
Other Services
Pure Prime + Sub Contract Awards
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	2,147,978	100.00	2,600,000	100.00	10,772,216	93.15	4,151,350	64.32	19,671,544	86.41
African American	-	0.00	-	0.00	-	0.00	854,210	13.23	854,210	3.75
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	-	0.00	854,210	13.23	854,210	3.75
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	-	0.00	854,210	13.23	854,210	3.75
D&B MWBE	-	0.00	-	0.00	791,783	6.85	1,448,700	22.45	2,240,483	9.84
Total	2,147,978	100.00	2,600,000	100.00	11,563,999	100.00	6,454,260	100.00	22,766,237	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.81.
Other Services
Pure Prime + Sub Contract Awards
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	5	100.00	2	100.00	7	87.50	3	42.86	17	77.27
African American	-	0.00	-	0.00	-	0.00	1	14.29	1	4.55
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	-	0.00	1	14.29	1	4.55
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	-	0.00	1	14.29	1	4.55
D&B MWBE	-	0.00	-	0.00	1	12.50	3	42.86	4	18.18
Total	5	100.00	2	100.00	8	100.00	7	100.00	22	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.82.
Procurement
Pure Prime + Sub Contract Awards
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

Ethnicity	Nationwide									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	4,105,369	59.02	3,518,009	100.00	13,719,981	100.00	61,473,197	100.00	82,816,555	96.67
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	201,422	2.90	-	0.00	-	0.00	-	0.00	201,422	0.24
Hispanic American	2,355,228	33.86	-	0.00	-	0.00	-	0.00	2,355,228	2.75
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,556,650	36.76	-	0.00	-	0.00	-	0.00	2,556,650	2.98
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	2,556,650	36.76	-	0.00	-	0.00	-	0.00	2,556,650	2.98
D&B MWBE	293,321	4.22	-	0.00	-	0.00	-	0.00	293,321	0.34
Total	6,955,340	100.00	3,518,009	100.00	13,719,981	100.00	61,473,197	100.00	85,666,526	100.00

Source: BART Procurement, M³ Consulting,

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Additional Statistical Tables

Table B.83.
Procurement
Pure Prime + Sub Contract Awards
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	7	70.00	7	100.00	10	100.00	19	73.08	43	81.13
African American	-	0.00	-	0.00	-	0.00	1	3.85	1	1.89
Asian American	1	10.00	-	0.00	-	0.00	3	11.54	4	7.55
Hispanic American	1	10.00	-	0.00	-	0.00	1	3.85	2	3.77
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	20.00	-	0.00	-	0.00	5	19.23	7	13.21
Caucasian Female	-	0.00	-	0.00	-	0.00	2	7.69	2	3.77
Total M/W/DBE	2	20.00	-	0.00	-	0.00	7	26.92	9	16.98
D&B MWBE	1	10.00	-	0.00	-	0.00	-	0.00	1	1.89
Total	10	100.00	7	100.00	10	100.00	26	100.00	53	100.00

Source: BART Procurement, M³ Consulting,

Appendix B

Additional Statistical Tables

B.3.2. ADDITIONAL PURCHASE ORDER UTILIZATION

A. Additional Purchase Order Dollars and Counts

Table B.84. Total Utilization Purchase Orders Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014												
Ethnicity	A&E		Construction		Other Services		Procurement		Professional Services		Total	
	#	%	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	1,851	80.83	1,542	82.90	735	91.30	12,919	90.16	1,459	88.69	18,506	88.42
African American	97	4.24	11	0.59	10	1.24	106	0.74	48	2.92	272	1.30
Asian American	204	8.91	3	0.16	3	0.37	225	1.57	8	0.49	443	2.12
Hispanic American	-	0.00	10	0.54	2	0.25	9	0.06	23	1.40	44	0.21
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	301	13.14	24	1.29	15	1.86	340	2.37	79	4.80	759	3.63
Caucasian Female	11	0.48	4	0.22	2	0.25	23	0.16	29	1.76	69	0.33
Total M/W/DBE	312	13.62	28	1.51	17	2.11	363	2.53	108	6.57	828	3.96
D&B MWBE	127	5.55	290	15.59	53	6.58	1,047	7.31	78	4.74	1,595	7.62
Total	2,290	100.00	1,860	100.00	805	100.00	14,329	100.00	1,645	100.00	20,929	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

Appendix B
Additional Statistical Tables

Table B.85.										
Architecture and Engineering										
Purchase Orders										
Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	85,772,925	92.14	54,300,923	79.00	44,296,926	80.10	33,073,914	64.37	217,444,689	80.99
African American	1,380,107	1.48	3,236,180	4.71	2,263,637	4.09	11,040,467	21.49	17,920,391	6.67
Asian American	4,310,457	4.63	10,641,930	15.48	7,760,146	14.03	3,814,894	7.43	26,527,427	9.88
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	5,690,564	6.11	13,878,110	20.19	10,023,783	18.13	14,855,360	28.91	44,447,818	16.55
Caucasian Female	-	0.00	-	0.00	3,560	0.01	17,905	0.03	21,465	0.01
Total M/W/DBE	5,690,564	6.11	13,878,110	20.19	10,027,343	18.13	14,873,265	28.95	44,469,283	16.56
D&B MWBE	1,622,031	1.74	558,238	0.81	975,480	1.76	3,430,147	6.68	6,585,896	2.45
Total	93,085,521	100.00	68,737,271	100.00	55,299,749	100.00	51,377,326	100.00	268,499,867	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.86.
Architecture and Engineering
Purchase Orders—Detailed
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
Ethnicity	\$	%	\$	%	\$	%
Non- M/W/DBE	217,444,689	80.99	86,069,169	71.17	131,375,520	89.03
African American	17,920,391	6.67	12,010,122	9.93	5,910,269	4.01
Asian American	26,527,427	9.88	21,266,534	17.58	5,260,894	3.57
Hispanic American	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	44,447,818	16.55	33,276,655	27.52	11,171,163	7.57
Caucasian Female	21,465	0.01	3,560	0.00	17,905	0.01
Total M/W/DBE	44,469,283	16.56	33,280,215	27.52	11,189,068	7.58
D&B MWBE	6,585,896	2.45	1,588,754	1.31	4,997,142	3.39
Total	268,499,867	100.00	120,938,138	100.00	147,561,730	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.87.
Architecture and Engineering
Purchase Order
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	336	78.32	313	74.70	234	72.45	185	63.36	1,068	73.00
African American	29	6.76	15	3.58	16	4.95	25	8.56	85	5.81
Asian American	43	10.02	69	16.47	50	15.48	42	14.38	204	13.94
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	72	16.78	84	20.05	66	20.43	67	22.95	289	19.75
Caucasian Female	-	0.00	-	0.00	1	0.31	2	0.68	3	0.21
Total M/W/DBE	72	16.78	84	20.05	67	20.74	69	23.63	292	19.96
D&B MWBE	21	4.90	22	5.25	22	6.81	38	13.01	103	7.04
Total	429	100.00	419	100.00	323	100.00	292	100.00	1,463	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,
 *MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.88.
Architecture and Engineering
Purchase Orders—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
Ethnicity	#	%	#	%	#	%
Non- M/W/DBE	1,068	73.00	504	72.31	564	73.63
African American	85	5.81	25	3.59	60	7.83
Asian American	204	13.94	127	18.22	77	10.05
Hispanic American	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	289	19.75	152	21.81	137	17.89
Caucasian Female	3	0.21	1	0.14	2	0.26
Total M/W/DBE	292	19.96	153	21.95	139	18.15
D&B MWBE	103	7.04	40	5.74	63	8.22
Total	1,463	100.00	697	100.00	766	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.89. Construction Purchase Orders Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	504,333,539	92.19	361,181,530	95.62	35,732,713	62.55	15,861,244	80.36	917,109,027	91.56
African American	-	0.00	533,520	0.14	-	0.00	6,355	0.03	539,875	0.05
Asian American	-	0.00	-	0.00	36,800	0.06	17,240	0.09	54,040	0.01
Hispanic American	-	0.00	-	0.00	74,876	0.13	804,866	4.08	879,741	0.09
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	533,520	0.14	111,676	0.20	828,460	4.20	1,473,656	0.15
Caucasian Female	-	0.00	-	0.00	-	0.00	25,458	0.13	25,458	0.00
Total M/W/DBE	-	0.00	533,520	0.14	111,676	0.20	853,918	4.33	1,499,114	0.15
D&B MWBE	42,745,331	7.81	15,993,822	4.23	21,281,236	37.25	3,022,176	15.31	83,042,565	8.29
Total	547,078,870	100.00	377,708,873	100.00	57,125,625	100.00	19,737,338	100.00	1,001,650,705	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.90.
Construction
Purchase Orders—Detailed
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
	\$	%	\$	%	\$	%
Non- M/W/DBE	917,109,027	91.56	335,959,194	88.74	581,149,833	93.27
African American	539,875	0.05	-	0.00	539,875	0.09
Asian American	54,040	0.01	36,800	0.01	17,240	0.00
Hispanic American	879,741	0.09	804,866	0.21	74,876	0.01
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	1,473,656	0.15	841,666	0.22	631,990	0.10
Caucasian Female	25,458	0.00	-	0.00	25,458	0.00
Total M/W/DBE	1,499,114	0.15	841,666	0.22	657,448	0.11
D&B MWBE	83,042,565	8.29	41,779,537	11.04	41,263,027	6.62
Total	1,001,650,705	100.00	378,580,397	100.00	623,070,308	100.00

Source: BART PeopleSoft Financial Management Information System, M² Consulting

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.91.
Construction
Purchase Orders
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	732	78.29	318	86.65	200	85.84	56	67.47	1,306	80.72
African American	-	0.00	5	1.36	-	0.00	1	1.20	6	0.37
Asian American	-	0.00	-	0.00	1	0.43	2	2.41	3	0.19
Hispanic American	-	0.00	-	0.00	2	0.86	7	8.43	9	0.56
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	5	1.36	3	1.29	10	12.05	18	1.11
Caucasian Female	-	0.00	-	0.00	-	0.00	4	4.82	4	0.25
Total M/W/DBE	-	0.00	5	1.36	3	1.29	14	16.87	22	1.36
D&B MWBE	203	21.71	44	11.99	30	12.88	13	15.66	290	17.92
Total	935	100.00	367	100.00	233	100.00	83	100.00	1,618	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.92.
Construction
Purchase Orders—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
	#	%	#	%	#	%
Ethnicity						
Non- M/W/DBE	1,306	80.72	483	69.80	823	88.88
African American	6	0.37	-	0.00	6	0.65
Asian American	3	0.19	1	0.14	2	0.22
Hispanic American	9	0.56	7	1.01	2	0.22
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	18	1.11	8	1.16	10	1.08
Caucasian Female	4	0.25	-	0.00	4	0.43
Total M/W/DBE	22	1.36	8	1.16	14	1.51
D&B MWBE	290	17.92	201	29.05	89	9.61
Total	1,618	100.00	692	100.00	926	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.93.
Professional Services
Purchase Orders
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	221	80.36	389	90.05	279	88.01	204	83.61	1,093	86.20
African American	21	7.64	6	1.39	8	2.52	13	5.33	48	3.79
Asian American	-	0.00	5	1.16	2	0.63	1	0.41	8	0.63
Hispanic American	1	0.36	6	1.39	7	2.21	5	2.05	19	1.50
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	22	8.00	17	3.94	17	5.36	19	7.79	75	5.91
Caucasian Female	5	1.82	6	1.39	7	2.21	4	1.64	22	1.74
Total M/W/DBE	27	9.82	23	5.32	24	7.57	23	9.43	97	7.65
D&B MWBE	27	9.82	20	4.63	14	4.42	17	6.97	78	6.15
Total	275	100.00	432	100.00	317	100.00	244	100.00	1,268	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.94.
Professional Services
Purchase Orders—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
	#	%	#	%	#	%
Non- M/W/DBE	1,093	86.20	630	86.30	463	86.06
African American	48	3.79	28	3.84	20	3.72
Asian American	8	0.63	5	0.68	3	0.56
Hispanic American	19	1.50	14	1.92	5	0.93
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	75	5.91	47	6.44	28	5.20
Caucasian Female	22	1.74	6	0.82	16	2.97
Total M/W/DBE	97	7.65	53	7.26	44	8.18
D&B MWBE	78	6.15	47	6.44	31	5.76
Total	1,268	100.00	730	100.00	538	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

Appendix B
Additional Statistical Tables

Table B.95.
Other Services
Purchase Orders
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	117	94.35	211	87.92	123	87.86	103	88.03	554	89.21
African American	4	3.23	-	0.00	6	4.29	-	0.00	10	1.61
Asian American	-	0.00	-	0.00	-	0.00	3	2.56	3	0.48
Hispanic American	2	1.61	-	0.00	-	0.00	-	0.00	2	0.32
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	6	4.84	-	0.00	6	4.29	3	2.56	15	2.42
Caucasian Female	-	0.00	2	0.83	-	0.00	-	0.00	2	0.32
Total M/W/DBE	6	4.84	2	0.83	6	4.29	3	2.56	17	2.74
D&B MWBE	1	0.81	27	11.25	11	7.86	11	9.40	50	8.05
Total	124	100.00	240	100.00	140	100.00	117	100.00	621	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.96.
Other Services
Purchase Orders—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
	\$	%	\$	%	\$	%
Non- M/W/DBE	554	89.21	279	88.57	275	89.87
African American	10	1.61	3	0.95	7	2.29
Asian American	3	0.48	2	0.63	1	0.33
Hispanic American	2	0.32	1	0.32	1	0.33
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	15	2.42	6	1.90	9	2.94
Caucasian Female	2	0.32	1	0.32	1	0.33
Total M/W/DBE	17	2.74	7	2.22	10	3.27
D&B MWBE	50	8.05	29	9.21	21	6.86
Total	621	100.00	315	100.00	306	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.97. Procurement Purchase Orders Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	3,124	89.08	3,420	90.76	2,795	89.99	3,580	90.68	12,919	90.16
African American	35	1.00	34	0.90	20	0.64	17	0.43	106	0.74
Asian American	49	1.40	45	1.19	62	2.00	69	1.75	225	1.57
Hispanic American	5	0.14	-	0.00	2	0.06	2	0.05	9	0.06
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	89	2.54	79	2.10	84	2.70	88	2.23	340	2.37
Caucasian Female	-	0.00	15	0.40	6	0.19	2	0.05	23	0.16
Total M/W/DBE	89	2.54	94	2.49	90	2.90	90	2.28	363	2.53
D&B MWBE	294	8.38	254	6.74	221	7.12	278	7.04	1,047	7.31
Total	3,507	100.00	3,768	100.00	3,106	100.00	3,948	100.00	14,329	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

Appendix B

Additional Statistical Tables

Table B.98.
Procurement
Purchase Orders—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide					
	Total Purchase Orders		Federal Purchase Orders		Nonfederal Purchase Orders	
Ethnicity	\$	%	\$	%	\$	%
Non- M/W/DBE	12,919	90.16	5,039	89.68	7,880	90.47
African American	106	0.74	36	0.64	70	0.80
Asian American	225	1.57	71	1.26	154	1.77
Hispanic American	9	0.06	4	0.07	5	0.06
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	340	2.37	111	1.98	229	2.63
Caucasian Female	23	0.16	15	0.27	8	0.09
Total M/W/DBE	363	2.53	126	2.24	237	2.72
D&B MWBE	1,047	7.31	454	8.08	593	6.81
Total	14,329	100.00	5,619	100.00	8,710	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

Appendix B

Additional Statistical Tables

B. Purchase Orders by Federal Dollars and Counts

Table B.99. Architecture and Engineering Purchase Orders Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	34,102,470	88.26	19,921,729	64.91	15,525,767	68.09	16,519,203	57.35	86,069,169	71.17
African American	3,732	0.01	1,762,728	5.74	1,382,705	6.06	8,860,957	30.76	12,010,122	9.93
Asian American	4,151,136	10.74	8,687,782	28.31	5,714,207	25.06	2,713,409	9.42	21,266,534	17.58
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	4,154,868	10.75	10,450,510	34.05	7,096,911	31.12	11,574,366	40.18	33,276,655	27.52
Caucasian Female		0.00		0.00	3,560	0.02		0.00	3,560	0.00
Total M/W/DBE	4,154,868	10.75	10,450,510	34.05	7,100,471	31.14	11,574,366	40.18	33,280,215	27.52
D&B MWBE	383,092	0.99	318,177	1.04	175,725	0.77	711,760	2.47	1,588,754	1.31
Total	38,640,430	100.00	30,690,415	100.00	22,801,962	100.00	28,805,330	100.00	120,938,138	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.100.
Architecture and Engineering
Purchase Orders
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	104	75.91	156	72.56	127	75.15	117	66.48	504	72.31
African American	1	0.73	3	1.40	6	3.55	15	8.52	25	3.59
Asian American	26	18.98	42	19.53	27	15.98	32	18.18	127	18.22
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	27	19.71	45	20.93	33	19.53	47	26.70	152	21.81
Caucasian Female	-	0.00	-	0.00	1	0.59	-	0.00	1	0.14
Total M/W/DBE	27	19.71	45	20.93	34	20.12	47	26.70	153	21.95
D&B MWBE	6	4.38	14	6.51	8	4.73	12	6.82	40	5.74
Total	137	100.00	215	100.00	169	100.00	176	100.00	697	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.101.
Construction
Purchase Orders
Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	306,036,033	97.55	7,782,172	34.67	11,424,040	39.25	10,716,949	80.57	335,959,194	88.74
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	-	0.00	-	0.00	36,800	0.13	-	0.00	36,800	0.01
Hispanic American	-	0.00	-	0.00	-	0.00	804,866	6.05	804,866	0.21
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	36,800	0.13	804,866	6.05	841,666	0.22
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	36,800	0.13	804,866	6.05	841,666	0.22
D&B MWBE	7,691,069	2.45	14,666,044	65.33	17,642,408	60.62	1,780,017	13.38	41,779,537	11.04
Total	313,727,102	100.00	22,448,216	100.00	29,103,248	100.00	13,301,831	100.00	378,580,397	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.102. Construction Purchase Orders Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	279	67.72	50	56.18	126	84.56	28	66.67	483	69.80
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	-	0.00	-	0.00	1	0.67	-	0.00	1	0.14
Hispanic American	-	0.00	-	0.00	-	0.00	7	16.67	7	1.01
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	1	0.67	7	16.67	8	1.16
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	1	0.67	7	16.67	8	1.16
D&B MWBE	133	32.28	39	43.82	22	14.77	7	16.67	201	29.05
Total	412	100.00	89	100.00	149	100.00	42	100.00	692	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

Appendix B

Additional Statistical Tables

Table B.103.
Professional Services
Purchase Orders
Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	4,473,767	76.24	3,608,091	91.58	3,140,931	92.53	3,177,531	77.68	14,400,320	83.27
African American	834,718	14.22	19,455	0.49	84,007	2.47	510,056	12.47	1,448,236	8.37
Asian American	-	0.00	77,595	1.97	-	0.00	3,500	0.09	81,095	0.47
Hispanic American	-	0.00	91,929	2.33	28,081	0.83	56,370	1.38	176,379	1.02
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	834,718	14.22	188,978	4.80	112,088	3.30	569,926	13.93	1,705,710	9.86
Caucasian Female	10,510	0.18	14,114	0.36	9,033	0.27	3,560	0.09	37,216	0.22
Total M/W/DBE	845,228	14.40	203,092	5.15	121,120	3.57	573,486	14.02	1,742,926	10.08
D&B MWBE	549,013	9.36	128,811	3.27	132,520	3.90	339,533	8.30	1,149,876	6.65
Total	5,868,007	100.00	3,939,995	100.00	3,394,571	100.00	4,090,550	100.00	17,293,123	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.104.
Professional Services
Purchase Orders
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	78	75.73	228	90.12	172	88.66	152	84.44	630	86.30
African American	16	15.53	2	0.79	3	1.55	7	3.89	28	3.84
Asian American	-	0.00	3	1.19	1	0.52	1	0.56	5	0.68
Hispanic American	-	0.00	5	1.98	5	2.58	4	2.22	14	1.92
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	16	15.53	10	3.95	9	4.64	12	6.67	47	6.44
Caucasian Female	1	0.97	2	0.79	2	1.03	1	0.56	6	0.82
Total M/W/DBE	17	16.50	12	4.74	11	5.67	13	7.22	53	7.26
D&B MWBE	8	7.77	13	5.14	11	5.67	15	8.33	47	6.44
Total	103	100.00	253	100.00	194	100.00	180	100.00	730	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.105.										
Other Services										
Purchase Orders										
Federal Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	535,533	45.04	2,469,683	83.95	1,957,332	89.27	2,661,957	62.60	7,624,505	72.10
African American	-	0.00	-	0.00	20,155	0.92	-	0.00	20,155	0.19
Asian American	-	0.00	-	0.00	-	0.00	72,550	1.71	72,550	0.69
Hispanic American	644,744	54.22	-	0.00	-	0.00	-	0.00	644,744	6.10
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	644,744	54.22	-	0.00	20,155	0.92	72,550	1.71	737,448	6.97
Caucasian Female	-	0.00	14,000	0.48	-	0.00	-	0.00	14,000	0.13
Total M/W/DBE	644,744	54.22	14,000	0.48	20,155	0.92	72,550	1.71	751,448	7.11
D&B MWBE	8,773	0.74	458,075	15.57	215,219	9.82	1,517,581	35.69	2,199,648	20.80
Total	1,189,050	100.00	2,941,758	100.00	2,192,706	100.00	4,252,088	100.00	10,575,602	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.106.
Other Services
Purchase Orders
Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	14	82.35	120	88.24	76	90.48	69	88.46	279	88.57
African American	1	5.88	-	0.00	2	2.38	-	0.00	3	0.95
Asian American	-	0.00	-	0.00	-	0.00	2	2.56	2	0.63
Hispanic American	1	5.88	-	0.00	-	0.00	-	0.00	1	0.32
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2	11.76	-	0.00	2	2.38	2	2.56	6	1.90
Caucasian Female	-	0.00	1	0.74	-	0.00	-	0.00	1	0.32
Total M/W/DBE	2	11.76	1	0.74	2	2.38	2	2.56	7	2.22
D&B MWBE	1	5.88	15	11.03	6	7.14	7	8.97	29	9.21
Total	17	100.00	136	100.00	84	100.00	78	100.00	315	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.107. Procurement Purchase Orders Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	38,587,471	98.16	44,666,471	99.18	67,947,011	98.86	22,161,714	96.21	173,362,667	98.44
African American	18,877	0.05	80,600	0.18	59,383	0.09	30,639	0.13	189,499	0.11
Asian American	9,680	0.02	28,613	0.06	136,829	0.20	152,995	0.66	328,117	0.19
Hispanic American	454,729	1.16	-	0.00	3,406	0.00	6,036	0.03	464,172	0.26
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	483,286	1.23	109,213	0.24	199,618	0.29	189,670	0.82	981,787	0.56
Caucasian Female	-	0.00	10,651	0.02	16,470	0.02	5,325	0.02	32,446	0.02
Total M/W/DBE	483,286	1.23	119,864	0.27	216,088	0.31	194,995	0.85	1,014,233	0.58
D&B MWBE	239,640	0.61	249,835	0.55	564,912	0.82	678,680	2.95	1,733,068	0.98
Total	39,310,398	100.00	45,036,170	100.00	68,728,011	100.00	23,035,389	100.00	176,109,968	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.108. Procurement Purchase Orders Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	793	95.20	1,201	92.17	1,341	87.48	1,704	87.38	5,039	89.68
African American	3	0.36	14	1.07	11	0.72	8	0.41	36	0.64
Asian American	1	0.12	9	0.69	24	1.57	37	1.90	71	1.26
Hispanic American	1	0.12	-	0.00	1	0.07	2	0.10	4	0.07
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	5	0.60	23	1.77	36	2.35	47	2.41	111	1.98
Caucasian Female	-	0.00	10	0.77	3	0.20	2	0.10	15	0.27
Total M/W/DBE	5	0.60	33	2.53	39	2.54	49	2.51	126	2.24
D&B MWBE	35	4.20	69	5.30	153	9.98	197	10.10	454	8.08
Total	833	100.00	1,303	100.00	1,533	100.00	1,950	100.00	5,619	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

C. Purchase Orders by Non Federal Dollars and Counts

Table B.109. Architecture and Engineering Purchase Orders Non Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	51,670,455	94.90	34,379,194	90.36	28,771,160	88.53	16,554,711	73.34	131,375,520	89.03
African American	1,376,375	2.53	1,473,452	3.87	880,932	2.71	2,179,510	9.66	5,910,269	4.01
Asian American	159,322	0.29	1,954,149	5.14	2,045,939	6.30	1,101,484	4.88	5,260,894	3.57
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1,535,697	2.82	3,427,601	9.01	2,926,872	9.01	3,280,994	14.54	11,171,163	7.57
Caucasian Female	-	0.00	-	0.00	-	0.00	17,905	0.08	17,905	0.01
Total M/W/DBE	1,535,697	2.82	3,427,601	9.01	2,926,872	9.01	3,298,899	14.62	11,189,068	7.58
D&B MWBE	1,238,939	2.28	240,061	0.63	799,756	2.46	2,718,387	12.04	4,997,142	3.39
Total	54,445,091	100.00	38,046,856	100.00	32,497,787	100.00	22,571,997	100.00	147,561,730	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.110.
Architecture and Engineering
Purchase Orders
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	232	79.45	157	76.96	107	69.48	68	58.62	564	73.63
African American	28	9.59	12	5.88	10	6.49	10	8.62	60	7.83
Asian American	17	5.82	27	13.24	23	14.94	10	8.62	77	10.05
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	45	15.41	39	19.12	33	21.43	20	17.24	137	17.89
Caucasian Female	-	0.00	-	0.00	-	0.00	2	1.72	2	0.26
Total M/W/DBE	45	15.41	39	19.12	33	21.43	22	18.97	139	18.15
D&B MWBE	15	5.14	8	3.92	14	9.09	26	22.41	63	8.22
Total	292	100.00	204	100.00	154	100.00	116	100.00	766	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.111. Construction Purchase Orders Non Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	198,297,506	84.98	353,399,358	99.48	24,308,673	86.75	5,144,295	79.94	581,149,833	93.27
African American	-	0.00	533,520	0.15	-	0.00	6,355	0.10	539,875	0.09
Asian American	-	0.00	-	0.00	-	0.00	17,240	0.27	17,240	0.00
Hispanic American	-	0.00	-	0.00	74,876	0.27	-	0.00	74,876	0.01
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	533,520	0.15	74,876	0.27	23,595	0.37	631,990	0.10
Caucasian Female	-	0.00	-	0.00	-	0.00	25,458	0.40	25,458	0.00
Total M/W/DBE	-	0.00	533,520	0.15	74,876	0.27	49,053	0.76	657,448	0.11
D&B MWBE	35,054,262	15.02	1,327,778	0.37	3,638,828	12.99	1,242,159	19.30	41,263,027	6.62
Total	233,351,768	100.00	355,260,656	100.00	28,022,377	100.00	6,435,506	100.00	623,070,308	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.112.
Construction
Purchase Orders
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	453	86.62	268	96.40	74	88.10	28	68.29	823	88.88
African American	-	0.00	5	1.80	-	0.00	1	2.44	6	0.65
Asian American	-	0.00	-	0.00	-	0.00	2	4.88	2	0.22
Hispanic American	-	0.00	-	0.00	2	2.38	-	0.00	2	0.22
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	5	1.80	2	2.38	3	7.32	10	1.08
Caucasian Female	-	0.00	-	0.00	-	0.00	4	9.76	4	0.43
Total M/W/DBE	-	0.00	5	1.80	2	2.38	7	17.07	14	1.51
D&B MWBE	70	13.38	5	1.80	8	9.52	6	14.63	89	9.61
Total	523	100.00	278	100.00	84	100.00	41	100.00	926	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.113.
Professional Services
Purchase Orders
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	4,794,922	59.90	4,660,726	72.51	27,523,125	94.29	4,734,370	82.30	41,713,143	84.48
African American	2,737,225	34.20	1,640,235	25.52	1,441,109	4.94	980,783	17.05	6,799,352	13.77
Asian American	-	0.00	22,405	0.35	25,000	0.09	-	0.00	47,405	0.10
Hispanic American	23,580	0.29	5,701	0.09	19,509	0.07	18,745	0.33	67,534	0.14
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,760,805	34.49	1,668,341	25.96	1,485,618	5.09	999,527	17.37	6,914,291	14.00
Caucasian Female	222,055	2.77	25,146	0.39	60,819	0.21	17,451	0.30	325,471	0.66
Total M/W/DBE	2,982,860	37.26	1,693,486	26.35	1,546,437	5.30	1,016,979	17.68	7,239,762	14.66
D&B MWBE	226,849	2.83	73,379	1.14	121,662	0.42	1,519	0.03	423,409	0.86
Total	8,004,630	100.00	6,427,591	100.00	29,191,224	100.00	5,752,868	100.00	49,376,314	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,
 *MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.114.
Professional Services
Purchase Orders
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	143	83.14	161	89.94	107	86.99	52	81.25	463	86.06
African American	5	2.91	4	2.23	5	4.07	6	9.38	20	3.72
Asian American	-	0.00	2	1.12	1	0.81	-	0.00	3	0.56
Hispanic American	1	0.58	1	0.56	2	1.63	1	1.56	5	0.93
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	6	3.49	7	3.91	8	6.50	7	10.94	28	5.20
Caucasian Female	4	2.33	4	2.23	5	4.07	3	4.69	16	2.97
Total M/W/DBE	10	5.81	11	6.15	13	10.57	10	15.63	44	8.18
D&B MWBE	19	11.05	7	3.91	3	2.44	2	3.13	31	5.76
Total	172	100.00	179	100.00	123	100.00	64	100.00	538	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.115.
Other Services
Purchase Orders
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	854,324	98.73	1,163,970	93.57	3,906,598	83.60	336,062	62.29	6,260,954	85.51
African American	11,021	1.27	-	0.00	290,295	6.21	-	0.00	301,317	4.12
Asian American	-	0.00	-	0.00	-	0.00	130,894	24.26	130,894	1.79
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	11,021	1.27	-	0.00	290,295	6.21	130,894	24.26	432,211	5.90
Caucasian Female	-	0.00	6,769	0.54	-	0.00	-	0.00	6,769	0.09
Total M/W/DBE	11,021	1.27	6,769	0.54	290,295	6.21	130,894	24.26	438,979	6.00
D&B MWBE	-	0.00	73,246	5.89	476,317	10.19	72,570	13.45	622,133	8.50
Total	865,345	100.00	1,243,986	100.00	4,673,210	100.00	539,526	100.00	7,322,066	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

Appendix B

Additional Statistical Tables

Table B.116.										
Other Services										
Purchase Orders										
Non Federal Counts										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	103	96.26	91	87.50	47	83.93	34	87.18	275	89.87
African American	3	2.80	-	0.00	4	7.14	-	0.00	7	2.29
Asian American	-	0.00	-	0.00	-	0.00	1	2.56	1	0.33
Hispanic American	1	0.93	-	0.00	-	0.00	-	0.00	1	0.33
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	4	3.74	-	0.00	4	7.14	1	2.56	9	2.94
Caucasian Female	-	0.00	1	0.96	-	0.00	-	0.00	1	0.33
Total M/W/DBE	4	3.74	1	0.96	4	7.14	1	2.56	10	3.27
D&B MWBE	-	0.00	12	11.54	5	8.93	4	10.26	21	6.86
Total	107	100.00	104	100.00	56	100.00	39	100.00	306	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

Appendix B

Additional Statistical Tables

Table B.117.
Procurement
Purchase Orders
Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

Ethnicity	Nationwide									
	2011		2012		2013		2014		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	26,687,581	87.93	21,129,353	96.14	18,461,109	94.85	79,190,398	99.25	145,468,442	95.97
African American	261,989	0.86	201,831	0.92	30,627	0.16	65,520	0.08	559,966	0.37
Asian American	337,226	1.11	95,531	0.43	92,706	0.48	80,994	0.10	606,458	0.40
Hispanic American	2,197,049	7.24	-	0.00	4,044	0.02	-	0.00	2,201,093	1.45
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,796,264	9.21	297,362	1.35	127,377	0.65	146,514	0.18	3,367,517	2.22
Caucasian Female	-	0.00	59,210	0.27	8,382	0.04	-	0.00	67,592	0.04
Total M/W/DBE	2,796,264	9.21	356,571	1.62	135,759	0.70	146,514	0.18	3,435,109	2.27
D&B MWBE	868,450	2.86	491,228	2.24	865,984	4.45	454,205	0.57	2,679,867	1.77
Total	30,352,295	100.00	21,977,153	100.00	19,462,853	100.00	79,791,116	100.00	151,583,417	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

Appendix B
Additional Statistical Tables

Table B.118.
Procurement
Purchase Orders
Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	2,331	87.17	2,219	90.02	1,454	92.43	1,876	93.89	7,880	90.47
African American	32	1.20	20	0.81	9	0.57	9	0.45	70	0.80
Asian American	48	1.80	36	1.46	38	2.42	32	1.60	154	1.77
Hispanic American	4	0.15	-	0.00	1	0.06	-	0.00	5	0.06
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	84	3.14	56	2.27	48	3.05	41	2.05	229	2.63
Caucasian Female	-	0.00	5	0.20	3	0.19	-	0.00	8	0.09
Total M/W/DBE	84	3.14	61	2.47	51	3.24	41	2.05	237	2.72
D&B MWBE	259	9.69	185	7.51	68	4.32	81	4.05	593	6.81
Total	2,674	100.00	2,465	100.00	1,573	100.00	1,998	100.00	8,710	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

Appendix B

Additional Statistical Tables

B.3.3. ADDITIONAL PAYMENTS UTILIZATION

A. Payment Counts

Table B.119. Total Utilization Payments Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014												
Ethnicity	A&E		Construction		Other Services		Procurement		Professional Services		Total	
	#	%	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	6,584	77.35	2,510	78.29	1,769	87.66	15,648	85.13	3,433	84.16	29,944	82.73
African American	376	4.42	80	2.50	13	0.64	103	0.56	401	9.83	973	2.69
Asian American	1,050	12.34	6	0.19	-	0.00	1,442	7.85	4	0.10	2,502	6.91
Hispanic American	-	0.00	4	0.12	-	0.00	56	0.30	24	0.59	84	0.23
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1,426	16.75	90	2.81	13	0.64	1,601	8.71	429	10.52	3,559	9.83
Caucasian Female	17	0.20	4	0.12	-	0.00	13	0.07	40	0.98	74	0.20
Total M/W/DBE	1,443	16.95	94	2.93	13	0.64	1,614	8.78	469	11.50	3,633	10.04
D&B MWBE	485	5.70	602	18.78	236	11.69	1,119	6.09	177	4.34	2,619	7.24
Total	8,512	100.00	3,206	100.00	2,018	100.00	18,381	100.00	4,079	100.00	36,196	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.120. Architecture and Engineering Payments Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	31,915,832	87.15	42,226,877	81.03	50,338,131	82.46	39,864,637	83.01	164,345,477	83.08
African American	1,174,195	3.21	1,777,202	3.41	1,957,694	3.21	2,113,894	4.40	7,022,985	3.55
Asian American	2,574,090	7.03	7,373,946	14.15	7,914,240	12.96	4,798,544	9.99	22,660,820	11.46
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	3,748,285	10.24	9,151,148	17.56	9,871,934	16.17	6,912,438	14.39	29,683,805	15.01
Caucasian Female	-	0.00	-	0.00	3,560	0.01	17,905	0.04	21,465	0.01
Total M/W/DBE	3,748,285	10.24	9,151,148	17.56	9,875,494	16.18	6,930,343	14.43	29,705,270	15.02
D&B MWBE	956,805	2.61	737,467	1.42	834,289	1.37	1,227,179	2.56	3,755,740	1.90
Total	36,620,921	100.00	52,115,492	100.00	61,047,914	100.00	48,022,159	100.00	197,806,487	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.121.
Architecture and Engineering
Payments—Detailed
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*					
	Total Payments		Federal Payments		Nonfederal Payments	
	\$	%	\$	%	\$	%
Non- M/W/DBE	164,345,477	83.08	66,873,689	73.83	97,471,788	90.90
African American	7,022,985	3.55	3,191,376	3.52	3,831,609	3.57
Asian American	22,660,820	11.46	19,399,305	21.42	3,261,515	3.04
Hispanic American	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	29,683,805	15.01	22,590,681	24.94	7,093,124	6.61
Caucasian Female	21,465	0.01	3,560	0.00	17,905	0.02
Total M/W/DBE	29,705,270	15.02	22,594,241	24.95	7,111,029	6.63
D&B MWBE	3,755,740	1.90	1,105,916	1.22	2,649,824	2.47
Total	197,806,487	100.00	90,573,846	100.00	107,232,641	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.122.
Architecture and Engineering
Payments
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	700	77.95	1,344	76.41	1,461	70.68	1,320	70.51	4,825	73.15
African American	87	9.69	52	2.96	115	5.56	122	6.52	376	5.70
Asian American	72	8.02	288	16.37	398	19.25	292	15.60	1,050	15.92
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	159	17.71	340	19.33	513	24.82	414	22.12	1,426	21.62
Caucasian Female	-	0.00	-	0.00	1	0.05	2	0.11	3	0.05
Total M/W/DBE	159	17.71	340	19.33	514	24.87	416	22.22	1,429	21.66
D&B MWBE	39	4.34	75	4.26	92	4.45	136	7.26	342	5.18
Total	898	100.00	1,759	100.00	2,067	100.00	1,872	100.00	6,596	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.123.
Architecture and Engineering
Payments—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*					
	Total Payments		Federal Payments		Nonfederal Payments	
	#	%	#	%	#	%
Ethnicity						
Non- M/W/DBE	4,825	73.15	2,211	69.12	2,614	76.95
African American	376	5.70	67	2.09	309	9.10
Asian American	1,050	15.92	797	24.91	253	7.45
Hispanic American	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	1,426	21.62	864	27.01	562	16.54
Caucasian Female	3	0.05	1	0.03	2	0.06
Total M/W/DBE	1,429	21.66	865	27.04	564	16.60
D&B MWBE	342	5.18	123	3.84	219	6.45
Total	6,596	100.00	3,199	100.00	3,397	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.124. Construction Payments Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	150,247,614	92.07	248,399,761	91.75	233,306,073	91.83	151,856,932	92.31	783,810,380	91.94
African American	-	0.00	411,686	0.15	110,330	0.04	6,355	0.00	528,371	0.06
Asian American	-	0.00	-	0.00	-	0.00	30,810	0.02	30,810	0.00
Hispanic American	-	0.00	-	0.00	74,876	0.03	-	0.00	74,876	0.01
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	411,686	0.15	185,206	0.07	37,165	0.02	634,056	0.07
Caucasian Female	-	0.00	-	0.00	-	0.00	25,458	0.02	25,458	0.00
Total M/W/DBE	-	0.00	411,686	0.15	185,206	0.07	62,623	0.04	659,514	0.08
D&B MWBE	12,939,245	7.93	21,915,539	8.10	20,583,271	8.10	12,588,067	7.65	68,026,121	7.98
Total	163,186,859	100.00	270,726,985	100.00	254,074,550	100.00	164,507,621	100.00	852,496,015	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.125.
Construction
Payments—Detailed
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

Ethnicity	Bay Area*					
	Total Payments		Federal Payments		Nonfederal Payments	
	\$	%	\$	%	\$	%
Non- M/W/DBE	783,810,380	91.94	316,867,350	91.76	466,943,030	92.07
African American	528,371	0.06	-	0.00	528,371	0.10
Asian American	30,810	0.00	13,570	0.00	17,240	0.00
Hispanic American	74,876	0.01	-	0.00	74,876	0.01
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	634,056	0.07	13,570	0.00	620,486	0.18
Caucasian Female	25,458	0.00		0.00	25,458	0.01
Total M/W/DBE	659,514	0.08	13,570	0.00	645,944	0.19
D&B MWBE	68,026,121	7.98	28,454,937	8.24	39,571,184	7.80
Total	852,496,015	100.00	345,335,857	100.00	507,160,158	100.00

Source: BART PeopleSoft Financial Management Information System, M² Consulting

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.126.
Construction
Payments
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	531	84.69	656	77.54	644	72.85	414	79.16	2,245	77.95
African American	-	0.00	15	1.77	6	0.68	1	0.19	22	0.76
Asian American	-	0.00	-	0.00	-	0.00	6	1.15	6	0.21
Hispanic American	-	0.00	-	0.00	1	0.11	-	0.00	1	0.03
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	15	1.77	7	0.79	7	1.34	29	1.01
Caucasian Female	-	0.00	-	0.00	-	0.00	4	0.76	4	0.14
Total M/W/DBE	-	0.00	15	1.77	7	0.79	11	2.10	33	1.15
D&B MWBE	96	15.31	175	20.69	233	26.36	98	18.74	602	20.90
Total	627	100.00	846	100.00	884	100.00	523	100.00	2,880	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.127.
Construction
Payments—Detailed
Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*					
	Total Payments		Federal Payments		Nonfederal Payments	
	#	%	#	%	#	%
Ethnicity						
Non- M/W/DBE	2,245	77.95	787	69.46	1,458	83.46
African American	22	0.76	-	0.00	22	1.26
Asian American	6	0.21	4	0.35	2	0.11
Hispanic American	1	0.03	-	0.00	1	0.06
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	29	1.01	4	0.35	25	1.43
Caucasian Female	4	0.14	-	0.00	4	0.23
Total M/W/DBE	33	1.15	4	0.35	29	1.66
D&B MWBE	602	20.90	342	30.19	260	14.88
Total	2,880	100.00	1,133	100.00	1,747	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.128. Professional Services Payments Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	4,734,676	81.61	8,878,988	78.23	5,465,484	73.78	4,669,067	68.02	23,748,215	75.57
African American	456,662	7.87	2,033,798	17.92	1,684,201	22.74	1,903,192	27.73	6,077,853	19.34
Asian American	-	0.00	57,095	0.50	20,500	0.28	2,000	0.03	79,595	0.25
Hispanic American	21,485	0.37	84,467	0.74	26,067	0.35	69,254	1.01	201,273	0.64
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	478,147	8.24	2,175,360	19.17	1,730,768	23.36	1,974,445	28.77	6,358,720	20.24
Caucasian Female	134,199	2.31	31,428	0.28	43,278	0.58	25,425	0.37	234,331	0.75
Total M/W/DBE	612,346	10.55	2,206,788	19.44	1,774,046	23.95	1,999,870	29.14	6,593,051	20.98
D&B MWBE	454,840	7.84	264,687	2.33	168,366	2.27	194,891	2.84	1,082,784	3.45
Total	5,801,862	100.00	11,350,462	100.00	7,407,897	100.00	6,863,829	100.00	31,424,050	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.129.
Professional Services
Payments—Detailed
Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	State of California					
	Total Payments		Federal Payments		Nonfederal Payments	
	\$	%	\$	%	\$	%
Non- M/W/DBE	23,748,215	75.57	9,914,819	82.03	13,833,396	71.54
African American	6,077,853	19.34	955,578	7.91	5,122,275	26.49
Asian American	79,595	0.25	79,595	0.66		0.00
Hispanic American	201,273	0.64	162,441	1.34	38,832	0.20
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	6,358,720	20.24	1,197,613	9.91	5,161,107	26.69
Caucasian Female	234,331	0.75	33,522	0.28	200,808	1.04
Total M/W/DBE	6,593,051	20.98	1,231,136	10.19	5,361,915	27.73
D&B MWBE	1,082,784	3.45	941,119	7.79	141,665	0.73
Total	31,424,050	100.00	12,087,074	100.00	19,336,976	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.130. Professional Services Payments Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	273	80.29	645	71.91	884	84.03	1,073	88.10	2,875	81.98
African American	15	4.41	194	21.63	104	9.89	88	7.22	401	11.43
Asian American	-	0.00	2	0.22	1	0.10	1	0.08	4	0.11
Hispanic American	1	0.29	5	0.56	4	0.38	11	0.90	21	0.60
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	16	4.71	201	22.41	109	10.36	100	8.21	426	12.15
Caucasian Female	11	3.24	5	0.56	8	0.76	5	0.41	29	0.83
Total M/W/DBE	27	7.94	206	22.97	117	11.12	105	8.62	455	12.97
D&B MWBE	40	11.76	46	5.13	51	4.85	40	3.28	177	5.05
Total	340	100.00	897	100.00	1,052	100.00	1,218	100.00	3,507	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.131. Professional Services Payments—Detailed Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014						
	State of California					
	Total Payments		Federal Payments		Nonfederal Payments	
Ethnicity	#	%	#	%	#	%
Non- M/W/DBE	2,875	81.98	1,944	84.85	931	76.56
African American	401	11.43	181	7.90	220	18.09
Asian American	4	0.11	4	0.17	-	0.00
Hispanic American	21	0.60	18	0.79	3	0.25
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	426	12.15	203	8.86	223	18.34
Caucasian Female	29	0.83	4	0.17	25	2.06
Total M/W/DBE	455	12.97	207	9.04	248	20.39
D&B MWBE	177	5.05	140	6.11	37	3.04
Total	3,507	100.00	2,291	100.00	1,216	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.132.										
Other Services										
Payments										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	282,236	96.68	861,803	92.89	1,415,319	89.54	1,908,447	83.10	4,467,805	87.66
African American	910	0.31		0.00	18,000	1.14	157,404	6.85	176,314	3.46
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	910	0.31	-	0.00	18,000	1.14	157,404	6.85	176,314	3.46
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	910	0.31	-	0.00	18,000	1.14	157,404	6.85	176,314	3.46
D&B MWBE	8,773	3.01	65,975	7.11	147,363	9.32	230,657	10.04	452,768	8.88
	291,920	100.00	927,778	100.00	1,580,681	100.00	2,296,508	100.00	5,096,887	100.00

3ART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.133.						
Other Services						
Payments—Detailed						
Dollars						
Bay Area Rapid Transit District						
Relevant Market, FY 2011 - FY 2014						
	State of California					
	Total Payments		Federal Payments		Nonfederal Payments	
Ethnicity	\$	%	\$	%	\$	%
Non- M/W/DBE	4,467,805	87.66	3,457,253	88.60	1,010,552	84.58
African American	176,314	3.46	20,155	0.52	156,159	13.07
Asian American	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	176,314	3.46	20,155	0.52	156,159	13.07
Caucasian Female	-	0.00	-	0.00	-	0.00
Total M/W/DBE	176,314	3.46	20,155	0.52	156,159	13.07
D&B MWBE	452,768	8.88	424,739	10.88	28,029	2.35
Total	5,096,887	100.00	3,902,147	100.00	1,194,740	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.134. Other Services Payments Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	168	98.82	238	87.50	434	81.58	595	83.80	1,435	85.21
African American	1	0.59		0.00	1	0.19	11	1.55	13	0.77
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1	0.59	-	0.00	1	0.19	11	1.55	13	0.77
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	1	0.59	-	0.00	1	0.19	11	1.55	13	0.77
D&B MWBE	1	0.59	34	12.50	97	18.23	104	14.65	236	14.01
Total	170	100.00	272	100.00	532	100.00	710	100.00	1,684	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.135. Other Services Payments—Detailed Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014						
	State of California					
	Total Payments		Federal Payments		Nonfederal Payments	
Ethnicity	#	%	#	%	#	%
Non- M/W/DBE	1,435	85.21	903	81.35	532	92.68
African American	13	0.77	2	0.18	11	1.92
Asian American	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	13	0.77	2	0.18	11	1.92
Caucasian Female	-	0.00	-	0.00	-	0.00
Total M/W/DBE	13	0.77	2	0.18	11	1.92
D&B MWBE	236	14.01	205	18.47	31	5.40
Total	1,684	100.00	1,110	100.00	574	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.136. Procurement Payments Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	18,857,513	96.62	28,520,271	95.32	33,590,499	96.05	46,784,601	97.51	127,752,883	96.50
African American	74,669	0.38	328,971	1.10	94,391	0.27	78,955	0.16	576,986	0.44
Asian American	114,860	0.59	198,971	0.66	274,141	0.78	198,044	0.41	786,017	0.59
Hispanic American	87,568	0.45	165,450	0.55	185,610	0.53	120,277	0.25	558,905	0.42
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	277,098	1.42	693,392	2.32	554,142	1.58	397,276	0.83	1,921,907	1.45
Caucasian Female	-	0.00	39,516	0.13	12,780	0.04	5,325	0.01	57,621	0.04
Total M/W/DBE	277,098	1.42	732,908	2.45	566,922	1.62	402,601	0.84	1,979,528	1.50
D&B MWBE	382,103	1.96	667,949	2.23	814,882	2.33	792,972	1.65	2,657,906	2.01
Total	19,516,713	100.00	29,921,128	100.00	34,972,302	100.00	47,980,173	100.00	132,390,317	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.137. Procurement Payments—Detailed Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014						
	Nationwide					
	Total Payments		Federal Payments		Nonfederal Payments	
Ethnicity	\$	%	\$	%	\$	%
Non- M/W/DBE	127,752,883	96.50	70,094,985	97.35	57,657,898	95.48
African American	576,986	0.44	154,793	0.21	422,193	0.70
Asian American	786,017	0.59	259,645	0.36	526,371	0.87
Hispanic American	558,905	0.42	147,223	0.20	411,682	0.68
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	1,921,907	1.45	561,660	0.78	1,360,247	2.25
Caucasian Female	57,621	0.04	21,566	0.03	36,055	0.06
Total M/W/DBE	1,979,528	1.50	583,226	0.81	1,396,302	2.31
D&B MWBE	2,657,906	2.01	1,327,567	1.84	1,330,340	2.20
Total	132,390,317	100.00	72,005,778	100.00	60,384,540	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

Table B.138. Procurement Payments Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	2,736	84.50	4,056	83.27	4,056	85.41	4,800	86.91	15,648	85.13
African American	20	0.62	46	0.94	20	0.42	17	0.31	103	0.56
Asian American	220	6.79	429	8.81	388	8.17	405	7.33	1,442	7.85
Hispanic American	5	0.15	28	0.57	14	0.29	9	0.16	56	0.30
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	245	7.57	503	10.33	422	8.89	431	7.80	1,601	8.71
Caucasian Female	-	0.00	9	0.18	2	0.04	2	0.04	13	0.07
Total M/W/DBE	245	7.57	512	10.51	424	8.93	433	7.84	1,614	8.78
D&B MWBE	257	7.94	303	6.22	269	5.66	290	5.25	1,119	6.09
Total	3,238	100.00	4,871	100.00	4,749	100.00	5,523	100.00	18,381	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.139. Procurement Payments—Detailed Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014						
	Nationwide					
	Total Payments		Federal Payments		Nonfederal Payments	
Ethnicity	#	%	#	%	#	%
Non- M/W/DBE	15,648	85.13	6,146	87.50	9,502	83.67
African American	103	0.56	31	0.44	72	0.63
Asian American	1,442	7.85	327	4.66	1,115	9.82
Hispanic American	56	0.30	25	0.36	31	0.27
Other MBE	-	0.00	-	0.00	-	0.00
Total MBE	1,601	8.71	383	5.45	1,218	10.72
Caucasian Female	13	0.07	12	0.17	1	0.01
Total M/W/DBE	1,614	8.78	395	5.62	1,219	10.73
D&B MWBE	1,119	6.09	483	6.88	636	5.60
Total	18,381	100.00	7,024	100.00	11,357	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting

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Additional Statistical Tables

B. Payments by Federal Dollars and Counts

Table B.140. Architecture and Engineering Payments Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	4,000,243	60.51	18,696,080	69.73	22,737,374	73.82	21,439,991	81.37	66,873,689	73.83
African American	-	0.00	1,445,921	5.39	961,069	3.12	784,387	2.98	3,191,376	3.52
Asian American	2,559,333	38.72	6,286,924	23.45	6,764,775	21.96	3,788,272	14.38	19,399,305	21.42
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	2,559,333	38.72	7,732,845	28.84	7,725,844	25.08	4,572,659	17.35	22,590,681	24.94
Caucasian Female	-	0.00	-	0.00	3,560	0.01	-	0.00	3,560	0.00
Total M/W/DBE	2,559,333	38.72	7,732,845	28.84	7,729,404	25.09	4,572,659	17.35	22,594,241	24.95
D&B MWBE	51,014	0.77	382,074	1.43	335,496	1.09	337,332	1.28	1,105,916	1.22
Total	6,610,591	100.00	26,810,999	100.00	30,802,274	100.00	26,349,982	100.00	90,573,846	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.141. Architecture and Engineering Payments Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	158	66.67	710	74.04	722	66.00	621	68.32	2,211	69.12
African American	-	0.00	6	0.63	18	1.65	43	4.73	67	2.09
Asian American	69	29.11	216	22.52	308	28.15	204	22.44	797	24.91
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	69	29.11	222	23.15	326	29.80	247	27.17	864	27.01
Caucasian Female	-	0.00	-	0.00	1	0.09	-	0.00	1	0.03
Total M/W/DBE	69	29.11	222	23.15	327	29.89	247	27.17	865	27.04
D&B MWBE	10	4.22	27	2.82	45	4.11	41	4.51	123	3.84
Total	237	100.00	959	100.00	1,094	100.00	909	100.00	3,199	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,
 *MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.142. Construction Payments Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	56,215,018	95.71	136,947,891	97.12	90,175,458	87.64	33,528,982	78.53	316,867,350	91.76
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	-	0.00	-	0.00	-	0.00	13,570	0.03	13,570	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	-	0.00	13,570	0.03	13,570	0.00
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	-	0.00	13,570	0.03	13,570	0.00
D&B MWBE	2,519,399	4.29	4,066,094	2.88	12,714,467	12.36	9,154,978	21.44	28,454,937	8.24
Total	58,734,417	100.00	141,013,985	100.00	102,889,925	100.00	42,697,530	100.00	345,335,857	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.143. Construction Payments Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	184	85.98	247	79.68	255	58.49	101	58.38	787	69.46
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	-	0.00	-	0.00	-	0.00	4	2.31	4	0.35
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	-	0.00	4	2.31	4	0.35
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	-	0.00	4	2.31	4	0.35
D&B MWBE	30	14.02	63	20.32	181	41.51	68	39.31	342	30.19
Total	214	100.00	310	100.00	436	100.00	173	100.00	1,133	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.144. Professional Services Payments Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	986,512	73.23	2,689,370	72.24	3,247,769	87.75	2,991,167	90.21	9,914,819	82.03
African American	-	0.00	616,790	16.57	234,456	6.33	104,332	3.15	955,578	7.91
Asian American	-	0.00	57,095	1.53	20,500	0.55	2,000	0.06	79,595	0.66
Hispanic American	-	0.00	84,467	2.27	26,067	0.70	51,907	1.57	162,441	1.34
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	758,352	20.37	281,023	7.59	158,239	4.77	1,197,613	9.91
Caucasian Female	6,816	0.51	14,114	0.38	9,033	0.24	3,560	0.11	33,522	0.28
Total M/W/DBE	6,816	0.51	772,466	20.75	290,056	7.84	161,798	4.88	1,231,136	10.19
D&B MWBE	353,882	26.27	261,131	7.01	163,439	4.42	162,667	4.91	941,119	7.79
Total	1,347,211	100.00	3,722,967	100.00	3,701,264	100.00	3,315,633	100.00	12,087,074	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.145. Professional Services Payments Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	51	69.86	452	70.63	727	89.86	714	92.85	1,944	84.85
African American	-	0.00	138	21.56	34	4.20	9	1.17	181	7.90
Asian American	-	0.00	2	0.31	1	0.12	1	0.13	4	0.17
Hispanic American	-	0.00	5	0.78	4	0.49	9	1.17	18	0.79
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	145	22.66	39	4.82	19	2.47	203	8.86
Caucasian Female	1	1.37	1	0.16	1	0.12	1	0.13	4	0.17
Total M/W/DBE	1	1.37	146	22.81	40	4.94	20	2.60	207	9.04
D&B MWBE	21	28.77	42	6.56	42	5.19	35	4.55	140	6.11
Total	73	100.00	640	100.00	809	100.00	769	100.00	2,291	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.146. Other Services Payments Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	52,262	85.63	638,621	90.64	1,232,502	88.82	1,533,868	87.70	3,457,253	88.60
African American	-	0.00	-	0.00	18,000	1.30	2,155	0.12	20,155	0.52
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	18,000	1.30	2,155	0.12	20,155	0.52
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	18,000	1.30	2,155	0.12	20,155	0.52
D&B MWBE	8,773	14.37	65,975	9.36	137,099	9.88	212,891	12.17	424,739	10.88
Total	61,036	100.00	704,596	100.00	1,387,601	100.00	1,748,914	100.00	3,902,147	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.147. Other Services Payments Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	8	88.89	136	80.00	366	82.43	393	80.70	903	81.35
African American	-	0.00	-	0.00	1	0.23	1	0.21	2	0.18
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	1	0.23	1	0.21	2	0.18
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	1	0.23	1	0.21	2	0.18
D&B MWBE	1	11.11	34	20.00	77	17.34	93	19.10	205	18.47
Total	9	100.00	170	100.00	444	100.00	487	100.00	1,110	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.148. Procurement Payments Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	6,423,722	98.54	12,280,790	96.13	23,642,541	97.33	27,747,932	97.64	70,094,985	97.35
African American	17,200	0.26	37,327	0.29	30,702	0.13	69,564	0.24	154,793	0.21
Asian American	8,820	0.14	11,016	0.09	132,946	0.55	106,863	0.38	259,645	0.36
Hispanic American	5,132	0.08	133,428	1.04	3,125	0.01	5,538	0.02	147,223	0.20
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	31,152	0.48	181,771	1.42	166,773	0.69	181,964	0.64	561,660	0.78
Caucasian Female	-	0.00	3,461	0.03	12,780	0.05	5,325	0.02	21,566	0.03
Total M/W/DBE	31,152	0.48	185,231	1.45	179,553	0.74	187,290	0.66	583,226	0.81
D&B MWBE	64,239	0.99	308,848	2.42	470,246	1.94	484,233	1.70	1,327,567	1.84
Total	6,519,113	100.00	12,774,870	100.00	24,292,341	100.00	28,419,454	100.00	72,005,778	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting.

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Additional Statistical Tables

Table B.149. Procurement Payments Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	650	94.61	1,264	91.20	2,045	89.85	2,187	81.76	6,146	87.50
African American	3	0.44	9	0.65	6	0.26	13	0.49	31	0.44
Asian American	1	0.15	7	0.51	46	2.02	273	10.21	327	4.66
Hispanic American	2	0.29	20	1.44	1	0.04	2	0.07	25	0.36
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	6	0.87	36	2.60	53	2.33	288	10.77	383	5.45
Caucasian Female	-	0.00	8	0.58	2	0.09	2	0.07	12	0.17
Total M/W/DBE	6	0.87	44	3.17	55	2.42	290	10.84	395	5.62
D&B MWBE	31	4.51	78	5.63	176	7.73	198	7.40	483	6.88
Total	687	100.00	1,386	100.00	2,276	100.00	2,675	100.00	7,024	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

C. Payments by Non Federal Dollars and Counts

Table B.150. Architecture and Engineering Payments Non Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	27,915,589	93.02	23,530,796	92.99	27,600,757	91.26	18,424,646	85.02	97,471,788	90.90
African American	1,174,195	3.91	331,282	1.31	996,626	3.30	1,329,507	6.13	3,831,609	3.57
Asian American	14,756	0.05	1,087,022	4.30	1,149,465	3.80	1,010,272	4.66	3,261,515	3.04
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1,188,951	3.96	1,418,303	5.60	2,146,090	7.10	2,339,779	10.80	7,093,124	6.61
Caucasian Female	-	0.00	-	0.00	-	0.00	17,905	0.08	17,905	0.02
Total M/W/DBE	1,188,951	3.96	1,418,303	5.60	2,146,090	7.10	2,357,684	10.88	7,111,029	6.63
D&B MWBE	905,790	3.02	355,393	1.40	498,793	1.65	889,847	4.11	2,649,824	2.47
Total	30,010,330	100.00	25,304,493	100.00	30,245,641	100.00	21,672,177	100.00	107,232,641	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.151.										
Architecture and Engineering										
Payments										
Non Federal Counts										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	542	82.00	634	79.25	739	75.95	699	72.59	2,614	76.95
African American	87	13.16	46	5.75	97	9.97	79	8.20	309	9.10
Asian American	3	0.45	72	9.00	90	9.25	88	9.14	253	7.45
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	90	13.62	118	14.75	187	19.22	167	17.34	562	16.54
Caucasian Female	-	0.00	-	0.00	-	0.00	2	0.21	2	0.06
Total M/W/DBE	90	13.62	118	14.75	187	19.22	169	17.55	564	16.60
D&B MWBE	29	4.39	48	6.00	47	4.83	95	9.87	219	6.45
Total	661	100.00	800	100.00	973	100.00	963	100.00	3,397	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,
 *MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.152. Construction Payments Non Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	94,032,595	90.02	111,451,870	85.92	143,130,615	94.67	118,327,949	97.14	466,943,030	92.07
African American	-	0.00	411,686	0.32	110,330	0.07	6,355	0.01	528,371	0.10
Asian American	-	0.00	-	0.00	-	0.00	17,240	0.01	17,240	0.00
Hispanic American	-	0.00	-	0.00	74,876	0.05	-	0.00	74,876	0.01
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	411,686	0.32	185,206	0.12	23,595	0.02	620,486	0.12
Caucasian Female	-	0.00	-	0.00	-	0.00	25,458	0.02	25,458	0.01
Total M/W/DBE	-	0.00	411,686	0.32	185,206	0.12	49,053	0.04	645,944	0.13
D&B MWBE	10,419,846	9.98	17,849,445	13.76	7,868,804	5.20	3,433,089	2.82	39,571,184	7.80
Total	104,452,442	100.00	129,713,001	100.00	151,184,625	100.00	121,810,091	100.00	507,160,158	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.153. Construction Payments Non Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Bay Area*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	347	84.02	409	76.31	389	86.83	313	89.43	1,458	83.46
African American	-	0.00	15	2.80	6	1.34	1	0.29	22	1.26
Asian American	-	0.00	-	0.00	-	0.00	2	0.57	2	0.11
Hispanic American	-	0.00	-	0.00	1	0.22	-	0.00	1	0.06
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	15	2.80	7	1.56	3	0.86	25	1.43
Caucasian Female	-	0.00	-	0.00	-	0.00	4	1.14	4	0.23
Total M/W/DBE	-	0.00	15	2.80	7	1.56	7	2.00	29	1.66
D&B MWBE	66	15.98	112	20.90	52	11.61	30	8.57	260	14.88
Total	413	100.00	536	100.00	448	100.00	350	100.00	1,747	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

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Additional Statistical Tables

Table B.154. Professional Services Payments Non Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	3,748,163	84.14	6,189,617	81.15	2,217,715	59.83	1,677,900	47.29	13,833,396	71.54
African American	456,662	10.25	1,417,009	18.58	1,449,745	39.11	1,798,860	50.70	5,122,275	26.49
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	21,485	0.48	-	0.00	-	0.00	17,347	0.49	38,832	0.20
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	478,147	10.73	1,417,009	18.58	1,449,745	39.11	1,816,207	51.19	5,161,107	26.69
Caucasian Female	127,383	2.86	17,314	0.23	34,246	0.92	21,865	0.62	200,808	1.04
Total M/W/DBE	605,530	13.59	1,434,323	18.80	1,483,990	40.04	1,838,072	51.80	5,361,915	27.73
D&B MWBE	100,958	2.27	3,556	0.05	4,927	0.13	32,224	0.91	141,665	0.73
Total	4,454,651	100.0	7,627,496	100.0	3,706,632	100.0	3,548,196	100.0	19,336,976	100.0

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.155. Professional Services Payments Non Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	222	83.15	193	75.10	157	64.61	359	79.96	931	76.56
African American	15	5.62	56	21.79	70	28.81	79	17.59	220	18.09
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	1	0.37		0.00		0.00	2	0.45	3	0.25
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	16	5.99	56	21.79	70	28.81	81	18.04	223	18.34
Caucasian Female	10	3.75	4	1.56	7	2.88	4	0.89	25	2.06
Total M/W/DBE	26	9.74	60	23.35	77	31.69	85	18.93	248	20.39
D&B MWBE	19	7.12	4	1.56	9	3.70	5	1.11	37	3.04
Total	267	100.00	257	100.00	243	100.00	449	100.00	1,216	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.156.										
Other Services										
Payments										
Non Federal Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	229,974	99.61	223,182	100.00	182,817	94.68	374,578	68.40	1,010,552	84.58
African American	910	0.39	-	0.00	-	0.00	155,249	28.35	156,159	13.07
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	910	0.39	-	0.00	-	0.00	155,249	28.35	156,159	13.07
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	910	0.39	-	0.00	-	0.00	155,249	28.35	156,159	13.07
D&B MWBE	-	0.00	-	0.00	10,263	5.32	17,766	3.24	28,029	2.35
Total	230,884	100.00	223,182	100.00	193,081	100.00	547,594	100.00	1,194,740	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting.

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Additional Statistical Tables

Table B.157. Other Services Payments Non Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	State of California									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	160	99.38	102	100.00	68	77.27	202	90.58	532	92.68
African American	1	0.62	-	0.00	-	0.00	10	4.48	11	1.92
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	1	0.62	-	0.00	-	0.00	10	4.48	11	1.92
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	1	0.62	-	0.00	-	0.00	10	4.48	11	1.92
D&B MWBE	-	0.00	-	0.00	20	22.73	11	4.93	31	5.40
Total	161	100.00	102	100.00	88	100.00	223	100.00	574	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.158. Procurement Payments Non Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	12,433,791	95.66	16,239,481	94.71	9,947,958	93.15	19,036,669	97.32	57,657,898	95.48
African American	57,469	0.44	291,644	1.70	63,689	0.60	9,391	0.05	422,193	0.70
Asian American	106,040	0.82	187,956	1.10	141,195	1.32	91,181	0.47	526,371	0.87
Hispanic American	82,436	0.63	32,022	0.19	182,485	1.71	114,739	0.59	411,682	0.68
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	245,946	1.89	511,622	2.98	387,368	3.63	215,311	1.10	1,360,247	2.25
Caucasian Female	-	0.00	36,055	0.21	-	0.00	-	0.00	36,055	0.06
Total M/W/DBE	245,946	1.89	547,677	3.19	387,368	3.63	215,311	1.10	1,396,302	2.31
D&B MWBE	317,864	2.45	359,101	2.09	344,635	3.23	308,739	1.58	1,330,340	2.20
Total	12,997,600	100.00	17,146,259	100.00	10,679,961	100.00	19,560,719	100.00	60,384,540	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

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Additional Statistical Tables

Table B.159. Procurement Payments Non Federal Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	Nationwide									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	2,086	81.77	2,792	80.11	2,011	81.32	2,613	91.75	9,502	83.67
African American	17	0.67	37	1.06	14	0.57	4	0.14	72	0.63
Asian American	219	8.58	422	12.11	342	13.83	132	4.63	1,115	9.82
Hispanic American	3	0.12	8	0.23	13	0.53	7	0.25	31	0.27
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	239	9.37	467	13.40	369	14.92	143	5.02	1,218	10.72
Caucasian Female	-	0.00	1	0.03	-	0.00	-	0.00	1	0.01
Total M/W/DBE	239	9.37	468	13.43	369	14.92	143	5.02	1,219	10.73
D&B MWBE	226	8.86	225	6.46	93	3.76	92	3.23	636	5.60
Total	2,551	100.00	3,485	100.00	2,473	100.00	2,848	100.00	11,357	100.00

Source: BART PeopleSoft Financial Management Information System, M³ Consulting,

Appendix B

Additional Statistical Tables

B.3.4. ON-CALL A&E UTILIZATION

A. Pure Prime + Subcontractor Utilization Counts

Table B.160. Architecture and Engineering Pure Prime + Subcontract—PDC On-call Commitments--Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	*MSA									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	118	47.39	396	76.30	7	41.18	154	53.85	675	63.03
African American	10	4.02	62	11.95	5	29.41	48	16.78	125	11.67
Asian American	89	35.74	35	6.74	3	17.65	53	18.53	180	16.81
Hispanic American	27	10.84	-	0.00	1	5.88	3	1.05	31	2.89
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	126	50.60	97	18.69	9	52.94	104	36.36	336	31.37
Caucasian Female	5	2.01	11	2.12	1	5.88	3	1.05	20	1.87
Total M/W/DBE	131	52.61	108	20.81	10	58.82	107	37.41	356	33.24
D&B MWBE	-	0.00	15	2.89	-	0.00	25	8.74	40	3.73
Total	249	100.00	519	100.00	17	100.00	286	100.00	1,071	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

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Additional Statistical Tables

Table B.161.										
Architecture and Engineering										
Pure Prime + Sub Contract—PDC On-call Commitments, Federal Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	33,839,726	56.47	3,301,962	57.97	14,869,051	59.26	52,010,740	57.34	33,839,726	56.47
African American	15,815,642	26.39	1,897,174	33.31	1,595,503	6.36	19,308,320	21.29	15,815,642	26.39
Asian American	3,440,940	5.74	28,405	0.50	5,389,266	21.48	8,858,610	9.77	3,440,940	5.74
Hispanic American	-	0.00	-	0.00	962,052	3.83	962,052	1.06	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	19,256,582	32.14	1,925,579	33.80	7,946,821	31.67	29,128,983	32.11	19,256,582	32.14
Caucasian Female	2,387,262	3.98	468,744	8.23	108,900	0.43	2,964,906	3.27	2,387,262	3.98
Total M/W/DBE	21,643,844	36.12	2,394,323	42.03	8,055,721	32.11	32,093,889	35.38	21,643,844	36.12
D&B MWBE	4,438,977	7.41	-	0.00	2,165,162	8.63	6,604,140	7.28	4,438,977	7.41
Total	59,922,548	100.00	5,696,285	100.00	25,089,935	100.00	90,708,768	100.00	59,922,548	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

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Additional Statistical Tables

Table B.162.
Architecture and Engineering
Pure Prime + Sub Contract—PDC On-call Commitments, Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	396	76.30	7	41.18	154	53.85	557	67.76	396	76.30
African American	62	11.95	5	29.41	48	16.78	115	13.99	62	11.95
Asian American	35	6.74	3	17.65	53	18.53	91	11.07	35	6.74
Hispanic American	-	0.00	1	5.88	3	1.05	4	0.49	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	97	18.69	9	52.94	104	36.36	210	25.55	97	18.69
Caucasian Female	11	2.12	1	5.88	3	1.05	15	1.82	11	2.12
Total M/W/DBE	108	20.81	10	58.82	107	37.41	225	27.37	108	20.81
D&B MWBE	15	2.89	-	0.00	25	8.74	40	4.87	15	2.89
Total	519	100.00	17	100.00	286	100.00	822	100.00	519	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M² Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

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Additional Statistical Tables

Table B.163.										
Architecture and Engineering										
Pure Prime + Sub Contract—PDC On-call Commitments, Non Federal Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	24,461,377	62.91%	-	0.00	-	0.00	-	0.00	24,461,377	62.91%
African American	357,284	0.92%	-	0.00	-	0.00	-	0.00	357,284	0.92%
Asian American	12,369,088	31.81%	-	0.00	-	0.00	-	0.00	12,369,088	31.81%
Hispanic American	1,238,855	3.19%	-	0.00	-	0.00	-	0.00	1,238,855	3.19%
Other MBE	-	0.00%	-	0.00	-	0.00	-	0.00	-	0.00%
Total MBE	13,965,227	35.91%	-	0.00	-	0.00	-	0.00	13,965,227	35.91%
Caucasian Female	458,642	1.18%	-	0.00	-	0.00	-	0.00	458,642	1.18%
Total M/W/DBE	14,423,869	37.09%	-	0.00	-	0.00	-	0.00	14,423,869	37.09%
D&B MWBE	-	0.00%	-	0.00	-	0.00	-	0.00	-	0.00%
Total	38,885,246	100.00%	0	100.00	0	100.00	0	100.00	38,885,246	100.00%

Source: BART Planning and Development On-Call Work Plan Summaries, M² Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

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Additional Statistical Tables

Table B.164.										
Architecture and Engineering										
Pure Prime + Sub Contract—PDC On-call Commitments, Non Federal Counts										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	118	47.39	-	0.00	-	0.00	-	0.00	118	47.39
African American	10	4.02	-	0.00	-	0.00	-	0.00	10	4.02
Asian American	89	35.74	-	0.00	-	0.00	-	0.00	89	35.74
Hispanic American	27	10.84	-	0.00	-	0.00	-	0.00	27	10.84
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	126	50.60	-	0.00	-	0.00	-	0.00	126	50.60
Caucasian Female	5	2.01	-	0.00	-	0.00	-	0.00	5	2.01
Total M/W/DBE	131	52.61	-	0.00	-	0.00	-	0.00	131	52.61
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	249	100.00	0	100.00	0	100.00	0	100.00	249	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M² Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

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Additional Statistical Tables

Table B.165. Architecture and Engineering Pure Prime + Subcontract—PDC On-call Payments, Counts Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	*MSA									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	138	49.64	435	74.23	7	41.18	154	53.85	734	62.90
African American	13	4.68	63	10.75	5	29.41	48	16.78	129	11.05
Asian American	95	34.17	43	7.34	3	17.65	53	18.53	194	16.62
Hispanic American	27	9.71	3	0.51	1	5.88	3	1.05	34	2.91
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	135	48.56	109	18.60	9	52.94	104	36.36	357	30.59
Caucasian Female	5	1.80	23	3.92	1	5.88	3	1.05	32	2.74
Total M/W/DBE	140	50.36	132	22.53	10	58.82	107	37.41	389	33.33
D&B MWBE	-	0.00	19	3.24		0.00	25	8.74	44	3.77
Total	278	100.00	586	100.00	17	100.00	286	100.00	1,167	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.166. Architecture and Engineering Pure Prime + Sub Contract—PDC On-call Payments, Federal Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	-	0.00	22,532,676	61.08	2,200,334	60.90	1,808,198	54.01	26,541,208	60.52
African American	-	0.00	5,250,897	14.23	1,051,612	29.11	252,915	7.55	6,555,424	14.95
Asian American	-	0.00	3,504,682	9.50	1,600	0.04	840,722	25.11	4,347,004	9.91
Hispanic American	-	0.00	96,309	0.26	-	0.00	85,999	2.57	182,308	0.42
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	8,851,888	23.99	1,053,212	29.15	1,179,636	35.23	11,084,735	25.28
Caucasian Female	-	0.00	1,666,183	4.52	359,500	9.95	-	0.00	2,025,683	4.62
Total M/W/DBE	-	0.00	10,518,071	28.51	1,412,712	39.10	1,179,636	35.23	13,110,419	29.90
D&B MWBE	-	0.00	3,842,356	10.41	-	0.00	360,173	10.76	4,202,529	9.58
Total	-	100.00	36,893,103	100.00	3,613,047	100.00	3,348,006	100.00	43,854,156	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

Appendix B

Additional Statistical Tables

Table B.167.
Architecture and Engineering
Pure Prime + Sub Contract—PDC On-call Payments, Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	-	0.00	435	74.23	7	41.18	154	53.85	596	67.04
African American	-	0.00	63	10.75	5	29.41	48	16.78	116	13.05
Asian American	-	0.00	43	7.34	3	17.65	53	18.53	99	11.14
Hispanic American	-	0.00	3	0.51	1	5.88	3	1.05	7	0.79
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	109	18.60	9	52.94	104	36.36	222	24.97
Caucasian Female	-	0.00	23	3.92	1	5.88	3	1.05	27	3.04
Total M/W/DBE	-	0.00	132	22.53	10	58.82	107	37.41	249	28.01
D&B MWBE	-	0.00	19	3.24	-	0.00	25	8.74	44	4.95
Total	-	0.00	586	100.00	17	100.00	286	100.00	889	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M² Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

Appendix B

Additional Statistical Tables

Table B.168.
Architecture and Engineering
Pure Prime + Sub Contract—PDC On-call Payments, Non Federal Dollars
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	32,478,525	61.50	-	0.00	-	0.00	-	0.00	32,478,525	61.50
African American	587,180	1.11	-	0.00	-	0.00	-	0.00	587,180	1.11
Asian American	18,262,347	34.58	-	0.00	-	0.00	-	0.00	18,262,347	34.58
Hispanic American	1,140,424	2.16	-	0.00	-	0.00	-	0.00	1,140,424	2.16
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	19,989,951	37.85	-	0.00	-	0.00	-	0.00	19,989,951	37.85
Caucasian Female	341,469	0.65	-	0.00	-	0.00	-	0.00	341,469	0.65
Total M/W/DBE	20,331,420	38.50	-	0.00	-	0.00	-	0.00	20,331,420	38.50
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	52,809,945	100.00	-	0.00	-	0.00	-	0.00	52,809,945	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M² Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6

Appendix B

Additional Statistical Tables

Table B.169.
Architecture and Engineering
Pure Prime + Sub Contract—PDC On-call Payments, Non Federal Counts
Bay Area Rapid Transit District
Relevant Market, FY 2011 - FY 2014

	MSA*									
	2011		2012		2013		2014		Total	
Ethnicity	#	%	#	%	#	%	#	%	#	%
Non- M/W/DBE	138	49.64	-	0.00	-	0.00	-	0.00	138	49.64
African American	13	4.68	-	0.00	-	0.00	-	0.00	13	4.68
Asian American	95	34.17	-	0.00	-	0.00	-	0.00	95	34.17
Hispanic American	27	9.71	-	0.00	-	0.00	-	0.00	27	9.71
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	135	48.56	-	0.00	-	0.00	-	0.00	135	48.56
Caucasian Female	5	1.80	-	0.00	-	0.00	-	0.00	5	1.80
Total M/W/DBE	140	50.36	-	0.00	-	0.00	-	0.00	140	50.36
D&B MWBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total	278	100.00	-	0.00	-	0.00	-	0.00	278	100.00

Source: BART Planning and Development On-Call Work Plan Summaries, M² Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

NOTE: There were 53 contracts that had payment data, as reflected in Table 6.7, but no commitment data, as reflected in Table 6.6.

Appendix B
Additional Statistical Tables

B.3.5. VENDOR PAYMENT TRACKING SYSTEM

A. Additional Variance Tables

Table B.170.				
Comparison of On-Call A&E Commitments and Payments vs VPTS Sub-commitment Amounts and VPTS Subcontractor Payment				
Procurement Type	On-Call Commitments	VPTS Commitments	On-Call Payments	VPTS Payments
Pure Prime	99,081,548 Prime	201,714,967 Pure Prime	75,675,811 Prime	168,367,517 Pure Prime
Subcontractor	37,683,450	118,911,995	26,737,113	138,030,538
Pure Prime + Subcontractor	114,613,159	320,626,962	83,104,555	306,398,055

Source: BART Planning and Development Work Plan Data; BART OCR Vendor Payment Tracking Data

Appendix B

Additional Statistical Tables

B. Pure Prime + Subcontractor Utilization

Table B.171.										
Architecture and Engineering										
Vendor Payment Tracking System Awards										
Pure Prime + Subcontractor Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	*MSA									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	126,914,841	62.41	31,214,771	39.79	39,272,977	78.92	15,974,998	91.03	213,377,587	61.12
African American	5,889,740	2.90	13,922,702	17.75	5,440,000	10.93	-	0.00	25,252,442	7.23
Asian American	52,662,857	25.90	13,596,261	17.33	2,280,000	4.58	1,575,001	8.97	70,114,119	20.08
Hispanic American	1,635,636	0.80	805,998	1.03	436,559	0.88	-	0.00	2,878,193	0.82
Other MBE	-	0.00	180,000	0.23	355,679	0.71	-	0.00	535,679	0.15
Total MBE	60,188,233	29.60	28,504,961	36.34	8,512,238	17.10	1,575,001	8.97	98,780,433	28.30
Caucasian Female	3,287,424	1.62	3,068,351	3.91	780,000	1.57	-	0.00	7,135,775	2.04
Total M/W/DBE	63,475,657	31.22	31,573,312	40.25	9,292,238	18.67	1,575,001	8.97	105,916,208	30.34
D&B MWBE	12,954,136	6.37	15,655,846	19.96	1,200,000	2.41	-	0.00	29,809,982	8.54
Total	203,344,634	100.00	78,443,929	100.00	49,765,215	100.00	17,549,999	100.00	349,103,777	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.172.										
Construction										
Vendor Payment Tracking System Awards										
Pure Prime + Subcontractor Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	*Bay Area									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	233,517,563	71.97	6,901,136	45.98	16,408,223	52.99	79,895,923	97.35	336,722,845	74.41
African American	9,993,702	3.08	140,000	0.93	17,510	0.06	285,462	0.35	10,436,674	2.31
Asian American	5,537,860	1.71	1,876,225	12.50	879,076	2.84	5,601	0.01	8,298,762	1.83
Hispanic American	13,477,144	4.15	373,654	2.49	1,301,293	4.20	410,481	0.50	15,562,572	3.44
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	29,008,706	8.94	2,389,879	15.92	2,197,879	7.10	701,544	0.85	34,298,008	7.58
Caucasian Female	5,091,291	1.57	91,868	0.61	376,737	1.22	144,300	0.18	5,704,196	1.26
Total M/W/DBE	34,099,997	10.51	2,481,747	16.53	2,574,616	8.31	845,844	1.03	40,002,204	8.84
D&B MWBE	56,848,464	17.52	5,626,612	37.49	11,981,479	38.69	1,332,937	1.62	75,789,492	16.75
Total	324,466,024	100.00	15,009,495	100.00	30,964,318	100.00	82,074,704	100.00	452,514,541	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

Appendix B

Additional Statistical Tables

C. Pure Prime Utilization

Table B.173.										
Architecture and Engineering										
Vendor Payment Tracking System Awards										
Pure Prime Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	*MSA									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	85,229,949	64.69	2,820,100	17.25	37,201,806	100	14,999,995	91.32	140,251,850	69.53
African American	2,906,699	2.21	4,989,760	30.53	-	0.00	-	0.00	7,896,459	3.91
Asian American	38,585,480	29.29	-	0.00	-	0.00	1,425,000	8.68	40,010,480	19.84
Hispanic American	1,345,971	1.02	-	0.00	-	0.00	-	0.00	1,345,971	0.67
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	42,838,150	32.52	4,989,760	30.53	-	0.00	1,425,000	8.68	49,252,910	24.42
Caucasian Female	1,675,000	1.27	2,422,791	14.82	-	0.00	-	0.00	4,097,791	2.03
Total M/W/DBE	44,513,150	33.79	7,412,551	45.35	-	0.00	1,425,000	8.68	53,350,701	26.45
D&B MWBE	2,000,000	1.52	6,112,416	37.40	-	0.00	-	0.00	8,112,416	4.02
Total	131,743,099	100.00	16,345,067	100.00	37,201,806	100	16,424,995	100.00	201,714,967	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.174.										
Construction										
Vendor Payment Tracking System Awards										
Pure Prime Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	*Bay Area									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non-M/W/DBE	197,416,938	82.05	2,313,645	29.66	11,123,332	48.89	79,379,485	98.35	290,233,400	82.49
African American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Asian American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Hispanic American	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Caucasian Female	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total M/W/DBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
D&B MWBE	43,177,484	17.95	5,487,871	70.34	11,627,527	51.11	1,332,937	1.65	61,625,819	17.51
Total	240,594,422	100.00	7,801,516	100.00	22,750,859	100.00	80,712,422	100.00	351,859,219	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

Appendix B

Additional Statistical Tables

D. SUBCONTRACTOR UTILIZATION

Table B.175. Architecture and Engineering Vendor Payment Tracking System Awards Subcontractor Dollars Bay Area Rapid Transit District Relevant Market, FY 2011 - FY 2014										
	*MSA									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	41,684,892	58.22	28,394,671	45.72	2,071,171	16.49	975,003	86.67	73,125,737	49.61
African American	2,983,041	4.17	8,932,942	14.39	5,440,000	43.30		0.00	17,355,983	11.78
Asian American	14,077,377	19.66	13,596,261	21.89	2,280,000	18.15	150,001	13.33	30,103,639	20.42
Hispanic American	289,665	0.40	805,998	1.30	436,559	3.47	-	0.00	1,532,222	1.04
Other MBE	-	0.00	180,000	0.29	355,679	2.83	-	0.00	535,679	0.36
Total MBE	17,350,083	24.23	23,515,201	37.87	8,512,238	67.75	150,001	13.33	49,527,523	33.60
Caucasian Female	1,612,424	2.25	645,560	1.04	780,000	6.21	-	0.00	3,037,984	2.06
Total M/W/DBE	18,962,507	26.48	24,160,761	38.91	9,292,238	73.96	150,001	13.33	52,565,507	35.66
D&B MWBE	10,954,136	15.30	9,543,430	15.37	1,200,000	9.55	-	0.00	21,697,566	14.72
Total	71,601,535	100.00	62,098,862	100.00	12,563,409	100.00	1,125,004	100.00	147,388,810	100.00

Source: BART Procurement, M³ Consulting,

*MSA—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo

Appendix B

Additional Statistical Tables

Table B.176.										
Construction										
Vendor Payment Tracking System Awards										
Subcontractor Dollars										
Bay Area Rapid Transit District										
Relevant Market, FY 2011 - FY 2014										
	*Bay Area									
	2011		2012		2013		2014		Total	
Ethnicity	\$	%	\$	%	\$	%	\$	%	\$	%
Non- M/W/DBE	36,100,625	43.04	4,587,491	63.64	5,284,891	64.34	516,438	37.91	46,489,445	46.19
African American	9,993,702	11.92	140,000	1.94	17,510	0.21	285,462	20.95	10,436,674	10.37
Asian American	5,537,860	6.60	1,876,225	26.03	879,076	10.70	5,601	0.41	8,298,762	8.24
Hispanic American	13,477,144	16.07	373,654	5.18	1,301,293	15.84	410,481	30.13	15,562,572	15.46
Other MBE	-	0.00	-	0.00	-	0.00	-	0.00	-	0.00
Total MBE	29,008,706	34.59	2,389,879	33.16	2,197,879	26.76	701,544	51.50	34,298,008	34.07
Caucasian Female	5,091,291	6.07	91,868	1.27	376,737	4.59	144,300	10.59	5,704,196	5.67
Total M/W/DBE	34,099,997	40.66	2,481,747	34.43	2,574,616	31.35	845,844	62.09	40,002,204	39.74
D&B MWBE	13,670,980	16.30	138,741	1.92	353,952	4.31		0.00	14,163,673	14.07
Total	83,871,602	100.00	7,207,979	100.00	8,213,459	100.00	1,362,282	100.00	100,655,322	100.00

Source: BART Procurement, M³ Consulting,

*Bay Area—Consists of counties of San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, Napa, Solano, Sonoma

Appendix B

Additional Statistical Tables

B.4 TOP TEN BIDDERS AND AWARDEES

B.4.1. TOP TEN BIDDERS BASED ON CONTRACT AWARDS

Table B.177. Top Ten Bidders All Procurement Types Contract Awards Relevant Market; FY 2011-FY 2014						
	Non-Federal	Federal	Grand Total	% of Total Bids	Location	Ethnicity
Oliveira Fence Corporation	31	78	109		Bay Area	Caucasian Female
Harris Salinas Rebar	15	48	63	1.14	MSA	Non- M/W/DBE
Steiny & Co.	17	39	56	1.01	Bay Area	Non- M/W/DBE
RMT Landscape Contractors, Inc.,	12	39	51	0.92	MSA	Non- M/W/DBE
BLOCKA CONSTRUCTION INC	21	25	46	0.83	MSA	D&B MWBE
BAY CITIES GRADING & PAVING	8	36	44	0.79	MSA	Hispanic American
ALAMILLIO REBAR	13	24	37	0.67	Bay Area	Hispanic American
Economy Trucking Services, Inc	13	22	35	0.63	MSA	Non- M/W/DBE
Tom's Metal Specialist, Inc.	25	8	33	0.60	MSA	Asian American
Cal-con Pumping	15	16	31	0.56	MSA	Caucasian Female
Inspection Services Inc.	12	19	31	0.56	MSA	Asian American
Total Bidders	2,577	2,959	5,536			

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.178. Top Ten Bidders Architecture and Engineering Contract Awards Relevant Market; FY 2011-FY 2014						
	Non-Federal	Federal	Grand Total	% of Total Bids	Location	Ethnicity
FMG Architects	8	8	16	1.70	MSA	Hispanic American
Dabri Inc	8	6	14	1.49	MSA	Asian American
Shiralian Management Group	2	11	13	1.38	MSA	Non- M/W/DBE
M. Lee Corporation	1	12	13	1.38	MSA	Asian American
Jade & Associates		12	12	1.28	MSA	Asian American
YEI Engineers, Inc.	5	7	12	1.28	MSA	Asian American
Structus Consulting Engineers, Inc. (DBE)	5	7	12	1.28	MSA	Asian American
Merrill Morris Partners	6	6	12	1.28	MSA	Caucasian Female
Parikh Consultants, Inc	5	7	12	1.28	MSA	Asian American
Kal Krishnan Consulting Services	5	7	12	1.28	MSA	D&B MWBE
Seattle International Engineering, Inc.		11	11	1.17	MSA	Non- M/W/DBE
HDR Engineering Inc.	1	9	10	1.06	MSA	Non- M/W/DBE
AMC CONSULTING ENGINEERING, INC.	5	5	10	1.06	MSA	Asian American
WRECO	3	7	10	1.06	MSA	Asian American
Total Bidders	264	677	941			

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.179.

Top Ten Bidders

Construction

Contract Awards

Relevant Market; FY 2011-FY 2014

	Non-Federal	Federal	Grand Total	% of Total Bids	Location	Ethnicity
Oliveira Fence Corporation	31	75	106	2.73	Bay Area	Caucasian Females
Harris Salinas Rebar	15	46	61	1.57	MSA	Non- M/W/DBE
Steiny & Co.	17	39	56	1.44	Bay Area	Non- M/W/DBE
RMT Landscape Contractors, Inc.,	11	37	48	1.24	MSA	Non- M/W/DBE
BLOCKA CONSTRUCTION INC	21	25	46	1.18	MSA	D&B MWBE
BAY CITIES GRADING & PAVING	8	34	42	1.08	MSA	Hispanic American
ALAMILLIO REBAR	13	24	37	0.95	Bay Area	Hispanic American
Economy Trucking Services, Inc	13	20	33	0.85	MSA	Non- M/W/DBE
Tom's Metal Specialist, Inc.	23	8	31	0.80	MSA	Asian American
O.C. Jones & Sons, Inc.	7	22	29	0.75	MSA	Non- M/W/DBE
Fiberwrap Construction, Inc	8	21	29	0.75	MSA	Non- M/W/DBE
Cal-con Pumping	15	14	29	0.75	MSA	Caucasian Female
Oliveira Fence Corporation	31	75	106	2.73	Bay Area	Caucasian Female
Harris Salinas Rebar	15	46	61	1.57	MSA	Non- M/W/DBE
Total Bidders	1,770	2,112	3,882			

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.180.

**Top Ten Bidders
 Professional Services
 Contract Awards
 Relevant Market; FY 2011-FY 2014**

	Non-Federal	Federal	Grand Total	% of Total Bids	Location	Ethnicity
Sanli, Pastore & Hill, Inc.		4	4	1.67	State	Non- M/W/DBE
Merriwether & Williams	3	1	4	1.67	MSA	African American
SL Hare Capital Inc	4		4	1.67	State	Non- M/W/DBE
NARVCO Enterprises, Inc.		3	3	1.26	Bay Area	D&B MWBE
Citigroup Global Markets, Inc.	3		3	1.26	MSA	Non- M/W/DBE
RBC Capital Markets, LLC	3		3	1.26	MSA	Non- M/W/DBE
E.J. De La Rosa	3		3	1.26	MSA	Non- M/W/DBE
Morgan Stanley Public Finance	3		3	1.26	MSA	Non- M/W/DBE
Edward Jones	3		3	1.26	State	Non- M/W/DBE
Prager & Co, LLC	3		3	1.26	MSA	Non- M/W/DBE
AZTEC CONSULTANTS	3		3	1.26	MSA	Hispanic American
Rice Financial	3		3	1.26	State	Non- M/W/DBE
Siebert Brandford Shank	3		3	1.26	MSA	African American
BACKSTROM MCCLAREY BERRY & CO	3		3	1.26	MSA	African American
Total Bidders	200	39	239			

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.181.
Top Ten Bidders
Other Services
Contract Awards
Relevant Market; FY 2011-FY 2014

	Non-Federal	Federal	Grand Total	% of Total Bids	Location	Ethnicity
Webco Sweeping	5		5	2.84	Bay Area	Non- M/W/DBE
IMPEC Group	4		4	2.27	Bay Area	D&B MWBE
Campbell Family Electric	4		4	2.27	State	D&B MWBE
YESCO	4		4	2.27	State	Non- M/W/DBE
AHLBORN FENCE AND STEEL INC.	3		3	1.70	Bay Area	Non- M/W/DBE
Sedge Electric	3		3	1.70	State	Non- M/W/DBE
ASCENT ELEVATOR SERVICES INC	3		3	1.70	MSA	Non- M/W/DBE
Satellite Painting, Inc.	3		3	1.70	Bay Area	Hispanic American
SearchPro Staffing	2	1	3	1.70	State	Non- M/W/DBE
<i>20 Firms tied with 2 bids</i>						
Total Bidders	164	12	176			

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.182. Top Ten Bidders Procurement Contract Awards Relevant Market; FY 2011-FY 2014						
	Non-Federal	Federal	Grand Total	% of Total Bids	Location	Ethnicity
BOMBARDIER TRANSPORTATION	5	1	6	2.01	State	Non- M/W/DBE
Strategic Sourcing	4		4	1.34	Nationwide	Non- M/W/DBE
H&H Engineering Construction, Inc		4	4	1.34	State	Non- M/W/DBE
Penn Machine Co. LLC	3		3	1.01	Nationwide	Non- M/W/DBE
Motion Industries	3		3	1.01	MSA	Non- M/W/DBE
APPLIED INDUSTRIAL TECHNOLOGIES	3		3	1.01	MSA	Non- M/W/DBE
ACF COMPONENTS & FASTERNERS, INC.	2	1	3	1.01	MSA	Asian American
Kustom Seating Unlimited	3		3	1.01	Nationwide	Non- M/W/DBE
LB Foster Company	1	2	3	1.01	MSA	Non- M/W/DBE
Columbia Electric		3	3	1.01	MSA	Non- M/W/DBE
Oliveira Fence Corporation		3	3	1.01	Bay Area	Caucasian Female
Evrax Rocky Mountain Steel		3	3	1.01	Nationwide	Non- M/W/DBE
Sedia Inc.	3		3	1.01	Nationwide	Non- M/W/DBE
Fellfab, LLC	3		3	1.01	Nationwide	Non- M/W/DBE
Total Bidders	179	119	298			

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

B.4.2. TOP TEN AWARDEES BASED ON PURCHASE ORDERS

Table B.183. Top Ten Awardees Architecture and Engineering Purchase Orders Relevant Market; FY 2011-FY 2014					
	Dollars	% of Dollars	Count of POs	% of Counts	Ethnicity
BECHTEL INFRASTRUCTURE CORPORATION	\$43,476,558.89	15.13	38	2.52	Non- M/W/DBE
PGH WONG ENGINEERING INC	\$41,517,365.55	14.45	105	6.96	Non- M/W/DBE
JACOBS PROJECTS MANAGEMENT CO	\$29,544,469.64	10.28	215	14.26	Non- M/W/DBE
KAL KRISHNAN CONSULTING SERVICES INC	\$26,424,907.49	9.19	198	13.13	Asian American
UCM A JOINT VENTURE	\$17,738,431.32	6.17	59	3.91	Non- M/W/DBE
THE ALLEN GROUP/VALI COOPER & ASSOCIATES	\$13,591,100.80	4.73	37	2.45	African American
CH2M HILL INC	\$10,685,053.32	3.72	17	1.13	Non- M/W/DBE
UBCM JOINT VENTURE	\$9,494,983.20	3.30	58	3.85	Non- M/W/DBE
URS CORPORATION	\$7,893,771.98	2.75	7	0.46	Non- M/W/DBE
B&C-URS JV	\$7,873,280.65	2.74	75	4.97	D&B MWBE
TABER CONSTRUCTION INC	\$7,818,511.40	2.72	5	0.33	D&B MWBE
Total	\$287,392,182.95	100.00	1,508	100.00	

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.184. Top Ten Awardees Professional Services Purchase Orders Relevant Market; FY 2011-FY 2014					
	Dollars	% of Dollars	Count of POs	% of Counts	Ethnicity
SIC-LAKESIDE DR LLC	\$25,052,323.42	42.98	10	0.80	Non- M/W/DBE
AON RISK INSURANCE SERVICES WEST INC	\$5,950,349.49	10.21	18	1.45	Non- M/W/DBE
NELSON/NYGAARD CONSULTING ASSOCIATES	\$1,460,486.60	2.51	32	2.57	D&B MWBE
ARUP NORTH AMERICA LTD	\$1,315,695.22	2.26	8	0.64	Non- M/W/DBE
FIRST AMERICAN TITLE INSURANCE CO	\$1,224,800.00	2.10	1	0.08	Non- M/W/DBE
MERRIWETHER & WILLIAMS	\$1,142,131.00	1.96	4	0.32	African American
INTERLOC SOLUTIONS INC	\$1,099,000.00	1.89	5	0.40	Non- M/W/DBE
CLAREMONT BEHAVIORAL SERVICES	\$1,050,000.00	1.80	5	0.40	Non- M/W/DBE
TECHTU BUSINESS SOLUTIONS INC	\$888,618.00	1.52	7	0.56	Non- M/W/DBE
MARY ROWLANDS PARATRANSIT CONSULTING	\$629,769.50	1.08	5	0.40	Non- M/W/DBE
Grand Total	\$58,283,221.10	100.00	1,245	100.00	

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.185. Top Ten Awardees Construction Purchase Orders Relevant Market; FY 2011-FY 2014					
	Dollars	% of Dollars	Count of POs	% of Counts	Ethnicity
FLATIRON / PARSONS A JOINT VENTURE	\$ 352,619,144.63	36.14	127	7.94	Non- M/W/DBE
WARM SPRINGS CONSTRUCTORS	\$ 322,667,523.47	33.07	140	8.75	Non- M/W/DBE
SHIMMICK CONSTRUCTION CO INC	\$ 67,041,620.19	6.87	51	3.19	Non- M/W/DBE
THOMPSON BUILDERS CORPORATION	\$ 36,323,928.12	3.72	113	7.06	D&B MWBE
ALTEN CONSTRUCTION INC	\$ 26,530,523.26	2.72	94	5.88	Non- M/W/DBE
LATHROP CONSTRUCTION ASSOCIATES INC.	\$ 24,749,120.83	2.54	62	3.88	Non- M/W/DBE
SHIMMICK CONSTRUCTION CO. INC	\$ 24,293,713.62	2.49	87	5.44	Non- M/W/DBE
ROBERT A BOTHMAN INC	\$ 22,451,166.92	2.30	52	3.25	Non- M/W/DBE
BLOCKA CONSTRUCTION INC	\$ 12,599,658.66	1.29	29	1.81	D&B MWBE
R & L BROSAMER INC	\$ 12,398,589.17	1.27	143	8.94	Non- M/W/DBE
Total	\$ 975,656,298.11	100.00	1,600	100.00	

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.186. Top Ten Awardees Other Services Purchase Orders Relevant Market; FY 2011-FY 2014					
	Dollars	% of Dollars	Count of POs	% of Counts	Ethnicity
BLOCKA CONSTRUCTION INC	\$ 6,405,661.80	21.60	7	1.11	D&B MWBE
INDUSTRIAL BATTERY SERVICES INC	\$ 3,206,054.13	10.81	5	0.79	Hispanic American
WOLLBORG/MICHELSON PERSONNEL	\$ 2,679,692.15	9.03	51	8.08	Non- M/W/DBE
FRASCO INVESTIGATIVE SERVICES FRASCO IN	\$ 1,441,875.00	4.86	2	0.32	Non- M/W/DBE
WEBCO SWEEPING LLC	\$ 1,408,955.20	4.75	2	0.32	Non- M/W/DBE
AMERICAN POWER SYSTEMS LLC	\$ 1,028,427.84	3.47	1	0.16	Non- M/W/DBE
PHASE 3 COMMUNICATIONS INC	\$ 1,019,450.00	3.44	3	0.48	African American
IMPEC GROUP INC.	\$ 847,020.22	2.86	3	0.48	D&B MWBE
ERM-WEST INC	\$ 841,174.15	2.84	8	1.27	Non- M/W/DBE
CDM SMITH INC.	\$ 762,359.44	2.57	10	1.58	Non- M/W/DBE
Total	\$ 29,661,903.66	100.00	631	100.00	

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

Table B.187. Top Ten Awardees Procurement Purchase Orders Relevant Market; FY 2011-FY 2014					
	Dollars	% of Dollars	Count of POs	% of Counts	Ethnicity
STADLER BUSSNANG AG	\$ 60,069,483.00	19.62	11	0.08	Non- M/W/DBE
STRATEGIC SOURCING SOLUTIONS LLC	\$ 29,538,553.79	9.65	50	0.35	Non- M/W/DBE
L B FOSTER COMPANY	\$ 26,644,795.80	8.70	21	0.15	Non- M/W/DBE
TRANSDEV SERVICES INC	\$ 22,751,185.00	7.43	3	0.02	Non- M/W/DBE
BOMBARDIER TRANSPORTATION	\$ 7,211,818.83	2.36	770	5.36	Non- M/W/DBE
SEDIA INC	\$ 5,955,100.22	1.95	24	0.17	Non- M/W/DBE
WIFI RAIL INC	\$ 5,605,627.71	1.83	57	0.40	Non- M/W/DBE
CISCO SYSTEMS INC	\$ 4,546,541.17	1.48	280	1.95	Non- M/W/DBE
MILWAUKEE COMPOSITES INC	\$ 4,536,717.78	1.48	2	0.01	Non- M/W/DBE
BLOCKA CONSTRUCTION INC	\$ 4,344,530.32	1.42	4	0.03	D&B MWBE
Grand Total	\$ 306,164,539.43	100.00	14,379	100.00	

Source: BART Procurement; M³ Consulting

Appendix B

Additional Statistical Tables

B.5 ADDITIONAL DISPARITY RATIOS

Table B.188. PDC On-Call A&E Pure Prime + Sub Payments Utilization vs. RWA SM Availability Level 3 Federal Architecture & Engineering Bay Area Rapid Transit District Relevant Market; FY 2011-FY 2014										
CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.00	S	0.98	S	0.98	S	0.87	S	0.97	S
African American	0.00	S	1.86	S	3.81	S	0.99	NS	1.95	S
Asian American	0.00	S	0.92	S	0.00	S	2.44	S	0.96	S
Hispanic American	0.00	S	0.07	S	0.00	S	0.65	S	0.11	S
Total MBE	0.00	S	1.07	S	1.30	S	1.57	S	1.13	S
Caucasian Female	0.00	S	0.61	S	1.35	S	0.00	S	0.63	S
Total M/W/DBE	0.00	S	0.96	S	1.31	S	1.18	S	1.00	NS
D&B MWBE	0.00	S	1.31	S	0.00	S	1.36	S	1.21	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.189.
PDC On-Call A&E Pure Prime + Sub Payments Utilization vs. RWASM Availability Level 3
Non Federal
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.99	S	0.00	S	0.00	S	0.00	S	0.99	S
African American	0.15	S	0.00	S	0.00	S	0.00	S	0.15	S
Asian American	3.36	S	0.00	S	0.00	S	0.00	S	3.36	S
Hispanic American	0.55	S	0.00	S	0.00	S	0.00	S	0.55	S
Total MBE	1.69	S	0.00	S	0.00	S	0.00	S	1.69	S
Caucasian Female	0.09	S	0.00	S	0.00	S	0.00	S	0.09	S
Total M/W/DBE	1.29	S	0.00	S	0.00	S	0.00	S	1.29	S
D&B MWBE	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

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Additional Statistical Tables

Table B.190.
Pure Prime + Sub Contract Utilization vs. RWASM Availability Level 3
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.97	S	0.69	S	1.61	S	1.25	S	1.04	S
African American	0.66	S	4.02	S	0.00	S	0.00	S	1.45	S
Asian American	2.64	S	1.16	S	0.00	S	1.89	S	1.65	S
Hispanic American	0.64	S	0.31	S	0.00	S	0.00	S	0.26	S
Other American	0.00	S	0.45	S	0.00	S	0.00	S	0.14	S
Total MBE	1.55	S	1.97	S	0.00	S	0.87	S	1.30	S
Caucasian Female	0.58	S	0.68	S	0.00	S	0.00	S	0.36	S
Total M/W/DBE	1.31	S	1.65	S	0.00	S	0.65	S	1.07	S
D&B MWBE	0.08	S	0.96	NS	0.00	S	0.33	S	0.43	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M² Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
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 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
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Additional Statistical Tables

Table B.191.
Pure Prime + Sub Contract Utilization vs. *RWA*SM Availability Level 3
Federal
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.20	S	0.69	S	1.61	S	1.25	S	1.07	S
African American	0.38	S	4.02	S	0.00	S	0.00	S	1.64	S
Asian American	0.80	S	1.16	S	0.00	S	1.89	S	1.29	S
Hispanic American	0.89	NS	0.31	S	0.00	S	0.00	S	0.17	S
Other American	0.00	S	0.45	NS	0.00	S	0.00	S	0.18	S
Total MBE	0.66	S	1.97	S	0.00	S	0.87	S	1.19	S
Caucasian Female	1.13	NS	0.68	S	0.00	S	0.00	S	0.34	S
Total M/W/DBE	0.77	S	1.65	S	0.00	S	0.65	S	0.98	NS
D&B MWBE	0.30	S	0.96	NS	0.00	S	0.33	S	0.54	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.192.
Pure Prime + Sub Contract Utilization vs. *RWASM* Availability Level 3
Non Federal
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.92	S	0.00	S	0.00	S	0.00	S	0.92	S
African American	0.71	S	0.00	S	0.00	S	0.00	S	0.71	S
Asian American	3.02	S	0.00	S	0.00	S	0.00	S	3.02	S
Hispanic American	0.59	S	0.00	S	0.00	S	0.00	S	0.59	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	1.73	S	0.00	S	0.00	S	0.00	S	1.73	S
Caucasian Female	0.47	S	0.00	S	0.00	S	0.00	S	0.47	S
Total M/W/DBE	1.42	S	0.00	S	0.00	S	0.00	S	1.42	S
D&B MWBE	0.04	S	0.00	S	0.00	S	0.00	S	0.04	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

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Additional Statistical Tables

Table B.193.
Pure Prime Contract Utilization vs. RWASM Availability Level 3
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.12	NS	0.80	NS	1.61	S	1.25	S	1.16	NS
African American	0.00	S	4.77	S	0.00	S	0.00	S	1.17	NS
Asian American	2.45	S	0.00	S	0.00	S	1.89	S	1.28	NS
Hispanic American	0.53	NS	0.00	NS	0.00	NS	0.00	NS	0.10	NS
Other American	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS
Total MBE	1.22	NS	1.63	S	0.00	S	0.87	NS	1.00	NS
Caucasian Female	0.36	NS	0.91	NS	0.00	S	0.00	S	0.29	NS
Total M/W/DBE	1.01	NS	1.45	S	0.00	S	0.65	NS	0.83	NS
D&B MWBE	0.00	S	0.92	NS	0.00	S	0.33	NS	0.37	NS

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

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Additional Statistical Tables

Table B.194.
Purchase Order Utilization vs. RWASM Availability Level 3
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.48	S	1.27	S	1.29	S	1.03	S	1.30	S
African American	0.19	S	0.62	S	0.53	S	2.81	S	0.87	S
Asian American	0.45	S	1.50	S	1.36	S	0.72	S	0.96	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.27	S	0.90	S	0.81	S	1.29	S	0.74	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.20	S	0.68	S	0.61	S	0.97	S	0.56	S
D&B MWBE	0.22	S	0.10	S	0.22	S	0.84	S	0.31	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

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Additional Statistical Tables

Table B.195.
Purchase Order Utilization vs. *RWA*SM Availability Level 3
Federal
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.42	S	1.04	S	1.09	S	0.92	S	1.14	S
African American	0.00	S	0.75	S	0.79	S	4.02	S	1.30	S
Asian American	1.04	S	2.75	S	2.44	S	0.92	S	1.71	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.48	S	1.52	S	1.39	S	1.79	S	1.23	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.36	S	1.14	S	1.04	S	1.35	S	0.92	S
D&B MWBE	0.13	S	0.13	S	0.10	S	0.31	S	0.17	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

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Additional Statistical Tables

Table B.196.
Purchase Order Utilization vs. *RWA*SM Availability Level 3
Non Federal
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.52	S	1.45	S	1.42	S	1.18	S	1.43	S
African American	0.33	S	0.51	S	0.35	S	1.26	S	0.52	S
Asian American	0.03	S	0.50	S	0.61	S	0.47	S	0.35	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.13	S	0.40	S	0.40	S	0.65	S	0.34	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.01	S	0.00	S
Total M/W/DBE	0.09	S	0.30	S	0.30	S	0.49	S	0.25	S
D&B MWBE	0.29	S	0.08	S	0.31	S	1.52	S	0.43	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.197.
Payments Utilization vs. RWASM Availability Level 3
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.40	S	1.30	S	1.32	S	1.33	S	1.33	S
African American	0.42	S	0.45	S	0.42	S	0.58	S	0.46	S
Asian American	0.68	S	1.38	S	1.26	S	0.97	S	1.11	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.46	S	0.78	S	0.72	S	0.64	S	0.67	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.01	S	0.00	S
Total M/W/DBE	0.34	S	0.59	S	0.54	S	0.48	S	0.50	S
D&B MWBE	0.33	S	0.18	S	0.17	S	0.32	S	0.24	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.198.
Payments Utilization vs. RWASM Availability Level 3
Federal
Architecture & Engineering
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.97	S	1.12	S	1.19	S	1.31	S	1.19	S
African American	0.00	S	0.70	S	0.41	S	0.39	S	0.46	S
Asian American	3.76	S	2.28	S	2.13	S	1.40	S	2.08	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	1.73	S	1.29	S	1.12	S	0.77	S	1.11	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	1.30	S	0.97	S	0.84	S	0.58	S	0.84	S
D&B MWBE	0.10	S	0.18	S	0.14	S	0.16	S	0.15	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.199.

Appendix B

Additional Statistical Tables

Payments Utilization vs. RWA SM Availability Level 3										
Non Federal										
Architecture & Engineering										
Bay Area Rapid Transit District										
Relevant Market; FY 2011-FY 2014										
MSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.49	S	1.49	S	1.47	S	1.37	S	1.46	S
African American	0.51	S	0.17	S	0.43	S	0.80	S	0.47	S
Asian American	0.00	S	0.42	S	0.37	S	0.45	S	0.30	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.18	S	0.25	S	0.32	S	0.48	S	0.29	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.01	S	0.00	S
Total M/W/DBE	0.13	S	0.19	S	0.24	S	0.36	S	0.22	S
D&B MWBE	0.38	S	0.18	S	0.21	S	0.52	S	0.31	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.200.
Purchase Order Utilization vs. RWASM Availability Level 3
Construction
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.37	S	1.42	S	0.93	S	1.19	S	1.36	S
African American	0.00	S	0.03	S	0.00	S	0.01	S	0.01	S
Asian American	0.00	S	0.00	S	0.01	S	0.01	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.02	S	0.60	S	0.01	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.01	S	0.01	S	0.23	S	0.01	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.03	S	0.00	S
Total M/W/DBE	0.00	S	0.01	S	0.01	S	0.19	S	0.01	S
D&B MWBE	0.79	S	0.43	S	3.79	S	1.56	S	0.84	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.201.
Purchase Order Utilization vs. RWASM Availability Level 3
Federal
Construction
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.26	S	1.48	S	1.29	S	1.20	S	1.32	S
African American	0.00	S	0.03	S	0.00	S	0.00	S	0.00	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.04	S	0.88	S	0.03	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.01	S	0.01	S	0.33	S	0.01	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.01	S	0.01	S	0.26	S	0.01	S
D&B MWBE	1.53	S	0.04	S	1.32	S	1.36	S	1.12	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.202.

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Additional Statistical Tables

Purchase Order Utilization vs. <i>RWA</i> SM Availability Level 3										
Non Federal Construction Bay Area Rapid Transit District Relevant Market; FY 2011-FY 2014										
CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.26	S	1.48	S	1.29	S	1.19	S	1.39	S
African American	0.00	S	0.03	S	0.00	S	0.02	S	0.02	S
Asian American	0.00	S	0.00	S	0.00	S	0.04	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.04	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.01	S	0.01	S	0.02	S	0.01	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.09	S	0.00	S
Total M/W/DBE	0.00	S	0.01	S	0.01	S	0.03	S	0.00	S
D&B MWBE	1.53	S	0.04	S	1.32	S	1.96	S	0.67	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.203.
Payments Utilization vs. RWASM Availability Level 3
Construction
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.37	S	1.36	S	1.37	S	1.37	S	1.37	S
African American	0.00	S	0.03	S	0.01	S	0.00	S	0.01	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.01	S	0.00	S	0.00	S	0.00	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.01	S	0.00	S	0.00	S	0.00	S
D&B MWBE	0.81	S	0.82	S	0.82	S	0.78	S	0.81	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.204.
Payments Utilization vs. RWASM Availability Level 3
Federal
Construction
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.42	S	1.44	S	1.30	S	1.17	S	1.36	S
African American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
D&B MWBE	0.44	S	0.29	S	1.26	S	2.18	S	0.84	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.205.
Payments Utilization vs. RWASM Availability Level 3
Non Federal
Construction
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

CMSA										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.34	S	1.28	S	1.41	S	1.44	S	1.37	S
African American	0.00	S	0.07	S	0.01	S	0.00	S	0.02	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.01	S	0.00	S	0.00	S
Other American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.02	S	0.01	S	0.00	S	0.01	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.01	S	0.01	S	0.00	S	0.01	S
D&B MWBE	1.01	S	1.40	S	0.53	S	0.29	S	0.79	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.206.
Pure Prime + Sub Contract Utilization vs. RWASM Availability Level 3
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.03	S	0.85	S	0.59	S	0.59	S	0.53	S
African American	24.65	S	6.13	S	2.05	S	2.05	S	8.68	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.54	S
Hispanic American	0.00	S	1.34	S	0.07	S	0.07	S	0.26	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	11.09	S	3.13	S	0.94	NS	0.94	NS	4.13	S
Caucasian Female	0.00	S	0.50	S	13.69	S	13.69	S	6.34	S
Total M/W/DBE	8.22	S	2.45	S	4.25	S	4.25	S	4.70	S
D&B MWBE	0.00	S	0.19	S	0.07	S	0.07	S	0.06	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.207.
Pure Prime + Sub Contract Utilization vs. RWASM Availability Level 3
Federal
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.00	S	1.15	S	0.95	S	1.21	S	0.54	S
African American	25.22	S	0.00	S	0.00	S	0.00	S	11.78	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	11.35	S	0.00	S	0.00	S	0.00	S	5.30	S
Caucasian Female	0.00	S	0.81	NS	6.62	S	0.00	S	2.68	S
Total M/W/DBE	8.41	S	0.21	S	1.72	S	0.00	S	4.62	S
D&B MWBE	0.00	S	0.45	S	0.15	S	0.00	S	0.11	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.208.

Appendix B

Additional Statistical Tables

Pure Prime + Sub Contract Utilization vs. <i>RWA</i> SM Availability Level 3										
Non Federal										
Professional Services										
Bay Area Rapid Transit District										
Relevant Market; FY 2011-FY 2014										
State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.21	S	0.62	S	0.25	S	1.04	S	0.52	S
African American	0.00	S	10.67	S	3.98	S	0.00	S	4.56	S
Asian American	0.00	S	0.00	S	0.00	S	5.90	S	1.27	S
Hispanic American	0.00	S	2.34	S	0.14	S	0.00	S	0.60	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.00	S	5.45	S	1.83	S	1.62	S	2.57	S
Caucasian Female	0.00	S	0.27	S	20.39	S	0.00	S	11.21	S
Total M/W/DBE	0.00	S	4.10	S	6.64	S	1.20	S	4.81	S
D&B MWBE	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.209.
Pure Prime Contract Utilization vs. RWASM Availability Level 3
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.03	S	0.91	NS	0.61	S	1.06	NS	0.57	S
African American	24.54	S	6.24	S	2.12	NS	0.00	NS	8.08	S
Asian American	0.00	NS	0.00	NS	0.00	NS	5.26	S	0.59	NS
Hispanic American	0.00	NS	0.00	NS	0.07	NS	0.00	NS	0.03	NS
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	11.04	S	2.81	S	0.98	NS	1.45	NS	3.81	S
Caucasian Female	0.00	NS	0.00	NS	13.24	S	0.00	NS	6.33	S
Total M/W/DBE	8.18	S	2.08	S	4.15	S	1.07	NS	4.46	S
D&B MWBE	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.210.
Purchase Orders Utilization vs. *RWASM* Availability Level 3
Federal
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.92	S	1.11	S	1.12	S	0.94	S	1.01	S
African American	3.59	S	0.12	S	0.62	S	3.15	S	2.11	S
Asian American	0.00	S	0.81	S	0.00	S	0.04	S	0.19	S
Hispanic American	0.00	S	0.96	NS	0.34	S	0.57	S	0.42	S
Total MBE	1.61	S	0.54	S	0.37	S	1.58	S	1.12	S
Caucasian Female	0.06	S	0.12	S	0.09	S	0.03	S	0.07	S
Total M/W/DBE	1.21	S	0.43	S	0.30	S	1.18	S	0.85	S
D&B MWBE	1.70	S	0.59	S	0.71	S	1.51	S	1.21	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.211.
Purchase Orders Utilization vs. *RWASM* Availability Level 3
Non-federal
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.73	S	0.88	S	1.14	S	1.00	S	1.02	S
African American	8.64	S	6.44	S	1.25	S	4.31	S	3.48	S
Asian American	0.00	S	0.14	S	0.04	S	0.00	S	0.04	S
Hispanic American	0.12	S	0.04	S	0.03	S	0.14	S	0.06	S
Total MBE	3.91	S	2.95	S	0.58	S	1.97	S	1.59	S
Caucasian Female	0.90	S	0.13	S	0.07	S	0.10	S	0.21	S
Total M/W/DBE	3.13	S	2.22	S	0.45	S	1.49	S	1.23	S
D&B MWBE	0.51	S	0.21	S	0.08	S	0.01	S	0.16	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.212.
Payments Utilization vs. RWASM Availability Level 3
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.99	S	0.95	S	0.89	S	0.82	S	0.91	S
African American	1.99	S	4.53	S	5.74	S	7.00	S	4.88	S
Asian American	0.00	S	0.21	S	0.12	S	0.01	S	0.10	S
Hispanic American	0.15	S	0.31	S	0.14	S	0.42	S	0.26	S
Total MBE	0.94	S	2.18	S	2.65	S	3.27	S	2.30	S
Caucasian Female	0.75	S	0.09	S	0.19	S	0.12	S	0.24	S
Total M/W/DBE	0.89	S	1.63	S	2.01	S	2.45	S	1.76	S
D&B MWBE	1.42	S	0.42	S	0.41	S	0.52	S	0.63	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.213.
Payments Utilization vs. RWASM Availability Level 3
Federal
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.89	S	0.87	S	1.06	S	1.09	S	0.99	S
African American	0.00	S	4.18	S	1.60	S	0.80	S	2.00	S
Asian American	0.00	S	0.63	S	0.23	S	0.02	S	0.27	S
Hispanic American	0.00	S	0.94	S	0.29	S	0.65	S	0.55	S
Total MBE	0.00	S	2.31	S	0.86	S	0.54	S	1.12	S
Caucasian Female	0.17	S	0.12	S	0.08	S	0.04	S	0.09	S
Total M/W/DBE	0.04	S	1.75	S	0.66	S	0.41	S	0.86	S
D&B MWBE	4.77	S	1.27	S	0.80	S	0.89	S	1.41	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.214.
Payments Utilization vs. RWASM Availability Level 3
Non Federal
Professional Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.02	S	0.98	S	0.72	S	0.57	S	0.87	S
African American	2.59	S	4.69	S	9.88	S	12.80	S	6.69	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.20	S	0.00	S	0.00	S	0.20	S	0.08	S
Total MBE	1.22	S	2.11	S	4.44	S	5.81	S	3.03	S
Caucasian Female	0.93	S	0.07	S	0.30	S	0.20	S	0.34	S
Total M/W/DBE	1.14	S	1.58	S	3.37	S	4.36	S	2.33	S
D&B MWBE	0.41	S	0.01	S	0.02	S	0.17	S	0.13	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.215.

Appendix B

Additional Statistical Tables

Pure Prime + Sub Contract Utilization vs. <i>RWA</i> SM Availability Level 3 Other Services Bay Area Rapid Transit District Relevant Market; FY 2011-FY 2014										
State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.20	S	1.13	S	1.16	S	0.77	S	1.10	S
African American	0.00	S	1.52	S	0.00	S	3.50	S	0.68	S
Asian American	0.00	S	0.00	S	0.33	S	0.00	S	0.24	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.00	S	0.99	NS	0.04	S	2.27	S	0.47	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.80	S	0.03	S	1.83	S	0.38	S
D&B MWBE	0.00	S	0.00	S	0.29	S	2.42	S	0.58	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.216.
Pure Prime + Sub Contract Utilization vs. RWASM Availability Level 3
Federal
Other Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.00	S	0.96	S	1.19	S	0.00	S	1.18	S
African American	0.00	S	5.30	S	0.00	S	0.00	S	0.30	S
Asian American	0.00	S	0.00	S	0.55	NS	0.00	S	0.52	NS
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.00	S	3.43	S	0.07	S	0.00	S	0.25	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	2.78	S	0.05	S	0.00	S	0.21	S
D&B MWBE	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.217.

Appendix B

Additional Statistical Tables

Pure Prime + Sub Contract Utilization vs. <i>RWA</i> SM Availability Level 3										
Non Federal										
Other Services										
Bay Area Rapid Transit District										
Relevant Market; FY 2011-FY 2014										
State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.20	S	1.20	S	1.12	S	0.77	S	1.03	S
African American	0.00	S	0.00	S	0.00	S	3.50	S	0.99	NS
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.00	S	0.00	S	0.00	S	2.27	S	0.64	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.00	S	0.00	S	1.83	S	0.52	S
D&B MWBE	0.00	S	0.00	S	0.74	S	2.42	S	1.06	NS

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.218.
Pure Prime Contract Utilization vs. RWASM Availability Level 3
Other Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.20	S	1.20	S	1.16	S	0.77	S	1.11	NS
African American	0.00	NS	0.00	NS	0.00	NS	3.50	S	0.55	NS
Asian American	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS
Hispanic American	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.00	NS	0.00	NS	0.00	NS	2.27	S	0.36	NS
Caucasian Female	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS
Total M/W/DBE	0.00	S	0.00	S	0.00	S	1.83	NS	0.29	NS
D&B MWBE	0.00	S	0.00	S	0.29	NS	2.42	S	0.59	NS

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.219.
Purchase Orders Utilization vs. *RWASM* Availability Level 3
Federal
Other Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.54	S	1.01	NS	1.07	S	0.75	S	0.86	S
African American	0.00	S	0.00	S	0.24	S	0.00	S	0.05	S
Asian American	0.00	S	0.00	S	0.00	S	2.48	S	1.00	NS
Hispanic American	39.58	S	0.00	S	0.00	S	0.00	S	4.45	S
Total MBE	9.28	S	0.00	S	0.16	S	0.29	S	1.19	S
Caucasian Female	0.00	S	0.35	S	0.00	S	0.00	S	0.09	S
Total M/W/DBE	7.51	S	0.07	S	0.13	S	0.24	S	0.98	NS
D&B MWBE	0.08	S	1.68	S	1.06	S	3.85	S	2.24	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.220.

Appendix B

Additional Statistical Tables

Purchase Orders Utilization vs. <i>RWA</i> SM Availability Level 3										
Non Federal										
Other Services										
Bay Area Rapid Transit District										
Relevant Market; FY 2011-FY 2014										
State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.18	S	1.12	S	1.00	NS	0.75	S	1.02	S
African American	0.34	S	0.00	S	1.64	S	0.00	S	1.09	S
Asian American	0.00	S	0.00	S	0.00	S	35.16	S	2.59	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.22	S	0.00	S	1.06	S	4.15	S	1.01	NS
Caucasian Female	0.00	S	0.39	S	0.00	S	0.00	S	0.07	S
Total M/W/DBE	0.18	S	0.07	S	0.86	S	3.36	S	0.83	S
D&B MWBE	0.00	S	0.63	S	1.10	S	1.45	S	0.92	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.221.
Payments Utilization vs. *RWA*SM Availability Level 3

Appendix B

Additional Statistical Tables

Other Services Bay Area Rapid Transit District Relevant Market; FY 2011-FY 2014										
State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.16	S	1.11	S	1.07	S	1.00	S	1.05	S
African American	0.08	S	0.00	S	0.30	S	1.81	S	0.92	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.05	S	0.00	S	0.20	S	1.17	S	0.59	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.04	S	0.00	S	0.16	S	0.95	S	0.48	S
D&B MWBE	0.32	S	0.77	S	1.00	NS	1.08	S	0.96	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.222.
Payments Utilization vs. RWASM Availability Level 3
Federal
Other Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.03	S	1.03	S	1.06	S	1.05	S	1.06	S
African American	0.00	S	0.00	S	0.34	S	0.03	S	0.14	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.00	S	0.00	S	0.22	S	0.02	S	0.09	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.00	S	0.00	S	0.18	S	0.02	S	0.07	S
D&B MWBE	1.55	S	1.55	S	1.06	S	1.31	S	1.17	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.223.
Payments Utilization vs. RWASM Availability Level 3
Non Federal
Other Services
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

State of California										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.19	S	1.20	S	1.13	S	0.82	S	1.01	S
African American	0.10	S	0.00	S	0.00	S	7.50	S	3.46	S
Asian American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total MBE	0.07	S	0.00	S	0.00	S	4.85	S	2.24	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.05	S	0.00	S	0.00	S	3.93	S	1.81	S
D&B MWBE	0.00	S	0.00	S	0.57	S	0.35	S	0.25	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.224.
Pure Prime + Sub Contract Utilization vs. *RWA*SM Availability Level 3
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.96	S	1.07	S	1.07	S	1.07	S	1.05	S
African American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Asian American	0.93	NS	0.00	S	0.00	S	0.00	S	0.16	S
Hispanic American	14.77	S	0.00	S	0.00	S	0.00	S	2.62	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	4.17	S	0.00	S	0.00	S	0.00	S	0.74	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	3.22	S	0.00	S	0.00	S	0.00	S	0.57	S
D&B MWBE	0.31	S	0.00	S	0.00	S	0.00	S	0.06	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.225.
Pure Prime + Sub Contract Utilization vs. RWASM Availability Level 3
Federal
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.07	S	1.07	S	1.07	S	1.07	S	1.07	S
African American	0.00	S	0.00	S	0.00	S	0.00	S	0.02	S
Asian American	0.06	S	0.00	S	0.00	S	0.00	S	0.00	S
Hispanic American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.02	S	0.00	S	0.00	S	0.00	S	0.01	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	0.02	S	0.00	S	0.00	S	0.00	S	0.00	S
D&B MWBE	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.226.
Pure Prime + Sub Contract Utilization vs. *RWA*SM Availability Level 3
Non Federal
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.63	S	1.07	S	1.07	S	1.07	S	1.03	S
African American	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Asian American	3.46	S	0.00	S	0.00	S	0.00	S	0.28	S
Hispanic American	57.76	S	0.00	S	0.00	S	0.00	S	4.69	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	16.26	S	0.00	S	0.00	S	0.00	S	1.32	S
Caucasian Female	0.00	S	0.00	S	0.00	S	0.00	S	0.00	S
Total M/W/DBE	12.54	S	0.00	S	0.00	S	0.00	S	1.02	NS
D&B MWBE	1.23	S	0.00	S	0.00	S	0.00	S	0.10	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.227.
Pure Prime Contract Utilization vs. RWASM Availability Level 3
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	0.95	NS	1.07	NS	1.07	NS	1.07	NS	1.05	NS
African American	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS
Asian American	0.92	NS	0.00	NS	0.00	NS	0.00	NS	0.18	NS
Hispanic American	15.35	S	0.00	NS	0.00	NS	0.00	NS	2.97	NS
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	4.32	S	0.00	NS	0.00	NS	0.00	NS	0.84	NS
Caucasian Female	0.00	NS	0.00	NS	0.00	NS	0.00	NS	0.00	NS
Total M/W/DBE	3.33	S	0.00	NS	0.00	NS	0.00	NS	0.64	NS
D&B MWBE	0.33	NS	0.00	NS	0.00	NS	0.00	NS	0.06	NS

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.228.
Purchase Orders Utilization vs. *RWA*SM Availability Level 3
Federal
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.05	S	1.06	S	1.06	S	1.03	S	1.05	S
African American	0.06	S	0.21	S	0.11	S	0.15	S	0.13	S
Asian American	0.02	S	0.07	S	0.24	S	0.79	S	0.23	S
Hispanic American	1.97	S	0.00	S	0.00	S	0.05	S	0.44	S
Total MBE	0.54	S	0.11	S	0.13	S	0.36	S	0.25	S
Caucasian Female	0.00	S	0.03	S	0.03	S	0.03	S	0.03	S
Total M/W/DBE	0.42	S	0.09	S	0.11	S	0.29	S	0.20	S
D&B MWBE	0.18	S	0.16	S	0.24	S	0.86	S	0.29	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Table B.229.

Appendix B

Additional Statistical Tables

Purchase Orders Utilization vs. <i>RWASM</i> Availability Level 3										
Non Federal Procurement										
Bay Area Rapid Transit District										
Relevant Market; FY 2011-FY 2014										
Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.02	S	1.01	S	1.01	S	1.04	S	1.02	S
African American	0.55	S	2.04	S	0.72	S	0.06	S	0.86	S
Asian American	1.02	NS	1.31	S	1.60	S	0.58	S	1.07	S
Hispanic American	1.13	S	0.00	S	0.06	S	0.00	S	0.25	S
Other American	0.00	ND	0.00	ND	0.00	ND	0.00	ND	0.00	ND
Total MBE	0.88	S	1.24	S	0.88	S	0.24	S	0.78	S
Caucasian Female	0.00	S	0.31	S	0.00	S	0.00	S	0.09	S
Total M/W/DBE	0.68	S	1.03	S	0.68	S	0.18	S	0.62	S
D&B MWBE	0.74	S	0.61	S	0.95	S	0.48	S	0.66	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 – Statistically Significant Underutilization;
Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 – Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.230.
Payments Utilization vs. RWASM Availability Level 3
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.03	S	1.02	S	1.03	S	1.04	S	1.03	S
African American	0.45	S	1.31	S	0.32	S	0.19	S	0.52	S
Asian American	0.70	S	0.79	S	0.93	S	0.49	S	0.70	S
Hispanic American	0.76	S	0.93	S	0.90	S	0.42	S	0.71	S
Total MBE	0.63	S	1.03	S	0.70	S	0.37	S	0.64	S
Caucasian Female	0.00	S	0.19	S	0.06	S	0.01	S	0.06	S
Total M/W/DBE	0.48	S	0.84	S	0.55	S	0.29	S	0.51	S
D&B MWBE	0.57	S	0.65	S	0.68	S	0.48	S	0.59	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.231.
Payments Utilization vs. RWASM Availability Level 3
Federal
Procurement
Bay Area Rapid Transit District
Relevant Market; FY 2011-FY 2014

Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.05	S	1.03	S	1.04	S	1.04	S	1.04	S
African American	0.31	S	0.35	S	0.15	S	0.29	S	0.25	S
Asian American	0.17	S	0.11	S	0.65	S	0.45	S	0.43	S
Hispanic American	0.14	S	1.76	S	0.02	S	0.03	S	0.34	S
Total MBE	0.21	S	0.63	S	0.31	S	0.28	S	0.35	S
Caucasian Female	0.00	S	0.04	S	0.07	S	0.03	S	0.04	S
Total M/W/DBE	0.16	S	0.49	S	0.25	S	0.23	S	0.28	S
D&B MWBE	0.29	S	0.71	S	0.57	S	0.50	S	0.54	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M³ Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

Appendix B

Additional Statistical Tables

Table B.232. Payments Utilization vs. <i>RWASM</i> Availability Level 3 Non Federal Procurement Bay Area Rapid Transit District Relevant Market; FY 2011-FY 2014										
Nationwide										
Ethnicity	2011		2012		2013		2014		Period	
	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.	Ratio	Sign.
Non- M/W/DBE	1.02	S	1.01	S	0.99	S	1.04	S	1.02	S
African American	0.52	S	2.02	S	0.71	S	0.06	S	0.83	S
Asian American	0.98	NS	1.31	S	1.57	S	0.56	S	1.04	S
Hispanic American	1.07	S	0.32	S	2.90	S	1.00	NS	1.15	S
Total MBE	0.84	S	1.32	S	1.61	S	0.49	S	1.00	NS
Caucasian Female	0.00	S	0.31	S	0.00	S	0.00	S	0.09	S
Total M/W/DBE	0.65	S	1.09	S	1.24	S	0.38	S	0.79	S
D&B MWBE	0.71	S	0.61	S	0.94	S	0.46	S	0.64	S

Source: BART Procurement, BART PeopleSoft Financial Management Information System, BART VPTS Data; BART On-Call Data; M² Consulting
 Significance is S and Ratio is Greater than 1—Statistically Significant Overutilization;; Significance is S and Disparity Ratio is Less than 1 –
 Statistically Significant Underutilization;
 Significance is NS and Ratio is Greater than 1—Overutilized, but not Statistically Significant; Significance is NS and Disparity Ratio is Less than 1 –
 Underutilized,, but not Statistically Significant;
 ND: Not Defined

APPENDIX C: SURVEY INSTRUMENT AND TABLES

C.1 SURVEY INSTRUMENT

S1. Just to confirm, does your company offer products or services that BART is likely to contract for?

Yes	1
No	2
Not sure/Don't know	9

(IF S1=2 SKIP TO TERMINATION SCREEN, OTHERWISE CONTINUE.)



Thank you for agreeing to take part in our survey, hosted by independent research firms Miller³ Consulting, Inc. and Q & A Research to ensure the strictest of confidence and anonymity for this survey. As mentioned, the survey should only take about 10 to 15 minutes to complete.

Section 1: Business Background and Owner Experience

1. Has your company contracted with any of the following public entities in the past five years? Please answer "yes" or "no" to each.

	<u>Yes</u>	<u>No</u>
a. BART	1	2
b. Other Public Sector agencies <u>in California</u>	1	2
c. Other Public Sector agencies <u>outside of California</u>	1	2
d. Private Sector agencies/companies	1	2

(ASK Q2 ONLY IF Q1A=1, OTHERWISE SKIP TO Q2A.)

2. How long ago did your company first contract with BART?

0 to 3 years	1
4 to 7 years	2
8 to 10 years	3
Over 10 years	4

Appendix C Survey Instrument and Tables

(ASK Q2A ONLY IF Q1B=1 OR Q1C = 1 , OTHERWISE SKIP TO Q2B.)

2a. How long ago did your company first contract with any Public Sector agency?

0 to 3 years	1
4 to 7 years	2
8 to 10 years	3
Over 10 years	4

(ASK Q2B ONLY IF Q1D=1, OTHERWISE SKIP TO Q3.)

2b. How long ago did your company first contract with any Private Sector agency/company?

0 to 3 years	1
4 to 7 years	2
8 to 10 years	3
Over 10 years	4

3. What type of organization is your company?

Sole Proprietorship	01
Partnership	02
LLC	03
Corporation	04
Subchapter S Corporation	05
Other, please specify: _____	98

4. In which zip code is your company headquartered? _____

5. Which one of the following industries best categorizes what your company does? **(ACCEPT ONLY ONE.)**

Architecture & Engineering	01
Construction	02
Construction Management	03
Professional Services	04
Technical Services and Other	
Non-Professional Services	05
Goods and Supplies	06
Other, please specify: _____	98

6. How many full-time, full-year employees does your company have presently across all locations it controls and operates? Your best estimate is fine.

10 or less	1
11-50	2
51-200	3
201-1000	4
More than 1000	5

7a. In which year was your company established? _____

Appendix C Survey Instrument and Tables

7b. When your company was established, was it...?

A startup	01
A buy-out of a previously existing enterprise	02
Other, please specify: _____	98

(ASK Q8 ONLY IF A START UP [Q7B=1] AND NOT A CORPORATION [Q3 =04, OTHERWISE SKIP TO SECTION 2 – BUSINESS CAPACITY AND Q18.]

8. Which of the following categories best describes your company's total initial capital investment for startup? Your best estimate is fine.

None	1
\$1 to less than \$10,000	2
\$10,000 to less than \$25,000	3
\$25,000 to less than \$50,000	4
\$50,000 to less than \$100,000	5
\$100,000 to less than \$250,000	6
\$250,000 to less than \$500,000	7
\$500,000 or more	8

(ASK Q9 ONLY IF NO INITIAL CAPITAL INVESTMENT [Q8=1], OTHERWISE SKIP TO Q10.)

9. What sources of funding were used as start-up capital for your company? Please select all that apply.

Self/Home	01
Family/Friends	02
Financial Institution - Bank	03
Financial Institution – Credit Union	04
Contract	05
Other, please specify: _____	98

(ASK 9B IF Q9=03 OR 04, OTHERWISE SKIP TO Q10.)

9b. You mentioned a financial institution was used as a source of funding for your company. To the best of your knowledge, were any a minority owned financial institution?

Yes	1
No	2
I don't know	9

10. How much of your company, if any, is owned and controlled by one or more women?

None	1
1% up to 20%	2
21% up to 50%	3
51% up to 75%	4
More than 75%	5

Appendix C Survey Instrument and Tables

11. Is at least 51% of your firm owned and controlled by a member of one of the following racial/ethnic/gender groups? Please select which group.

African American/Black (not of Hispanic origin)	01
Hispanic (of Latin American descent)	02
Asian or Pacific Islander	03
Caucasian/White Male (not of Hispanic origin)	04
Caucasian/White Female (not of Hispanic origin)	05
Native American (i.e., American Indian) or Alaskan Native	06
Other, please specify: _____	98
My firm is not majority owned and controlled by a member of any racial/ethnic/gender group	96

For the next few questions, we would like to know more about the background of your company's owner. They may hold a title such as Principals, President or CEO. If more than one owner, please choose to profile one of the principals that is most active in day-to-day operations.

12. What is the highest degree or level of education that your principal has completed?

Some high school or less	1
Graduated from high school or equivalent	2
Some college or associate degree	3
Graduated college	4
Post-graduate work or degree	5

13. Prior to the principal's involvement with your company, did he or she ever work in the same profession that the company specializes in presently?

Yes	1
No	2
Don't know	9

(ASK Q14 ONLY IF WORKED IN SAME PROFESSION [Q13=1], OTHERWISE SKIP TO Q15.)

14. How many years did the principal work in this professional area? Your best estimate is fine.

Less than 5 years	1
5 to less than 10 years	2
10 to less than 15 years	3
15 to less than 20 years	4
More than 20 years	5

15. Prior to the principal's involvement with your company, did he or she ever work in a managerial or supervisory capacity?

Yes	1
No	2
Don't know	9

(ASK Q16 ONLY IF WORKED IN MANAGERIAL/SUPERVISORY CAPACITY [Q15=1], OTHERWISE SKIP TO Q17.)

16. How many years did the principal work in a managerial or supervisory capacity?

Less than 5 years	1
5 to less than 10 years	2

Appendix C
Survey Instrument and Tables

10 to less than 15 years	3
15 to less than 20 years	4
More than 20 years	5

17. Prior to his or her involvement with this firm, for which of the following, if any, did the principal have relevant industry experience to what your company offers in terms of products or services?

Private Sector	1
Public Sector	2
Both Public and Private Sector	3
None of the above	4

Section 2: Business Capacity

18. Which of the following categories best describes you company’s total gross receipts from all sources for Fiscal Year (FY) 2014?

Less than \$100,000	01
\$100,000 to less than \$200,000	02
\$200,000 to less than \$300,000	03
\$300,000 to less than \$500,000	04
\$500,000 to less than \$1,000,000	05
\$1,000,000 to less than \$2,500,000	06
\$2,500,000 to less than \$5,000,000	07
\$5,000,000 to less than \$10,000,000	08
\$10,000,000 or more	09

19. Which, if any, of the following has your company applied for in the past 5 years?

Bond	1
Loan/Line of credit	2
Both a bond and loan/Line of credit	3
None of the above	4

(ASK Q20 ONLY IF APPLIED FOR BOND OR BOTH BOND AND LOAN/LINE OF CREDIT [Q19=1 OR 3], OTHERWISE SKIP TO Q22.)

20. How many times in the past 5 years has your company applied for a bond?
 _____ **Times**

21. How many times in the past 5 years has your company been denied for a bond?
 _____ **Times (MUST NOT EXCEED NUMBER AT Q20)**

(ASK Q22 ONLY IF APPLIED FOR LOAN/LINE OF CREDIT [Q19=2 OR 3], OTHERWISE SKIP TO Q25.)

22. How many times in the past 5 years has your company applied for a loan/line of credit?
 _____ **Times**

23. How many times in the past 5 years has your company been denied for a loan/line of credit?

Appendix C Survey Instrument and Tables

_____ Times (MUST NOT EXCEED NUMBER AT Q22)

24. What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years? Please select all that apply.

Bank/Financial institution manager's attitude	01
Loan application process	02
Pricing (interest rate charged or other terms of the loan)	03
Other, please specify: _____	98
No challenges at all	96

(ASK Q25 ONLY IF BOND OR BOTH BOND AND LOAN/LINE OF CREDIT [Q19=01 OR 03], OTHERWISE SKIP TO Q27.)

25. Which of the following categories best describes your company's largest bond acquisition in the past 5 years?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10
Not applicable	96

26. Which of the following programs to obtain company funding/financing, if any, has your company used in the past 5 years? Please select all that apply. **(ACCEPT MULTIPLES)**

Government assistance programs	01
Small business loan programs	02
Micro loan programs	03
Bond programs	04
Other, please specify: _____	98
None of the above	96

Appendix C Survey Instrument and Tables

27. In the past 2 years, has your company **bid** (or supplied a quote or a proposal) as a prime contractor (consultant) on contracts in or with any of the following? Please select all that apply. **(ACCEPT MULTIPLES)**

BART	01
Other Public Sector agencies <u>in California</u>	02
Other Public Sector agencies <u>outside of California</u>	03
Private Sector agencies/companies	04
None of the above	96

(ASK Q28 ONLY IF NONE OF THE ABOVE NOT SELECTED AT Q27 [Q27=96], OTHERWISE SKIP TO Q29.) (ONLY SHOW ANSWERS SELECTED AT Q27).

28. In the past 2 years, has your company **won** a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following? Please select all that apply. **(ACCEPT MULTIPLES)**

BART	01
Other Public Sector agencies <u>in California</u>	02
Other Public Sector agencies <u>outside of California</u>	03
Private Sector agencies/companies	04
None of the above	96

29. In the past 2 years, has your company **bid** (or supplied a quote or a proposal) as a subcontractor (sub-consultant) on contracts in or with any of the following? Please select all that apply.

BART	01
Other Public Sector agencies <u>in California</u>	02
Other Public Sector agencies <u>outside of California</u>	03
Private Sector agencies/companies	04
None of the above	96

(ASK Q30 ONLY IF NONE OF THE ABOVE NOT SELECTED AT Q29 [Q29=96], OTHERWISE SKIP TO Q31.) (ONLY SHOW ANSWERS SELECTED AT Q29).

30. In the past 2 years, has your company **won** a contract or been awarded a contract as a subcontractor (sub-consultant) for any of the following? Please select all that apply. **(ACCEPT MULTIPLES)**

BART	01
Other Public Sector agencies <u>in California</u>	02
Other Public Sector agencies <u>outside of California</u>	03
Private Sector agencies/companies	04
None of the above	96

Appendix C Survey Instrument and Tables

(ASK Q30B IF Q30=02, OTHERWISE SKIP TO Q31.)

30b. You mentioned that in the past 2 years, your company won a contract or was awarded a contract as a subcontractor for other Public Sector agencies in California. Which other Public Sector agencies in California awarded you a contract?

(ASK Q31 ONLY IF NONE OF THE ABOVE NOT SELECTED AT Q27 OR Q29 (Q27=96 OR Q29=96, OTHERWISE SKIP TO Q32.)

31. Which of the following categories best describes the average bid range that your company has submitted in the past 2 years?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

(ASK Q32 ONLY IF WON A CONTRACT AT BART AS PRIME [Q28=1], OTHERWISE SKIP TO Q33.)

32. Which of the following categories best describes the single largest contract dollar award received as a prime contractor (consultant) from BART?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

**(ASK Q33 ONLY IF WON A CONTRACT AT BART AS SUBCONTRACTOR [Q30=1],
OTHERWISE SKIP TO Q34.)**

33. Which of the following categories best describes the single largest contract dollar award received as a subcontractor (sub-consultant) for a BART contract?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

**(ASK Q34 ONLY IF WON A CONTRACT WITH PRIVATE SECTOR AGENCIES/COMPANIES AS A
PRIME [Q28=4], OTHERWISE SKIP TO Q35.)**

34. Which of the following categories best describes the single largest contract dollar award received as a prime contractor from a Private Sector agency or company?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

**(ASK Q35 ONLY IF WON A CONTRACT WITH PRIVATE SECTOR AGENCIES/COMPANIES
AS A SUBCONTRACTOR [Q30=4], OTHERWISE SKIP TO Q36.)**

35. Which of the following categories best describes the single largest contract dollar award received as a subcontractor from a Private Sector agency or company?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

(ASK Q36 ONLY IF WON A CONTRACT WITH OTHER PUBLIC AGENCY AS PRIME [Q28=2 OR 3], OTHERWISE SKIP TO Q37.)

36. Which of the following categories best describes the single largest contract dollar award received by your company as a prime contractor from a Public Sector agency or company?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

(ASK Q37 ONLY IF WON A CONTRACT WITH OTHER PUBLIC AGENCY AS SUBCONTRACTOR [Q30=2 OR 3], OTHERWISE SKIP TO Q38.)

37. Which of the following categories best describes the single largest contract dollar award received by your company as a subcontractor from a Public Sector agency or company?

Less than \$25,000	01
\$25,000 to less than \$50,000	02
\$50,000 to less than \$100,000	03
\$100,000 to less than \$250,000	04
\$250,000 to less than \$500,000	05
\$500,000 to less than \$1,000,000	06
\$1,000,000 to less than \$2,500,000	07
\$2,500,000 to less than \$5,000,000	08
\$5,000,000 to less than \$10,000,000	09
More than \$10,000,000	10

(PROGRAMMER NOTE: PLEASE SHOW BOTH Q38 AND Q39 ON THE SAME PAGE)

38. BART administers a program targeted to promote inclusion of DBEs. What is the general consensus of opinion in your company's leadership as to the general fairness of this policy?

Very fair	5
Somewhat fair	4
About the same	3
Somewhat unfair	2
More unfair	1
No opinion	9

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(ASK Q39 IF Q38=1 OR 2, OTHERWISE SKIP TO Q38A.)

39. Please elaborate on your answer.

(PROGRAMMER NOTE: PLEASE SHOW BOTH Q38A AND Q39A ON THE SAME PAGE)

38A. BART administers a program targeted to promote inclusion of SBEs. What is the general consensus of opinion in your company's leadership as to the general fairness of this policy?

Very fair	5
Somewhat fair	4
About the same	3
Somewhat unfair	2
More unfair	1
No opinion	9

(ASK Q39A IF Q38A=1 OR 2, OTHERWISE SKIP TO Q38B.)

39A. Please elaborate on your answer.

(PROGRAMMER NOTE: PLEASE SHOW BOTH Q38B AND Q39B ON THE SAME PAGE)

38B. BART administers a program targeted to discourage discrimination against MWBEs. What is the general consensus of opinion in your company's leadership as to the general fairness of this policy?

Very fair	5
Somewhat fair	4
About the same	3
Somewhat unfair	2
More unfair	1
No opinion	9

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Survey Instrument and Tables

(ASK Q39B IF Q38B=1 OR 2, OTHERWISE SKIP TO Q40.)

39B. Please elaborate on your answer.

(PROGRAMMER NOTE: PLEASE SHOW BOTH Q40 AND Q41 ON THE SAME PAGE)

40. What is the general consensus of opinion in your company's leadership as to the general fairness of BART's process of bidding and awards to DBEs currently compared to 5 years ago?

Much fairer	5
Somewhat fairer	4
About the same	3
Somewhat unfair	2
More unfair	1
No opinion	9

(ASK Q41 IF Q40=1 OR 2, OTHERWISE SKIP TO Q40A.)

41. Please elaborate on your answer.

(PROGRAMMER NOTE: PLEASE SHOW BOTH Q40A AND Q41A ON THE SAME PAGE)

40A. What is the general consensus of opinion in your company's leadership as to the general fairness of BART's process of bidding and awards to SBEs currently compared to 5 years ago?

Much fairer	5
Somewhat fairer	4
About the same	3
Somewhat unfair	2
More unfair	1
No opinion	9

Appendix C
Survey Instrument and Tables

(ASK Q41A IF Q40A=1 OR 2, OTHERWISE SKIP TO Q40B.)

41A. Please elaborate on your answer.

(PROGRAMMER NOTE: PLEASE SHOW BOTH Q40B AND Q41B ON THE SAME PAGE)

40B. What is the general consensus of opinion in your company's leadership as to the general fairness of BART's process of bidding and awards to MWBEs currently compared to 5 years ago?

Much fairer	5
Somewhat fairer	4
About the same	3
Somewhat unfair	2
More unfair	1
No opinion	9

(ASK Q41B IF Q40B=1 OR 2, OTHERWISE SKIP TO Q42B.)

41B. Please elaborate on your answer.

Appendix C
Survey Instrument and Tables

(ASK Q42 ONLY IF BID ON BART AS PRIME [Q27=1], OTHERWISE SKIP TO Q43.)

42. In general, how often, if ever, has your company experienced any of the following issues while bidding as a prime contractor for BART contracts? **(RANDOMIZE)**

	<i>Never</i>	<i>Rarely</i>	<i>Some-times</i>	<i>Fre-quent-ly</i>	<i>Always</i>	<i>N/A</i>
A. Received timely notification of bid opportunities	1	2	3	4	5	6
B. Officials followed bid procedures	1	2	3	4	5	6
C. Officials fairly evaluated bids/sub-bids	1	2	3	4	5	6
D. Contract was denied despite being lowest bidder	1	2	3	4	5	6
E. DELETED	1	2	3	4	5	6
F. Could access an Contract Administrator or OCR Analyst to obtain information	1	2	3	4	5	6
G. Experienced high bonding or insurance requirements compared to scope of work.	1	2	3	4	5	6
H. Experienced changes in contract award amount (cut or reduced work)	1	2	3	4	5	6
I. Experienced changes in scope of work, after work was started	1	2	3	4	5	6
J. Received payments too slowly as a prime contractor with BART	1	2	3	4	5	6
K. Experienced solicitation of subcontractor bids after contract awards (i.e., bid shopping, collusion etc.)	1	2	3	4	5	6
L. Experienced unfair or discriminatory treatment from BART when acting as a prime contractor during the bid process	1	2	3	4	5	6
M. Experienced unfair or discriminatory treatment from BART when acting as a prime contractor on the jobsite	1	2	3	4	5	6

Appendix C
Survey Instrument and Tables

(ASK Q43 ONLY IF BID ON BART PROJECT AS SUBCONTRACTOR [Q29=1], OTHERWISE SKIP TO Q44.)

43. In general, how often, if ever, has your company experienced any of the following issues while bidding for a subcontractor on BART projects? **(RANDOMIZE)**

	<i>Never</i>	<i>Rarely</i>	<i>Some-times</i>	<i>Fre-quent-ly</i>	<i>Always</i>	<i>N/A</i>
A. Received timely notification of bid opportunities	1	2	3	4	5	6
B. Officials followed bid procedures	1	2	3	4	5	6
C. Officials fairly evaluated sub-bids	1	2	3	4	5	6
D. Subcontract was denied despite being lowest bidder	1	2	3	4	5	6
E. Notified of being listed as a sub on a bid but not utilized on the job	1	2	3	4	5	6
F. Could access an Contract Administrator or OCR Analyst to obtain information	1	2	3	4	5	6
G. Experienced high bonding or insurance requirements compared to scope of work.	1	2	3	4	5	6
H. Experienced changes in contract award amount (cut or reduced work)	1	2	3	4	5	6
I. Experienced changes in scope of work, after work was started	1	2	3	4	5	6
J. Received payments too slowly as a subcontractor with prime contractor	1	2	3	4	5	6
K. Experienced solicitation of subcontractor bids after contract awards (i.e., bid shopping, collusion, etc.)	1	2	3	4	5	6
L. Experienced unfair or discriminatory treatment from prime when acting as a subcontractor during the bid process	1	2	3	4	5	6
M. Experienced unfair or discriminatory treatment from prime when acting as a subcontractor on the jobsite	1	2	3	4	5	6

Appendix C
Survey Instrument and Tables

44. Please use the space below to record any other comments you may wish to share on the subject of BART and bidding and award opportunities for DBEs, SBEs, MSBE, SB and MWBEs?

45. What is your job title? _____

46. If we have any modest additional questions, or need for clarification, may we contact you?

Yes

No

1

2

CONTINUE

SKIP TO CLOSE

47. Please tell us your name and phone number.

First Name: _____ Last Name: _____

Phone: _____

C.2 SURVEY TABLES

C.2.1 DEMOGRAPHICS

Table C.1.					
Just to confirm, does your company offer products or services that BART is likely to contract for?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	249	87.4	87.4	87.4
	Not sure/Don't know	36	12.6	12.6	100.0
	Total	285	100.0	100.0	

Source: Miller³ Consulting, Inc., Q & A Research, Inc.

Table C.2.					
Has your company contracted with any of the following public entities in the past five years? BART					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	76	26.7	26.7	26.7
	No	209	73.3	73.3	100.0
	Total	285	100.0	100.0	

Source: Miller³ Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

Table C.3.					
Has your company contracted with any of the following public entities in the past five years? Other Public Sector agencies in California					
Valid		Frequency	Percent	Valid Percent	Cumulative Percent
	Yes	217	76.1	76.1	76.1
No	68	23.9	23.9	100.0	
Total	285	100.0	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.4.					
Has your company contracted with any of the following public entities in the past five years? Other Public Sector agencies outside of California					
Valid		Frequency	Percent	Valid Percent	Cumulative Percent
	Yes	84	29.5	29.5	29.5
No	201	70.5	70.5	100.0	
Total	285	100.0	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.5.					
Has your company contracted with any of the following public entities in the past five years? Private Sector agencies/companies					
Valid		Frequency	Percent	Valid Percent	Cumulative Percent
	Yes	234	82.1	82.1	82.1
No	51	17.9	17.9	100.0	
Total	285	100.0	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	.00	160	56.1	56.9	56.9
	1.00	121	42.5	43.1	100.0
	Total	281	98.6	100.0	
Missing	System	4	1.4		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	African American/Black (not of Hispanic origin)	72	25.3	25.4	25.4
	Hispanic (of Latin American descent)	53	18.6	18.7	44.2
	Asian or Pacific Islander	50	17.5	17.7	61.8
	Caucasian/White Male (not of Hispanic origin)	6	2.1	2.1	64.0
	Caucasian/White Female (not of Hispanic origin)	70	24.6	24.7	88.7
	Native American (i.e., American Indian) or Alaskan Native	4	1.4	1.4	90.1
	My firm is not majority owned and controlled by a member of	21	7.4	7.4	97.5
	Other	7	2.5	2.5	100.0
Total		283	99.3	100.0	
Missing	System	2	.7		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

Table C.8. How many full-time, full-year employees does your company have presently across all locations it controls and operates?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	10 or less	189	66.3	66.3	66.3
	11-50	75	26.3	26.3	92.6
	51-200	12	4.2	4.2	96.8
	201-1000	7	2.5	2.5	99.3
	More than 1000	2	.7	.7	100.0
	Total	285	100.0	100.0	

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.9.
What is the highest degree or level of education that your principal has completed?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Some high school or less	2	.7	1.2	1.2
	Graduated from high school or equivalent	9	3.2	5.2	6.4
	Some college or associate degree	33	11.6	19.1	25.4
	Graduated college	54	18.9	31.2	56.6
	Post-graduate work or degree	75	26.3	43.4	100.0
	Total	173	60.7	100.0	
Missing	System	112	39.3		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.10.
Prior to the principal's involvement with your company, did he or she ever work in the same profession that the company specializes in presently?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	146	51.2	84.4	84.4
	No	25	8.8	14.5	98.8
	Don't know	2	.7	1.2	100.0
	Total	173	60.7	100.0	
Missing	System	112	39.3		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

Table C.11.					
How many years did the principal work in this professional area?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Less than 5 years	17	6.0	11.6	11.6
	5 to less than 10 years	26	9.1	17.8	29.5
	10 to less than 15 years	30	10.5	20.5	50.0
	15 to less than 20 years	12	4.2	8.2	58.2
	More than 20 years	61	21.4	41.8	100.0
	Total	146	51.2	100.0	

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid Missing	Yes	141	49.5	81.5	81.5
	No	29	10.2	16.8	98.3
	Don't know	3	1.1	1.7	100.0
	Total	173	60.7	100.0	
	System	112	39.3		
Total	285	100.0			

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Less than 5 years	22	7.7	15.6	15.6
	5 to less than 10 years	42	14.7	29.8	45.4
	10 to less than 15 years	32	11.2	22.7	68.1
	15 to less than 20 years	13	4.6	9.2	77.3
	More than 20 years	32	11.2	22.7	100.0
Missing	System	144	50.5		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

Table C.14.					
Prior to his or her involvement with this firm, for which of the following, if any, did the principal have relevant industry experience to what your company offers in terms of products or services?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Private Sector	53	18.6	30.6	30.6
	Public Sector	12	4.2	6.9	37.6
	Both Public and Private Sector	97	34.0	56.1	93.6
	None of the above	11	3.9	6.4	100.0
	Total	173	60.7	100.0	
Missing	System	112	39.3		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.15.					
Start-up or not					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	.00	22	7.7	7.7	7.7
	1.00	263	92.3	92.3	100.0
	Total	285	100.0	100.0	

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	None	5	1.8	2.9	2.9
	\$1 to less than \$10,000	81	28.4	46.8	49.7
	\$10,000 to less than \$25,000	38	13.3	22.0	71.7
	\$25,000 to less than \$50,000	28	9.8	16.2	87.9
	\$50,000 to less than \$100,000	10	3.5	5.8	93.6
	\$100,000 to less than \$250,000	7	2.5	4.0	97.7
	\$250,000 to less than \$500,000	1	.4	.6	98.3
	\$500,000 or more	3	1.1	1.7	100.0
	Total	173	60.7	100.0	
Missing	System	112	39.3		
Total		285	100.0		

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C Survey Instrument and Tables

Table C.17.					
Which of the following categories best describes you company's total gross receipts from all sources for Fiscal Year (FY) 2014?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Less than \$100,000	68	23.9	23.9	23.9
	\$100,000 to less than \$200,000	32	11.2	11.2	35.1
	\$200,000 to less than \$300,000	15	5.3	5.3	40.4
	\$300,000 to less than \$500,000	25	8.8	8.8	49.1
	\$500,000 to less than \$1,000,000	44	15.4	15.4	64.6
	\$1,000,000 to less than \$2,500,000	36	12.6	12.6	77.2
	\$2,500,000 to less than \$5,000,000	28	9.8	9.8	87.0
	\$5,000,000 to less than \$10,000,000	19	6.7	6.7	93.7
	\$10,000,000 or more	18	6.3	6.3	100.0
	Total	285	100.0	100.0	

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.18.								
Minority or Women owned firms * What type of organization is your company?								
		What type of organization is your company?						
		Sole Proprietorship	Partnership	LLC	Corporation	Subchapter S Corporation	Other	Total
Minority or Women owned firms	Non-SMWBE	0	0	3	18	5	1	27
	MWBE	42	2	35	56	50	1	186
	Caucasian Female Owned firm	13	2	8	24	23	0	70
Total		55	4	46	98	78	2	283

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.19. Minority or Women owned firms * Which one of the following industries best categorizes what your company does?									
		Which one of the following industries best categorizes what your company does?						Total	
		Architecture & Engineering	Construction	Construction Management	Professional Services	Technical Services and Other Non-Professional Services	Goods and Supplies		Other
Minority or Women owned firms	Non-SMWBE	3	2	2	3	2	4	11	27
	MWBE	16	38	8	60	11	17	36	186
	Caucasian Female Owned firm	3	6	3	31	3	7	17	70
Total		22	46	13	94	16	28	64	283

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.20.										
Majority Women owned firms * Which one of the following industries best categorizes what your company does?										
			Which one of the following industries best categorizes what your company does?							
			Architecture & Engineering	Construction	Construction Management	Professional Services	Technical Services and Other Non-Professional Services	Goods and Supplies	Other	Total
Majority Women Owned Firms	Not Majority women owned (0 % to 50 %)	Count	18	35	8	37	12	15	35	160
		% within Majority Women Owned Firms	11.3%	21.9%	5.0%	23.1%	7.5%	9.4%	21.9%	100.0%
	Majority Women owned firm (51 percent or more ownership by women)	Count	4	11	5	56	4	12	29	121
		% within Majority Women Owned Firms	3.3%	9.1%	4.1%	46.3%	3.3%	9.9%	24.0%	100.0%
Total		Count	22	46	13	93	16	27	64	281
		% within Majority Women Owned Firms	7.8%	16.4%	4.6%	33.1%	5.7%	9.6%	22.8%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.21.					
Majority Women owned firms * Start Up or Not?					
			Start-up or not		Total
			.00	1.00	
Majority Women Owned Firms	Not Majority women owned (0 % to 50 %)	Count	12	148	160
		% within Majority Women Owned Firms	7.5%	92.5%	100.0%
	Majority Women owned firm (51 percent or more ownership by women)	Count	8	113	121
		% within Majority Women Owned Firms	6.6%	93.4%	100.0%
Total		Count	20	261	281
		% within Majority Women Owned Firms	7.1%	92.9%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.22.					
Minority or Women owned firms * Start Up or Not?					
			Start-up or not		Total
			.00	1.00	
Minority or Women Owned firms	Non-SMWBE	Count	2	25	27
		% within Minority or Women Owned firms	7.4%	92.6%	100.0%
	MWBE	Count	15	171	186
		% within Minority or Women Owned firms	8.1%	91.9%	100.0%
	Caucasian Female Owned	Count	3	67	70
		% within Minority or Women Owned firms	4.3%	95.7%	100.0%
Total		Count	20	263	283
		% within Minority or Women Owned firms	7.1%	92.9%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.23.						
Majority Women owned firms * When your company was established, was it?						
			When your company was established, was it...?			Total
			A startup	A buy-out of a previously existing enterprise	Other	
Majority Women Owned Firms	Not Majority women owned (0 % to 50 %)	Count	148	3	9	160
		% within Majority Women Owned Firms	92.5%	1.9%	5.6%	100.0%
	Majority Women owned firm (51 percent or more ownership by women)	Count	113	1	7	121
		% within Majority Women Owned Firms	93.4%	.8%	5.8%	100.0%
Total		Count	261	4	16	281
		% within Majority Women Owned Firms	92.9%	1.4%	5.7%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.24.						
Minority or Women owned firms * When your company was established, was it...?						
			When your company was established, was it...?			Total
			A startup	A buy-out of a previously existing enterprise	Other	
Minority or Women Owned firms	Non-SMWBE	Count	25	1	1	27
		% within Minority or Women Owned firms	92.6%	3.7%	3.7%	100.0%
	MWBE	Count	171	2	13	186
		% within Minority or Women Owned firms	91.9%	1.1%	7.0%	100.0%
	Caucasian Female Owned	Count	67	1	2	70
		% within Minority or Women Owned firms	95.7%	1.4%	2.9%	100.0%
Total		Count	263	4	16	283
		% within Minority or Women Owned firms	92.9%	1.4%	5.7%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.25.										
Majority Women owned firms * Which of the following categories best describes your company's total initial capital investment for startup?										
			Which of the following categories best describes your company's total initial capital investment for startup?							
			None	\$1 to less than \$10,000	\$10,000 to less than \$25,000	\$25,000 to less than \$50,000	\$50,000 to less than \$100,000	\$100,000 to less than \$250,000	\$250,000 to less than \$500,000	\$500,000 or more
Majority Women Owned Firms	Not Majority women owned (0 % to 50 %)	Count	2	43	17	18	7	5	0	0
		% within Majority Women Owned Firms	2.2%	46.7%	18.5%	19.6%	7.6%	5.4%	0.0%	0.0%
	Majority Women owned firm (51 percent or more ownership by women)	Count	3	38	21	10	3	2	1	3
		% within Majority Women Owned Firms	3.7%	46.9%	25.9%	12.3%	3.7%	2.5%	1.2%	3.7%
Total		Count	5	81	38	28	10	7	1	3
		% within Majority Women Owned Firms	2.9%	46.8%	22.0%	16.2%	5.8%	4.0%	.6%	1.7%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Survey Instrument and Tables

Table C.26.											
Minority or Women owned firms * Which of the following categories best describes your company's total initial capital investment for startup?											
			Which of the following categories best describes your company's total initial capital investment for startup?								
			None	\$1 to less than \$10,000	\$10,000 to less than \$25,000	\$25,000 to less than \$50,000	\$50,000 to less than \$100,000	\$100,000 to less than \$250,000	\$250,000 to less than \$500,000	\$500,000 or more	Total
Minority or Women Owned firms	Non-SMWBE	Count	0	6	0	2	0	0	0	0	8
		% within Minority or Women Owned firms	0.0%	75.0%	0.0%	25.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	MWBE	Count	2	55	29	20	8	5	0	2	121
		% within Minority or Women Owned firms	1.7%	45.5%	24.0%	16.5%	6.6%	4.1%	0.0%	1.7%	100.0%
	Caucasian Female Owned	Count	3	20	9	6	2	2	1	1	44
		% within Minority or Women Owned firms	6.8%	45.5%	20.5%	13.6%	4.5%	4.5%	2.3%	2.3%	100.0%
Total		Count	5	81	38	28	10	7	1	3	173
		% within Minority or Women Owned firms	2.9%	46.8%	22.0%	16.2%	5.8%	4.0%	.6%	1.7%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

C.2.2 CAPACITY

Table C.27.
Minority or Women owned firms * How many times in the past 5 years has your company applied for a bond?

			How many times in the past 5 years has your company applied for a bond?																Total
			1	2	3	4	5	6	8	10	12	15	22	25	35	50	150	400	
Minority or Women owned firms	Non-SMWBE	Count	1	1	0	0	1	0	1	0	1	1	0	0	0	1	1	0	8
		% within Minority or Women owned firms	12.5 %	12.5 %	0.0 %	0.0 %	12.5 %	0.0 %	12.5 %	0.0 %	12.5 %	12.5 %	0.0 %	0.0 %	0.0 %	12.5 %	12.5 %	0.0 %	100.0%
	MWBE	Count	17	8	7	2	4	1	2	3	0	0	1	0	1	1	1	1	49
		% within Minority or Women owned firms	34.7 %	16.3 %	14.3 %	4.1 %	8.2 %	2.0 %	4.1 %	6.1 %	0.0 %	0.0 %	2.0 %	0.0 %	2.0 %	2.0 %	2.0 %	2.0 %	100.0%
	Caucasian Female Owned	Count	2	1	1	0	0	0	0	1	1	0	0	1	0	0	0	0	7
		% within Minority or Women owned firms	28.6 %	14.3 %	14.3 %	0.0 %	0.0 %	0.0 %	0.0 %	14.3 %	14.3 %	0.0 %	0.0 %	14.3 %	0.0 %	0.0 %	0.0 %	0.0 %	100.0%
Total	Count	20	10	8	2	5	1	3	4	2	1	1	1	1	2	2	1	64	
	% within Minority or Women owned firms	31.3 %	15.6 %	12.5 %	3.1 %	7.8 %	1.6 %	4.7 %	6.3 %	3.1 %	1.6 %	1.6 %	1.6 %	1.6 %	3.1 %	3.1 %	1.6 %	100.0%	

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Table C.28. Minority or Women owned firms * How many times in the past 5 years has your company been denied for a bond?								
			How many times in the past 5 years has your company been denied for a bond?					Total
			0	1	2	4	5	
Minority or Women owned firms	Non-SMWBE	Count	8	0	0	0	0	8
		% within Minority or Women owned firms	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	MWBE	Count	36	8	3	1	1	49
		% within Minority or Women owned firms	73.5%	16.3%	6.1%	2.0%	2.0%	100.0%
	Caucasian Female Owned	Count	7	0	0	0	0	7
		% within Minority or Women owned firms	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Total		Count	51	8	3	1	1	64
		% within Minority or Women owned firms	79.7%	12.5%	4.7%	1.6%	1.6%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Survey Instrument and Tables

Table C.29.											
Minority or Women owned firms * How many times in the past 5 years has your company applied for a loan/line of credit?											
			How many times in the past 5 years has your company applied for a loan/line of credit?							Total	
			1	2	3	4	5	10	15	20	
Minority or Women owned firms	Non-SMWBE	Count	6	2	0	0	1	0	0	1	10
		% within Minority or Women owned firms	60.0%	20.0%	0.0%	0.0%	10.0%	0.0%	0.0%	10.0%	100.0%
	MWBE	Count	41	17	11	5	11	2	1	0	88
		% within Minority or Women owned firms	46.6%	19.3%	12.5%	5.7%	12.5%	2.3%	1.1%	0.0%	100.0%
	Caucasian Female Owned	Count	11	6	2	0	2	0	0	0	21
		% within Minority or Women owned firms	52.4%	28.6%	9.5%	0.0%	9.5%	0.0%	0.0%	0.0%	100.0%
Total		Count	58	25	13	5	14	2	1	1	119
		% within Minority or Women owned firms	48.7%	21.0%	10.9%	4.2%	11.8%	1.7%	.8%	.8%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Survey Instrument and Tables

Table C.30.											
Minority or Women owned firms * How many times in the past 5 years has your company been denied for a loan/line of credit?											
			How many times in the past 5 years has your company been denied for a loan/line of credit?								Total
			0	1	2	3	4	5	7	11	
Minority or Women owned firms	Non-SMWBE	Count	9	1	0	0	0	0	0	0	10
		% within Minority or Women owned firms	90.0%	10.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	MWBE	Count	54	14	8	7	1	2	1	1	88
		% within Minority or Women owned firms	61.4%	15.9%	9.1%	8.0%	1.1%	2.3%	1.1%	1.1%	100.0%
	Caucasian Female Owned	Count	17	2	2	0	0	0	0	0	21
		% within Minority or Women owned firms	81.0%	9.5%	9.5%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Total		Count	80	17	10	7	1	2	1	1	119
		% within Minority or Women owned firms	67.2%	14.3%	8.4%	5.9%	.8%	1.7%	.8%	.8%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.31.
Minority or Women owned firms * What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years?

			What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years?					Total
			Bank/Financial institution manager's attitude	Loan application process	Pricing (interest rate charged or other terms of the loan)	No challenges at all	Other	
Minority or Women owned firms	Non-SMWBE	Count	1	0	0	9	0	10
		% within Minority or Women owned firms	10.0%	0.0%	0.0%	90.0%	0.0%	100.0%
	MWBE	Count	24	14	8	32	10	88
		% within Minority or Women owned firms	27.3%	15.9%	9.1%	36.4%	11.4%	100.0%
	Caucasian Female Owned	Count	5	5	3	7	1	21
		% within Minority or Women owned firms	23.8%	23.8%	14.3%	33.3%	4.8%	100.0%
Total		Count	30	19	11	48	11	119
		% within Minority or Women owned firms	25.2%	16.0%	9.2%	40.3%	9.2%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.32.						
Minority or Women owned firms * What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years?						
			What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years?			Total
			Loan application process	Pricing (interest rate charged or other terms of the loan)	Other	
Minority or Women owned firms	MWBE	Count	3	7	4	14
		% within Minority or Women owned firms	21.4%	50.0%	28.6%	100.0%
	Caucasian Female Owned	Count	1	2	2	5
		% within Minority or Women owned firms	20.0%	40.0%	40.0%	100.0%
Total		Count	4	9	6	19
		% within Minority or Women owned firms	21.1%	47.4%	31.6%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Table C.33. Minority or Women owned firms * What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years?					
			What challenges, if any, did your company encounter in attempting to secure a loan or a line of credit from a financial institution in the past 5 years?		
			Pricing (interest rate charged or other terms of the loan)	Other	Total
Minority or Women owned firms	MWBE	Count	3	1	4
		% within Minority or Women owned firms	75.0%	25.0%	100.0%
	Caucasian Female Owned	Count	1	0	1
		% within Minority or Women owned firms	100.0%	0.0%	100.0%
Total		Count	4	1	5
		% within Minority or Women owned firms	80.0%	20.0%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.34.
Minority or Women owned firms * Which of the following categories best describes your company's largest bond acquisition in the past 5 years?

			Which of the following categories best describes your company's largest bond acquisition in the past 5 years?										Total
			Less than \$25,000	\$25,000 to less than \$50,000	\$100,000 to less than \$250,000	\$250,000 to less than \$500,000	\$500,000 to less than \$1,000,000	\$1,000,000 to less than \$2,500,000	\$2,500,000 to less than \$5,000,000	\$5,000,000 to less than \$10,000,000	More than \$10,000,000	Not applicable	
Minority or Women owned firms	Non-SMWBE	Count	0	1	0	0	1	0	2	1	2	1	8
		% within Minority or Women owned firms	0.0%	12.5%	0.0%	0.0%	12.5%	0.0%	25.0%	12.5%	25.0%	12.5%	100.0%
	MWBE	Count	9	3	5	6	3	7	7	2	0	7	49
		% within Minority or Women owned firms	18.4%	6.1%	10.2%	12.2%	6.1%	14.3%	14.3%	4.1%	0.0%	14.3%	100.0%
	Caucasian Female Owned	Count	2	0	0	0	1	2	0	2	0	0	7
		% within Minority or Women owned firms	28.6%	0.0%	0.0%	0.0%	14.3%	28.6%	0.0%	28.6%	0.0%	0.0%	100.0%
Total		Count	11	4	5	6	5	9	9	5	2	8	64
		% within Minority or Women owned firms	17.2%	6.3%	7.8%	9.4%	7.8%	14.1%	14.1%	7.8%	3.1%	12.5%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

Appendix C
Survey Instrument and Tables

Table C.35. Minority or Women owned firms * Which of the following programs to obtain company funding/financing, if any, has your company used in the past 5 years?									
			Which of the following programs to obtain company funding/financing, if any, has your company used in the past 5 years?					Total	
			Government assistance programs	Small business loan programs	Micro loan programs	Bond programs	None of the above		Other, please specify
Minority or Women owned firms	Non-SMWBE	Count	0	0	0	0	7	1	8
		% within Minority or Women owned firms	0.0%	0.0%	0.0%	0.0%	87.5%	12.5%	100.0%
	MWBE	Count	2	10	2	2	32	1	49
		% within Minority or Women owned firms	4.1%	20.4%	4.1%	4.1%	65.3%	2.0%	100.0%
	Caucasian Female Owned	Count	0	1	0	1	5	0	7
		% within Minority or Women owned firms	0.0%	14.3%	0.0%	14.3%	71.4%	0.0%	100.0%
Total		Count	2	11	2	3	44	2	64
		% within Minority or Women owned firms	3.1%	17.2%	3.1%	4.7%	68.8%	3.1%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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			In the past 2 years, has your company bid (or supplied a quote or a proposal) as a prime contractor (consultant) on contracts in or with any of the following?					Total
			BART	Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/ companies	None of the above	
Minority or Women owned firms	Non-SMWBE	Count	11	7	0	2	7	27
		% within Minority or Women owned firms	40.7%	25.9%	0.0%	7.4%	25.9%	100.0%
	MWBE	Count	42	73	5	21	45	186
		% within Minority or Women owned firms	22.6%	39.2%	2.7%	11.3%	24.2%	100.0%
	Caucasian Female Owned	Count	11	32	8	2	17	70
		% within Minority or Women owned firms	15.7%	45.7%	11.4%	2.9%	24.3%	100.0%
Total		Count	64	112	13	25	69	283
		% within Minority or Women owned firms	22.6%	39.6%	4.6%	8.8%	24.4%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Survey Instrument and Tables

Table C.37.						
Minority or Women owned firms * In the past 2 years, has your company bid (or supplied a quote or a proposal) as a prime contractor (consultant) on contracts in or with any of the following?						
			In the past 2 years, has your company bid (or supplied a quote or a proposal) as a prime contractor (consultant) on contracts in or with any of the following?			
			Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/ companies	Total
Minority or Women owned firms	Non-SMWBE	Count	9	1	6	16
		% within Minority or Women owned firms	56.3%	6.3%	37.5%	100.0%
	MWBE	Count	37	19	30	86
		% within Minority or Women owned firms	43.0%	22.1%	34.9%	100.0%
	Caucasian Female Owned	Count	11	8	23	42
		% within Minority or Women owned firms	26.2%	19.0%	54.8%	100.0%
Total		Count	57	28	59	144
		% within Minority or Women owned firms	39.6%	19.4%	41.0%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Survey Instrument and Tables

Table C.38.
Minority or Women owned firms * In the past 2 years, has your company won a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following?

			In the past 2 years, has your company won a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following?					Total
			BART	Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/companies	None of the above	
Minority or Women owned firms	Non-SMWBE	Count	7	7	0	4	2	20
		% within Minority or Women owned firms	35.0%	35.0%	0.0%	20.0%	10.0%	100.0%
	MWBE	Count	16	63	4	32	26	141
		% within Minority or Women owned firms	11.3%	44.7%	2.8%	22.7%	18.4%	100.0%
	Caucasian Female Owned	Count	4	32	6	3	8	53
		% within Minority or Women owned firms	7.5%	60.4%	11.3%	5.7%	15.1%	100.0%
Total		Count	27	102	10	39	36	214
		% within Minority or Women owned firms	12.6%	47.7%	4.7%	18.2%	16.8%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Table C.39.
Minority or Women owned firms * In the past 2 years, has your company won a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following?

			In the past 2 years, has your company won a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following?			Total
			Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/companies	
Minority or Women owned firms	Non-SMWBE	Count	6	3	5	14
		% within Minority or Women owned firms	42.9%	21.4%	35.7%	100.0%
	MWBE	Count	11	9	30	50
		% within Minority or Women owned firms	22.0%	18.0%	60.0%	100.0%
	Caucasian Female Owned	Count	3	8	20	31
		% within Minority or Women owned firms	9.7%	25.8%	64.5%	100.0%
Total		Count	20	20	55	95
		% within Minority or Women owned firms	21.1%	21.1%	57.9%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Table C.40. Minority or Women owned firms * In the past 2 years, has your company won a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following?					
			In the past 2 years, has your company won a contract or been awarded a contract as a prime contractor (consultant) on contracts in or with any of the following?		
			Other Public Sector agencies outside of California	Private Sector agencies/ companies	Total
Minority or Women owned firms	Non-SMWBE	Count	4	4	8
		% within Minority or Women owned firms	50.0%	50.0%	100.0%
	MWBE	Count	4	11	15
		% within Minority or Women owned firms	26.7%	73.3%	100.0%
	Caucasian Female Owned	Count	1	7	8
		% within Minority or Women owned firms	12.5%	87.5%	100.0%
Total		Count	9	22	31
		% within Minority or Women owned firms	29.0%	71.0%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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			In the past 2 years, has your company bid (or supplied a quote or a proposal) as a subcontractor (sub-consultant) on contracts in or with any of the following?					Total
			BART	Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/ companies	None of the above	
Minority or Women owned firms	Non-SMWBE	Count	10	6	0	3	8	27
		% within Minority or Women owned firms	37.0%	22.2%	0.0%	11.1%	29.6%	100.0%
	MWBE	Count	45	77	6	10	48	186
		% within Minority or Women owned firms	24.2%	41.4%	3.2%	5.4%	25.8%	100.0%
	Caucasian Female Owned	Count	20	27	8	0	15	70
		% within Minority or Women owned firms	28.6%	38.6%	11.4%	0.0%	21.4%	100.0%
Total		Count	75	110	14	13	71	283
		% within Minority or Women owned firms	26.5%	38.9%	4.9%	4.6%	25.1%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Table C.42.
Minority or Women owned firms * In the past 2 years, has your company bid (or supplied a quote or a proposal) as a subcontractor (sub-consultant) on contracts in or with any of the following?

			In the past 2 years, has your company bid (or supplied a quote or a proposal) as a subcontractor (sub-consultant) on contracts in or with any of the following?			Total
			Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/companies	
Minority or Women owned firms	Non-SMWBE	Count	8	3	3	14
		% within Minority or Women owned firms	57.1%	21.4%	21.4%	100.0%
	MWBE	Count	43	18	29	90
		% within Minority or Women owned firms	47.8%	20.0%	32.2%	100.0%
	Caucasian Female Owned	Count	20	7	16	43
		% within Minority or Women owned firms	46.5%	16.3%	37.2%	100.0%
Total		Count	71	28	48	147
		% within Minority or Women owned firms	48.3%	19.0%	32.7%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Table C.43.
Minority or Women owned firms * In the past 2 years, has your company won a contract or been awarded a contract as a subcontractor (sub-consultant) on contracts in or with any of the following?

		In the past 2 years, has your company won a contract or been awarded a contract as a subcontractor (sub-consultant) on contracts in or with any of the following?					Total	
		BART	Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/ companies	None of the above		
Minority or Women owned firms	Non-SMWBE	Count	9	6	0	4	0	19
		% within Minority or Women owned firms	47.4%	31.6%	0.0%	21.1%	0.0%	100.0%
	MWBE	Count	24	62	7	17	28	138
		% within Minority or Women owned firms	17.4%	44.9%	5.1%	12.3%	20.3%	100.0%
	Caucasian Female Owned	Count	11	30	8	2	4	55
		% within Minority or Women owned firms	20.0%	54.5%	14.5%	3.6%	7.3%	100.0%
Total		Count	44	98	15	23	32	212
		% within Minority or Women owned firms	20.8%	46.2%	7.1%	10.8%	15.1%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

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Table C.44. Minority or Women owned firms * In the past 2 years, has your company won a contract or been awarded a contract as a subcontractor (sub-consultant) on contracts in or with any of the following?							
			In the past 2 years, has your company won a contract or been awarded a contract as a subcontractor (sub-consultant) on contracts in or with any of the following?				
			Other Public Sector agencies in California	Other Public Sector agencies outside of California	Private Sector agencies/companies	Total	
Minority or Women owned firms	Non-SMWBE	Count	6	3	3	12	
		% within Minority or Women owned firms	50.0%	25.0%	25.0%	100.0%	
	MWBE	Count	21	10	30	61	
		% within Minority or Women owned firms	34.4%	16.4%	49.2%	100.0%	
	Caucasian Female Owned	Count	10	9	20	39	
		% within Minority or Women owned firms	25.6%	23.1%	51.3%	100.0%	
	Total		Count	37	22	53	112
			% within Minority or Women owned firms	33.0%	19.6%	47.3%	100.0%

Source: Miller3 Consulting, Inc., Q & A Research, Inc.

APPENDIX D: PUBLIC INFORMATIONAL SESSIONS SUMMARY AND TRANSCRIPTS

BART held three informational meetings on December 1st and December 2nd to present the initial findings of the BART Disparity Study. Over the course of the three meetings, there were 59 participants in attendance. The meetings were held at the following locations:

- Thursday, December 1, 2016, 2:00 – 4:00 pm, Embassy Suites, Walnut Creek, CA
- Thursday, December 1, 2016, 5:00 – 7:00 pm, Alameda County Conference Center, Oakland, CA
- Friday, December 2, 2016, 11:00 – 1:00 pm, The Palace Hotel, San Francisco, CA

Several BART employees from the Office of Civil Rights were present to answer questions including Hoa Sin, Wayne Wong, Ruby Smith and Tim Lohrentz. Sherry Williams of the consulting firm Miller³ Consulting Inc. provided a presentation on the BART Disparity Study and answered questions. A Certified Shorthand Reporter (CSR) was also in attendance to capture verbatim comments made during the discussion portion of the information session. A staff person from MIG, Inc. provided logistical support and took notes so as to be able to prepare the summary of the information sessions.

Attached is a summary of comments and concerns expressed by attendees at the three session, as well as a transcript of the comments portion of the informational session.



BART Disparity Study Public Information Sessions
December 2016

S U M M A R Y

Introduction

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BART Disparity Study Presentation

Sherry Williams of Miller³ Consulting Inc., the consulting firm commissioned to conduct the disparity study, made a presentation that included a review of the history of disparity studies and the existing Federal and statewide regulatory framework for conducting such studies. Ms. Williams then reviewed the methodology that Miller³ Consulting Inc. used for BART's Disparity Study, including how they determined the relevant market and how availability of women, disadvantaged, and minority-owned businesses (W/D/MBE) were identified. From there, she reviewed the results of their analysis, explained how disparity is computed and pointed out several trends in W/D/MBE contracting with BART. After explaining the statistical analysis that was done for the disparity study, Ms. Williams shared the anecdotal findings from the study that were gathered through interviews conducted with local firms.

Ms. Williams ended her presentation with a list of recommendations for improving the utilization of small, minority, woman, and disadvantaged-owned businesses for contracts awarded by BART. Upon completion of her presentation, the floor was opened for a question and answer period.

Participant Comments

Sherry Williams opened the meeting to questions regarding the BART Disparity Study presentation and general comments on the topic. For the meetings held in Oakland and San Francisco, Wayne Wong, Department Manager of BART's Office of Civil Rights joined Sherry Williams to answer audience questions. A summary of those comments is outlined below, and responses noted are in italics.

Prime and Subcontractor Relationship

- Prime and subcontractor communication is not always open and transparent. Participants noted times when primes are not always willing to tell a subcontractor if they are listed on an application. In addition, sometimes a prime lists a subcontractor in their bid on BART projects, and then the subcontractor never hears from the prime again.
- For banking procurements, it is hard for subcontractors to partner with multiple primes (which would increase their chances of winning the bid) because it is against the prime's best interest to share bidding amount with someone that might tell another prime.
- Participants requested clarification on BART's procedures for following up on contracts at the subcontract level.

- *Onsite monitoring to ensure that the work that was scoped for the subcontract level matches the work being performed.*
- *Review of certified payroll reports.*
- *BART noted that, there are a lot of contracts and BART cannot keep track of all of them at the level that they would like. If you, as a subcontractor, have a problem with a prime contractor, contact BART.*
- Participants explained there are times that their business gets listed on a bid as a subcontractor without ever being solicited from the prime and then are later asked to perform the scope of work included in the contract. People agreed that more oversight was needed from BART. They noted that they, as W/D/MBEs were being listed to meet contracting standards, but then were being used only to buy material, which is an abuse of the system by big firms.
 - *BART can look at setting up a system to reach out to subcontractors listed on contracts to verify amounts and scopes of work.*
 - *During bidding, BART can have the subcontractor and the prime sign a letter of intent.*
- Many participants expressed frustration over large firms being unwilling to break out smaller scopes of work for subcontractors.
 - *BART has begun to unbundle some larger projects so that W/D/MBEs can bid directly on projects.*
- Business owners expressed that the matchmaking sessions with big firms are not as useful as they used to be because decision-makers do not attend, at the same time primes complain because they say that they meet the same people.
 - *BART should do outreach to get new interest.*

Bid Opportunities

- In construction, the bid is only weighed on being the least expensive. This does not give leeway for small subcontractors or construction firms that need to be paid regularly and on time to be financially stable.
 - *It is important for minority firms to sit down with the Office of Civil Rights, so that staff there can better understand what is going on.*
- People expressed interest in finding out about smaller projects that are put out to bid
 - *Look on the BART website.*
 - *Emails sent to DBE lists.*
 - Several people noted that they are on these lists, but that they never receive information about small projects to bid on.
 - Many noted that going through the certification process feel like an empty exercise because they submit all the required documentation and then are never given the chance to bid on jobs.

- Several business owners also expressed frustration over the use of informal contracting techniques that do not require BART to put jobs out to bid.
 - *Anything under \$10,000 is done through an informal process.*
 - *Purchasing contracts are part of an informal process.*
 - *BART can call 3-4 firms directly for quotes during an informal process.*
 - *BART can improve outreach to W/D/MBEs.*

Data Reporting

- One attendee noted that the W/D/MBE database is hard to use, and it is incomplete. Databases such as the CUCP offer a format of database that is easier to use.
- The current Vendor Payment Tracking System is cumbersome and hard to use.

Quick Pay Initiative

- With some of the Quick Pay pilot projects, BART is requiring that the general contractor pay the subcontractor before receiving payment from BART. This seems to shift the burden of paying from BART to the prime.
 - *Quick Pay has been implemented on two pilot projects. There has been additional clarification that makes this only applicable to small businesses and BART commits to pay the prime contractor in 21 days.*
- Does the Quick Pay apply to non- W/D/MBE prime consultants?
 - *The initiative applies to small businesses.*

Methodology and Final Report

- For some databases (such as the City and County of San Francisco) contractors show up either as MBE or WBE but not both, is that a problem?
 - *The consultant tried to identify the race and gender, and grouped businesses as either minority or Caucasian female, to prevent double counting.*
- Is this the final report of the BART Disparity Study?
 - *This is the draft final; the consultant will consider comments and questions from these meetings before finalizing report.*
- What were the major findings and actions of the last Disparity Study?
 - *The last study was called the BART Availability and Utilization Study. Some employment categories, such as professional services, was not broken down into subcategories, and there was not a statistically significant disparity, so no action was taken.*

General and Next Steps

- BART is a tough customer to work with, and this is exemplified by the same few prime contractors that bid on BART projects consistently.
- BART has a strong record of defending subcontractors.
- Process of becoming a DBE is outdated and it is very cumbersome to do certification.
- One audience member asked if organizations follow the recommendations from the consultant's report.
 - *Mr. Wong noted that BART is committed to change and that it is a forward-thinking organization that already has taken steps to make things easier for W/D/MBEs, including unbundling, microbusiness certification, and the use of quick pay – a system that requires a prime to pay their sub consultants within five days of submitting invoices to BART (pilot program).*
- People wanted to know how the findings from the disparity meeting done for BART can be used more widely.
 - *Groups can get together for a consortium effort for a larger disparity study.*
 - *However, statistical data is unique to entities that are being investigated.*
- How long it will take for the recommendations of this Study to take affect?
 - *It may take a year for changes to take affect and participants are encouraged to contact BART if they have concerns.*

Next Steps

BART is carefully considering the findings and recommendations of the BART Disparity Study, in addition to the feedback received at these three meetings. The agency is creating a set of recommendations to present and be adopted by the BART Board of Directors. These recommendations will be brought to the Board for adoption on either January 12th, 2017 or February 9th, 2017. The public is welcome to attend and provide input.

Appendix D
Public Informational Sessions
Summary and Transcripts

San Francisco Bay Area Rapid Transit District
Disparity Study
Final Report. Volume II
January 12, 2017
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Transcription of Public Comments

1
2 BART Disparity Study
3 Public Information Session No. 1
4
5 Presentation By: Sherry Williams
6
7
8
9
10
11 Reporter's Transcript of Proceedings
12 Public Comment Section
13
14 Thursday, December 1, 2016
15 Embassy Suites
16 1345 Treat Boulevard
17 Walnut Creek, CA 94597
18
19 Reported By:
20 Kelly Newton, CSR. No. 13849
21 -----
22 JAN BROWN & ASSOCIATES
23 WORLDWIDE DEPOSITION & VIDEOGRAPHY SERVICES
24 701 Battery Street, 3rd Floor, San Francisco CA 94111
25 (415) 981-3498 or (800) 522-7096

1

1 have much more guidance on that either.
2 So, one of the big issues is the net worth,
3 personal net worth. That is the single biggest barrier
4 to getting more people on board under DBEs. So, \$1.3
5 million, as we all know, in Bay Area economy with the
6 increasing value of real estate and so forth, is not
7 comparable to, let's say, Louisiana or Georgia or some
8 other places in the country, and, yet, that's the
9 national parameter that's used.
10 So, we're going through an appeal process --
11 we've been waiting about five months -- from the Federal
12 Government. We've shown why there were mistakes made at
13 the local level, not by BART, but another agency. That
14 process has now taken nine months.
15 So, if we go through that as a DBE that was
16 decertified, and we're trying to get an appeal process
17 adjudicated in a reasonable amount of time, meanwhile
18 we're losing opportunities because we're not DBE.
19 That's a big issue, and I think that should be
20 addressed.
21 In BART's favor, I know, from our personal
22 experience, they have been very strong in supporting
23 situations where subcontractors are under some kind
24 of -- under the gun and trying to be dismissed by prime
25 contractors or their first-tier subs. So, they're good

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1 MS. WILLIAMS: I'm available to answer any
2 questions and after you ask me any questions that you'd
3 like about the disparity study, if you would like to
4 share your experiences with Hoa and Tim as
5 representatives of BART, they will be here to receive
6 your comments, and the court reporter will take down
7 those comments, and we will consider your experience as
8 we finalize.
9 MR. CASTLE: My name is Ken Castle. I'm with
10 Ojo Technology, and one of the things I was hoping to
11 get some discussion from you and insights is the whole
12 process of becoming a DBE and the whole process of being
13 recertified and some of the rather outdated parameters
14 of that process that are promulgated by the federal.
15 For example, the biggest issue, and all the
16 transit agencies are discovering the same thing, there's
17 a much smaller pool of DBEs than they would like. Part
18 of the reason, it's a very cumbersome process to get
19 certified, and the second reason is that the agencies
20 that do the certifying don't really understand what
21 tools they should be using or what measurements they
22 should be doing because they're not getting much support
23 or help from the Federal Government or guidance from the
24 Federal Government. In situations where there are
25 appeals up to the state level, the state doesn't really

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1 at intervening on that and very strong at that.
2 A couple other things that make it difficult for
3 small businesses to get results on bids, to get the full
4 documents that are being submitted by the primes --
5 because in a couple occasions, BART has said, "No, you
6 have to go through the legal department, and you have to
7 submit a Public Records Act request just for us to be
8 able to see if we were listed by a prime or how many
9 primes might have listed us. That is a barrier, and
10 other agencies are doing the same thing. They're
11 considering bid documents, which are public the minute
12 they're submitted, to not be immediately available to
13 the public or to companies like us that are bidding.
14 That's a problem across the region.
15 So, these are the kinds of things I would hope
16 would be looked at, and I know some of the other studies
17 have looked at some of these areas, but I'm curious to
18 know if you had any kind of -- anything to offer on that
19 in those areas.
20 MS. WILLIAMS: In terms of -- many of your
21 comments, we'll take them in consideration as we look at
22 all of the anecdotal testimony because part of what you
23 said is quite anecdotal.
24 One of the things that I would urge you to
25 remember about BART is that in this study, you talk a

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<p>1 lot about certifying and the goal-based programs. Of 2 about a billion dollars of activity that we looked at 3 for the study, about 95 million of it was for DBE goals. 4 So, all of the rest of the money was not subject to 5 goals, and therefore the certification does not 6 necessarily apply to all of those other dollars. The 7 3.5 million in bond money is not subject to federal 8 regulations, so the opportunities with BART are far 9 beyond the goal-based programs where the certification 10 is required.</p> <p>11 I think that Hoa and Tim would be better able to 12 talk with you about your appeal on the certification 13 issue itself and how it would impact you attempting to 14 do business with BART. In terms of the issue of getting 15 access to information on bids, I don't have a specific 16 answer to that, but we certainly will take that anecdote 17 into consideration and compare it to other issues that 18 we have. I can't give you an answer to that.</p> <p>19 Keep in mind there's certain issues that I, as a 20 consultant on a disparity study, cannot respond to. I 21 can receive it -- Tim and Hoa can receive it, and then 22 we can factor it into the study itself and the findings 23 of the study, but to give you a response on what can be 24 done, it would not be appropriate for me to do that in 25 this form.</p> <p style="text-align: right;">5</p>	<p>1 things, so I have to say that. I don't want this to 2 sound too negative. Yes, we want them to look at the 3 areas that they can improve, but they've done a hell of 4 a job, thus far, in a lot of areas.</p> <p>5 I do think some of these other issues that seem 6 to be ancillary really contribute to the overall small 7 numbers of participation because everybody, they have 8 different stories of why they weren't participating, but 9 they all have stories, and I've talked to many people. 10 So, I think those are the kinds of things that are worth 11 digesting, and maybe you'll hear more from the public 12 hearings that you're doing.</p> <p>13 MS. WILLIAMS: Thank you very much. Yes, sir?</p> <p>14 AUDIENCE MEMBER: I was pleased to see that you 15 were -- you separate the A&E and procurement from 16 construction. As a Hispanic-owned prime on 17 construction, the reason we don't bid on park 18 projects -- probably five, six, seven years ago, we bid 19 on quite a few jobs -- we were the low bidder, and 20 that's the way the public contract code governs BART.</p> <p>21 BART is -- for people who don't know -- BART has 22 to comply with the private contract in California, and 23 that says you will award the contract to the lowest and 24 responsive bidder -- one of those requirements being the 25 4100 listing of subcontractors.</p> <p style="text-align: right;">7</p>
<p>1 MR. CASTLE: The point I'm trying to make here 2 -- I understand that -- the point is that every one of 3 these barriers to small businesses, minority businesses, 4 women-owned businesses, DBEs, that make it difficult to 5 get access to information or to get access to plans 6 without coming down the BART and signing up and getting 7 hard copies -- they don't do electronic unless the prime 8 electrifies it and sends it out -- every one of those 9 things create obstacles and deterrents for these various 10 categories to pursue projects and to pursue bidding.</p> <p>11 So, you kind of have to look at these things. 12 They may not seem immediately irrelevant to our Mexican 13 Americans getting more or less or African Americans and 14 Asian Americans, but you have to look at the big 15 picture, in my view, of all of these things and talk to 16 people about what would prevent you from bidding on a 17 project. What are the obstacles that you face? Those 18 are the things that BART should be looking at -- or 19 other transit agencies.</p> <p>20 BART is actually one of the best agencies in the 21 Bay Area in terms of its commitments to civil rights and 22 strength of the staff. We've had a lot of years of 23 experience with all the transit agencies, and we point 24 to them frequently as a model for how to create notice, 25 public notice and all that. They've done many good</p> <p style="text-align: right;">6</p>	<p>1 Now our firm, personally, we have substituted 2 out subs. Under one of the five provisions, it was 3 legal, it was necessary, because we had posted in the 4 pre-bid time before the bids were taken that we require 5 a subcontractor bond for 100 percent for their contract 6 for anything over \$100,000. A minority-owned firm said 7 they could bond it, we listed them.</p> <p>8 When we got the award from that agency, they 9 couldn't -- and we did everything to try to help them do 10 it, and then we had to substitute them out. They filed 11 a complaint against us, and we won without -- in an 12 hour.</p> <p>13 So, it is truly a different model and a 14 different environment that the construction trades have 15 to work under as opposed to procurement and A&E. We 16 don't get judged on our capabilities, on our licenses, 17 on our experience, on our education. Are you the 18 cheapest or are you not? It's a terrible way to do 19 business, but that's the way it is in California and 20 most of the nation.</p> <p>21 One of the things that -- I also do a bunch of 22 classes -- and I'm currently in the middle of doing 23 estimating and bidding and project-management classes 24 for the East Bay who has now partnered with Alameda 25 County of Public Works. To speak to their willingness</p> <p style="text-align: right;">8</p>

1 to work, they post -- they send out notices by e-mail
2 that say this job is coming up. They have lots of jobs
3 that are under 10 million -- a bunch of them -- because
4 that's our sweet spot.
5 And in these classes, what we're finding is that
6 so many of the firms -- physically, they can do the
7 work. They can pour the concrete, pound nails, they can
8 put up steel. Do they have the financial resources? Do
9 they have the project-management experience? Do they
10 have the staying power? Do they have a line of credit?
11 One of the biggest thing that they run into is the
12 financing. A three-person labor crew working for a
13 month is a \$40,000 payroll expense, and they've got to
14 have that. Folks need their paycheck every Friday. So
15 if they don't have a line of credit, most likely -- not
16 they don't have that kind of money in a savings
17 account -- then they're not going to be able to perform,
18 and they recognize it.
19 Working in public works is tough. I don't care
20 for BART's general conditions. In my opinion, and I'm
21 only one general contractor, BART is a tough, tough
22 customer to work for, and there's other agencies I would
23 much rather work for, and that's why I don't bid with
24 them. You go to the bid results for the last 10 BART
25 construction projects, and you're going to see a bidders

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1 list of primes of less than a dozen people. What does
2 that tell you?
3 AUDIENCE MEMBER RENEE: My name is Renee, and
4 I'm a prime contractor, and I'm responsible for a lot of
5 our good-faith efforts, outreach, and so forth, and
6 actually we have a BART project right now. So, actually
7 I have an issue with a DBE currently where we may not
8 even give him the next portion of the work. Part of it
9 is, like he said, financial capabilities because they're
10 sinking; and a lot of it, they're sinking because it's
11 induced by BART.
12 When we're talking about planning and planning
13 the work and departments talking to each other, this
14 project, in particular, started off even rough. Like,
15 we had to have a hearing with the Civil Right Department
16 because they challenged my good-faith efforts, you know.
17 So, they want us to -- I feel -- bend over
18 backwards. Did we break out the scope and economically
19 feasible for them to share electrical with other,
20 bigger -- you know, they want us to prove that we try to
21 make these things economic for you, and yet you have
22 huge insurance requirements that say subs have to do it,
23 too. They'll say that you have to be bonded 100
24 percent, these are our rules. You got to be 100-percent
25 bonded and agree to our terms, but did you offer them

10

1 assistance? What kind of assistance did you want us to
2 take on? Like he said, it's the lowest bidder. If
3 we're going to help sponsor that or whatever we can do,
4 that's going to drive our price up, and we're less
5 competitive.
6 So, we have to prove that on the front end when
7 we're trying to do all these things, and so we have our
8 rules set for what makes them a responsive, bidder and
9 we had to line that out in a hearing because, like, we
10 had to challenge that in a hearing.
11 But also I think it's important to know what
12 does your DBE or MBE database look like? When I last
13 went, it's literally a PDF/Excel document and does not
14 tell me what trades. So, do you want me on this tiny
15 lines to literally be calling everybody? We don't have
16 time for that, and most of you either don't exist or
17 you're not interested.
18 I do like the fact that they say they will allow
19 you to go to the CSPC database. That's fine, it's
20 downloadable. They need to consider how they manage
21 that database and how accessible it is to the prime.
22 I'm advertising, and they challenge my advertising.
23 And just like, you know, I do commend the Civil
24 Rights Department. Like, I feel they take total
25 ownership, and they're really about that niche, you

11

1 know, that market area, but the rest of the departments
2 don't have that because a lot of times, like on this
3 project, they have a third-party construction management
4 firm. They could care less that this DBE is sinking,
5 and he's sinking because of change-order issues and all
6 that. So, they're having to front all these things, and
7 it's put us in a bad space.
8 But that culture in understanding that we have a
9 responsibility to help them, there was a goal here, so
10 what do we do to help that?
11 So, it's kind of hard, but to the gentleman, I
12 think when you're bidding to primes and you want to know
13 what's happening, I think a lot of times you call the
14 primes, you actually bid to -- a lot of times they'll
15 tell you -- is my experience in networking and things --
16 you can usually call who you bid it to. My market is
17 Marin construction, so we don't get a lot.
18 And that's the other thing. The Civil Rights
19 Department needs to have discussions when these
20 construction projects come out to bid to understand it
21 better. So, they will challenge you on your good-faith
22 efforts, but not understanding -- you're penalized, and
23 now you've got a hearing -- so, now surveying for,
24 example, well, we're water. We're hydrographic, there's
25 nothing in the database. There may be three I'll reach

12

1 out to just to say it. It's just a lot that they need
2 to understand, and they need to communicate more to
3 understand the project before they challenge a prime's
4 good-faith efforts.
5 But really important, fix the database -- oh,
6 and the supplier tracking system. Now, that's fully
7 gone, and it probably went after your study was done,
8 and it sucks. It's very cumbersome. The other day I
9 just spent two hours trying to upload and get caught up,
10 and it didn't submit.
11 MS. SIN: Are you referring to the vendor
12 portal?
13 AUDIENCE MEMBER RENEE: The supplier tracking
14 system, the vendor tracking system.
15 And that's how you're going to get the data, if
16 we're paying our subs on time, and who they are and all
17 that. It's not friendly. So, you can download the
18 template, right, the problem is you have to know what is
19 that subcontractor's tax ID -- like you have to have all
20 this information -- contact, and not even an invoice
21 number, like how much in the data.
22 So, I've got all these documents lined up,
23 trying to key it in, and tie it in. Then you got to
24 wait a day for it to synch, so I have to wait until
25 tomorrow to enter the payments towards them.

13

1 So y'all work on that.
2 AUDIENCE MEMBER KAREN: Karen with Rupert
3 Supply. I saw that you broke down, like, the different
4 categories like construction, procurement, instead of
5 just looking at, like, the total participation by women.
6 Why did you do that, so you can be, like, counted in one
7 category and not the other?
8 MS. WILLIAMS: No. It allows us to determine
9 for those group of firms -- if you go on specific BART
10 opportunities, who is available to do that work and who
11 actually got utilized, so it allows more refinement of
12 recommendations and narrow tailoring of BART's program.
13 So, for example, if we hadn't found any
14 disparity in professional services, BART could not reach
15 out to professional services firms with the DBE goal on
16 their federal contract. So, it assists us in narrow
17 tailoring the disparity analysis to where BART can
18 remediate. That's what it really does.
19 The other thing is in terms of outreach, in
20 terms of opportunity, it allows BART to focus better on
21 what they need to do. So, the categories are already
22 very broad. As this young lady said, in her area it's
23 very specific. So, trying to make sure that minorities
24 and women are available for the type of opportunity that
25 she has available, if she's lumped in in procurement,

14

1 that's just going to make it even harder for OCR to
2 figure out what the needs are, who is available to do
3 that kind of work. So, they're trying to make sure they
4 can hone in and focus their activities on the pool of
5 vendors who can do the certain type of work
6 AUDIENCE MEMBER KAREN: Do some other disparity
7 study groups just target it more generally, but this
8 seems like a pretty thorough --
9 MS. WILLIAMS: At the end of the day, BART will
10 come up with one overall goal, but underneath that, they
11 will know who can -- who they can utilize to meet that
12 overall goal and in what categories they can target
13 their efforts.
14 Yes, ma'am.
15 MS. DeFRANCO: Michelle DeFranco with Mott
16 MacDonald. We're an A&E prime hoping to do more work
17 with BART. You elude to the \$3.5 million, and you also
18 mention that BART management is forward-looking.
19 So, what strategies, or what's being discussed
20 in terms of what can be done in the near future for
21 projects that are funded through the bonds issue?
22 MS. WILLIAMS: What we're doing right now is
23 we're finalizing the disparity study. We're going out
24 to the community in order to get final comments and
25 finalize the disparity study, and BART OCR will take our

15

1 recommendations, and they will come up with an action
2 plan on how they will go forward.
3 So, I think the real response to your question
4 is more to come. Make sure you're focusing on January
5 and February because that's about the time period where
6 OCR will begin to go to the board and say this is what
7 we're going to do in response to the filings of the
8 disparity study and the recommendations that have been
9 made by the consultant.
10 MS. DeFRANCO: A second question is how does
11 BART compare to its peers since you've done dozens of
12 these studies?
13 MS. WILLIAMS: Some people like to compare, I
14 don't, because every public entity has its own
15 personality and its own issues, and so there may be
16 different issues that are impacting participation at one
17 agency versus another.
18 MS. DeFRANCO: Let's say SFMTA or VTA, have you
19 done similar studies?
20 MS. WILLIAMS: We haven't done studies with
21 those agencies, but, in looking at BART's overall
22 participation numbers, particularly in A&E, their
23 numbers are pretty good, but the devil really in any
24 disparity is in the details and looking at why those
25 numbers are what they are to really understand what that

16

1 particular organization is doing to produce that
2 outcome. And so just because another agency may have
3 higher levels of participate, you know, they can 40
4 percent participation, and it's all with Hispanic-owned
5 firms, does that mean they're doing better than BART,
6 you know? So, you really have to look at the
7 circumstances of each agency and how they're getting to
8 the results and the outcomes in order to really do some
9 levels of comparison.

10 MS. DeFRANCO: One more question, I thought of a
11 quick one. The Caucasian female, I assume that's by the
12 federal government EEO data or something like that, why
13 is it only Caucasian female?

14 MS. WILLIAMS: Because minority women are
15 counted with the racial group.

16 MS. DeFRANCO: Oh, okay.

17 MS. WILLIAMS: So, we're trying to make sure we
18 don't double count.

19 MR. CASTLE: I can answer part of that question
20 about SFMTA because that's the only other transit agency
21 that completed the disparity study, which was released
22 earlier this year. Essentially, it concluded that
23 African-American companies and women-owned companies
24 were greatly underutilized, and when it went to the
25 SFMTA board, the board requested waivers from the DOT

17

1 from the Federal Government to allow for race and
2 gender-specific clauses to be written into SFMTA
3 contracts going forward. I don't quite know yet if
4 they got the waiver b,ut the board did hear all that,
5 get similar things.

6 VTA is also undergoing a study right now with
7 Caltrans. We should be seeing those results in a few
8 months, so you'll get an idea. All these agencies are
9 required by the Federal Government to do these disparity
10 studies, which is why they come up every few years, and
11 everyone is doing them at the same time. So, maybe that
12 answers that.

13 AUDIENCE MEMBER MARK: To follow up on the young
14 lady and gentleman's comments, in your anecdotal
15 interviews -- my name is Mark by the way -- the
16 difficulty of doing work with BART and all of the
17 different hoops that you have to jump through -- not
18 only just in the bid process, but also after you get a
19 contract -- it is quite difficult even for a prime
20 that's quite large.

21 So, I wondered if, in those interviews, you
22 heard that was a barrier to people -- maybe I'll work as
23 a subcontractor, but not at all interested in being a
24 prime, which is something -- as a prime -- I've heard
25 from subcontractors that this is -- I see what you guys

18

1 have to deal with -- change orders -- and our company is
2 pretty good about carrying costs and paying vendors,
3 even if we haven't been paid by BART, and we can carry
4 those costs. So, they don't go out of business
5 essentially, but I could see, if you were a small
6 business, it would be a nightmare, and you'd say, "If I
7 could do work in this sector, or I could do work in this
8 sector" -- it's a risk.

9 I mean we've had contracts with BART that went
10 well, and it was good, and we made money, and we've had
11 some, if I was a small business, maybe we would have
12 gone under at some point.

13 So, I'm just curious if that came up, and we're
14 trying to do good things, but I think not only are you
15 maybe keeping -- with all these hoops -- you're keeping,
16 you know, minority and women-owned businesses from
17 participating at a prime level. You're also limiting a
18 lot of primes as well, who are not willing to put up for
19 it. So, you're trying to be more inclusive, and you're
20 getting -- I think the gentleman said you look at the
21 list of bidders, and it's the same -- a small list of
22 names every time because you need to specialize in BART.
23 You need to really study how it works.

24 I know six years ago we went through, and it was
25 my fault; it was my first time working on an DBE. I

19

1 went to the wrong list, so when we turned it in, we went
2 to the hearings, and I had gone to the wrong list. So,
3 I thought we had the subs lined up, and they said that
4 none of those count. So, we lost the contract, and I
5 had to, you know, go and say that I lost a million
6 dollar job. Sorry, we had this on the books, and I
7 apologize. Do I want to do that again? We did come
8 back and bid again, but it makes you think, gosh, this
9 is frustrating.

10 MS. WILLIAMS: Several of the points you made
11 did come up in the anecdotal testimony, and the comments
12 are provided in detail in the report. So, we -- in the
13 report we do a synopsis of what different vendors had to
14 say about attempting to do business with BART.

15 MS. DeFRANCO: You said this report is available
16 online?

17 MS. WILLIAMS: The PowerPoint that we've done
18 will be available online at the end of today, and then,
19 when we finalize the report, the report will be
20 available online.

21 So, more to come in early, early February.

22 MS. SIMON: Phyllis Simon, and I'm on the BART
23 advisory counsel, and I was just curious about whether
24 these recommendations are drastically different from the
25 prior study, or did you guys look at that at all?

20

1 MS. WILLIAMS: You know, they're different in
2 that we look at more organizational, operational aspects
3 of BART and understanding that most of BART's dollars
4 are nonfederal, trying to ensure that BART's environment
5 is an inclusive one so that they can achieve results
6 regardless of whether it's race/gender-conscious or
7 race/gender-neutral.

8 Yes, ma'am?

9 AUDIENCE MEMBER: As doing consulting with
10 prime, we were one of the ones that had stuff added on,
11 added on, added on. BART stepped forward and kind of
12 shook the prime saying you can't do this to them, but
13 basically the prime said they were going to block us.

14 And so we were in the earlier contracts before,
15 I guess, the subs could actually say something to their
16 suppliers and write to them and say this was happening.
17 So, I was telling BART that we would have been -- later
18 on, we probably would have had the same situation, but
19 as a small firm and being told you're blacklisted
20 because you're really going after what you deserve and
21 what they actually promised you, that's something that
22 they have to also address because it's not something I
23 go back to BART and say that the contractors fell
24 through, and it didn't proceed until much later.

25 So, I didn't understand what the primes were

21

1 this young lady was talking about. OCR has a great
2 track record and good reputation for trying to do the
3 right thing, but the construction and administration
4 department and the people who are actually out there in
5 the field with the contractors, it's a whole different
6 mentality. It's like this is what you're going to do,
7 and, just as he said, what we call a regressive multiple
8 punch list. You give three items, you correct them,
9 turn it in, oh, well here is three more, and on and on.
10 That's criminal, as far as I'm concerned. That's
11 absolutely anti-professional.

12 AUDIENCE MEMBER RENEE: Today we just
13 submitted -- were able to submit for your approval or
14 whatever. They send it to you approved, but now you got
15 to send it to AP. So, we just got that for October
16 31st, so that definitely impacts our DBEs because that
17 was October 31st of just getting approved like right
18 now, so you got that 30-day window. So, they got to
19 carry that stuff which is something to think about.

20 I feel like Civil Rights, once we're awarded the
21 project, they're done. I don't think that should be the
22 case if you're going to be monitoring that.

23 MS. SIN: We have been, and we've been --
24 there's a hiring phase in the department, so we're
25 trying to get that list so that more resources become

23

1 going through either until hearing what they have to go
2 through. So that's a good thing to know, but it's a
3 combination. As a consultant, we need to know what the
4 primes are going through. Even though BART's contract
5 says they're going to pay within so many days, if
6 they're not actually being paid, as a consultant, I can
7 actually wait longer if I knew that, but then I'm not
8 trusting the prime because BART in the contract says
9 something else, so we're really -- it was a mess for us.

10 AUDIENCE MEMBER MARK: Every time, like, you
11 submit an application and something is not perfect on
12 there, then you resubmit, and it's another month to wait
13 generally, and then they say -- they don't tell you
14 everything that's wrong, they just tell you one thing at
15 a time. They, like, read through until they find
16 something wrong -- I'm not saying it's everybody. It's
17 good and bad experiences.

18 You got to fix this, we resubmit it. Then they
19 say, "Oh, you got to fix this, too, now," and we've gone
20 on just, like, nine months or a year after a job is
21 really done, just going back and forth trying to figure
22 out how to get this thing closed out. So, again, for
23 us, we can bear that weight, but I can see it being very
24 difficult to make it as a business.

25 AUDIENCE MEMBER: His comments speak to what

22

1 available so we can monitor these contracts closely.

2 MR. CASTLE: Just to leverage what's been said
3 here, all the transit agencies -- we do business with
4 all the major ones and have done projects with all of
5 them -- have a difficulty with turnover, especially in
6 the engineering project-management side. A lot of these
7 people are going to other agencies in the private
8 sectors. I know that once half of BART's engineers are
9 eligible for retirement, if they all left tomorrow, the
10 agency would literally collapse, but everybody is having
11 the same problem. They're trying to expand.

12 What this leads to is chaos when it comes to change-
13 order processing and when it comes to different engineers
14 having different interpretations of what the BART
15 standard book says, but when they're in the field and
16 they're looking at some component, one guy is going
17 to want the cabinet done this way, and another guy wants
18 it done that way, and so that adds to the frustration in
19 that lack of consistency across the implementation side
20 and interpreting the standards.

21 I know that right now the situation in the Bay
22 Area is such that many, many companies are not
23 interested in bidding any public works projects if they
24 have so many private sector ones to chase, but those are
25 among the issues that trickle down from the primes to

24

1 the subs and effect all of us. I don't know how you
2 deal with that. It's a tough one.

3 MS. SIN: We just have enough time for about two
4 to three more comments, and we need to wrap and close
5 and move to the next meeting. If you have additional
6 comments that you want to provide us, please send them
7 to BARTdisparitystudy@BART.gov.

8 AUDIENCE MEMBER: One quick one.

9 What is BART's policy on -- you talk about
10 wanting more minority primes. So, if my firm landed a
11 BART project, and I'm subbing out 65 percent of the
12 work, and I'm doing 35 percent in-house, did my 35
13 percent count toward the goal? It does? That's a
14 change, though, isn't it? Didn't used to be that way.

15 MR. LOHRENTZ: There's some new direction from
16 FTA on that.

17 MS. WILLIAMS: Anyone else?

18 We thank you so much for coming out to.

19 (Proceedings concluded at 3:49 p.m.)
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1)
2 STATE OF CALIFORNIA) ss.
3)

4 I, the undersigned, duly qualified Certified
5 Shorthand Reporter of the State of California, do hereby
6 certify:

7 That the said proceeding was taken before me as a
8 Certified Shorthand Reporter at the said time and
9 place, and was taken down in shorthand writing by me;

10 That I am a Certified Shorthand Reporter of the
11 State of California, that the said proceeding was
12 thereafter transcribed by means of computer-aided
13 transcription, and that the foregoing transcript
14 constitutes a full, true and correct report of the
15 proceedings which then took place;

16 That I am a disinterested person to the said
17 action.

18 IN WITNESS WHEREOF, I have hereunto subscribed my
19 hand this 5th day of November, 2016.
20

21 _____
22 Kelly Newton, CSR No. 13849
23
24
25

26

1
2 BART Disparity Study
3 Public Information Session No. 2
4
5 Presentation By: Sherry Williams
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11 Reporter's Transcript of Proceedings
12 Public Comment Section
13
14 Thursday, December 1, 2016
15 Alameda County Conference Center
16 125 12th Street
17 Oakland, CA 94607
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19 Reported By:
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1 There are other ways for us to check as well.
2 Through certified bureau reports, we can check to see if
3 Beci is out there and who is actually working for Beci's
4 team. We check payments as well. We do have the
5 ability to access the payment. So if we can't get out
6 to the field, there are other things that we can do to
7 track it down.
8 So, we want to make sure that Beci -- if you're
9 out there -- a lot of time BART has a lot of contracts.
10 At any given moment, there could be about 100 contracts
11 going on -- some small, some very small, and a few very
12 large. We can't keep track of everybody, so you know
13 who we are, we're always there. If you have a problem,
14 you know we're always there. We've worked with you in
15 the past.
16 MS. ANDERSON: My experience has been that we've
17 never been contacted after the fact or had -- I have
18 reached out and got assistance, but I think what's
19 happened is some of these JCs that are awarded
20 contracts, that may be some federally-funded projects,
21 they know they have to list.
22 What we have had happen to us in the past is
23 we've been listed on a project that we weren't even
24 solicited on.
25 MR. WONG: So, you didn't even know?

3

1 MS. WILLIAMS: I'm here to answer any questions
2 that you have about the presentation. Mr. Wong is going
3 to join me up here so that any comments -- if you would
4 like to share your experiences in trying to do business
5 with BART, he'll be here to take a listen, and it will
6 be captured by our court reporter.
7 Again, please announce your name clearly before
8 you make your comment so that she can properly capture
9 that information.
10 MS. ANDERSON: What is BART's process to follow
11 up -- once a contract has been awarded to a KDD, what's
12 BART's follow-up procedure to make sure they are, in
13 fact, receiving --
14 MR. WONG? At the subcontract level?
15 MS. ANDERSON: Yes.
16 MR. WONG: There's several ways for us to do it.
17 Our folks are always in pre-construction meetings.
18 Provided, I think that's when the subs are there as well
19 as the primes, but there's a couple things that we do.
20 We do on-site monitoring to make sure that if
21 Beci Electric received this contract, Beci Electric is
22 not only performing the work, but is performing the work
23 they're listed to do, all right. So, you're listed for
24 electrical, and all of a sudden you're doing traffic
25 control, that's not what you were listed for.

2

1 MS. ANDERSON: Didn't even know, and then we get
2 a call saying, "We listed you for this project; can you
3 do the scope of work," and basically it consists of a
4 \$50,000 project, and it consists of purchasing 45,000,
5 and we're going to have you install it. We need to eat
6 up the 5,000.
7 It seems to me that there should be some
8 oversight in what -- you know, follow-up with me to say,
9 you know, you're listed as a DBE. Exactly what scope
10 are you doing, or how do you know if I've even done it.
11 They might be just buying materials from me that I'm not
12 even installing, and I know BART is proactive in that
13 they can't get credit for just buying materials. If
14 they're buying materials, they have to have you install
15 it, so I think that's a good thing.
16 But I don't think -- I think there's a lot of
17 playing that the large contractors have learned how to
18 work the system, and I don't think they're being checked
19 up as well as they should.
20 MR. WONG: Again, It's a very resource-intensive
21 task for us to follow up with. You know, if we're
22 dealing with 80 or 90 contracts -- with the amount of
23 sales we're dealing with -- I think, you know, at any
24 given time, you're looking at another, what, 300 subs
25 that are out there.

4

1 So it's hard, but, you know, I like the
2 suggestion, and that's something that we can follow up
3 on as a recommendation from the community and something
4 that we can maybe look at maybe.
5 You know, a very simple thing that we could do
6 is reach out to everybody that was listed to, one,
7 verify the dollar amounts and the scope of work and to
8 let them know, "If you have any questions, feel free to
9 give us a call," so at least there's some connection,
10 some correspondence that's going on between BART and the
11 subs.
12 MS. WILLIAMS: What some organizations have done
13 -- and I can't remember if BART does it -- is during the
14 bid process, the sub and prime are required to sign a
15 letter of intent, and so if your name does not appear --
16 your signature does not appear on the letter of intent,
17 then OCR will not consider your name for participation.
18 So, it wouldn't count if you had not signed the letter.
19 MR. WONG: The problem is it's always very
20 difficult. Primes are waiting until five minutes to
21 2:00 to get the lowest price, and unless you're
22 submitting your bid, you know, it's hard to get that
23 affidavit.
24 MS. ANDERSON: I think the recommendation we
25 came up with to break down smaller scopes of work is

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1 what we often find is the projects are so large that
2 they don't want to break out small scopes of work, or if
3 there are, you know, five different large -- for us --
4 large electrical contractors bidding it, they might each
5 have a different scope they want to break out, so it
6 makes it really difficult, whereas if BART breaks out
7 smaller scopes of work that subcontractors can get on.
8 MR. WONG: And I can just pitch -- we have other
9 programs out there where we actually unbundle. When you
10 unbundle, you create more opportunities for small
11 businesses. I don't know if you know it, but if you're
12 certified not just as a DB but a micro small business,
13 all you need, as a micro, there are pieces of work, 2 to
14 \$3 million out there, that you can prime.
15 MS. ANDERSON: How do you find out about this?
16 MR. WONG: Normally they'll be on the BART
17 website. We will do some level of advertisement.
18 Again, that's something that we can work on as well as
19 more advertisement for our MBE contracts. Again, all of
20 these things are great.
21 We went in there with the best intent to try to
22 provide more opportunities for small businesses, but,
23 again, there is limited success. The good news is, you
24 know, we had about seven of these micro small business
25 contracts awarded in the last seven or eight months or

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1 so, and four of those went to DBE firms for about 7
2 million out of the 10 million. So, that's a good thing.
3 People are finding out about it.
4 Again at 2 to \$3 million, doing outreaches is
5 kind of tough, but that's something we would like to do.
6 MS. ANDERSON: But you have a list of all the
7 DBEs, and you should reach out on your list.
8 MR. WONG: We do, but a lot of times we don't
9 get a response. We do get the solicitations via e-mail,
10 but sometimes we don't get the responses. After people
11 look at it, it goes into a giant -- I don't know. A lot
12 of times we don't get the response. These are contracts
13 that are set aside for micro small businesses.
14 MS. ANDERSON: I'm glad that you're having this
15 here, we're having this discussion, because we're on
16 that list, and we're certified as a micro and as a DBE,
17 and I've never received one of those invites.
18 MR. WONG: Really? Well, you know, I'll follow
19 up. I have your business card, and I'll follow up to
20 make sure you're on the mailing list. You should be.
21 AUDIENCE MEMBER: The e-mail you guys send out
22 for some of the projects, she was saying that you guys
23 sometimes have bids where you just call three
24 individuals to do a bid, and it doesn't even get
25 advertised out. I've been certified with everybody for

7

1 the last three years, and I'm just like her. I haven't
2 gotten one, and we did do a bid for a project you guys
3 had out, and I caught a discrepancy in the bid, and then
4 you guys pulled my bid after I submitted my bid. Then
5 they came back out and certified me again.
6 Now I get this disparity study, and I find out
7 one company, as an African American company, is getting
8 most of the work, but then you got these bids going to
9 three different companies, and they're not even being
10 advertised.
11 We go through this lengthy process of being
12 certified, an afternoon of two to three hours of you
13 guys going through all the documentation, and we get
14 nothing. In the end, it's very frustrating to do
15 business with BART because you guys got a lot of work,
16 but everybody's getting it.
17 MR. WONG: So, if I can ask you, what was that
18 contract?
19 AUDIENCE MEMBER: It was the power wash -- all
20 the substations, and it was the one with the -- all the
21 window cleaning. Then I turned around about three
22 months later, and they got a company out there doing all
23 the work. It's like they took the suggestion from the
24 room of all the contractors how to pull the work off,
25 and then they turn around and cancel bids and do exactly

8

1 how we discussed in the meeting with the contractors.
 2 MR. WONG: Those were the ones with power
 3 washing and --
 4 AUDIENCE MEMBER: Yeah. My thing is since they
 5 found out that they have these disparities, what is BART
 6 going to do to ensure the people are certified who is
 7 paying insurance, who is having workman, who has the
 8 staff to pull the job. Give them an opportunity to do
 9 at least one of -- you've got, what, 20 some stations?
 10 MR. WONG: We have more than that.
 11 AUDIENCE MEMBER: I know, exactly.
 12 MR. WONG: 44. I know exactly what you're
 13 talking about. Those contracts were about \$10,000
 14 apiece to clean and brighten one station. I believe -- I
 15 have your business card. Either I or somebody will get
 16 back to you.
 17 AUDIENCE MEMBER: After we do the bids, then
 18 about two months later, they come back out and recertify
 19 me. They go look at the trucks, look at the paperwork.
 20 Then I don't hear anything.
 21 This is the first time I've heard anything from
 22 BART, outside the e-mails you guys send me about the
 23 jobs that you get, but then I hear her say you guys
 24 called three individuals to bid on jobs and never go
 25 public, and I'm just wondering, is that how BART do all

9

1 of their bids?
 2 MR. WONG: No --
 3 MS. ANDERSON: How do you get on that list of
 4 being one of the three, I think is what you're --
 5 AUDIENCE MEMBER: That's what I'm saying. How
 6 do I get on that list to get one of the phone calls?
 7 MR. WONG: Yeah, I mean, I think -- so, let me
 8 just kind of clarify. The ones where you call three
 9 firms, a lot of those are our purchasing. A lot of our
 10 purchasers are done that way, our informal contracts,
 11 anything under 10,000. Those are all informal, so they
 12 just need to get bids from, you know, three to four
 13 firms to do that.
 14 MS. ANDERSON: But I think I'm asking the same
 15 question he is. Where are they going to get those bids?
 16 How do we get recognized and say, "Hey, give me a call"?
 17 AUDIENCE MEMBER: That is the first thing in
 18 excess was the purchasing.
 19 MR. WONG: That's a good -- those are good
 20 questions. As you saw in Sherry's slides, we provide
 21 the governance, we don't make the buy decision. The buy
 22 decision is the other departments, planning and
 23 development, maintenance engineering and procurement,
 24 and it's something we'll bring up to them, you know, and
 25 it's being noted, and we'll make sure that it gets --

10

1 MS. ANDERSON: So, you have everyone e-mail's
 2 here tonight, so you can let us know how that was
 3 followed up on, I'm assuming.
 4 AUDIENCE MEMBER: Have you done many of the
 5 transit system -- surveys of the transit systems?
 6 MS. WILLIAMS: We've done some, but we really
 7 don't compare agencies because they all have different
 8 criteria, different experiences.
 9 AUDIENCE MEMBER: I'm sure you would maybe find
 10 the same results, I'm thinking.
 11 MR. WILLIAMS: In some other instances, yes.
 12 AUDIENCE MEMBER: It sounded to me like me you
 13 had suggestions that would better help the people in
 14 your survey.
 15 MS. WILLIAMS: Yes. What's going to happen at
 16 BART is over the next month or two, BART's going to take
 17 all of the recommendations that we made and create an
 18 action plan to the board as to what they're going to do.
 19 So, what I said to the previous group, stay
 20 tuned and keep watching for BART's response in January
 21 to February of what it's going to do address the
 22 recommendations.
 23 AUDIENCE MEMBER: I guess what I'm asking is
 24 once you do this, have you seen that they follow up
 25 properly, that they correct issues?

11

1 MS. WILLIAMS: Some do and some don't; it's an
 2 issue of political will. If the board in senior
 3 management really pushes the organization to do so, they
 4 do, but not every organization has the political will to
 5 force the organization to make the changes.
 6 AUDIENCE MEMBER: How do you feel about this
 7 political will?
 8 MR. WONG: I think you heard it from Sherry, you
 9 know, we're a forward-thinking organization. Our
 10 general manager and our board are very high -- have
 11 great expectations for involving -- for wanting to
 12 involve the community, small businesses in our contract.
 13 We've been doing unbundling. We're one of the first
 14 agencies in the Bay Area to do Quick Pay. I don't think
 15 any other agencies out there are doing Quick Pay.
 16 MS. ANDERSON: Can you explain what the Quick
 17 Pay is?
 18 MR. WONG: The way the Quick Pay works, okay, is
 19 we went around, around, around; we tried to come up with
 20 something, and we did the research. The bottom line, at
 21 the end of the day, we didn't want to change too much of
 22 the process.
 23 We said try -- when you submit your invoice to
 24 BART, an approved invoice to BART, you have five days to
 25 pay your subs, which means you have to pay your subs

12

1 before you're paid, and we'll strive to give you, the
 2 prime, paid in 21 days.
 3 MS. ANDERSON: But that's not system wide, this
 4 is just a program you're trying?
 5 MR. WONG: That's a pilot program that we're
 6 trying. We're a forward-thinking organization, so I can
 7 guarantee you our board heard it loud and clear.
 8 They're expecting an action plan that has input from the
 9 community, input from businesses, and we'll be
 10 presenting this to the board next year.
 11 What we plan to do is come either January or
 12 February, we are going to be presenting the board with
 13 what we think the program needs to be for construction,
 14 professional services, and A&E. As you know, currently
 15 in construction, we're setting goals, we're setting DBE
 16 goals. That's it. We don't set goals in any other
 17 categories of work.
 18 So, come January and February, based on what
 19 Sherry shared with you, we're going to take that
 20 information, hear from the community, and we're going to
 21 try to recommend a program for the board to adopt.
 22 Additionally, we're going to take all of the
 23 recommendations -- some of the recommendations, some of
 24 the things Sherry recommended we already do like making
 25 matchmaking, like having matchmaking count towards

13

1 good-faith efforts. We do that.
 2 MS. ANDERSON: Can I speak to that? I've been
 3 to a couple matchmaking sessions and sat down with the
 4 primes, and I found that the primes sent a
 5 representative who had very little decision-making power
 6 in how that -- they sent someone to complete the list of
 7 what needed to be done, but they had no interest in
 8 gathering information.
 9 MR. WONG: We're going to go to the board with
 10 all of this stuff -- these things are recommendations,
 11 but the things we can implement, you should look out
 12 for, and you should go up there and speak when we bring
 13 this item to the board because it's going to have
 14 significant consequences on your business. Getting back
 15 to the matchmaking, it'll either be the first meeting --
 16 (Unintelligible cross-talk.)
 17 MR. WONG: It will be either January 12th or
 18 February -- what's the second February of Thursday, the
 19 12th or 13th. You should look for it, and we'll notify
 20 you as well, okay, so you can be there to voice your
 21 concerns and you're part of the program.
 22 But getting back to matchmaking, matchmaking was
 23 very different when we envisioned it five, six, seven
 24 years ago. We made sure that the primes brought their
 25 decision-makers to their meetings --

14

1 MS. ANDERSON: It's a great idea.
 2 MR. WONG: But through the years -- and, again,
 3 it's -- I hate to say it, but it's a resource issue; you
 4 don't have the kind of resources. The other problems
 5 the primes are complaining about is it's kind of stale.
 6 We see the same people time and time over. We know who
 7 these guys are. We want to meet you people. You want
 8 to get people interested to come, and you want to bring
 9 in new people.
 10 So, BART has got to go out there and do a major
 11 outreach similar to what we did at the beginning of the
 12 year regarding safety programs where we went out and had
 13 20 to 30 meetings all over the BART market area to meet
 14 with people. From there, we picked up; we found -- we
 15 identified a lot of new people that hadn't done business
 16 with the district before.
 17 We were able to bring them through these
 18 matchmaking sessions, and a lot of them found work
 19 through these matchmaking sessions, but it was very
 20 different. We required the decision-makers to be there,
 21 either the estimator, the VP, or somebody high up. We
 22 put together the packages, so there's something for them
 23 to talk about, and that's kind of where we want to go
 24 back to, but --
 25 MS. ANDERSON: And I think if the subs are aware

15

1 of the great pay, you'll have a better turnout.
 2 AUDIENCE MEMBER: Since your diversity study
 3 covered the Bay Area, how do cities in the Bay Area like
 4 San Francisco, Oakland, and Berkeley, how do we tap in
 5 and use your work here to -- I see very similar things.
 6 What you're talking about we see in our City of Oakland.
 7 Why isn't there a more expansive -- like this diversity
 8 -- that we can all use for the same area that you
 9 studied?
 10 MS. WILLIAMS: Well, there have been some
 11 communities that have made concerted efforts where a
 12 group of public entities will come together and have one
 13 disparity study done, but within that disparity study,
 14 we still have to look at them individually based on
 15 their particular statistical data.
 16 So, that would be the issue of using BART's
 17 disparity study for the City of Oakland because the
 18 statistical analysis is tailored to that public entity's
 19 contracting and procurement data. So, that would be the
 20 primary issue. There are some things like doing
 21 interviews with MDBEs in the community that can be
 22 shared by the members of that consortium.
 23 But in terms of looking at your -- the
 24 contracting data of the particular public entity, we
 25 have to do that and narrow tailor it to the

16

1 circumstances of that particular info.
2 AUDIENCE MEMBER: You mentioned talking to the
3 different entities to get that data, and talking to
4 management and politicians isn't enough. You have to
5 talk to the workers where the rubber hits the road and
6 see what's going on that, oftentimes, politicians aren't
7 aware of or aren't interested in.
8 AUDIENCE MEMBER: But that permit survey is very
9 telling. You're saying 96 percent was non-minority?
10 MS. WILLIAMS: That's not a survey. That was
11 actual building permit data.
12 AUDIENCE MEMBER: For building permits -- also
13 building and sub -- all trade permits?
14 MS. WILLIAMS: From the City and County of San
15 Francisco.
16 Any other questions?
17 AUDIENCE MEMBER: When is BART going to make
18 their move to do it right?
19 MR. WONG: To do what right?
20 AUDIENCE MEMBER: This business with small
21 business. How long will it take for you guys in the
22 board to go through your thing to put out the bids where
23 small companies like us in the room have access to that,
24 at least an opportunity, because we build our businesses
25 to grow.

17

1 MR. WONG: Absolutely, and I think Sherry
2 brought up some data-integration issues going on at the
3 district -- for example, better portal where you
4 actually -- it can be a source for you to get
5 information and submit your bids electronically. Is it
6 really functioning like the way we would want to, and
7 that's something we're looking into as well.
8 From just looking at the software perspective, I
9 think we're looking at data perspective, maybe a year,
10 maybe a year and a half, to make it happen but while we
11 wait for that to happen, you can always contact us. I
12 don't know if I shared my business card with you, but
13 our information is available.
14 If I can just have the BART staff kind of
15 introduce themselves that work with me starting with
16 Ruby Smith over there. She's the program manager in
17 charge of equal-opportunity policies and programs.
18 We've got Hoa Sin. She's our manager in planning and
19 support.
20 Then we've got Tim Lohrentz, our senior policy
21 analyst and Macio in the back -- really not my employee,
22 but was my employee -- and the person who created this
23 whole matchmaking effort at the district six, seven
24 years ago.
25 So, we're here today, and we're here to listen

18

1 to you. Some of them have been out in Walnut Creek
2 today, and we've heard quite a bit as well. Everybody
3 wants to do business. BART's got that \$3 and a half
4 billion that's coming down the pipeline, and what's in
5 it for me?
6 MS. ANDERSON: And I think that's the problem.
7 The packages are so large that it's hard that -- us
8 small businesses have a really hard time getting
9 anything broken down that we can bid.
10 MR. WONG: Right, and even despite the fact
11 we're unbundling --
12 MS. ANDERSON: And I think he is right. We get
13 lots of notification for the big projects, but the
14 primes don't want to break down a piece. It seems like
15 the only thing we really -- it's the small projects that
16 we need to get our hands on because the big ones are
17 difficult.
18 MR. WONG: Right. We are looking, and there's a
19 whole set of initiatives. We call it the small business
20 initiatives. We've gone through one phase of them, and
21 our general manager is very forward-thinking. She's
22 very supportive of small businesses. If you ever get a
23 chance to meet her, she's frequently at the board,
24 frequently at our advisory committee meetings.
25 Again, BART's been there for 40 years, so we

19

1 have a lot of processes that need to be up dated so we
2 can be more accessible to small business. This is a
3 start. We've been trying now for, what, two years,
4 three years, four years. Macio started this matchmaking
5 eight or seven years ago. We've been trying, but it
6 takes time, and, again, we have programs there, you
7 know. It's not like there's a lack of trying on our
8 part. We have a small business plan for our
9 non-federally-funded contracts where we give a bid
10 preference of up to 5 percent; if you're a small
11 business prime, up to 250,000; and if it's over \$10
12 million, the primes that meet the goal, small business
13 goal, get a small business preference up to a million
14 dollars. It's a lot of money that we're putting out
15 there for small businesses.
16 MS. ANDERSON: But not many small businesses can
17 bond a \$10 million --
18 MR. WONG: No, but we do have small businesses
19 -- and you're correct. Small businesses, the sweet spot
20 for them is around 1 to \$2 million. We have our DBE
21 program, we have our nondiscrimination program for our
22 non-federally-funded, and for our federal, we have our
23 micro business set aside.
24 We were one of the first in the country to come
25 up with a program like that. We put it together, and

20

1 now LA Metro does it, I think a couple other
 2 jurisdictions are doing it. It's been successful, but
 3 the problem there is getting micro small businesses to
 4 get certified, doing the outreach and getting them
 5 certified and getting them the business work.
 6 MS. ANDERSON: I am certified, and I haven't
 7 seen one of those jobs come to me out to bid. So,
 8 that's curious.
 9 MR. WONG: We'll find out, and we'll get back in
 10 touch with you.
 11 MS. ANDERSON: I appreciate that.
 12 MR. WONG: Any other comments or questions? I
 13 know it's getting late. We look forward to seeing you
 14 in the board meeting either in January or February.
 15 Again, we hope to get your support on the Quick Pay.
 16 Tim worked really hard on it.
 17 MS. ANDERSON: Absolutely, and we appreciate
 18 your efforts. It's hard the big ones keep getting
 19 bigger, and the smaller businesses are going out.
 20 MR. WONG: You're the first person to come up to
 21 me and say, "We're in favor of the Quick Pay," because
 22 overwhelmingly at the board we're hearing, "We're
 23 against Quick Pay, it's bad for small businesses."
 24 MS. ANDERSON: How?
 25 AUDIENCE MEMBER: Get your money faster. If

21

1 anyone in their right mind is saying that --
 2 MR. WONG: Right, but those were the reasons
 3 they said they didn't want us to implement Quick Pay.
 4 MR. ANDERSON: I don't know how many contractors
 5 I bid to that refuse to bid to BART just because they
 6 can't finance it.
 7 MR. WONG: We're trying to do that. If we can't
 8 get our contractors paid, we've got a problem. Who is
 9 going to want to bid? We're rejecting bids all the time
 10 because we only have one bidder.
 11 Thank you very much.
 12 (Public hearing concluded; at which time, an
 13 additional comment was made by audience member to me.)
 14 MR. GARRETT LOW: Basically my comment is that
 15 we are on several -- or have been on several of the
 16 on-call contracts, and we're an A&E firm, and even
 17 though we're on several teams, we don't have any of the
 18 work ever get passed down through to us.
 19 One of the things we do a lot of work -- we're
 20 doing a lot of work -- as almost every engineering firm
 21 -- on the State on the California High Speed Rail
 22 project. They have a program set up where they do
 23 monitor pretty heavy, and they actually have a -- but
 24 the goals are the same for both the engineering side as
 25 well as the construction side.

22

1 It's a lot easier for me to set goals for a
 2 smaller DBE firm on the construction side, and the
 3 projects for BART that come out for the design are
 4 usually -- they're just really large, and I understand
 5 it's hard for them to break out a small project just for
 6 a small company, engineering or design firm, to do.
 7 We have to go through and be a sub, but then the
 8 question is how are they going to monitor, ensure that
 9 the subs are able to do the work -- that they're making
 10 the primes have the subs do the work that they were
 11 originally bid to do or proposed to do.
 12 (Proceedings concluded at 6:58 p.m.)
 13 --oOo--
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1)
 2 STATE OF CALIFORNIA) ss.
 3)
 4
 5 I, the undersigned, duly qualified Certified
 6 Shorthand Reporter of the State of California, do hereby
 7 certify:
 8 That the said proceeding was taken before me as a
 9 Certified Shorthand Reporter at the said time and
 10 place, and was taken down in shorthand writing by me;
 11 That I am a Certified Shorthand Reporter of the
 12 State of California, that the said proceeding was
 13 thereafter transcribed by means of computer-aided
 14 transcription, and that the foregoing transcript
 15 constitutes a full, true and correct report of the
 16 proceedings which then took place;
 17 That I am a disinterested person to the said
 18 action.
 19 IN WITNESS WHEREOF, I have hereunto subscribed my
 20 hand this 5th day of November, 2016.
 21
 22 _____
 23 Kelly Newton, CSR No. 13849
 24
 25

24

1 BART Disparity Study
2 Public Information Session No. 3
3
4 Presentation By: Sherry Williams
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10 Reporter's Transcript of Proceedings
11 Public Comment Section
12
13 Friday, December 2, 2016
14 The Palace Hotel
15 2 Montgomery Street
16 San Francisco, CA 94105
17
18
19 Reported By:
20 Kelly Newton, CSR. No. 13849
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1

1 So, I think that we all -- in the construction
2 community -- appreciate the efforts that BART has put
3 forth, according to this addendum, to effect prompt pay,
4 but, essentially, the way I see it is it's shifting the
5 burden from one hand to the other.
6 Our general contractors and subcontractors were
7 all part of a small DBE community, and we work together.
8 Some of our DBE generals, they're not banks; they're
9 contractors, and we've had some payment issues where
10 it's taken three or four months for BART to get payment
11 to the prime. For BART to then enforce the general to
12 essentially float money for two to three months is a
13 non-sustainable approach in my opinion.
14 I think the approach is short-sided, and the
15 real sustainable approach is for BART to address how to
16 pay the general contractors in a good fashion.
17 And so, you know, the relevance to today's
18 presentation is that one of your first slides talks
19 about the pool of ready, willing, and able. An addendum
20 like this, it's a ground shift. It takes a lot of the
21 firms that could be ready, willing, and able now outside
22 of that pool. They wouldn't be able to float many
23 hundreds of thousands of dollars for three or four
24 months.
25 So, this -- to me, the message that I get is

3

1 MS. WILLIAMS: So, those are the findings and
2 recommendations of the study.
3 AUDIENCE MEMBER: On the BART website, I'm not
4 finding this PowerPoint. Can someone provide where it
5 is on the website? Is it at the Office of Civil Rights
6 where the disparity notification is at?
7 MS. SIN: We're uploading that today after this
8 meeting. We were going to do it last night, but we came
9 out of the meeting late yesterday, so we didn't put it
10 up, but it should be on the website after this meeting.
11 AUDIENCE MEMBER: Thank you.
12 MS. WILLIAMS: Other questions or comments?
13 Please state your name for the record.
14 Yes, ma'am?
15 MS. CHOY SOMMER: So, my name is Juliana Choy
16 Sommer, and I'm a business owner DBE. I do work for
17 BART, but I'm here representing the Asian American
18 Contractors Association.
19 Recently there was a contract awarded for the El
20 Cerrito Del Norte Station Modernization project, and
21 there was an addendum issued in relation to this
22 project, and it changes BART's payment requirements
23 where, effectively, this addendum requires the general
24 contractor to pay the subcontractors before receiving
25 any payment from BART.

2

1 this DBE mission is not drilling down to the deeper
2 levels. This is just a band-aid solution to a systemic
3 problem.
4 MS. WILLIAMS: Thank you.
5 MR. WONG: We did implement the Quick Pay
6 program on two contracts. Both of them are either in
7 the 5 or 20 million range, and I think you don't quite
8 understand the provisions of that program.
9 There has been additional clarification that has
10 been made to the community. We understand that small
11 businesses have cash-flow problems. At BART, a
12 potential small business could do the work and would
13 have to wait. By the time that invoice hits BART,
14 they're already out 60 to 90 days. All we're saying --
15 and you're right, BART needs to pay the primes
16 quicker -- but the way the process is set up, the sub
17 does the work, takes them a few weeks to get the invoice
18 to the prime, the prime gets it to BART right away, they
19 wait to consolidate all their invoices, do all their
20 checks, and BART has got to go through and check that
21 invoice out, payroll, then they provide it to the BART
22 RE who goes through and checks that invoice out, certify
23 the table, make sure BART accepts the work, all of that
24 stuff. You're already out 60 to 90 days.
25 Once that invoice hits BART's -- once the RE

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1 approves it, it's an approved invoice for submittal to
 2 BART. So, we're telling the prime contractor we want
 3 you to go ahead, at that point, to pay your subs, and it
 4 applies to small business subcontractors only, and we
 5 would turn around -- the reason why we did that is we
 6 wanted to look at our own internal invoice process
 7 because after it hits the supplier, it takes about
 8 another 30 days to pay the prime.

9 So, we've now gotten it down to 16 to 20 days.
 10 We're trying to shorten that as well. We're trying to
 11 take care of the small businesses here, trying to get
 12 them paid, but we also understand there are difficulties
 13 on small business primes. That's why this program
 14 doesn't apply to small business primes. If you're a
 15 small business prime, you don't have to deal with the
 16 requirements of Quick Pay.

17 MS. CHOY SOMMER: My fear is those firms that
 18 are trying to make that jump, right, and surprised they
 19 may not be qualified -- are qualified as a small
 20 business now, but are trying to graduate from that. I
 21 mean, it feels to me that you could be instilling an
 22 artificial --

23 MR. WONG: It's only to contracts; we're not
 24 implementing it district-wide yet. You got to remember,
 25 most of our small businesses that are priming our

5

1 contracts are averaging 1 to \$2 million, not at 5 or 20
 2 million, okay. We haven't seen that jump yet. It's
 3 around 1 to \$2 million is what we see, and a great
 4 number of our small businesses are subcontractors, and
 5 those are the ones that we're trying to take care of.

6 Now if this doesn't work, then we won't have the
 7 Quick Pay program so we want to see how well this thing
 8 works on a contract.

9 There are other jurisdictions that have this --
 10 Seattle, for one, has a really good program in place,
 11 very similar. We copied what Seattle was doing, and the
 12 subs really like it. They love getting paid quicker, 30
 13 days quicker. The primes don't like it, surety
 14 companies don't like it, but because the agencies want
 15 to keep the primes happy, they're going to find a way to
 16 pay the primes quicker, and that's what we need to do at
 17 BART, too, is to find a way to shorten that window from
 18 when the invoice hits BART to when the primes get paid.

19 MS. CHOY SOMMER: Absolutely, that's a
 20 sustainable approach.

21 MR. WONG: But if we don't try, nothing changes,
 22 and I hope that satisfies your --

23 MS. REED: Name is Aileen Reed. I'm with one of
 24 the larger firms who's had this clause in the contract
 25 for a while. I think we factor that in as the cost of

6

1 doing business with BART. I would appreciate more
 2 emphasis on paying the prime more quickly, but my
 3 question is this clause also applies to non-MWBE
 4 sub-consultants so this is in the A&E?

5 MR. WONG: In construction, it applies to the
 6 small businesses, so we made that change, and what was
 7 the other change that we made?

8 MR. LOHRENTZ: The 21 days.

9 MR. WONG: And that we would commit to paying
 10 the primes within 21 days or sooner.

11 MS. REED: Is that commitment a mandate or --

12 MR. WONG: It's a commitment on our part on
 13 those two contracts only.

14 MS. REED: Is there an expectation you'll change
 15 something similar in a DBE limited contract?

16 MR. WONG: That's something we'll have to look
 17 into.

18 MS. REED: One other question was with respect
 19 to -- I think there was a comment earlier that because
 20 of the types of contracts that BART issues heavily on
 21 the IDIQ, is that going to change?

22 MS. WILLIAMS: That, we don't know. One of our
 23 recommendations has been for BART to review its
 24 utilization of the IDIQ in how it's utilized, and the
 25 general manager has made it clear that she will be

7

1 meeting with her team to look at many issues as it
 2 relates to how BART is procuring.

3 So, again, stay tuned -- January, February --
 4 how BART intends to respond to that should be in their
 5 action plan.

6 Yes, sir?

7 AUDIENCE MEMBER: Unless I'm missing something,
 8 it appears that the percentage of total universe of
 9 firms that are minority or women-owned that are shown in
 10 your study is lower than what the actual availability
 11 percentage is because the firms that -- you're only
 12 looking at the minority of women-owned firms that are
 13 certified.

14 So, they've selected themselves as being
 15 interested in doing work for governmental entities,
 16 whereas the D&B universe is the universe of all firms,
 17 not just the firms that are interested in doing work for
 18 governmental agencies. But also other firms.

19 So, because of that, I think the percentage,
 20 that needs to show lower than what it actually is as far
 21 as percentage of minority and women-owned businesses
 22 because if you -- if there's a way to narrow down that
 23 D&B universe to those firms that are interested in doing
 24 the governmental work, I think you'll find that the
 25 percentage of minority and women-owned firms will be

8

1 higher as far as being available for work.
 2 MS. WILLIAMS: I don't think that we could, you
 3 know, narrow it down to firms that are interested in
 4 doing business with the public sector, but if you look
 5 at the percentages just on A&E, the percentage -- which
 6 is what is used to compare utilization to
 7 availability -- the percentage, not the actual count, of
 8 MWBEs were available at 29 percent under RWA and 21
 9 percent under DBE. So, they were available at a higher
 10 rate under our RWA than they were in the marketplace
 11 measure of D&B, so it is the percentages that are being
 12 compared for the disparity calculations.
 13 MR. LOHRENTZ: Because if you increase the pool
 14 of MWBE by using D&B, you also have to increase the pool
 15 of all of potentially-available firms as the
 16 denominator, so that's why the percentage drops. So,
 17 you have to do the same thing to both the numerator and
 18 denominator of that equation.
 19 AUDIENCE MEMBER: Maybe I'm missing something,
 20 but in the denominator, aren't you using -- you gave two
 21 examples, maybe I missed that. My understanding was you
 22 were looking at the D&B universe as far as the total
 23 universe, and you were comparing that to the number of
 24 firms that were certified as minority or women-owned
 25 businesses.

9

1 MS. WILLIAMS: For ready, willing, and able, we
 2 are looking at light pools of data for the numerator and
 3 denominator. The numerator includes MWBEs from
 4 BART-related lists, our master certification list, and
 5 so does the denominator.
 6 So, we're looking at a pool of vendors, bidders,
 7 sub-bidders, in the total pool for RWA. For D&B, we're
 8 looking at the total number of MWBEs in that pool
 9 against the total pool of firms in that pool, so there's
 10 no cross-pollination of those two pools of data.
 11 Yes, sir?
 12 MR. HEYSTEK: My name is Lamar Heystek, and I'm
 13 with Asian, Inc., I believe we were one of the
 14 nonprofessional service groups interviewed.
 15 In using the data sets for the certified firms,
 16 one of the issues that we've identified -- and correct
 17 me if I'm wrong, anyone in the room -- is that the City
 18 and County of San Francisco is compiling its database of
 19 minority and women-owned firms that they certify, and a
 20 member of the Asian American Contractors Association has
 21 to be women-owned, that the database only produces one
 22 classification and not both.
 23 So, if you call -- if you look at that firm in
 24 the public database, it would only show that firm be
 25 classified as either minority or woman and not both, and

10

1 this is an issue because it affects how you count the
 2 universe of ready, willing, and able minority-owned and
 3 women-owned firms.
 4 Is that something you encountered, or is that
 5 something you think is an issue? Is it something that
 6 sounds familiar?
 7 MS. WILLIAMS: For us, many of our firms in the
 8 master MWBE list had several designations. At the top
 9 of the food chain is whether you're a DBE. So, if
 10 you're a DBE, and your race gender is identified as
 11 such, then we're going to pick up your race gender from
 12 your DBE certification. Then we go on to BART MWBE
 13 certification and then to other ABC certifications. So,
 14 it would only be a factor if that firm that you're
 15 talking about --
 16 MR. HEYSTEK: Were not otherwise certified DBE.
 17 So, in the case -- let's say I don't know if the firm is
 18 or is not certified DBE. In that particular case, how
 19 would you treat that? If you only go by the public
 20 certification, the identity, whether it be woman or
 21 minority --
 22 MS. WILLIAMS: The first thing we're going to
 23 look at during our calculations -- whether you're an MBE
 24 or WBE is not as much important to us as your race and
 25 gender, and so we're looking in that certification

11

1 database of whether it identifies your race and gender.
 2 If you are a minority-owned -- minority female-owned
 3 firm, then we're going to put you within your racial
 4 categories, and then Caucasian females only include
 5 Caucasian females. That's how we did the analysis.
 6 What we're looking for in those databases is
 7 whether they identify the specific race and gender in
 8 those instances, and you can see it on the table. So,
 9 it wasn't relevant for BART, but in the actual master
 10 list, we do have firms that are only certified as WBE or
 11 MBE. If they showed up in one of BART's either
 12 availability pool or availability -- or utilization
 13 pool, we would have created a separate line item for
 14 that and defined what that meant.
 15 MR. HEYSTEK: My last question is for the DBE
 16 category, your intent is to capture those women-owned
 17 firms that are not otherwise classified as minority, so
 18 that would basically mean Caucasian female?
 19 MS. WILLIAMS: Yes.
 20 MR. HEYSTEK: If the -- if you use those public
 21 data sets and if the data set -- you go to the third
 22 data set. Say it's the City and County of San
 23 Francisco's list, and if they're classified there as
 24 women-owned and not minority, you would automatically
 25 classify that as women-owned?

12

1 MS. WILLIAMS: We would look for their race and
 2 gender. If they were identified as an African American
 3 female, they're going with African Americans.
 4 Regardless of whether they're an MWBE or DBE by the City
 5 and County of San Francisco, if their race and gender is
 6 specifically identified, then we'll put them with their
 7 appropriate category.
 8 MR. HEYSTEK: Thank you.
 9 MS. WILLIAMS: Any other questions?
 10 AUDIENCE MEMBER: One of your slides mentioned
 11 about a \$3.5 billion bond issue in professional services
 12 that are selected on the finance team and that group,
 13 and there are hardly very few minority-business-owned
 14 enterprises or woman-owned enterprises that are able to
 15 participate in those procurements or that have
 16 participated in those transactions.
 17 Mainly what I see is in the last few
 18 procurements, the prime had to come in with their own
 19 team, come in and select their subcontractors or do a
 20 joint venture. In this industry of investment banking,
 21 you probably have about a dozen firms that can act as
 22 prime. So as a subcontractor, you know -- as a
 23 sub-contractor, we only have a one in twelve shot of
 24 being able to make it, and it's about trying to choose
 25 which firm we think is going to end up having the lowest

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1 bid. When it comes down to it, most small firms are all
 2 capable of the underwriting and types of bonds that are
 3 issues. So, that only gives us one in twelve chance.
 4 We have to pick one that will hopefully be the lowest.
 5 We have an opportunity where we can try to go
 6 and be subcontractors with the other investment banks,
 7 but then it's, like, we're in a situation where we know
 8 what the bid is on one and what the bid will be on the
 9 other, and there could be something, if one team doesn't
 10 win, it's because you knew what that bid was, and so you
 11 told the other team. So, there could be some inclusion
 12 going on there, and that prevents us really from being a
 13 part of multiple groups.
 14 How would you rectify all that? How would you
 15 help minority-owned firms and women get involved to get
 16 in a better chance to be involved in the underwriting?
 17 MS. WILLIAMS: I think the first thing to do is,
 18 for the minority firms, to sit down and have a
 19 conversation with OCR about what that opportunity looks
 20 like so that OCR is in a better position to advocate on
 21 that particular type of opportunity. I think that's the
 22 first thing. I know that may not be the answer that you
 23 want, but we're putting something kind of on BART's
 24 radar in a sense that you're more familiar with than
 25 they may be, and so we should have conversations with

14

1 OCR so that they know more about that work and what the
 2 possibility is for minority and women-owned firms.
 3 Does that make sense?
 4 AUDIENCE MEMBER: Who do we talk to?
 5 MS. WILLIAMS: We've got four representatives in
 6 the room, pick one, Wayne Wong is the big chief, though.
 7 AUDIENCE MEMBER: I hear he's really busy.
 8 MS. WILLIAMS: Well, you've got him here now.
 9 MS. DOSSANI: My name is Osma Dossani. I'm with
 10 Kwan Henmi Architecture. The note that you made about
 11 how 97 percent of the permits don't really go to
 12 non-MWBE, is that something that you guys were planning
 13 to present to the City as something as, like, kind of --
 14 is there a chance you'll have any sort of conversation
 15 with them about how that's happening or what they're
 16 doing, maybe, to work on that?
 17 MS. WILLIAMS: Well, you know, it's a strategy
 18 that we have suggested since -- I can't remember the
 19 year -- but there was a case in the 11th Circuit in
 20 Webster County with this whole nexus between public
 21 action and private sector action, and our response to
 22 measuring that was that analysis, but most public
 23 agencies just aren't there yet.
 24 So, I think that it is -- and BART does not
 25 handle building permits, so they only have a limited

15

1 influence over the City and County of San Francisco.
 2 That said, it is part of BART's evidence in terms of
 3 what's happening in the private sector, but I think that
 4 there is the opportunity to talk with -- and he got up,
 5 so he's going to respond -- but I think there's an
 6 opportunity to begin to create -- now that you have
 7 those results -- to create conversations with both BART
 8 and the City of San Francisco and to suggest that
 9 Alameda County and Contra Costa and other counties
 10 conduct the same analysis to see what's happening there
 11 and have a consortium counter-conversation about what
 12 they intend to do in response to it.
 13 Yes, sir?
 14 AUDIENCE MEMBER: Is the study still in the
 15 draft stage, or is it final?
 16 MS. WILLIAMS: We have -- it's draft/final
 17 because we've had to -- we have to make sure that we get
 18 public comment, and we consider your comments in terms
 19 of -- before we finalize your analysis and once we do,
 20 that we'll go final.
 21 AUDIENCE MEMBER: Is there a plan to present it
 22 to the board?
 23 MS. WILLIAMS: Yes, the plan is in January or
 24 February. That's what we're talking.
 25 MR. WONG: We're currently targeting for the

16

1 first meeting in January to see how far we get. We do
2 have to deal with the holidays coming up, but this is
3 very critical for us. So, in terms of developing,
4 moving forward with those recommendations that Sherry
5 shared with you, as well as recommending a program for
6 the board to adopt come January or February. So, that's
7 the plan.

8 MR. WILSON: Kevin Wilson, Santa Clara Valley
9 Transportation Authority. Were there findings that BART
10 will be requesting a waiver for any of the groups?

11 MR. WONG: That would be a decision that we'll
12 make in the coming weeks in terms of now that we have
13 the information for us. You've heard -- and we're
14 hoping to hear from the community a little more in terms
15 of how they feel BART should proceed with these -- the
16 data as well as the recommendations. I think, at that
17 point, we'll make a decision.

18 MR. WILSON: Follow-up. Is there any data that
19 you have ascertained that would indicate a waiver might
20 be suggested?

21 MS. WILLIAMS: I think you'd have to defer back
22 to OCR.

23 MR. WILSON: That's fine.

24 MR. WONG: You can stay in touch with us. We'll
25 be more than happy as we move forward.

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1 statistically-significant disparity for all of the
2 groups in construction.

3 MS. WILLIAMS: Any other questions or comments?
4 All right. We thank you so much for attending this
5 session. Again, stay tuned.

6 MR. WONG: Thank you very much, Sherry, for the
7 great presentation, and I want to thank everybody for
8 coming today.

9 Before you leave, I want to introduce some of my
10 staff that's here. In the back is Hayden Lee, he's our
11 program manager. He's responsible for the contract
12 compliance programs for our big planning and development
13 contracts, all the on-call contracts, all of the mail
14 cards. All of that stuff runs through him as well as
15 all the district's labor compliance programs.

16 We also have Hoa Sin. She's our manager of
17 planning and support. She keeps all of the data, all of
18 the reporting for the district, and she's the project
19 manager for the disparity study.

20 And we have Tim Lohrentz who is our senior
21 policy analyst who has been instrumental in developing a
22 lot of the initiatives, turning a lot of the great ideas
23 that we hear from the small businesses -- actually Quick
24 Pay came from some of the smaller small businesses and
25 minority and women-owned firms, so we took that idea and

19

1 MR. WILSON: Thank you.

2 MR. HEYSTEK: For those of us who do not have
3 the iteration and all of that, can you tell us what the
4 outcome of the last disparity study was and what the
5 response was by the BART Board and leadership and how
6 that might inform this iteration here.

7 MR. WONG: It was called an availability
8 utilization study, and it was adopted by the board in
9 April of 2009, covered by a seven-and-a-half-year time
10 frame. In that particular study, there was a
11 statistically-significant disparity in all groups in
12 construction, and we went ahead and recommended moving
13 forward with the program.

14 In professional services -- and, at that time,
15 it was aggregated -- there was no
16 statistically-significant disparity for any of the
17 groups. This time there is; last time there wasn't any.
18 So, that -- you know, so we did not move forward with
19 the program.

20 We kept it race neutral in procurement. There
21 was no study conducted because there wasn't sufficient
22 instances of subcontracting that took place, so there
23 was no program in place for procurement as well. It was
24 only for construction. As you can see, even with race
25 and gender-conscious goals, we still continue to have a

18

1 pulled together a program for that.

2 So, that's the four of us that are here. If you
3 have any questions, feel free to talk to us, and we're
4 more than happy to talk to you as well. We have the
5 room until 1 o'clock. Thank you very much.

6 (Proceedings concluded at 12:51 p.m.)

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1)
STATE OF CALIFORNIA) ss.
2)
3

4 I, the undersigned, duly qualified Certified
5 Shorthand Reporter of the State of California, do hereby
6 certify:

7 That the said proceeding was taken before me as a
8 Certified Shorthand Reporter at the said time and
9 place, and was taken down in shorthand writing by me;

10 That I am a Certified Shorthand Reporter of the
11 State of California, that the said proceeding was
12 thereafter transcribed by means of computer-aided
13 transcription, and that the foregoing transcript
14 constitutes a full, true and correct report of the
15 proceedings which then took place;

16 That I am a disinterested person to the said
17 action.

18 IN WITNESS WHEREOF, I have hereunto subscribed my
19 hand this 8th day of December, 2016.
20

21 _____
Kelly Newton, CSR No. 13849
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