



R. Earl Lewis, Jr.  
Deputy Secretary for Policy, Planning & Enterprise Services  
Maryland Department of Transportation

**1. Please tell us your title and current job responsibilities and who do you report to?**

I was appointed by Maryland Transportation Secretary Pete K. Rahn to serve as Deputy Secretary of Policy, Planning and Enterprise Services for the Maryland Department of Transportation (MDOT) on January 20, 2016. I report to Secretary Rahn. My duties include management of the Offices of Minority Business Enterprise (MBE), Diversity and Equity, as well as Small and Minority Business Policy.

**2. Please tell us your path to leadership of MDOT's Certification arm?**

As a veteran of state transportation senior management, I am returning to the Maryland Department of Transportation, where I was Assistant Secretary for Administration from 2004 to 2006. I first joined MDOT in 2003 as a Communications and Technology Officer, after nearly 20 years in various technical, analyst and management posts with utility companies, including BGE.

As MDOT's Assistant Project Manager for Maryland's Interoperability Project Team, I led efforts to improve public safety communications systems at the county and state levels. I also served as Program Manager for MDOT's State Rail Oversight Program. In 2006, I moved to the Maryland Transit Administration (MTA), where I filled several roles, including Deputy Administrator for Operations, Emergency Preparedness Coordinator, and Deputy Chief Safety Officer of Emergency Preparedness.

Born in Baltimore, I have a bachelor's degree in Mechanical Engineering from the University of Virginia and masters' degrees in Business Information Systems and Business Administration from the University of Maryland's Smith School of Business.

**3. How large is your staff and how is it segmented to cover the entire state's workload?**

The Office of Minority Business Enterprise has 22 employees. The staff is segmented into three groups – Intake, Certification and Annual Review/Expansion of Services. Half of the employees are dedicated to processing certification, annual review and expansion of services requests.

- 4. Given that so many folks are starting new businesses because of our growing economy, what is the average number of new certifications that you process monthly and annually? What are the number of annual renewals and expansion of services as well? Out of all those, do you keep track of the approval rate, if so what is it?**

For 2015:

Applications received - 935	Annual Review Approved - 4,900
Average per month - 78	Expansion of Service Approved - 160

- 5. How many companies are certified in the following categories; DBE's, WBE's, SBE's, ACDBE's and MBE subgroups such as African American, Hispanic American, Asian American, Native American and other?**

MBE/DBE - 5478	African American - 2,740	Other - 16
SBE only - 69	Hispanic American - 567	
ACDBE - 88	Asian American - 730	
Female – 1,384	Native American - 52	

(As of February 24, 2016)

- 6. Can you describe the new SBE program, who's eligible and size standards?**

The Small Business Enterprise Program was established on July 1, 2013 by the United States Department of Transportation (USDOT). It is a race and gender neutral program designed to provide contracting opportunities to small businesses on federally-aided projects with the Maryland State Highway Administration (MSHA), Maryland Transit Administration (MTA), and Maryland Aviation Administration (MAA).

To participate in the SBE Program, a business and its owner must meet the following criteria:

- A firm's average gross receipts cannot exceed the USDOT size standard of \$23,980,000.
- The firm must meet existing small business size standard(s) found in 13 CFR Part 121 appropriate to the type(s) of work the firm seeks to perform. Size standards are measured by a three-year average of annual gross receipts or number of employees.
- At least 51percent of the firm's ownership must be held by individuals who do not exceed the personal net worth (PNW) limit of \$1,320,000 each.
- The 51percent owner(s) must be a U.S. Citizen or Permanent Resident.
- The firm must be organized for profit.
- A firm that is MDOT DBE certified will automatically be certified as SBE.

- 7. Other than the SBE program, what are the reasons for White Men-owned businesses becoming eligible to get certified as an MBE, and how many do you have recorded as being certified?**

We currently have five firms certified in this category.

An individual who is not a member of a presumptively disadvantaged group may establish eligibility for participation in the program by showing he/she is socially and economically disadvantaged.

To be substantiated, a claim of individual social disadvantage must include the following elements:

- At least one objective feature that has contributed to social disadvantage, such as race, ethnic origin, gender, disability, long-term residence in an environment isolated from the mainstream of American society, or other similar cause not common to individuals who are not socially disadvantaged.
- Personal experiences of substantial and chronic social disadvantage in American society, not in other countries.
- Negative impact on entry into or advancement in the business world because of the disadvantage, and business history in determining whether, from a totality of the circumstances, disadvantage in entering or advancing in the business world is demonstrated.

An individual may demonstrate social disadvantage through documentation pertinent to the following factors:

- Education
- Employment
- Business History
- Living Environment

Once social disadvantage has been established by a preponderance of evidence, economic disadvantage must be demonstrated and documented. Economically disadvantaged individuals are socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially disadvantaged.

Several factors may be considered, including:

- Access to financial resources including credit and financing.
- Access to bonding.
- Access to business opportunities and contracting.

**8. Addressing the SBE program, what areas of state procurement can this group of White Men-owned business enterprises take advantage of? And is this new group of disadvantaged businesses growing?**

The SBE Program provides contracting opportunities to small businesses on federally-aided projects with the Maryland State Highway Administration (MSHA), Maryland Transit Administration (MTA), and Maryland Aviation Administration (MAA).

We currently have 69 SBE only firms in our directory.

**9. I understand that not all certification applicants have to appear in front of your evaluation committee. If that is so, please tell some of the reasons why an applicant can earn certification without appearing in front of the very intimidating certification committee?**

The certification committee is not out to intimidate anyone. Cases deemed by the Certification Officers to have met all of the eligibility requirements are referred to the Internal Review Committee. The committee members review the documents, the file and the requested NAICS Codes to ensure all eligibility requirements have been met. Only firms that receive unanimous approval by the members will be recommended to the MBE Advisory Committee for certification.

**10. Concerning the ACDBE, how is that doing in terms of growth and opportunities and please discuss what areas of state procurement can this group take advantage of?**

A concession is a for-profit business at an airport that sells consumer goods or services to the public under an agreement with the airport, another concessionaire, or the owner or lessee of a terminal, if other than the airport. A business can be considered a concession even if it does not maintain an office, store, or other business location at an airport, so long as the following covered activities take place at an airport:

- Management contracts and subcontracts.
- A web-based or other electronic business in a terminal or which passengers can access at the terminal.
- An advertising business that provides advertising displays or messages to the public at an airport.
- A business that provides goods or services.