

1. Tell us about your role as Acting Chief of Minority/Women Business Opportunity Office for the Department of Law in Baltimore City?

In the role as the Acting Chief of MWBOO it is my responsibility to manage the staff. Our office certifies / renews MBEs and WBEs for Baltimore City. We establish the M/WBE goals for contracts that are \$50,000 or more. We also review bids for M/WBE compliance for contracts. We review goal waiver requests. Additionally, we review any post award requests by Primes that wish to substitute or add M/WBEs to the contract. Our office initiates investigations when an M/WBE has a complaint about payments from the Prime. We conduct site visits to ensure the M/WBE subcontractor is working on the contract and we approve the final release of retainage at the close of construction contracts. We also set goals and monitor private development contracts referenced in question #5.

2. What education and or career positions prepared you for this assignment?

I have a BS in Management Information Systems and a Juris Doctorate. I am also a proud veteran of the US Army. I believe my past education was helpful in preparing me because it opened the door to this opportunity. While this position does not litigate, my legal education allows me to understand the legal aspect of contracts and interpret and implement Article 5. My past work as a Systems Engineer enhanced my technical aptitude, as the program needs and requires technical updates. In the military I was an Intelligence Analyst which aided in my ability to become a strong analytical thinker. I performed as a Branch Chief for a team of Systems Engineers on a large Defense Intelligence Contracts where my leadership skills were improved. I am a trained Program Manager and Risk Analyst. I have been able to start programs from the ground up. I think for me it is my unique combination of skills that prepared me for this assignment. When it is all said and done, education and experience mean nothing if you are not willing to do the work. I have an intense work ethic that I am very proud of. I have never taken a 9 to 5 approach to work and I think that is needed in this assignment.

3. How are spending goals administered under Baltimore City rules? Who sets the spending goals and is there impute from the agencies where they originate?

Per the 2014 Disparity Study, the Baltimore City sets M/WBE goals on a contract by contract basis. The agency submits the specs for each contract and the estimated budget per task. MWBOO then applies goals for each task and a final goal is calculated based on the availability of M/WBEs for the combined tasks. The goals are then submitted to the agency

4. On projects that received financial subsidies or tax incentives like Tax Incremental Financing (TIF) from the city, who monitors those and what happens if the project owners don't meet the goals?

The Chief of MWBOO sets the goals for these projects and monitors them. There are various sanctions that can be implemented when a developer does not meet the established goals. The deficient amount can be applied to any new projects or the developer could potentially be barred from any further city subsidies or tax incentives. This is an area that MWBOO will be pushing for more compliance and potentially stronger sanctions for non-compliance.

- 5. The city has two major water work projects going on at Druid Hill Park and Hanlin Park with total cost about \$250million. Who is tracking those projects and others from Department of Public Works (DPW) and Baltimore Housing projects? If it's you, how often do you request spending information and what happens if they don't meet the city's goals?**

The Druid Hill and Hanlin Park projects are funded both with city and state funds. For the City funded portion, DPW monitors spending via the CM14 system. MWBOO will be involved in more ongoing compliance reviews going forward as I strongly believe compliance is within the purview of this office rather than the individual agency.

- 6. If there are major payment disputes between the minority and women contractor and the owner or prime contractor, what is the process for the minority or women subcontractor should follow to bring it to your attention?**

If there is ever a payment dispute, the M/WBE should contact our office.

- 7. Does the city have a policy when a minority or woman certified contractor is named at bid due date to allow the prime or owner that named them and their price, to switch out or decline to use the named vendor when performing the work? If so, can you explain?**

A Prime can substitute a sub named in a contract bid, however, they must state a reason for the substitution. This must be communicated to the Agency PM and a formal letter must be submitted by the Agency PM and the Prime to my office. The prime must show proof of communication with the sub and must provide new statement of intent forms signed by the sub reducing the goals. In most instances an investigation is opened, and interviews are conducted prior to approval or denial

- 8. Can you explain Baltimore City's reciprocity process of certification with the State of Maryland?**

There is absolutely no reciprocity with the City and the State of Maryland certifications. I recently updated the forms to remove the word "Reciprocal". There is an MDOT to MWBOO form that is completed if you are MDOT certified. The city will still verify that the business has an operating office in the Baltimore City Market Area. An MDOT certified firm can be denied City certification. (A little-known fact: The City of Philadelphia does accept Baltimore City Certifications. There is reciprocity and you can use our certification for M/WBE bids in Philadelphia. Please spread the word!)

- 9. Back in November 2018, Mayor Pugh signed an executive order recognizing Lesbian-, gay-, bisexual-, transgender-, and queer-owned business (LGBTQ) in the same league as women-and minority owned business that are afforded certain percentage of product or services on city contracts or those receiving city incentives. What does that mean? Will this group be on equal footing with women and minority owned firms and have spending goals name for them? If so, who certifies them? Will there be a separate directory for them? And how can you determine if a person is LGBTQ?**

At this stage, the Executive Order is an aspirational recognition of the LGBTQ community. Just like M/WBEs, there must be legal standing to implement a program for the LGBTQ community. A disparity study must find there is discrimination in

contracting and then identify how to implement such a program. Legally, the City cannot implement a policy until the disparity study is completed.

The new (2019/2020) Disparity Study RFP will seek to identify if there is in fact discrimination in city contracting within the LGBTQ community, Veteran Businesses and Disabled Businesses.

As stated in the LGBTQ Executive Order, the National Gay and Lesbian Chamber of Commerce would be the certifying agency. They conduct an extensive background check to verify that a business owner is a LGBTQ community member.

Until the Disparity Study is completed, we have not established a protocol to change the current structure of setting goals for city contracts.