

Volume II - Appendices



DISPARITY STUDY FINAL REPORT

July 30, 2009

Prepared by:
Miller³ Consulting, Inc.
84 Peachtree Street NW, Suite 1000
Atlanta, Georgia 30308
Contact: Sherry J. Williams, Esq.
Telephone Number: (404) 827-9019
Fax Number: (404) 827-9015
www.miller3group.com

Appendix A: Table of Contents

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 29, 2009
Page A-2 of A-241

TABLE OF CONTENTS

APPENDIX A: STATISTICAL TABLES

APPENDIX B: LEGAL ANALYSIS

APPENDIX C: SURVEY INSTRUMENT

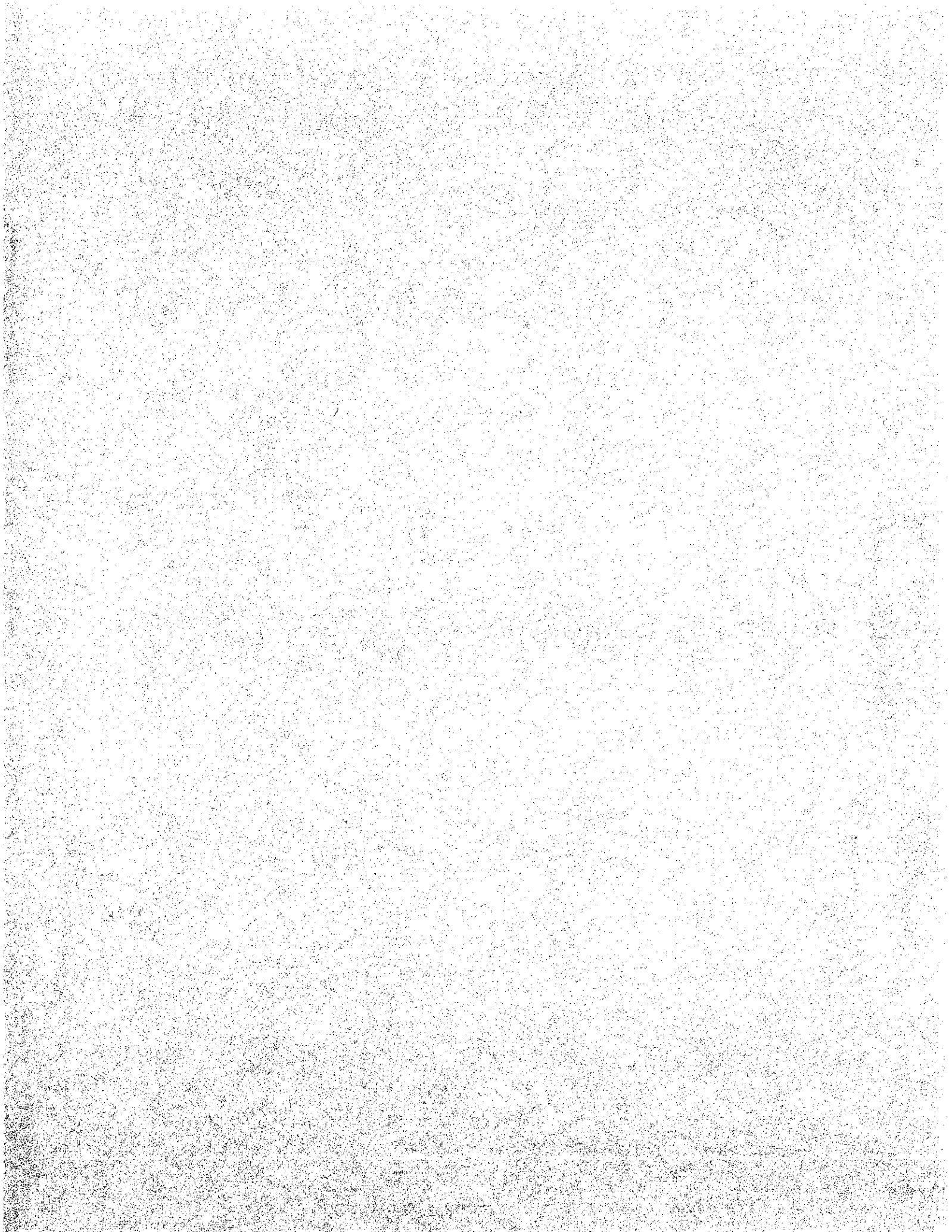
APPENDIX A: TABLE OF CONTENTS

I.	Availability.....	6
A.	RWA SM Availability Level 1 Bidders	6
B.	RWA SM Availability Level 2 Bidders	9
C.	RWA SM Availability Level 3 Bidders	12
II.	Contract Awards, Dollars	15
A.	Prime + Subcontractor Dollars.....	15
B.	Subcontractor Dollars.....	27
III.	Contract Awards, Counts.....	37
A.	Prime + Subcontractor Counts.....	37
B.	Subcontractor Counts.....	49
IV.	Threshold Analysis.....	59
A.	ALL FY Prime Contracts Utilization Dollarsc.....	59
B.	ALL FY Prime Contracts Utilization Counts.....	83
V.	Census Availability	107
A.	2002 Survey of Business Owners (SBO).....	107
B.	2006 County Business Patterns (CBP)	110
VI.	MWBE Certification.....	114
A.	Master MWBE	114
B.	State of Connecticut Department of Transportation.....	118
C.	State of Connecticut Department of Administrative Services	123
VII.	Disparity Ratios.....	125
A.	Contracts Pure Prime + Subcontractor v. RWA SM Level 3	125
B.	Contracts Pure Prime + Subcontractor v. Census	128
C.	Contracts Pure Prime + Subcontractor v. RWA SM Level 3 (no outliers).....	131
D.	Accounts Payable v. RWA SM Level 3	132
E.	Purchase Orders v. RWA SM Level 3.....	135
VIII.	Availability Tables: All Zips.....	138
A.	Level 1 Availability: All Zips	138
B.	Level 2 Availability: All Zips	140
C.	Level 3 Availability: All Zips	142
IX.	Utilization Tables: All Zips.....	144

Appendix A: Table of Contents

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 29, 2009
Page A-3 of A-241.

A.	Pure Prime + Subcontractor Dollars.....	144
B.	Pure Prime + Subcontractor Counts.....	150
C.	Subcontractor Dollars.....	156
D.	Subcontractor Counts	162
X.	Total: All Industry Categories Threshold Tables.....	168
A.	Architecture & Engineering Threshold Tables.....	172
B.	Construction Threshold Tables	174
C.	Professional Services Threshold Tables	176
D.	Non-Professional Services Threshold Tables	178
E.	Goods & Supplies Threshold Tables.....	180
XI.	TOP TEN Bidders and Awardees	182
A.	TOP TEN: Architecture & Engineering.....	182
B.	TOP TEN: Construction	183
C.	TOP TEN: Professional Services.....	184
D.	TOP TEN: Non-Professional Services.....	185
E.	TOP TEN: Goods & Supplies	186





APPENDIX A



DISPARITY STUDY FINAL REPORT

July 30, 2009

Prepared by:
Miller³ Consulting, Inc.
84 Peachtree Street NW, Suite 1000
Atlanta, Georgia 30308
Contact: Sherry J. Williams, Esq.
Telephone Number: (404) 827-9019
Fax Number: (404) 827-9015
www.miller3group.com

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-5 of A-241

INTRODUCTION

This appendix presents all the tables of data from the Metropolitan District Commission's (MDC) Disparity Study.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-6 of A-241

I. Availability

A. *RWASM* Availability Level 1 Bidders

Table A.1: *RWASM* Availability by Relevant Market
Level 1: Bidders; All Procurement Types
The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	316	76.33	444	81.32
Asian	5	1.21	7	1.28
Black	18	4.35	18	3.30
Hispanic	12	2.90	13	2.38
Native American	1	0.24	1	0.18
Non-designated MBEs	3	0.72	3	0.55
MBE	39	9.42	42	7.69
WBE	20	4.83	21	3.85
Non-designated M/WBEs	1	0.24	1	0.18
M/WBE	60	14.49	64	11.72
SBE	38	9.18	38	6.96
Total	414	100.00	546	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Note: Grand total includes 6 bidders with unknown procurement type

Table A.2: *RWASM* Availability by Relevant Market
Level 1: Bidders; Architecture & Engineering
The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	37	69.81	47	73.44
Asian	3	5.66	4	6.25
Black	4	7.55	4	6.25
Hispanic	2	3.77	2	3.13
Native American	0	0.00		0.00
Non-designated MBEs	1	1.89	1	1.56
MBE	10	18.87	11	17.19
WBE	4	7.55	4	6.25
Non-designated M/WBEs	1	1.89	1	1.56
M/WBE	15	28.30	16	25.00
SBE	1	1.89	1	1.56
Total	53	100.00	64	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-7 of A-241

Table A.3: RWASM Availability by Relevant Market

Level 1: Bidders; Construction

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	79	66.95	118	73.75
Asian		0.00	1	0.63
Black	6	5.08	6	3.75
Hispanic	5	4.24	6	3.75
Native American	1	0.85	1	0.63
Non-designated MBEs	1	0.85	1	0.63
MBE	13	11.02	15	9.38
WBE	9	7.63	10	6.25
Non-designated M/WBEs		0.00		0.00
M/WBE	22	18.64	25	15.63
SBE	17	14.41	17	10.63
Total	118	100.00	160	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Table A.4: RWASM Availability by Relevant Market

Level 1: Bidders; Professional Services

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	57	90.48	75	92.59
Asian		0.00		0.00
Black	2	3.17	2	2.47
Hispanic	1	1.59	1	1.23
Native American		0.00		0.00
Non-designated MBEs	0	0.00	0	0.00
MBE	3	4.76	3	3.70
WBE	2	3.17	2	2.47
Non-designated M/WBEs		0.00		0.00
M/WBE	5	7.94	5	6.17
SBE	1	1.59	1	1.23
Total	63	100.00	81	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-8 of A-241

Table A.5: RWASM Availability by Relevant Market

Level 1: Bidders; Non-Professional Services

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	43	74.14	58	78.38
Asian	1	1.72	2	2.70
Black	4	6.90	4	5.41
Hispanic	3	5.17	3	4.05
Native American		0.00		0.00
Non-designated MBEs	0	0.00	0	0.00
MBE	8	13.79	9	12.16
WBE	1	1.72	1	1.35
Non-designated M/WBEs	0	0.00	0	0.00
M/WBE	9	15.52	10	13.51
SBE	6	10.34	6	8.11
Total	58	100.00	74	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Table A.6: RWASM Availability by Relevant Market

Level 1: Bidders; Goods & Supplies

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	140	79.55	199	84.32
Asian	1	0.57	2	0.85
Black	5	2.84	5	2.12
Hispanic	1	0.57	1	0.42
Native American		0.00		0.00
Non-designated MBEs	1	0.57	1	0.42
MBE	8	4.55	9	3.81
WBE	8	4.55	8	3.39
Non-designated M/WBEs		0.00	0	0.00
M/WBE	16	9.09	17	7.20
SBE	20	11.36	20	8.47
Total	176	100.00	236	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-9 of A-241

B. RWASM Availability Level 2 Bidders

Table A.7: RWASM Availability by Relevant Market Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal); All Procurement Types The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	319	69.05	451	74.06
Asian	6	1.30	8	1.31
Black	33	7.14	34	5.58
Hispanic	19	4.11	21	3.45
Native American	1	0.22	1	0.16
Non-designated MBEs	6	1.30	7	1.15
MBE	65	14.07	71	11.66
WBE	39	8.44	48	7.88
Non-designated M/WBEs	1	0.22	1	0.16
M/WBE	105	22.73	120	19.70
SBE	38	8.23	38	6.24
Total	462¹	100.00	609²	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

¹Note: Grand total includes 6 bidders with unknown procurement type

²Note: Grand total includes 7 bidders with unknown procurement type

Table A.8: RWASM Availability by Relevant Market Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal); A&E The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	38	63.33	51	67.11
Asian	4	6.67	5	6.58
Black	4	6.67	4	5.26
Hispanic	4	6.67	4	5.26
Native American		0.00	0	0.00
Non-designated MBEs	1	1.67	1	1.32
MBE	13	21.67	14	18.42
WBE	7	11.67	9	11.84
Non-designated M/WBEs	1	1.67	1	1.32
M/WBE	21	35.00	24	31.58
SBE	1	1.67	1	1.32
Total	60	100.00	76	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-10 of A-241

Table A.9: RWASM Availability by Relevant Market Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal); Construction The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	82	51.57	121	58.17
Asian	0	0.00	1	0.48
Black	21	13.21	22	10.58
Hispanic	11	6.92	13	6.25
Native American	1	0.63	1	0.48
Non-designated MBEs	4	2.52	5	2.40
MBE	37	23.27	42	20.19
WBE	23	14.47	28	13.46
Non-designated M/WBEs	0	0.00	0	0.00
M/WBE	60	37.74	70	33.65
SBE	17	10.69	17	8.17
Total	159	100.00	208	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Table A.10: RWASM Availability by Relevant Market Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal); Professional Services The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	57	85.07	76	86.36
Asian		0.00	1	1.14
Black	2	2.99	2	2.27
Hispanic	2	2.99	2	2.27
Native American		0.00		0.00
Non-designated MBEs	1	1.49	1	1.14
MBE	5	7.46	6	6.82
WBE	4	5.97	5	5.68
Non-designated M/WBEs		0.00		0.00
M/WBE	9	13.43	11	12.50
SBE	1	1.49	1	1.14
Total	67	100.00	88	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-11 of A-241

Table A.11: RWASM Availability by Relevant Market				
Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal); Non-Professional Services				
The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	43	70.49	58	73.42
Asian	1	1.64	2	2.53
Black	5	8.20	5	6.33
Hispanic	3	4.92	3	3.80
Native American		0.00		0.00
Non-designated MBEs	0	0.00	1	1.27
MBE	9	14.75	11	13.92
WBE	3	4.92	4	5.06
Non-designated M/WBEs	0	0.00	0	0.00
M/WBE	12	19.67	15	18.99
SBE	6	9.84	6	7.59
Total	61	100.00	79	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Table A.12: RWASM Availability by Relevant Market				
Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal); Goods & Supplies				
The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	140	79.55	199	84.32
Asian	1	0.57	2	0.85
Black	5	2.84	5	2.12
Hispanic	1	0.57	1	0.42
Native American	0	0.00		0.00
Non-designated MBEs	1	0.57	1	0.42
MBE	8	4.55	9	3.81
WBE	8	4.55	8	3.39
Non-designated M/WBEs	0	0.00	0	0.00
M/WBE	16	9.09	17	7.20
SBE	20	11.36	20	8.47
Total	176	100.00	236	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders and RFP bidders; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-12 of A-241

C. RWASM Availability Level 3 Bidders

Table A.13: RWASM Availability by Relevant Market				
Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal); All Procurement Types				
The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	796	80.49	1129	84.44
Asian	7	0.71	8	0.60
Black	37	3.74	38	2.84
Hispanic	22	2.22	25	1.87
Native American	1	0.10	1	0.07
Non-designated MBEs	6	0.61	7	0.52
MBE	73	7.38	79	5.91
WBE	53	5.36	62	4.64
Non-designated M/WBEs	3	0.30	3	0.22
M/WBE	129	13.04	144	10.77
SBE	64	6.47	64	4.79
Total	989¹	100.00	1337²	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders, RFP Bidders, RFP/RFQ, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M3 Consulting.

1Note: Grand total includes 6 bidders with unknown procurement type

2Note: Grand total includes 7 bidders with unknown procurement type

Table A.14: RWASM Availability by Relevant Market				
Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal); A&E				
The Metropolitan District Commission				
Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	95	77.24	127	80.38
Asian	4	3.25	5	3.16
Black	4	3.25	4	2.53
Hispanic	5	4.07	5	3.16
Native American	0	0.00		0.00
Non-designated MBEs	1	0.81	1	0.63
MBE	14	11.38	15	9.49
WBE	8	6.50	10	6.33
Non-designated M/WBEs	1	0.81	1	0.63
M/WBE	23	18.70	26	16.46
SBE	5	4.07	5	3.16
Total	123	100.00	158	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders, RFP Bidders, RFP/RFQ, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-13 of A-241

Table A.15: RWASM Availability by Relevant Market

Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal); Construction

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	223	69.91	300	73.71
Asian	1	0.31	2	0.49
Black	22	6.90	23	5.65
Hispanic	14	4.39	17	4.18
Native American	1	0.31	1	0.25
Non-designated MBEs	4	1.25	5	1.23
MBE	42	13.17	48	11.79
WBE	27	8.46	32	7.86
Non-designated M/WBEs	0	0.00	0	0.00
M/WBE	69	21.63	80	19.66
SBE	27	8.46	27	6.63
Total	319	100.00	407	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders, RFP Bidders, RFP/RFQ, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M3 Consulting.

Table A.16: RWASM Availability by Relevant Market

Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal); Professional Services

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	280	85.63	390	88.64
Asian	2	0.61	3	0.68
Black	7	2.14	7	1.59
Hispanic	6	1.83	7	1.59
Native American		0.00		0.00
Non-designated MBEs	1	0.31	1	0.23
MBE	16	4.89	18	4.09
WBE	10	3.06	11	2.50
Non-designated M/WBEs	1	0.31	1	0.23
M/WBE	27	8.26	30	6.82
SBE	20	6.12	20	4.55
Total	327	100.00	440	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders, RFP Bidders, RFP/RFQ, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting.

Table A.17: RWASM Availability by Relevant Market

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-14 of A-241

Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal); Non-Professional Services

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	298	85.14	407	87.72
Asian	1	0.29	2	0.43
Black	8	2.29	8	1.72
Hispanic	5	1.43	6	1.29
Native American		0.00		0.00
Non-designated MBEs	0	0.00	1	0.22
MBE	14	4.00	17	3.66
WBE	12	3.43	14	3.02
Non-designated M/WBEs	0	0.00	0	0.00
M/WBE	26	7.43	31	6.68
SBE	26	7.43	26	5.60
Total	350	100.00	464	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders, RFP Bidders, RFP/RFQ, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting.

Table A.18: RWASM Availability by Relevant Market

Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal); Goods & Supplies

The Metropolitan District Commission

Ethnicity	State of CT		States of CT, MA, NJ, NY	
	#	%	#	%
White male	507	86.52	733	90.27
Asian	3	0.51	3	0.37
Black	6	1.02	6	0.74
Hispanic	4	0.68	4	0.49
Native American		0.00		0.00
Non-designated MBEs	2	0.34	2	0.25
MBE	15	2.56	15	1.85
WBE	18	3.07	18	2.22
Non-designated M/WBEs	2	0.34	2	0.25
M/WBE	35	5.97	35	4.31
SBE	44	7.51	44	5.42
Total	586	100.00	812	100.00

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders, RFP Bidders, RFP/RFQ, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-15 of A-241

II. Contract Awards, Dollars

A. Prime + Subcontractor Dollars

Table A.19: Prime + Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%	
White male	27,348,241	69.15	38,848,070	21,827,023	77.36	26,350,605	13,488,140	80.11	16,368,060
Asian American	201,290	0.51	201,290	77,983	0.28	397,947	331,142	1.97	331,142
African American	339,563	0.86	339,563	47,250	0.17	172,725	57,100	0.34	57,100
Hispanic American	2,317,775	5.86	2,317,775						
Native American	0	0.00	0	2,726,250	9.66	3,092,877	0	0.00	0
Non-Designated				0	0.00	0	0	0.00	0
MBE	228,000	0.58	687,055	1,887,207	6.69	1,887,207	0	0.00	179,300
MBE	3,086,628	7.80	3,545,683	4,738,690	16.79	5,550,756	388,242	2.31	567,542
WBE	4,701,002	11.89	4,882,826	1,069,039	3.79	1,268,720	1,042,689	6.19	1,264,352
Non-Designated									
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	7,787,630	19.69	8,428,509	5,807,729	20.58	6,819,476	1,430,931	8.50	1,831,894
SBE	4,413,796	11.16	4,413,796	581,595	2.06	581,595	1,918,413	11.39	1,918,413
Total	39,549,667	100.00	51,690,375	28,216,347	100.00	33,751,676	16,837,484	100.00	20,118,367

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-16 of A-241

Table A.19b: Prime + Subcontractor Dollars (2 of 2)
Dollar Value of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008				FY 2005-2008			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%
White male	23,942,826	57.74	38,968,608	49.87	86,606,230	68.70	120,535,343	65.61
Asian American	406,000	0.98	438,500	0.56	1,016,415	0.81	1,368,879	0.75
African American	2,029,836	4.90	2,029,836	2.60	2,473,749	1.96	2,599,224	1.41
Hispanic American	3,563,945	8.60	24,603,305	31.48	8,607,970	6.83	30,013,957	16.34
Native American	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated								
MBE	179,900	0.43	548,900	0.70	2,295,107	1.82	3,302,462	1.80
MBE	6,179,681	14.90	27,620,541	35.34	14,393,241	11.42	37,284,522	20.30
WBE	7,056,380	17.02	7,271,830	9.31	13,869,110	11.00	14,687,728	8.00
Non-Designated								
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	13,236,061	31.92	34,892,371	44.65	28,262,351	22.42	51,972,250	28.29
SBE	4,286,247	10.34	4,286,247	5.48	11,200,051	8.88	11,200,051	6.10
Total	41,465,134	100.00	78,147,226	100.00	126,068,632	100.00	183,707,644	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-17 of A-241

Table A.20: Prime + Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	4,369,420	92.07	4,639,630	91.41	9,109,742	89.49	9,109,742	85.56	5,516,349	92.41374077	5,770,479	89.09023876
Asian American	130,540	2.75	130,540	2.57	77,983	0.77	397,947	3.74	144,774	2.43	144,774	2.43
African American	14,693	0.31	14,693	0.29	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	80,700	0.79	80,700	0.76	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	123,000	2.59	123,000	2.42	735,738	7.23	735,738	6.91	0	0.00	179,300	0.00
MBE	268,233	5.65	268,233	5.28	894,421	8.79	1,214,385	11.41	144,774	2.43	324,074	2.43
WBE	108,143	2.28	167,529	3.30	175,080	1.72	322,480	3.03	308,064	5.16	382,564	5.16
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	376,376	7.93	435,762	8.59	1,069,501	10.51	1,536,865	14.44	452,838	7.59	706,638	7.59
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	4,745,796	100.00	5,075,392	100.00	10,179,243	100.00	10,646,607	100.00	5,969,187	100.00	6,477,117	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-18 of A-24.1

Table A.20b: Prime + Subcontractor Dollars (2 of 2)
Dollar Value of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008			FY 2005-2008		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	\$	%		\$	%	
White male	10,448,939	81.99	11,365,428	29,444,450	87.53	30,885,279
Asian American	131,000	1.03	163,500	484,297	1.44	836,761
African American	0	0.00	0	14,693	0.04	14,693
Hispanic American	1,753,146	13.76	1,753,146	1,833,846	5.45	1,833,846
Native American	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0
MBE	0	0.00	304,000	858,738	2.55	1,342,038
MBE	1,884,146	14.78	2,220,646	3,191,574	9.49	4,027,338
WBE	410,822	3.22	480,822	1,002,109	2.98	1,353,395
Non-Designated	0	0.00	0	0	0.00	0
M/WBE	2,294,968	18.01	2,701,468	4,193,683	12.47	5,380,733
SBE	0	0.00	0	0	0.00	0
Total	12,743,907	100.00	14,066,896	33,638,133	100.00	36,266,012

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-19 of A-241

Table A.21: Prime + Subcontractor Dollars (1 of 2)

Dollar Value of Contract Awards

Construction by Fiscal Year;

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	14,383,508	55.53	21,991,721	64.82	7,697,359	59.86	10,647,342	65.11	2,486,856	69.50	3,880,959	69.50
Asian American	70,750	0.27	70,750	0.21	0	0.00	0	0.00	0	0.00	0	0.00
African American	324,870	1.25	324,870	0.96	47,250	0.37	172,725	1.06	0	0.00	0	0.00
Hispanic American	2,317,775	8.95	2,317,775	6.83	2,561,775	19.92	2,928,402	17.91	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated												
MBE	105,000	0.41	397,055	1.17	1,151,469	8.95	1,151,469	7.04	0	0.00	0	0.00
MBE	2,818,395	10.88	3,110,450	9.17	3,760,494	29.24	4,252,596	26.01	0	0.00	0	0.00
WBE	4,522,859	17.46	4,645,297	13.69	893,959	6.95	946,240	5.79	391,600	10.94	391,600	10.94
Non-Designated												
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	7,341,254	28.34	7,755,747	22.86	4,654,453	36.20	5,198,836	31.79	391,600	10.94	391,600	10.94
SBE	4,178,344	16.13	4,178,344	12.32	506,800	3.94	506,800	3.10	699,950	19.56	699,950	19.56
Total	25,903,106	100.00	33,925,812	100.00	12,858,612	100.00	16,352,978	100.00	3,578,406	100.00	4,972,509	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-20 of A-241

Table A.21b: Prime + Subcontractor Dollars (2 of 2)
Dollar Value of Contract Awards
Construction by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008			FY 2005-2008		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	\$	%	\$	\$	%	\$
White male	9,687,442	40.43	22,364,650	34,255,165	51.67	58,884,672
Asian American	0	0.00	0	70,750	0.11	70,750
African American	1,549,364	6.47	1,549,364	1,921,484	2.90	2,046,959
Hispanic American	1,743,299	7.28	22,782,659	6,622,849	9.99	28,028,836
Native American	0	0.00	0	0	0.00	0
Non-Designated						
MBE	179,900	0.75	179,900	1,436,369	2.17	1,728,424
MBE	3,472,563	14.49	24,511,923	10,051,452	15.16	31,874,969
WBE	6,598,083	27.54	6,743,533	12,406,501	18.71	12,726,670
Non-Designated						
M/WBE	0	0.00	0	0	0.00	0
M/WBE	10,070,646	42.03	31,255,456	22,457,953	33.87	44,601,639
SBE	4,201,843	17.54	4,201,843	9,586,937	14.46	9,586,937
Total	23,959,931	100.00	57,821,949	66,300,055	100.00	113,073,248

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-21 of A-241

Table A.22: Prime + Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	\$	%		\$	%		\$	%	
White male	5,433,993	100.00	5,692,456	100.00	100.00	288,233	423,000	44.17	1,003,000
Asian American	0	0.00	0	0.00	0.00	0	186,368	19.46	186,368
African American	0	0.00	0	0.00	0.00	0	57,100	5.96	57,100
Hispanic American	0	0.00	0	0.00	0.00	0	0	0.00	0
Native American	0	0.00	0	0.00	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0.00	0.00	0	0	0.00	0
MBE	0	0.00	0	0.00	0.00	0	243,468	25.42	243,468
MBE	0	0.00	0	0.00	0.00	0	291,243	30.41	438,406
WBE	0	0.00	0	0.00	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0.00	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0.00	0.00	0	534,711	55.83	681,874
M/WBE	0	0.00	0	0.00	0.00	0	0	0.00	0
SBE	0	0.00	0	0.00	0.00	0	0	0.00	0
Total	5,433,993	100.00	5,692,456	100.00	100.00	288,233	957,711	100.00	1,684,874

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-22 of A-241

Table A.22b: Prime + Subcontractor Dollars (2 of 2)										
Dollar Value of Contract Awards										
Professional Services by Fiscal Year;										
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008										
Ethnicity	FY 2008				FY 2005-2008					
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ			
	\$	%	\$	%	\$	%	\$	%	\$	%
White male	1,348,735	73.23	1,353,735	70.81	7,355,728	87.74	8,337,424	87.05		
Asian American	0	0.00	0	0.00	186,368	2.22	186,368	1.95		
African American	450,472	24.46	450,472	23.56	507,572	6.05	507,572	5.30		
Hispanic American	42,500	2.31	42,500	2.22	42,500	0.51	42,500	0.44		
Native American	0	0.00	0	0.00	0	0.00	0	0.00		
Non-Designated										
MBE	0	0.00	65,000	3.40	0	0.00	65,000	0.68		
MBE	492,972	26.77	557,972	29.19	736,440	8.78	801,440	8.37		
WBE	0	0.00	0	0.00	291,243	3.47	438,406	4.58		
Non-Designated										
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00		
M/WBE	492,972	26.77	557,972	29.19	1,027,683	12.26	1,239,846	12.95		
SBE	0	0.00	0	0.00	0	0.00	0	0.00		
Total	1,841,707	100.00	1,911,707	100.00	8,383,411	100.00	9,577,270	100.00		

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-23 of A-241

Table A.23: Prime + Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Non-Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	438,876	78.10	473,209	62.00	53,184	38.83	99,532	54.30	667,795	100.00	667,795	100.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	83,775	61.17	83,775	45.70	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	167,000	21.88	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	167,000	21.88	83,775	61.17	83,775	45.70	0	0.00	0	0.00
WBE	70,000	12.46	70,000	9.17	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	70,000	12.46	237,000	31.05	83,775	61.17	83,775	45.70	0	0.00	0	0.00
SBE	53,050	9.44	53,050	6.95	0	0.00	0	0.00	0	0.00	0	0.00
Total	561,926	100.00	763,259	100.00	136,959	100.00	183,307	100.00	667,795	100.00	667,795	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-24 of A-241

Table A.23b: Prime + Subcontractor Dollars (2 of 2)										
Dollar Value of Contract Awards										
Non-Professional Services by Fiscal Year;										
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008										
Ethnicity	FY 2008				FY 2005-2008					
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹			
	\$	%	\$	%	\$	%	\$	%	\$	%
White male	697,403	64.57	808,616	67.88	1,857,258	75.91	2,049,152	73.04		
Asian American	275,000	25.46	275,000	23.09	275,000	11.24	275,000	9.80		
African American	30,000	2.78	30,000	2.52	30,000	1.23	30,000	1.07		
Hispanic American	25,000	2.31	25,000	2.10	108,775	4.45	108,775	3.88		
Native American	0	0.00	0	0.00	0	0.00	0	0.00		
Non-Designated										
MBE	0	0.00	0	0.00	0	0.00	167,000	5.95		
MBE	330,000	30.55	330,000	27.70	413,775	16.91	580,775	20.70		
WBE	9,950	0.92	9,950	0.84	79,950	3.27	79,950	2.85		
Non-Designated										
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00		
M/WBE	339,950	31.48	339,950	28.54	493,725	20.18	660,725	23.55		
SBE	42,678	3.95	42,678	3.58	95,728	3.91	95,728	3.41		
Total	1,080,031	100.00	1,191,244	100.00	2,446,711	100.00	2,805,605	100.00		

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-25 of A-24.1

Table A.24: Prime + Subcontractor Dollars (1 of 2)

Dollar Value of Contract Awards

Goods & Supplies by Fiscal Year;

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	2,722,444	93.72	6,051,054	97.07	4,816,738	98.47	6,205,756	98.81	4,394,140	77.57	5,045,827	77.57
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated												
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	51,782	0.91	51,782	0.91
Non-Designated												
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	51,782	0.91	51,782	0.91
SBE	182,402	6.28	182,402	2.93	74,795	1.53	74,795	1.19	1,218,463	21.51	1,218,463	21.51
Total	2,904,846	100.00	6,233,456	100.00	4,891,533	100.00	6,280,551	100.00	5,664,385	100.00	6,316,072	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-26 of A-241

Table A.24b: Prime + Subcontractor Dollars (2 of 2) Dollar Value of Contract Awards Goods & Supplies by Fiscal Year; Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008				FY 2005-2008				
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		
	\$	%	\$	%	\$	%	\$	%	%
White male	1,760,307	95.69	3,076,179	97.49	13,693,629	89.50	20,378,816	92.69	
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	
African American	0	0.00	0	0.00	0	0.00	0	0.00	
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated									
MBE	0	0.00	0	0.00	0	0.00	0	0.00	
MBE	0	0.00	0	0.00	0	0.00	0	0.00	
WBE	37,525	2.04	37,525	1.19	89,307	0.58	89,307	0.41	
Non-Designated									
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	37,525	2.04	37,525	1.19	89,307	0.58	89,307	0.41	
SBE	41,726	2.27	41,726	1.32	1,517,386	9.92	1,517,386	6.90	
Total	1,839,558	100.00	3,155,430	100.00	15,300,322	100.00	21,985,509	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-27 of A-241

B. Subcontractor Dollars

Table A.25: Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	201,290	10.22	201,290	7.71	77,983	3.13	397,947	11.37	186,368	22.11	186,368	22.11
African American	339,563	17.24	339,563	13.01	47,250	1.90	172,725	4.93	57,100	6.78	57,100	6.78
Hispanic American	343,300	17.43	343,300	13.15	126,700	5.09	493,327	14.09	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	228,000	11.57	687,055	26.32	1,887,207	75.84	1,887,207	53.92	0	0.00	179,300	0.00
MBE	1,112,153	56.46	1,571,208	60.18	2,139,140	85.96	2,951,206	84.32	243,468	28.89	422,768	28.89
WBE	857,782	43.54	1,039,606	39.82	349,254	14.04	548,935	15.68	599,307	71.11	820,970	71.11
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	1,969,935	100.00	2,610,814	100.00	2,488,394	100.00	3,500,141	100.00	842,775	100.00	1,243,738	100.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	1,969,935	100.00	2,610,814	100.00	2,488,394	100.00	3,500,141	100.00	842,775	100.00	1,243,738	100.00

Source: The Metropolitan District Commission's Procurement Department; M² Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-28 of A-241

Table A.25b: Subcontractor Dollars (2 of 2)
Dollar Value of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008			FY 2005-2008		
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹	
	\$	%	\$	%	\$	%
White male	986,333	13.95	1,307,794	16.33	986,333	7.97
Asian American	131,000	1.85	163,500	2.04	596,641	4.82
African American	977,918	13.83	977,918	12.21	1,421,831	11.49
Hispanic American	3,137,476	44.39	3,137,476	39.18	3,607,476	29.16
Native American	0	0.00	0	0.00	0	0.00
Non-Designated						
MBE	179,900	2.55	548,900	6.86	2,295,107	18.55
MBE	4,426,294	62.62	4,827,794	60.29	7,921,055	64.04
WBE	1,655,990	23.43	1,871,440	23.37	3,462,333	27.99
Non-Designated						
M/WBE	0	0.00	0	0.00	0	0.00
M/WBE	6,082,284	86.05	6,699,234	83.67	11,383,388	92.03
SBE	0	0.00	0	0.00	0	0.00
Total	7,068,617	100.00	8,007,028	100.00	12,369,721	100.00
					15,361,721	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-29 of A-241

Table A.26: Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0	0	0
Asian American	130,540	34.68	130,540	29.96	77,983	7.29	397,947	25.89	0	0.00	0	0.00
African American	14,693	3.90	14,693	3.37	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	80,700	7.55	80,700	5.25	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated												
MBE	123,000	32.68	123,000	28.23	735,738	68.79	735,738	47.87	0	0.00	179,300	0.00
MBE	268,233	71.27	268,233	61.55	894,421	83.63	1,214,385	79.02	0	0.00	179,300	0.00
WBE	108,143	28.73	167,529	38.45	175,080	16.37	322,480	20.98	308,064	100.00	382,564	100.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	376,376	100.00	435,762	100.00	1,069,501	100.00	1,536,865	100.00	308,064	100.00	561,864	100.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	376,376	100.00	435,762	100.00	1,069,501	100.00	1,536,865	100.00	308,064	100.00	561,864	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-30 of A-241

Table A.26b: Subcontractor Dollars (2 of 2)

**Dollar Value of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	FY 2008				FY 2005-2008			
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ	
	\$	%	\$	%	\$	%	\$	%
White male	184,132	7.43	500,593	15.63	184,132	4.35	500,593	8.73
Asian American	131,000	5.28	163,500	5.11	339,523	8.02	691,987	12.06
African American	0	0.00	0	0.00	14,693	0.35	14,693	0.26
Hispanic American	1,753,146	70.72	1,753,146	54.75	1,833,846	43.32	1,833,846	31.97
Native American	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated								
MBE	0	0.00	304,000	9.49	858,738	20.29	1,342,038	23.39
MBE	1,884,146	76.00	2,220,646	69.35	3,046,800	71.98	3,882,564	67.68
WBE	410,822	16.57	480,822	15.02	1,002,109	23.67	1,353,395	23.59
Non-Designated								
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	2,294,968	92.57	2,701,468	84.37	4,048,909	95.65	5,235,959	91.27
SBE	0	0.00	0	0.00	0	0.00	0	0.00
Total	2,479,100	100.00	3,202,061	100.00	4,293,041	100.00	5,736,552	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-31 of A-241

Table A.27: Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Construction by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	70,750	4.64	70,750	3.65	0	0.00	0	0.00	0	0.00	0	0.00
African American	324,870	21.32	324,870	16.76	47,250	3.33	172,725	8.80	0	0.00	0	0.00
Hispanic American	343,300	22.53	343,300	17.71	46,000	3.24	412,627	21.02	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	105,000	6.89	397,055	20.49	1,151,469	81.15	1,151,469	58.65	0	0.00	0	0.00
MBE	843,920	55.39	1,135,975	58.61	1,244,719	87.72	1,736,821	88.47	0	0.00	0	0.00
WBE	679,639	44.61	802,077	41.39	174,174	12.28	226,455	11.53	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	1,523,559	100.00	1,938,052	100.00	1,418,893	100.00	1,963,276	100.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	1,523,559	100.00	1,938,052	100.00	1,418,893	100.00	1,963,276	100.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-32 of A-241

Table A.27b: Subcontractor Dollars (2 of 2)
Dollar Value of Contract Awards
Construction by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008			FY 2005-2008		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	\$	%		\$	%	
White male	802,201	17.80	802,201	802,201	10.77	802,201
Asian American	0	0.00	0	70,750	0.95	70,750
African American	947,918	21.03	947,918	1,320,038	17.72	1,445,513
Hispanic American	1,341,830	29.77	1,341,830	1,731,130	23.24	2,097,757
Native American	0	0.00	0	0	0.00	0
Non-Designated	179,900	3.99	179,900	1,436,369	19.28	1,728,424
MBE	2,469,648	54.80	2,469,648	4,558,287	61.19	5,342,444
WBE	1,235,218	27.41	1,380,668	2,089,031	28.04	2,409,200
Non-Designated M/WBE	0	0.00	0	0	0.00	0
M/WBE	3,704,866	82.20	3,850,316	6,647,318	89.23	7,751,644
SBE	0	0.00	0	0	0.00	0
Total	4,507,067	100.00	4,652,517	7,449,519	100.00	8,553,845

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-33 of A-241

Table A.28: Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	186,368	34.85	186,368	34.85
African American	0	0.00	0	0.00	0	0.00	0	0.00	57,100	10.68	57,100	10.68
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	243,468	45.53	243,468	45.53
WBE	0	0.00	0	0.00	0	0.00	0	0.00	291,243	54.47	438,406	54.47
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	534,711	100.00	681,874	100.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	534,711	100.00	681,874	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-34 of A-241

Table A.28b: Subcontractor Dollars (2 of 2)
Dollar Value of Contract Awards
Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008				FY 2005-2008			
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ	
	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	5,000	4.44	0	0.00	5,000	0.63
Asian American	0	0.00	0	0.00	186,368	32.29	186,368	23.46
African American	0	0.00	0	0.00	57,100	9.89	57,100	7.19
Hispanic American	42,500	100.00	42,500	37.78	42,500	7.36	42,500	5.35
Native American	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated								
MBE	0	0.00	65,000	57.78	0	0.00	65,000	8.18
MBE	42,500	100.00	107,500	95.56	285,968	49.54	350,968	44.18
WBE	0	0.00	0	0.00	291,243	50.46	438,406	55.19
Non-Designated								
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	42,500	100.00	107,500	95.56	577,211	100.00	789,374	99.37
SBE	0	0.00	0	0.00	0	0.00	0	0.00
Total	42,500	100.00	112,500	100.00	577,211	100.00	794,374	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-35 of A-241

Table A.29: Subcontractor Dollars (1 of 2)
Dollar Value of Contract Awards
Non-Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	\$	%	\$	\$	%	\$	\$	%	\$
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	167,000	0	0.00	0	0	0.00	0
MBE	0	0.00	167,000	0	0.00	0	0	0.00	0
WBE	70,000	100.00	70,000	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	70,000	100.00	237,000	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	70,000	100.00	237,000	0	0.00	0	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-36 of A-241

Table A.29b: Subcontractor Dollars (2 of 2) Dollar Value of Contract Awards Non-Professional Services by Fiscal Year; Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008			FY 2005-2008					
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹			
	\$	%		\$	%	\$	%		
White male	0	0.00	0	0.00	0	0.00	0	0.00	
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	
African American	30,000	75.09	30,000	75.09	30,000	27.29	30,000	10.83	
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	
MBE	30,000	75.09	30,000	75.09	30,000	27.29	197,000	71.13	
WBE	9,950	24.91	9,950	24.91	79,950	72.71	79,950	28.87	
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	39,950	100.00	39,950	100.00	109,950	100.00	276,950	100.00	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	
Total	39,950	100.00	39,950	100.00	109,950	100.00	276,950	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-37 of A-241

III. Contract Awards, Counts

A. Prime + Subcontractor Counts

Table A.30: Prime + Subcontractor Dollars (1 of 2)
Counts of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	#	%	#	%	#	%	#	%	#	%	#	%
White male	58	50.88	74	54.01	66	72.53	85	71.43	55	75.34	74	75.34
Asian American	4	3.51	4	2.92	1	1.10	2	1.68	3	4.11	2	4.11
African American	6	5.26	6	4.38	1	1.10	2	1.68	1	1.37	1	1.37
Hispanic American	7	6.14	7	5.11	5	5.49	6	5.04	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	5	4.39	9	6.57	4	4.40	4	3.36	0	0.00	1	0.00
MBE	22	19.30	26	18.98	11	12.09	14	11.76	4	5.48	4	5.48
WBE	24	21.05	27	19.71	9	9.89	14	11.76	8	10.96	10	10.96
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	1	0.84	0	0.00	0	0.00
M/WBE	46	40.35	53	38.69	20	21.98	29	24.37	12	16.44	14	16.44
SBE	10	8.77	10	7.30	5	5.49	5	4.20	6	8.22	6	8.22
Total	114	100.00	137	100.00	91	100.00	119	100.00	73	100.00	94	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-38 of A-241

Table A.30b: Prime + Subcontractor Dollars (2 of 2)										
Counts of Contract Awards										
All Procurement Types by Fiscal Year and Geographic Market;										
The Metropolitan District Commission, FY 2005-FY 2008										
Ethnicity	FY 2008			FY 2005-2008			FY 2005-2008			
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	
	#	%	#	#	%	#	#	%	#	%
White male	58	36.25	78	237	54.11	311	237	54.11	311	57.70
Asian American	3	1.88	4	11	2.51	12	11	2.51	12	2.23
African American	27	16.88	27	35	7.99	36	35	7.99	36	6.68
Hispanic American	21	13.13	23	33	7.53	36	33	7.53	36	6.68
Native American	0	0.00	0	0	0.00	0	0	0.00	0	0.00
Non-Designated										
MBE	4	2.50	5	13	2.97	19	13	2.97	19	3.53
MBE	55	34.38	59	92	21.00	103	92	21.00	103	19.11
WBE	40	25.00	45	81	18.49	96	81	18.49	96	17.81
Non-Designated										
M/WBE	0	0.00	0	0	0.00	1	0	0.00	1	0.19
M/WBE	95	59.38	104	173	39.50	200	173	39.50	200	37.11
SBE	7	4.38	7	28	6.39	28	28	6.39	28	5.19
Total	160	100.00	189	438	100.00	539	438	100.00	539	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-39 of A-241

Table A.31: Prime + Subcontractor Dollars (1 of 2)
Counts of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	#	%	# %	#	%	# %	#	%	#
White male	5	33.33	7	38.89	6	31.58	6	60	9
Asian American	3	20.00	3	16.67	1	10.53	1	10.00	0
African American	1	6.67	1	5.56	0	0.00	0	0.00	0
Hispanic American	0	0.00	0	0.00	1	5.26	0	0.00	0
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated									
MBE	2	13.33	2	11.11	2	10.53	0	0.00	1
MBE	6	40.00	6	33.33	4	26.32	1	10.00	1
WBE	4	26.67	5	27.78	5	33.33	8	42.11	4
Non-Designated									
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0
M/WBE	10	66.67	11	61.11	9	60.00	13	68.42	5
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0
Total	15	100.00	18	100.00	15	100.00	19	100.00	14
									100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-40 of A-241

Table A.31b: Prime + Subcontractor Dollars (2 of 2)									
Counts of Contract Awards									
Architecture & Engineering by Fiscal Year;									
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008				FY 2005-2008				
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ		
	#	%	#	%	#	%	#	%	
White male	13	36.11	15	35.71	30	39.47	37	39.78	
Asian American	2	5.56	3	7.14	7	9.21	8	8.60	
African American	0	0.00	0	0.00	1	1.32	1	1.08	
Hispanic American	9	25.00	9	21.43	10	13.16	10	10.75	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated	0	0.00	0	0.00	4	5.26	5	5.38	
MBE	11	30.56	12	28.57	22	28.95	24	25.81	
WBE	12	33.33	15	35.71	24	31.58	32	34.41	
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	23	63.89	27	64.29	46	60.53	56	60.22	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	
Total	36	100.00	42	100.00	76	100.00	93	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-41 of A-241

Table A.32: Prime + Subcontractor Dollars (1 of 2)

**Counts of Contract Awards
Construction by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹	
	#	%	#	%	#	%	#	%	#	%	#	%
White male	14	25.93	18	28.57	13	54.17	19	57.58	6	60.00	11	60.00
Asian American	1	1.85	1	1.59	0	0.00	0	0.00	0	0.00	0	0.00
African American	5	9.26	5	7.94	1	4.17	2	6.06	0	0.00	0	0.00
Hispanic American	7	12.96	7	11.11	3	12.50	4	12.12	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	3	5.56	6	9.52	2	8.33	2	6.06	0	0.00	0	0.00
MBE	16	29.63	19	30.16	6	25.00	8	24.24	0	0.00	0	0.00
WBE	19	35.19	21	33.33	4	16.67	5	15.15	1	10.00	1	10.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	35	64.81	40	63.49	10	41.67	13	39.39	1	10.00	1	10.00
SBE	5	9.26	5	7.94	1	4.17	1	3.03	3	30.00	3	30.00
Total	54	100.00	63	100.00	24	100.00	33	100.00	10	100.00	15	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-42 of A-241

Table A.32b: Prime + Subcontractor Dollars (2 of 2)

Counts of Contract Awards

Construction by Fiscal Year;

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008			FY 2005-2008		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	#	%		#	%	
White male	12	15.79	20	45	27.44	68
Asian American	0	0.00	0	1	0.61	1
African American	24	31.58	24	30	18.29	31
Hispanic American	8	10.53	10	18	10.98	21
Native American	0	0.00	0	0	0.00	0
Non-Designated						
MBE	3	3.95	3	8	4.88	11
MBE	35	46.05	37	57	34.76	64
WBE	25	32.89	27	49	29.88	54
Non-Designated						
M/WBE	0	0.00	0	0	0.00	0
M/WBE	60	78.95	64	106	64.63	118
SBE	4	5.26	4	13	7.93	13
Total	76	100.00	88	164	100.00	199

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-43 of A-241

Table A.33: Prime + Subcontractor Dollars (1 of 2)

**Counts of Contract Awards
Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	#	%	#	#	%	#	#	%	#
White male	5	100.00	6	3	100.00	4	4	40.00	6
Asian American	0	0.00	0	0	0.00	0	2	20.00	2
African American	0	0.00	0	0	0.00	0	1	10.00	1
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	3	30.00	3
WBE	0	0.00	0	0	0.00	0	3	30.00	4
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	6	60.00	7
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	5	100.00	6	3	100.00	4	10	100.00	13

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-44 of A-241

Table A.33b: Prime + Subcontractor Dollars (2 of 2)									
Counts of Contract Awards									
Professional Services by Fiscal Year;									
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008			FY 2005-2008			FY 2005-2008		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	#	%	#	#	%	#	#	%	#
White male	11	73.33	12	70.59	23	69.70	28	70.00	
Asian American	0	0.00	0	0.00	2	6.06	2	5.00	
African American	1	6.67	1	5.88	2	6.06	2	5.00	
Hispanic American	3	20.00	3	17.65	3	9.09	3	7.50	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated									
MBE	0	0.00	1	5.88	0	0.00	1	2.50	
MBE	4	26.67	5	29.41	7	21.21	8	20.00	
WBE	0	0.00	0	0.00	3	9.09	4	10.00	
Non-Designated									
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	4	26.67	5	29.41	10	30.30	12	30.00	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	
Total	15	100.00	17	100.00	33	100.00	40	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-45 of A-241

Table A.34: Prime + Subcontractor Dollars (1 of 2)
Counts of Contract Awards
Non-Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	#	%	#	#	%	#	#	%	#
White male	6	75.00	7	3	75.00	5	5	100.00	5
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	1	25.00	1	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated									
MBE	0	0.00	1	0	0.00	0	0	0.00	0
MBE	0	0.00	1	1	25.00	1	0	0.00	0
WBE	1	12.50	1	0	0.00	0	0	0.00	0
Non-Designated									
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	1	12.50	2	1	25.00	1	0	0.00	0
SBE	1	12.50	1	0	0.00	0	0	0.00	0
Total	8	100.00	10	4	100.00	6	5	100.00	5

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-46 of A-241

Table A.34b: Prime + Subcontractor Dollars (2 of 2)									
Counts of Contract Awards									
Non-Professional Services by Fiscal Year;									
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008				FY 2005-2008				
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		
	#	%	#	%	#	%	#	%	%
White male	13	61.90	16	66.67	27	71.05	33	73.33	
Asian American	1	4.76	1	4.17	1	2.63	1	2.22	
African American	2	9.52	2	8.33	2	5.26	2	4.44	
Hispanic American	1	4.76	1	4.17	2	5.26	2	4.44	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated	1	4.76	1	4.17	1	2.63	2	4.44	
MBE	5	23.81	5	20.83	6	15.79	7	15.56	
WBE	2	9.52	2	8.33	3	7.89	3	6.67	
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	7	33.33	7	29.17	9	23.68	10	22.22	
SBE	1	4.76	1	4.17	2	5.26	2	4.44	
Total	21	100.00	24	100.00	38	100.00	45	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-47 of A-241

Table A.35: Prime + Subcontractor Dollars (1 of 2)
Counts of Contract Awards
Goods & Supplies by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	#	%	#	#	%	#	#	%	#
White male	28	87.50	36	41	91.11	51	34	89.47	43
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	1	1	2.63	1
Non-Designated	0	0.00	0	0	0.00	1	0	0.00	0
M/WBE	0	0.00	0	0	0.00	2	1	2.63	1
M/WBE	0	0.00	0	0	0.00	4	3	7.89	3
SBE	4	12.50	4	4	8.89	4	3	7.89	3
Total	32	100.00	40	45	100.00	57	38	100.00	47
									100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-48 of A-241

Table A.35b: Prime + Subcontractor Dollars (2 of 2)										
Counts of Contract Awards										
Goods & Supplies by Fiscal Year;										
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008										
Ethnicity	FY 2008			FY 2005-2008						
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹			
	#	%	#	%	#	%	#	%	#	%
White male	9	75.00	15	83.33	112	88.19	145	89.51		
Asian American	0	0.00	0	0.00	0	0.00	0	0.00		
African American	0	0.00	0	0.00	0	0.00	0	0.00		
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00		
Native American	0	0.00	0	0.00	0	0.00	0	0.00		
Non-Designated										
MBE	0	0.00	0	0.00	0	0.00	0	0.00		
MBE	0	0.00	0	0.00	0	0.00	0	0.00		
WBE	1	8.33	1	5.56	2	1.57	3	1.85		
Non-Designated										
M/WBE	0	0.00	0	0.00	0	0.00	1	0.62		
M/WBE	1	8.33	1	5.56	2	1.57	4	2.47		
SBE	2	16.67	2	11.11	13	10.24	13	8.02		
Total	12	100.00	18	100.00	127	100.00	162	100.00		

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-49 of A-241

B. Subcontractor Counts

Table A.36: Subcontractor Counts (1 of 2)
Counts of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	4	10.53	4	1	6.25	2	2	22.22	2
African American	6	15.79	6	1	6.25	2	1	11.11	1
Hispanic American	4	10.53	4	2	12.50	3	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	5	13.16	9	4	25.00	4	0	0.00	1
MBE	19	50.00	23	8	50.00	11	3	33.33	4
WBE	19	50.00	22	8	50.00	12	6	66.67	8
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	38	100.00	45	16	100.00	23	9	100.00	12
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	38	100.00	45	16	100.00	23	9	100.00	12

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-50 of A-241

Table A.36b: Subcontractor Counts (2 of 2)
Counts of Contract Awards
All Procurement Types by Fiscal Year and Geographic Market;
The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2008			FY 2005-2008					
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		
	#	%	#	%	#	%	#	%	%
White male	8	8.24	10	15.79	8	5.26	10	5.59	
Asian American	2	2.35	3	2.11	9	5.92	11	6.15	
African American	23	25.88	23	23.16	31	20.39	32	17.88	
Hispanic American	19	22.35	20	20.00	25	16.45	27	15.08	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated									
MBE	3	11.76	4	12.63	12	7.89	18	10.06	
MBE	47	62.35	50	57.89	77	50.66	88	49.16	
WBE	34	27.06	39	24.21	67	44.08	81	45.25	
Non-Designated									
M/WBE	0	2.35	0	2.11	0	0.00	0	0.00	
M/WBE	81	91.76	89	84.21	144	94.74	169	94.41	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	
Total	89	100.00	99	100.00	152	100.00	179	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-51 of A-241

Table A.37: Subcontractor Counts (1 of 2)
Counts of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	#	%	# %	#	%	# %	#	%	#
White male	0	0.00	0	0.00	0	0.00	0	0.00	0
Asian American	3	30.00	3	27.27	1	11.11	2	15.38	0
African American	1	10.00	1	9.09	0	0.00	0	0.00	0
Hispanic American	0	0.00	0	0.00	1	11.11	1	7.69	0
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated									
MBE	2	20.00	2	18.18	2	22.22	2	15.38	1
MBE	6	60.00	6	54.55	4	44.44	5	38.46	1
WBE	4	40.00	5	45.45	5	55.56	8	61.54	4
Non-Designated									
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0
M/WBE	10	100.00	11	100.00	9	100.00	13	100.00	5
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0
Total	10	100.00	11	100.00	9	100.00	13	100.00	5

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-52 of A-241

Table A.37b: Subcontractor Counts (2 of 2)

**Counts of Contract Awards
Architecture & Engineering by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	FY 2008			FY 2005-2008		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	#	%	# %	# %	# %	# %
White male	3	8.00	4 20.00	3 6.25	4 6.67	8 13.33
Asian American	2	8.00	3 6.67	6 12.50	8 13.33	1 1.67
African American	0	0.00	0 0.00	1 2.08	10 16.67	0 0.00
Hispanic American	9	36.00	9 30.00	10 20.83	5 8.33	24 40.00
Native American	0	0.00	0 0.00	0 0.00	32 53.33	0 0.00
Non-Designated	0	0.00	0 0.00	4 8.33	0 0.00	0 0.00
MBE	11	48.00	12 43.33	21 43.75	24 40.00	56 93.33
WBE	12	44.00	15 36.67	24 50.00	0 0.00	0 0.00
Non-Designated	0	0.00	0 0.00	0 0.00	0 0.00	0 0.00
M/WBE	23	92.00	27 80.00	45 93.75	56 93.33	0 0.00
SBE	0	0.00	0 0.00	0 0.00	0 0.00	0 0.00
Total	26	100.00	31 100.00	48 100.00	60 100.00	60 100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-53 of A-241

Table A.38: Subcontractor Counts (1 of 2)
Counts of Contract Awards
Construction by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	1	3.70	1	0	0.00	0	0	0.00	0
African American	5	18.52	5	1	14.29	2	0	0.00	0
Hispanic American	4	14.81	4	1	14.29	2	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	3	11.11	6	2	28.57	2	0	0.00	0
MBE	13	48.15	16	4	57.14	6	0	0.00	0
WBE	14	51.85	16	3	42.86	4	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	27	100.00	32	7	100.00	10	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	27	100.00	32	7	100.00	10	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-54 of A-241

Table A.38b: Subcontractor Counts (2 of 2)

**Counts of Contract Awards
Construction by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	FY 2008			FY 2005-2008		
	State of CT		CT, MA, NY, NJ ¹	State of CT		CT, MA, NY, NJ ¹
	#	%	#	#	%	#
White male	3	6.00	3	3	3.45	3
Asian American	0	0.00	0	1	1.15	1
African American	21	40.00	21	27	31.03	28
Hispanic American	7	14.00	8	12	13.79	14
Native American	0	0.00	0	0	0.00	0
Non-Designated	2	16.00	2	7	8.05	10
MBE	30	70.00	31	47	54.02	53
WBE	20	20.00	22	37	42.53	42
Non-Designated M/WBE	0	4.00	0	0	0.00	0
M/WBE	50	94.00	53	84	96.55	95
SBE	0	0.00	0	0	0.00	0
Total	53	100.00	56	87	100.00	98

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-55 of A-241

Table A.39: Subcontractor Counts (1 of 2)
Counts of Contract Awards
Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005			FY 2006			FY 2007		
	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ	State of CT ¹		CT, MA, NY, NJ
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	2	33.33	2
African American	0	0.00	0	0	0.00	0	1	16.67	1
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated									
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	3	50.00	3
WBE	0	0.00	0	0	0.00	0	3	50.00	4
Non-Designated									
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	6	100.00	7
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	6	100.00	7

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-56 of A-241

Table A.39b: Subcontractor Counts (2 of 2)									
Counts of Contract Awards									
Professional Services by Fiscal Year;									
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008				FY 2005-2008				
	State of CT ¹		CT, MA, NY, NJ		State of CT ¹		CT, MA, NY, NJ		
	#	%	#	%	#	%	#	%	%
White male	1	25.00	2	33.33	1	10.00	2	15.38	
Asian American	0	0.00	0	0.00	2	20.00	2	15.38	
African American	0	0.00	0	0.00	1	10.00	1	7.69	
Hispanic American	3	75.00	3	50.00	3	30.00	3	23.08	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated									
MBE	0	0.00	1	16.67	0	0.00	1	7.69	
MBE	3	75.00	4	66.67	6	60.00	7	53.85	
WBE	0	0.00	0	0.00	3	30.00	4	30.77	
Non-Designated									
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	3	75.00	4	66.67	9	90.00	11	84.62	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	
Total	4	100.00	6	100.00	10	100.00	13	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-57 of A-241

Table A.40: Subcontractor Counts (1 of 2)
Counts of Contract Awards
Non-Professional Services by Fiscal Year;
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	FY 2005				FY 2006				FY 2007			
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹	
	#	%	#	%	#	%	#	%	#	%	#	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	1	100.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	1	100.00	2	100.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	1	100.00	2	100.00	0	0.00	0	####	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-58 of A-241

Table A.40b: Subcontractor Counts (2 of 2)									
Counts of Contract Awards									
Non-Professional Services by Fiscal Year;									
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008									
Ethnicity	FY 2008				FY 2005-2008				
	State of CT		CT, MA, NY, NJ ¹		State of CT		CT, MA, NY, NJ ¹		
	#	%	#	%	#	%	#	%	%
White male	1	16.67	1	16.67	1	14.29	1	12.50	
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	
African American	2	33.33	2	33.33	2	28.57	2	25.00	
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated									
MBE	1	16.67	1	16.67	1	14.29	2	25.00	
MBE	3	50.00	3	50.00	3	42.86	4	50.00	
WBE	2	33.33	2	33.33	3	42.86	3	37.50	
Non-Designated									
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	5	83.33	5	83.33	6	85.71	7	87.50	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	
Total	6	100.00	6	100.00	7	100.00	8	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-59 of A-241

A. ALL FY Prime Contracts Utilization Dollarsc

Total: All Industry Categories Threshold Tables

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting. 1. Relevant Market = State of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-60 of A-241

Table A.41b: Contract Thresholds (Part 2 of 4)

Total: All Industry Categories

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%	
White male	34,367,598	77.56	46,598,612	12,832,250	76.42	15,865,296	18,692,982	100.00	23,742,931
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	3,849,425	8.69	3,849,425	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	3,849,425	8.69	3,849,425	0	0.00	0	0	0.00	0
WBE	1,609,020	3.63	5,519,020	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	5,458,445	12.32	9,368,445	0	0.00	0	0	0.00	0
SBE	4,485,204	10.12	4,485,204	3,959,998	23.58	3,959,998	0	0.00	0
Total	44,311,247	100.00	60,452,261	16,792,248	100.00	19,825,294	18,692,982	100.00	23,742,931

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-61 of A-241

Table A.41c: Contract Thresholds (Part 3 of 4)

Total: All Industry Categories

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M				\$15M-\$20M				\$20M+			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	22,889,625	100.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	22,889,625	100.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	22,889,625	100.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	22,889,625	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1. Relevant Market = State of Connecticut

2. Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-62 of A-241

Table A.41d: Contract Thresholds (Part 4 of 4)					
Total: All Industry Categories					
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	\$	%	\$	CT, MA, NY, NJ ²	%
White male	98,871,528	78.43	129,056,623		70.25
Asian American	465,708	0.37	465,708		0.25
African American	1,578,510	1.25	1,578,510		0.86
Hispanic American	5,378,219	4.27	28,267,844		15.39
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	7,422,437	5.89	30,312,062		16.50
WBE	7,860,161	6.23	12,120,945		6.60
Non-Designated M/WBE	83,775	0.07	137,283		0.07
M/WBE	15,366,373	12.19	42,570,290		23.17
SBE	11,830,731	9.38	12,080,731		6.58
Total	126,068,632	100.00	183,707,644		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-63 of A-241

Table A.42: Contract Thresholds (Part 1 of 4)

Architecture & Engineering

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%		\$	%	
White male	28,600	100.00	46,080	468,001	74.56	878,445	2,519,222	100.00	2,771,952	767,353	100.00	1,539,916
Asian American	0	0.00	0	159,720	25.44	159,720	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	159,720	25.44	159,720	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	159,720	25.44	159,720	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Total	28,600	100.00	46,080	627,721	100.00	1,038,165	2,519,222	100.00	2,771,952	767,353	100.00	1,539,916

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-64 of A-241

Table A.42b: Contract Thresholds (Part 2 of 4)

Architecture & Engineering

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M		\$3M-\$5M		\$5M-\$10M	
	State of CT ¹	CT, MA, NY, NJ ²	State of CT ¹	CT, MA, NY, NJ ²	State of CT ¹	CT, MA, NY, NJ ²
	\$	%	\$	%	\$	%
White male	14,304,758	100.00	15,479,420	100.00	7,888,500	100.00
Asian American	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00
Total	14,304,758	100.00	15,479,420	100.00	7,888,500	100.00
					7,501,979	100.00
						7,501,979
						100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-65 of A-241

Table A.42c: Contract Thresholds (Part 3 of 4)
Architecture & Engineering
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M				\$15M-\$20M				\$20M+			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-66 of A-241

Table A.42d: Contract Thresholds (Part 4 of 4) Architecture & Engineering Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	\$	%	\$	CT, MA, NY, NJ ²	%
White male	33,478,413	99.53	36,106,292		99.56
Asian American	159,720	0.47	159,720		0.44
African American	0	0.00	0		0.00
Hispanic American	0	0.00	0		0.00
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	159,720	0.47	159,720		0.44
WBE	0	0.00	0		0.00
Non-Designated M/WBE	0	0.00	0		0.00
M/WBE	159,720	0.47	159,720		0.44
SBE	0	0.00	0		0.00
Total	33,638,133	100.00	36,266,012		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-67 of A-241

Table A.43: Contract Thresholds (Part 1 of 4)

Construction

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K				\$50K-\$250K				\$250K-\$750K				\$750K-\$1M			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	74,670	61.98	169,060	78.68	1,947,768	69.88	2,931,297	77.73	6,691,904	51.49	7,290,499	53.63	3,425,005	45.51	5,162,712	55.74
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African	0	0.00	0	0.00	300,763	10.79	300,763	7.98	376,803	2.90	376,803	2.77	0	0.00	0	0.00
American	0	0.00	0	0.00	158,125	5.67	158,125	4.19	461,969	3.55	461,969	3.40	883,700	11.74	883,700	9.54
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	458,888	16.46	458,888	12.17	838,772	6.45	838,772	6.17	883,700	11.74	883,700	9.54
MBE	0	0.00	0	0.00	0	0.00	0	0.00	2,945,444	22.66	2,945,444	21.67	3,216,390	42.74	3,216,390	34.72
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	458,888	16.46	458,888	12.17	3,784,216	29.12	3,784,216	27.84	4,100,090	54.49	4,100,090	44.26
M/WBE	0	0.00	0	0.00	380,798	13.66	380,798	10.10	2,519,560	19.39	2,519,560	18.53	0	0.00	0	0.00
SBE	45,812	38.02	45,812	21.32	0	0.00	0	0.00	12,995,680	100.00	13,594,275	100.00	7,525,095	100.00	9,262,802	100.00
Total	120,482	100.00	214,872	100.00	2,787,454	100.00	3,770,983	100.00	12,995,680	100.00	13,594,275	100.00	7,525,095	100.00	9,262,802	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-68 of A-241

Table A.43b: Contract Thresholds (Part 2 of 4)

Construction

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M				\$3M-\$5M				\$5M-\$10M			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	18,950,449	68.36	27,426,801	68.38								
Asian American	0	0.00	0	0.00	0	0.00	3,033,046	43.37	11,191,003	100.00	16,240,952	100.00
African American	0	0.00			0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	3,849,425	13.89			0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	3,849,425	9.60	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00			0	0.00						
MBE	3,849,425	13.89	3,849,425	9.60	0	0.00	0	0.00	0	0.00	0	0.00
WBE	1,609,020	5.80	5,519,020	13.76	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00			0	0.00				
M/WBE	5,458,445	19.69	9,368,445	23.36	0	0.00	0	0.00	0	0.00	0	0.00
SBE	3,311,449	11.95	3,311,449	8.26			3,959,998	56.63			0	0.00
Total	27,720,343	100.00	40,106,695	100.00	3,959,998	100.00	6,993,044	100.00	11,191,003	100.00	16,240,952	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-69 of A-241

Table A.43c: Contract Thresholds (Part 3 of 4)

Construction

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%	\$	\$	%	\$	\$	%	\$
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	22,889,625	100.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	22,889,625	100.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	22,889,625	100.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	22,889,625	100.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-70 of A-241

Table A.43d: Contract Thresholds (Part 4 of 4)					
Construction					
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	\$	%	\$	CT, MA, NY, NJ ²	%
White male	42,280,799	63.77	62,254,367		55.06
Asian American	0	0.00	0		0.00
African American	677,566	1.02	677,566		0.60
Hispanic American	5,353,219	8.07	28,242,844		24.98
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	6,030,785	9.10	28,920,410		25.58
WBE	7,770,854	11.72	11,680,854		10.33
Non-Designated M/WBE	0	0.00	0		0.00
M/WBE	13,801,639	20.82	40,601,264		35.91
SBE	10,217,617	15.41	10,217,617		9.04
Total	66,300,055	100.00	113,073,248		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-71 of A-241

Table A.44: Contract Thresholds (Part 1 of 4)

Professional Services

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%		\$	%	
White male	202,570	100.00	100.00	871,147	65.92	1,061,173	70.20	615,000	57.72	1,453,463	76.34	850,000
Asian American	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
African American	0	0.00	0.00	450,472	34.08	450,472	29.80	450,472	42.28	450,472	23.66	0
Hispanic American	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Native American	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated MBE	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
MBE	0	0.00	0.00	450,472	34.08	450,472	29.80	450,472	42.28	450,472	23.66	0
WBE	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated M/WBE	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
M/WBE	0	0.00	0.00	450,472	34.08	450,472	29.80	450,472	42.28	450,472	23.66	0
SBE	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Total	202,570	100.00	100.00	1,321,619	100.00	1,511,645	100.00	1,065,472	100.00	1,903,935	100.00	850,000

Source: The Metropolitan District Commission's Procurement Department, M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-71 of A-241

Table A.44: Contract Thresholds (Part 1 of 4)

Professional Services

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K						\$50K-\$250K						\$250K-\$750K						\$750K-\$1M					
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²					
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%				
White male	202,570	100.00	367,940	100.00	100.00		871,147	65.92	1,061,173	70.20	615,000	57.72	1,453,463	76.34	850,000	100.00	850,000	100.00						
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
African American	0	0.00	0	0.00	0	0.00	450,472	34.08	450,472	29.80	450,472	42.28	450,472	23.66	0	0.00	0	0.00	0	0.00				
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
MBE	0	0.00	0	0.00	0	0.00	450,472	34.08	450,472	29.80	450,472	42.28	450,472	23.66	0	0.00	0	0.00	0	0.00				
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
M/WBE	0	0.00	0	0.00	0	0.00	450,472	34.08	450,472	29.80	450,472	42.28	450,472	23.66	0	0.00	0	0.00	0	0.00				
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00				
Total	202,570	100.00	367,940	100.00	100.00		1,321,619	100.00	1,511,645	100.00	1,065,472	100.00	1,903,935	100.00	850,000	100.00	850,000	100.00	850,000	100.00				

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-72 of A-241

Table A.44b: Contract Thresholds (Part 2 of 4)

Professional Services

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%	
White male	0	0.00	0	4,943,750	100.00	4,943,750	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	4,943,750	100.00	4,943,750	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-73 of A-241

Table A.44c: Contract Thresholds (Part 3 of 4)

Professional Services

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M				\$15M-\$20M				\$20M+			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-74 of A-241

Table A.44d: Contract Thresholds (Part 4 of 4) Professional Services Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	\$	%	\$	CT, MA, NY, NJ ²	%
White male	7,482,467	89.25	8,676,326		90.59
Asian American	0	0.00	0		0.00
African American	900,944	10.75	900,944		9.41
Hispanic American	0	0.00	0		0.00
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	900,944	10.75	900,944		9.41
WBE	0	0.00	0		0.00
Non-Designated M/WBE	0	0.00	0		0.00
M/WBE	900,944	10.75	900,944		9.41
SBE	0	0.00	0		0.00
Total	8,383,411	100.00	9,577,270		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-75 of A-241

Table A.45: Contract Thresholds (Part 1 of 4)

Non-Professional Services

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%		\$	%	
White male	372,727	84.63	88.39	1,200,443	89.77	1,416,956	363,050	54.26	363,050	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	305,988	45.74	305,988	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	25,000	5.68	25,000	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated MBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
MBE	25,000	5.68	25,000	0	0.00	0	305,988	45.74	305,988	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	83,775	6.26	83,775	0	0.00	0	0	0.00	0
M/WBE	25,000	5.68	25,000	83,775	6.26	83,775	305,988	45.74	305,988	0	0.00	0
SBE	42,678	9.69	42,678	53,050	3.97	53,050	0	0.00	0	0	0.00	0
Total	440,405	100.00	582,786	1,337,268	100.00	1,553,781	669,038	100.00	669,038	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department, M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-76 of A-241

Table A.45b: Contract Thresholds (Part 2 of 4)
Non-Professional Services
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-77 of A-241

Table A.45c: Contract Thresholds (Part 3 of 4)

Non-Professional Services
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M				\$15M-\$20M				\$20M+			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-78 of A-241

Table A.45d: Contract Thresholds (Part 4 of 4)						
Non-Professional Services						
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ						
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008						
Ethnicity	Total					
	State of CT ¹		CT, MA, NY, NJ ²			
	\$	%	\$			%
White male	1,936,220	79.14	2,295,114			81.80
Asian American	305,988	12.51	305,988			10.91
African American	0	0.00	0			0.00
Hispanic American	25,000	1.02	25,000			0.89
Native American	0	0.00	0			0.00
Non-Designated MBE	0	0.00	0			0.00
MBE	330,988	13.53	330,988			11.80
WBE	0	0.00	0			0.00
Non-Designated M/WBE	83,775	3.42	83,775			2.99
M/WBE	414,763	16.95	414,763			14.78
SBE	95,728	3.91	95,728			3.41
Total	2,446,711	100.00	2,805,605			100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-79 of A-241

Table A.46: Contract Thresholds (Part 1 of 4)

Goods & Supplies

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K				\$50K-\$250K				\$250K-\$750K				\$750K-\$1M			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	1,324,553	82.45	1,661,367	84.65	4,668,831	96.87	6,362,911	96.88	6,587,854	100.00	8,007,855	93.23	0	0.00	0	0.00
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	37,525	2.34	56,965	2.90	51,782	1.07	51,782	0.79	0	0.00	331,344	3.86	0	0.00	0	0.00
Non-	0	0.00	0	0.00	0	0.00	53,508	0.81	0	0.00	0	0.00	0	0.00	0	0.00
Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	37,525	2.34	56,965	2.90	51,782	1.07	105,290	1.60	0	0.00	331,344	3.86	0	0.00	0	0.00
SBE	244,343	15.21	244,343	12.45	99,288	2.06	99,288	1.51	0	0.00	250,000	2.91	0	0.00	0	0.00
Total	1,606,421	100.00	1,962,675	100.00	4,819,901	100.00	6,567,489	100.00	6,587,854	100.00	8,589,199	100.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1. Relevant Market = State of Connecticut

2. Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-80 of A-241

Table A.46b: Contract Thresholds (Part 2 of 4)

Goods & Supplies

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M				\$3M-\$5M				\$5M-\$10M			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	1,112,391	48.66	3,692,391	75.88	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	1,173,755	51.34	1,173,755	24.12	0	0.00	0	0.00	0	0.00	0	0.00
Total	2,286,146	100.00	4,866,146	100.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-81 of A-241

Table A.46c: Contract Thresholds (Part 3 of 4)

Goods & Supplies
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M				\$15M-\$20M				\$20M+			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-82 of A-241

Table A.46d: Contract Thresholds (Part 4 of 4)					
Goods & Supplies					
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	\$	%	\$	CT, MA, NY, NJ ²	%
White male	13,693,629	89.50	19,724,524		89.72
Asian American	0	0.00	0		0.00
African American	0	0.00	0		0.00
Hispanic American	0	0.00	0		0.00
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	0	0.00	0		0.00
WBE	89,307	0.58	440,091		2.00
Non-Designated M/WBE	0	0.00	53,508		0.24
M/WBE	89,307	0.58	493,599		2.25
SBE	1,517,386	9.92	1,767,386		8.04
Total	15,300,322	100.00	21,985,509		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-83 of A-241

B. ALL FY Prime Contracts Utilization Counts

Table A.47: Contract Thresholds (Part 1 of 4)														
Total: All Industry Categories														
Categories Threshold Tables														
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ														
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008														
Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M				
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²		
	#	%		#	%		#	%		#	%		#	%
White male	86	85.15	109	87.20	77	86.52	101	88.60	40	71.43	52	74.29	5	71.43
Asian American	0	0.00	0	0.00	1	1.12	1	0.88	1	1.79	1	1.43	0	0.00
African American	0	0.00	0	0.00	3	3.37	3	2.63	2	3.57	2	2.86	0	0.00
Hispanic American	1	0.99	1	0.80	1	1.12	1	0.88	1	1.79	1	1.43	1	14.29
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	1	0.99	1	0.80	5	5.62	5	4.39	4	7.14	4	5.71	1	14.29
WBE	1	0.99	2	1.60	1	1.12	1	0.88	6	10.71	7	10.00	1	14.29
Non-Designated M/WBE	0	0.00	0	0.00	1	1.12	2	1.75	0	0.00	0	0.00	0	0.00
M/WBE	2	1.98	3	2.40	7	7.87	8	7.02	10	17.86	11	15.71	2	28.57
SBE	13	12.87	13	10.40	5	5.62	5	4.39	6	10.71	7	10.00	0	0.00
Total	101	100.00	125	100.00	89	100.00	114	100.00	56	100.00	70	100.00	7	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-84 of A-241

Table A.47b: Contract Thresholds (Part 2 of 4)

Total: All Industry Categories

Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	#	%	CT, MA, NY, NJ ²	#	%	CT, MA, NY, NJ ²	#	%	CT, MA, NY, NJ ²
White male	18	66.67	25	73.53	3	75.00	4	80.00	4
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0
African American	0	0.00	0	0.00	0	0.00	0	0.00	0
Hispanic American	3	11.11	3	8.82	0	0.00	0	0.00	0
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0
MBE	3	11.11	3	8.82	0	0.00	0	0.00	0
WBE	3	11.11	3	8.82	0	0.00	0	0.00	0
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0
M/WBE	6	22.22	6	17.65	0	0.00	0	0.00	0
SBE	3	11.11	3	8.82	1	25.00	1	20.00	0
Total	27	100.00	34	100.00	4	100.00	5	100.00	4

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-85 of A-241

Table A.47c: Contract Thresholds (Part 3 of 4)

Total: All Industry Categories

**Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	State of CT ¹		#	State of CT ¹		#	State of CT ¹		#
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic	0	0.00	0	0	0.00	0	0	0.00	0
American	0	0.00	0	0	0.00	0	0	0.00	1
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	1
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	1
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	1

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-86 of A-241

Table A.47d: Contract Thresholds (Part 4 of 4)					
Total: All Industry Categories					
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	#	%	#	CT, MA, NY, NJ ²	%
White male	232	80.84	300		82.64
Asian American	2	0.70	2		0.55
African American	5	1.74	5		1.38
Hispanic American	7	2.44	8		2.20
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	14	4.88	15		4.13
WBE	12	4.18	17		4.68
Non-Designated M/WBE	1	0.35	2		0.55
M/WBE	27	9.41	34		9.37
SBE	28	9.76	29		7.99
Total	287	100.00	363		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-87 of A-241

Table A.48: Contract Thresholds (Part 1 of 4)

Architecture & Engineering

Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #
White male	4	100.00	5	3	75.00	5	8	100.00	9	1	100.00	2
Asian American	0	0.00	0	1	25.00	1	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated MBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	1	25.00	1	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	1	25.00	1	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Total	4	100.00	5	4	100.00	6	8	100.00	9	1	100.00	2

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-88 of A-241

Table A.48b: Contract Thresholds (Part 2 of 4)
Architecture & Engineering
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M		\$3M-\$5M		\$5M-\$10M	
	State of CT ¹		State of CT ¹		State of CT ¹	
	#	%	#	%	#	%
White male	8	100.00	2	100.00	1	100.00
Asian American	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00
Total	8	100.00	2	100.00	1	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-89 of A-241

Table A.48: Contract Thresholds (Part 3 of 4)

**Architecture & Engineering
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	#	%	State of CT ¹	#	%	State of CT ¹	#	%	State of CT ¹
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-90 of A-241

Table A.48d: Contract Thresholds (Part 4 of 4)					
Architecture & Engineering					
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	#	%	#	CT, MA, NY, NJ ²	%
White male	27	96.43	32		96.97
Asian American	1	3.57	1		3.03
African American	0	0.00	0		0.00
Hispanic American	0	0.00	0		0.00
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	1	3.57	1		3.03
WBE	0	0.00	0		0.00
Non-Designated M/WBE	0	0.00	0		0.00
M/WBE	1	3.57	1		3.03
SBE	0	0.00	0		0.00
Total	28	100.00	33		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

The Metropolitan District Commission
Disparity Study
Appendix ~ Final Report
July 31, 2009
Page A-91 of A-241

Table A.49: Contract Thresholds (Part 1 of 4)
Construction
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-92 of A-241

Table A.49b: Contract Thresholds (Part 2 of 4)

Construction

**Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #
White male	9	52.94	15	0	0.00	1	2	100.00	3
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	3	17.65	3	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	3	17.65	3	0	0.00	0	0	0.00	0
WBE	3	17.65	3	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	6	35.29	6	1	100.00	1	0	0.00	0
SBE	2	11.76	2	1	100.00	1	0	0.00	0
Total	17	100.00	23	1	100.00	2	2	100.00	3

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-93 of A-241

Table A.49c: Contract Thresholds (Part 3 of 4)

Construction

**Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	State of CT ¹		#	State of CT ¹		#	State of CT ¹		#
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic									
American	0	0.00	0	0	0.00	0	0	0.00	1
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated									
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	1
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated									
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	1
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	1

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-94 of A-241

Table A.49d: Contract Thresholds (Part 4 of 4)					
Construction					
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	#	%	#	%	%
White male	45	58.44	65		64.36
Asian American	0	0.00	0		0.00
African American	3	3.90	3		2.97
Hispanic American	6	7.79	7		6.93
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	9	11.69	10		9.90
WBE	10	12.99	13		12.87
Non-Designated M/WBE	0	0.00	0		0.00
M/WBE	19	24.68	23		22.77
SBE	13	16.88	13		12.87
Total	77	100.00	101		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-95 of A-241

Table A.50: Contract Thresholds (Part 1 of 4)

Professional Services

Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #
White male	10	100.00	11	8	88.89	9	2	66.67	4	1	100.00	1
Asian American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	1	11.11	1	1	33.33	1	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated MBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	1	11.11	1	1	33.33	1	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	1	11.11	1	1	33.33	1	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
Total	10	100.00	11	9	100.00	10	3	100.00	5	1	100.00	1

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-96 of A-241

Table A.50b: Contract Thresholds (Part 2 of 4)

Professional Services

**Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	State of CT ¹		#	CT, MA, NY, NJ ²		#	State of CT ¹		#
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	1	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	1	1	100.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-97 of A-241

Table A.50c: Contract Thresholds (Part 3 of 4)

Professional Services

**Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$10M-\$15M				\$15M-\$20M				\$20M+			
	State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²		State of CT ¹		CT, MA, NY, NJ ²	
	#	%	#	%	#	%	#	%	#	%	#	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-98 of A-241

Table A.50d: Contract Thresholds (Part 4 of 4)					
Professional Services					
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	#	%	#	CT, MA, NY, NJ ²	%
White male	22	91.67	26		92.86
Asian American	0	0.00	0		0.00
African American	2	8.33	2		7.14
Hispanic American	0	0.00	0		0.00
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	2	8.33	2		7.14
WBE	0	0.00	0		0.00
Non-Designated M/WBE	0	0.00	0		0.00
M/WBE	2	8.33	2		7.14
SBE	0	0.00	0		0.00
Total	24	100.00	28		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-99 of A-241

Table A.51: Contract Thresholds (Part 1 of 4)
Non-Professional Services
Threshold Tables Counts, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #
White male	16	88.89	21	91.30	0.00	10	83.33	1	50.00	0	0.00	0
Asian American	0	0.00	0	0.00	0.00	0	0.00	1	50.00	0	0.00	0
African American	0	0.00	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0
Hispanic American	1	5.56	1	4.35	0.00	0	0.00	0	0.00	0	0.00	0
Native American	0	0.00	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated MBE	0	0.00	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0
MBE	1	5.56	1	4.35	0.00	0	0.00	1	50.00	0	0.00	0
WBE	0	0.00	0	0.00	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0.00	0.00	1	8.33	0	0.00	0	0.00	0
M/WBE	1	5.56	1	4.35	0.00	1	8.33	1	50.00	0	0.00	0
SBE	1	5.56	1	4.35	0.00	1	8.33	0	0.00	0	0.00	0
Total	18	100.00	23	100.00	11	100.00	12	100.00	2	100.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-100 of A-241

Table A.51b: Contract Thresholds (Part 2 of 4)

Non-Professional Services

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M		
	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #	State of CT ¹ #	%	CT, MA, NY, NJ ² #
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)



Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-101 of A-241

Table A.51c: Contract Thresholds (Part 3 of 4)

Non-Professional Services

**Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	#	%		#	%		#	%	
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic	0	0.00	0	0	0.00	0	0	0.00	0
American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-102 of A-241

Table A.51d: Contract Thresholds (Part 4 of 4)					
Non-Professional Services					
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	#	%	#	CT, MA, NY, NJ ²	%
White male	26	83.87	32		86.49
Asian American	1	3.23	1		2.70
African American	0	0.00	0		0.00
Hispanic American	1	3.23	1		2.70
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	2	6.45	2		5.41
WBE	0	0.00	0		0.00
Non-Designated M/WBE	1	3.23	1		2.70
M/WBE	3	9.68	3		8.11
SBE	2	6.45	2		5.41
Total	31	100.00	37		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-103 of A-241

Table A.52: Contract Thresholds (Part 1 of 4)

Goods & Supplies

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	#	%	CT, MA, NY, NJ ²	#	%	CT, MA, NY, NJ ²	#	%	CT, MA, NY, NJ ²	#	%	CT, MA, NY, NJ ²
White male	52	81.25	65	43	95.56	57	95.00	16	100.00	21	91.30	0
Asian	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
American	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
African	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
American	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
Hispanic	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
American	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
Native	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
American	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
Designated	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0.00	0	0.00	0	0.00	0
WBE	1	1.56	2	1	2.22	1	1.67	0	0.00	1	4.35	0
Non-	0	0.00	0	0	0.00	1	1.67	0	0.00	0	0.00	0
Designated	0	0.00	0	0	0.00	1	1.67	0	0.00	0	0.00	0
M/WBE	1	1.56	2	1	2.22	2	3.33	0	0.00	1	4.35	0
M/WBE	11	17.19	11	1	2.22	1	1.67	0	0.00	1	4.35	0
SBE	64	100.00	78	45	100.00	60	100.00	16	100.00	23	100.00	0
Total												

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-104 of A-241

Table A.52b: Contract Thresholds (Part 2 of 4)

Goods & Supplies

**Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$1M-\$3M				\$3M-\$5M				\$5M-\$10M			
	State of CT¹		CT, MA, NY, NJ²		State of CT¹		CT, MA, NY, NJ²		State of CT¹		CT, MA, NY, NJ²	
	#	%	#	%	#	%	#	%	#	%	#	%
White male	1	50.00	2	66.67			0	0.00			0	0.00
Asian American	0	0.00	0	0.00			0	0.00			0	0.00
African American	0	0.00	0	0.00			0	0.00			0	0.00
Hispanic American	0	0.00	0	0.00			0	0.00			0	0.00
Native American	0	0.00	0	0.00			0	0.00			0	0.00
Non-Designated MBE	0	0.00	0	0.00			0	0.00			0	0.00
MBE	0	0.00	0	0.00			0	0.00			0	0.00
WBE	0	0.00	0	0.00			0	0.00			0	0.00
Non-Designated M/WBE	0	0.00	0	0.00			0	0.00			0	0.00
M/WBE	0	0.00	0	0.00			0	0.00			0	0.00
SBE	1	50.00	1	33.33			0	0.00			0	0.00
Total	2	100.00	3	100.00			0	0.00			0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-105 of A-241

Table A.52c: Contract Thresholds (Part 3 of 4)

Goods & Supplies

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	State of CT ¹		%	State of CT ¹		%	State of CT ¹		%
	#			#			#		
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic	0	0.00	0	0	0.00	0	0	0.00	0
American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1. Relevant Market = State of Connecticut

2. Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-106 of A-241

Table A.52d: Contract Thresholds (Part 4 of 4)
Goods & Supplies
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	State of CT ¹			Total		
	#	%		#		%
White male	112	88.19		145		88.41
Asian American	0	0.00		0		0.00
African American	0	0.00		0		0.00
Hispanic American	0	0.00		0		0.00
Native American	0	0.00		0		0.00
Non-Designated MBE	0	0.00		0		0.00
MBE	0	0.00		0		0.00
WBE	2	1.57		4		2.44
Non-Designated M/WBE	0	0.00		1		0.61
M/WBE	2	1.57		5		3.05
SBE	13	10.24		14		8.54
Total	127	100.00		164		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-107 of A-241

V. Census Availability

A. 2002 Survey of Business Owners (SBO)

Table A.53: Count of Firms with Paid Employees		
State of Connecticut		
Census All Procurement Types		
FY 2002		
Ethnicity	#	%
White Male	56,770	82.79
African American	341	0.50
Hispanic American	1,033	1.51
Asian American	1,966	2.87
American Indian	0	0.00
MBE	3,340	4.87
WBE*	8,462	12.34
M/WBE	11,802	17.21
Total	68,572	100.00

Source: 2002 Economic Census Survey of Business Owners– State of Connecticut

* Removes double counting of Minority females. The ratio of White females to Total Women was 88.39 percent.

Table A.54: Count of Firms with Paid Employees		
State of Connecticut		
Census Construction		
FY 2002		
Ethnicity	#	%
White Male	8,731	90.86
African American	93	0.97
Hispanic American	161	1.68
Asian American	26	0.27
American Indian	0	0.00
MBE	280	2.91
WBE*	598	6.23
M/WBE	878	9.14
Total	9,609	100.00

Source: 2002 Economic Census Survey of Business Owners– State of Connecticut

* Removes double counting of Minority females. The ratio of White females to Total Women was 88.39 percent.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-108 of A-241

Table A.55: Count of Firms with Paid Employees State of Connecticut Census Professional Services FY 2002		
Ethnicity	#	%
White Male	20,911	81.84
African American	183	0.72
Hispanic American	282	1.10
Asian American	527	2.06
American Indian	0	0.00
MBE	992	3.88
WBE*	3,649	14.28
M/WBE	4,641	18.16
Total	25,552	100.00

Source: 2002 Economic Census Survey of Business Owners– State of Connecticut

* Removes double counting of Minority females. The ratio of White females to Total Women was 88.39 percent.

Table A.56: Count of Firms with Paid Employees State of Connecticut Census Non-professional Services FY 2002		
Ethnicity	#	%
White Male	11,084	80.26
African American	65	0.47
Hispanic American	320	2.32
Asian American	602	4.36
American Indian	0	0.00
MBE	987	7.15
WBE*	1,740	12.60
M/WBE	2,727	19.74
Total	13,811	100.00

Source: 2002 Economic Census Survey of Business Owners– State of Connecticut

* Removes double counting of Minority females. The ratio of White females to Total Women was 88.39 percent.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-109 of A-241

Table A.57: Count of Firms with Paid Employees		
State of Connecticut		
Census Goods & Services		
FY 2002		
Ethnicity	#	%
White Male	16,044	81.86
African American	0	0.00
Hispanic American	270	1.38
Asian American	811	4.14
American Indian	0	0.00
MBE	1,081	5.52
WBE*	2,475	12.63
M/WBE	3,556	18.14
Total	19,600	100.00

Source: 2002 Economic Census Survey of Business Owners- State of Connecticut

* Removes double counting of Minority females. The ratio of White females to Total Women was 88.39 percent.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-110 of A-241

B. 2006 County Business Patterns (CBP)

Table A.58: 2006 County Business Patterns (NAICS) List of Construction companies with experience in areas related with upcoming MDC opportunities under clean water, such as building water plants State of Connecticut						
NAICS Code	Industry Code Description	Highways and Streets	Water & Pollution Control Plants	Water & Sewer lines	A&E Services	Total
237	Heavy and Civil Engineering Construction			522		522
2371	Utility System Construction			191		191
2373	Highway, Street, and Bridge Construction	154				154
2379	Other Heavy and Civil Engineering Construction			54		54
2381	Foundation, Structure, and Building Exterior Contractors		1,288			1,288
2382	Building Equipment Contractors		2,757			2,757
2383	Building Finishing Contractors		1,505			1,505
2389	Other Specialty Trade Contractors		1,022			1,022
23621	Industrial Building Construction		27			27
23711	Water and Sewer Line and Related Structures Construction			138		138
23811	Poured Concrete Foundation and Structure Contractors		274			274
23812	Structural Steel and Precast Concrete Contractors		41			41
23813	Framing Contractors		173			173
23814	Masonry Contractors		360			360
23815	Glass and Glazing Contractors		72			72
23816	Roofing Contractors		196			196
23817	Siding Contractors		131			131
23819	Other Foundation, Structure, and Building Exterior Contractors		41			41
23821	Electrical Contractors		1,273			1,273
23822	Plumbing, Heating, and Air-Conditioning Contractors		1,417			1,417
23829	Other Building Equipment Contractors		67			67
23831	Drywall and Insulation Contractors		171			171
23832	Painting and Wall Covering Contractors		557			557

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-111 of A-241

23833	Flooring Contractors			187			187
23834	Tile and Terrazzo Contractors			86			86
23835	Finish Carpentry Contractors			406			406
23839	Other Building Finishing Contractors			98			98
23891	Site Preparation Contractors			604			604
23899	All Other Specialty Trade Contractors			418			418
5413	Architectural, Engineering, and Related Services					1,339	21,339
Total			154	13,171	905	1,339	15,569

Source: County Business Patterns 2006; M3 Consulting

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-112 of A-241

Table A.59: Construction areas in MDC opportunities by Ethnicity
City of Hartford MWBE Directory vs 2006 CBP State of CT

NAICS Code	2006 NAICS Description	Ethnicity	Construction Specialty					Total Establishments CBP 2006	Availability (%)
			A&E Services	Civil Construction	Highways and Streets	Water & Pollution Control Plants	Water & Sewer lines		
5413	A&E Services	Asian	5					5	1.12
		Black	7					7	
		Hispanic	3					3	
		Native American						0	
		WBE						0	
		Non-designated MWBEs						0	
		White male						0	
		Sub total	15	0	0	0	0	15	
237310	Highway & Street Construction	Asian						0	14.29
		Black			10			10	
		Hispanic			3			3	
		Native American						0	
		WBE			7			7	
		Non-designated MWBEs						0	
		White male			2			2	
		Sub total	0	0	22	0	0	22	
23621	Industrial Building Construction	Asian				2		2	500.00
		Black				45		45	
		Hispanic				36		36	
		Native American				2		2	
		WBE				40		40	
		Non-designated MWBEs				6		6	

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-113 of A-241

	White male					4	4		
	Sub total	0	0	0	0	135	0	135	
	Asian							0	
	Black							0	
	Hispanic							0	
	Native American							0	
	WBE		2					2	
	Non-designated MWBEs							0	
	White male							0	
	Sub total	0	2	0	0	0	0	2	
	Asian							0	
	Black							0	
	Hispanic						1	1	
	Native American						1	1	
	WBE						1	1	
	Non-designated MWBEs							0	
	White male							0	
	Sub total	0	0	0	0	0	3	3	
Total		15	2	22	135	3	3,644	177	4.86

*Source: City of Hartford MWBE Directory, M3 Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-114 of A-241

VI. MWBE Certification

A. Master MWBE

Table A.60: Master MWBE List		
Count of Unique Vendors		
Architecture and Engineering; FY 2008		
Ethnicity	A&E	
	#	%
Non-MWBEs	31	55.36
Asian	8	14.29
Black	7	12.50
Hispanic	1	1.79
Native American	0	0.00
Non-designated MBEs	4	7.14
MBEs	20	35.71
WBE	4	7.14
Non-designated MWBEs	1	1.79
MWBEs	25	44.64
Total	56	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Table A.61: Master MWBE List		
Count of Unique Vendors		
Construction; FY 2008		
Ethnicity	Construction	
	#	%
Non-MWBEs	154	42.19
Asian	7	1.92
Black	68	18.63
Hispanic	45	12.33
Native American	2	0.55
Non-designated MBEs	46	12.60
MBEs	168	46.03
WBE	37	10.14
Non-designated MWBEs	6	1.64
MWBEs	211	57.81
Total	365	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-115 of A-241

Table A.62: Master MWBE List Count of Unique Vendors Goods & Supplies; FY 2008		
Ethnicity	G&S	
	#	%
Non-MWBEs	8	21.05
Asian	3	7.89
Black	2	5.26
Hispanic	5	13.16
Native American	0	0.00
Non-designated MBEs	7	18.42
MBEs	17	44.74
WBE	13	34.21
Non-designated MWBEs	0	0.00
MWBEs	30	78.95
Total	38	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Table A.63: Master MWBE List Count of Unique Vendors Non-professional Services; FY 2008		
Ethnicity	NP	
	#	%
Non-MWBEs	170	48.16
Asian	4	1.13
Black	47	13.31
Hispanic	25	7.08
Native American	0	0.00
Non-designated MBEs	77	21.81
MBEs	153	43.34
WBE	26	7.37
Non-designated MWBEs	4	1.13
MWBEs	183	51.84
Total	353	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-116 of A-241.

Table A.64: Master MWBE List		
Count of Unique Vendors Professional Services; FY 2008		
Ethnicity	P	
	#	%
Non-MWBEs	35	21.08
Asian	11	6.63
Black	29	17.47
Hispanic	14	8.43
Native American	0	0.00
Non-designated MBEs	40	24.10
MBEs	94	56.63
WBE	30	18.07
Non-designated MWBEs	7	4.22
MWBEs	131	78.92
Total	166	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Table A.65: Master MWBE List		
Count of Unique Vendors Services; FY 2008		
Ethnicity	Services	
	#	%
Non-MWBEs	0	0.00
Asian	4	21.05
Black	1	5.26
Hispanic	1	5.26
Native American	1	5.26
Non-designated MBEs		0.00
MBEs	7	36.84
WBE	12	63.16
Non-designated MWBEs	0	0.00
MWBEs	19	100.00
Total	19	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-117 of A-241

Table A.66: Master MWBE List		
Count of Unique Vendors		
All Procurement Types; FY 2008		
Ethnicity	All	
	#	%
Non-MWBEs	398	39.68
Asian	37	3.69
Black	154	15.35
Hispanic	91	9.07
Native American	3	0.30
Non-designated MBEs	177	17.65
MBEs	462	46.06
WBE	124	12.36
Non-designated MWBEs	19	1.89
MWBEs	605	60.32
Total	1,003	100.00

Source: City of Hartford, State of Connecticut Department of Administrative Services, State of Connecticut Department of Transportation, Census SBA CCR, City of New Haven and Clean Water MBE/WBE Contractors.

Note: Total includes 6 vendors with unknown procurement Type.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-118 of A-241

B. State of Connecticut Department of Transportation

Table A.67: State of Connecticut Department of Transportation List of DBE Construction companies with experience in areas related with upcoming MDC opportunities under clean water, such as building water plants, etc.												
NAICS Code	2006 NAICS Description	Areas related with MDC opportunities that are coming up under clean water, such as building water plants, etc.	Ethnicity					Total	Highways and Streets	Water & Pollution Control Plants	Water & Sewer lines	A&E Services
			Asian	Black	DBE	Hispanic	WBE					
237	Heavy & Civil Construction	Civil Engineering	1			2	4		7		7	
237	Heavy & Civil Construction	Tunnels				1			1		1	
2371	Utility System Construction	Comprehensive Sewer Rehab Program					2		2		2	
2371	Utility System Construction	pipe laying					1		1		1	
2371	Utility System Construction	Sewer Lines					1		1		1	
2371	Utility System Construction	Water & Sewer Lines	9	15		11	29	1	65		65	
2371	Utility System Construction	Water & Sewer pipes					1		1		1	
5413	A&E Services	Architectural Consulting					1		1			1
5413	A&E Services	Construction	3						3			3

Appendix A: Tables	The Metropolitan District Commission Disparity Study Appendix – Final Report July 31, 2009 Page A-119 of A-241
----------------------------------	---



Appendix A: Tables

The Metropolitan District Commission

Disparity Study

Appendix – Final Report

July 31, 2009

Page A-120 of A-241

Source: Connecticut Department of Transportation – DBE directory 2008; M3 Consulting

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-121 of A-241

Table A.68: 2006 County Business Patterns and CT Department of Transportation

**Construction areas in MDC opportunities
State of Connecticut**

NAICS Code	2006 NAICS Description	Area in MDC Opportunities	CT DOT DBE	CBP	Availability (%)
237310	Highway & Street Construction	Highways and Streets	24	154	15.58
Sub total			24	154	
237	Heavy and Civil Engineering Construction	Water & Sewer lines	8	522	
2371	Utility System Construction		70	191	
2379	Other Heavy and Civil Engineering Construction			54	8.62
23711	Water and Sewer Line and Related Structures Construction			138	
Sub total			78	905	
5413	A&E Services	A&E Services	20	1,339	1.49
Sub total			20	1,339	
23621	Industrial Bldg Construction	Water & Pollution Control Plants	78	27	0.59
2381	Foundation, Structure, and Building Exterior Contractors			1,288	
2382	Building Equipment Contractors			2,757	
2383	Building Finishing Contractors			1,505	
2389	Other Specialty Trade Contractors			1,022	
23811	Poured Concrete Foundation and Structure Contractors			274	
23812	Structural Steel and Precast Concrete Contractors			41	
23813	Framing Contractors			173	
23814	Masonry Contractors			360	
23815	Glass and Glazing Contractors			72	
23816	Roofing Contractors			196	
23817	Siding Contractors			131	
23819	Other Foundation, Structure, and Building Exterior Contractors			41	
23821	Electrical Contractors			1,273	

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-122 of A-241

23822	Plumbing, Heating, and Air-Conditioning Contractors	1,417
23829	Other Building Equipment Contractors	67
23831	Drywall and Insulation Contractors	171
23832	Painting and Wall Covering Contractors	557
23833	Flooring Contractors	187
23834	Tile and Terrazzo Contractors	86
23835	Finish Carpentry Contractors	406
23839	Other Building Finishing Contractors	98
23891	Site Preparation Contractors	604
23899	All Other Specialty Trade Contractors	418
Sub total		78 13,171
GRAND TOTAL		200 15,569

Source: County Business Patterns 2006; Connecticut Department of Transportation – DBE directory 2008; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-123 of A-241

C. State of Connecticut Department of Administrative Services

Table A.69: State of Connecticut State of Connecticut Department of Administrative Services Construction areas in MDC opportunities					
NAICS Code	2006 NAICS Description	Construction Specialty	#	Total Establishments CBP 2006	Availability (%)
5413	A&E Services	A&E Services	89	1,339	6.65
238990	All Other Specialty Trade Contractors-Fence Installation	Civil Construction	3	418	0.72
237	Heavy and Civil Engineering Construction		1	522	0.19
561730	Landscaping Services		8	1,933	0.41
238190	Other Foundation, Structure, and Building Exterior Contractors		1	41	2.44
238220	Plumbing, Heating, and Air-Conditioning Contractors-Lawn sprinkler system installation		1	1,417	0.07
238910	Site Preparation Contractors	Highways and Streets	1	604	0.17
237310	Highway & Street Construction		100	154	64.94
23621	Industrial Building Construction	Water & Pollution Control Plants	336	27	1,244.44
2371	Utility System Construction	Water & Sewer lines	41	191	21.47
Total			581	6,646	8.74

Source: State of Connecticut Department of Administrative Services; M3 Consulting

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-124 of A-241

Table A.70: Summary Table

NAICS Code	2006 NAICS Description	Construction Specialty	CBP	CT DAS		City of Hartford		CT DOT	
				#	Avail (%)	#	Avail (%)	#	Avail (%)
5413	A&E Services	A&E Services	1,339	89	6.65	15	1.12	20	1.49
238990	All Other Specialty Trade Contractors-Fence installation	Civil Construction	418	3	0.72	0	0.00	0	0.00
561730	Landscaping Services		1,933	8	0.41	2	0.10	0	0.00
238190	Other Foundation, Structure, and Building Exterior Contractors		41	1	2.44	0	0.00	0	0.00
238220	Plumbing, Heating, and Air-Conditioning Contractors-Lawn sprinkler system installation		1,417	1	0.07	0	0.00	0	0.00
238910	Site Preparation Contractors		604	1	0.17	0	0.00	0	0.00
237310	Highway & Street Construction	Highways and Streets	154	100	64.94	22	14.29	24	15.58
23621	Industrial Building Construction	Water & Pollution Control Plants	27	336	1,244.44	135	500.00	78	288.89
237	Heavy and Civil Engineering Construction	Water & Sewer lines	522	1	0.19	0	0.00	8	1.53
2371	Utility System Construction		191	41	21.47	3	1.57	70	36.65
Total			6,646	581	8.74	1516	41.60	200	5.49

Source: 2006 Census County Business Patterns, CT DOT, CT DAS; M3 Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-125 of A-241

VII. Disparity Ratios

A. Contracts Pure Prime + Subcontractor v. RWASM Level 3

Table A.71: Architecture & Engineering Contracts Utilization vs. RWASM Availability Level 3

State of Connecticut

The Metropolitan District Commission; FY 2005-FY 2008

Ethnicity	2005	2006	2007	2008	Period
White male	1.19	1.16	1.20	1.06	1.13*
Asian American	0.85	0.24	0.75	0.32	0.44
African American	0.10	0.00	0.00	0.00	0.01
Hispanic American	0.00	0.19	0.00	3.38	1.34
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	3.19*	8.89*	0.00**	0.00**	3.14*
MBE	0.50	0.77	0.21	1.30	0.83
WBE	0.35	0.26	0.79	0.50	0.46
Non-Designated M/WBE	0.00**	0.00**	0.00**	0.00**	0.00**
M/WBE	0.42	0.56	0.41	0.96	0.67
SBE	0.00	0.00**	0.00	0.00**	0.00**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.72: Construction Contracts Utilization vs. RWASM Availability Level 3
Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)
The Metropolitan District Commission; FY 2005-FY 2008

Ethnicity	2005	2006	2007	2008	PERIOD
White male	0.88	0.88	0.94	0.52**	0.69**
Asian American	0.43	0.00	0.00	0.00	0.12
African American	0.17	0.19	0.00	0.47	0.37**
Hispanic American	1.64	4.29*	0.00	9.43*	7.48*
Native American	0.00	0.00	0.00	0.00	0.00
Non-Designated MBE	0.95**	5.73*	0.00**	0.25**	0.48**
MBE	0.78	2.21*	0.00	3.59*	2.30*
WBE	1.74	0.74	1.39	1.48	2.60*
Non-Designated M/WBE	ND	ND	ND	ND	0.00**
M/WBE	1.16	1.62	0.56	2.75*	2.31*
SBE	1.86	0.47**	2.95	1.10*	1.28*

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-126 of A-241

Table A.73: Professional Services Contracts Utilization vs. <i>RWASM</i> Availability Level 3					
State of Connecticut					
The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	1.17	1.17	0.52	0.86	1.02
Asian American	0.00	0.00	31.82*	0.00	3.63
African American	0.00	0.00	2.78	11.43*	2.83
Hispanic American	0.00	0.00	0.00	1.26	0.28
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.00**	0.00**	0.00**	0.00**	0.00**
MBE	0.00	0.00	5.20*	5.47*	1.79
WBE	0.00	0.00	9.94*	0.00	1.13
Non-Designated M/WBE	0.00**	0.00**	0.00**	0.00**	0.00**
M/WBE	0.00	0.00	6.76*	3.24*	1.48
SBE	0.00**	0.00**	0.00	0.00**	0.00**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.74: Non-Professional Services Contracts Utilization vs. <i>RWASM</i> Availability Level 3					
Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)					
The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	0.71**	0.62**	1.14	0.77**	0.83**
Asian American	0.00	0.00	0.00	53.57*	22.74*
African American	0.00	0.00	0.00	1.46	0.62
Hispanic American	0.00	35.34*	0.00	1.62	3.00
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	101.52*	0.00**	0.00**	0.00**	27.61*
MBE	5.97*	12.47*	0.00	7.56*	5.65*
WBE	3.04*	0.00	0.00	0.28	0.94
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	4.65*	6.84*	0.00	4.27*	3.52*
SBE	1.24	0.00**	0.00	0.64**	0.61**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-127 of A-241

Table A.75: Goods & Supplies Contracts Utilization vs. RWASM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	1.08	1.09*	0.86	1.08	1.03
Asian American	0.00	0.00	0.00	0.00	0.00
African American	0.00	0.00	0.00	0.00	0.00
Hispanic American	0.00	0.00	0.00	0.00	0.00
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.00**	0.00**	0.00**	0.00**	0.00**
MBE	0.00	0.00	0.00	0.00	0.00
WBE	0.00	0.00	0.41	0.54	0.18
Non-Designated M/WBE	0.00**	0.00**	0.00**	0.00**	0.00**
M/WBE	0.00	0.00	0.21	0.28	0.10**
SBE	0.54**	0.22**	3.97*	0.24**	1.27*

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-128 of A-241

B. Contracts Pure Prime + Subcontractor v. Census

Table A.76: Architecture & Engineering Census Utilization vs. Census					
State of Connecticut					
The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	1.13	1.09	1.13	1.00	1.07
Asian American	1.33	0.37	1.18	0.50	0.70
African American	0.43	0.00	0.00	0.00	0.06
Hispanic American	0.00	0.72	0.00	12.47*	4.94*
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	ND	ND	ND	ND	ND
MBE	1.46	2.26	0.63	3.81*	2.44*
WBE	0.16	0.12	0.36	0.23	0.21**
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	0.44	0.58	0.42	0.99	0.69
SBE	ND	ND	ND	ND	ND

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.77: Construction Census Utilization vs. Census					
Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)					
The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	0.71**	0.72**	0.76**	0.43**	0.57**
Asian American	0.78	0.00	0.00	0.00	0.22
African American	0.99	1.10	0.00	2.77	1.87
Hispanic American	4.08*	10.69*	0.00	23.52*	14.80*
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	ND	ND	ND	ND	ND
MBE	3.15*	8.93*	0.00	14.55*	9.67*
WBE	2.20*	0.93	1.76	1.87*	1.81*
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	2.50*	3.48*	1.20	5.92*	4.32*
SBE	ND	ND	ND	ND	ND

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-129 of A-241

Table A.78: Professional Services Census Utilization vs. Census State of Connecticut The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	1.22	1.22	0.54**	0.89	1.07
Asian American	0.00	0.00	9.44*	0.00	1.08
African American	0.00	0.00	8.32*	34.15*	8.45*
Hispanic American	0.00	0.00	0.00	2.09	0.46
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	ND	ND	ND	ND	ND
MBE	0.00	0.00	6.55*	6.90*	2.26
WBE	0.00	0.00	2.13	0.00	0.24
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	0.00	0.00	3.07*	1.47*	0.67
SBE	ND	ND	ND	ND	ND

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.79: Non-Professional Services Census Utilization vs. Census Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	0.77	0.68	1.25	0.85	0.91
Asian American	0.00	0.00	0.00	5.30*	2.25
African American	0.00	0.00	0.00	5.35	2.27
Hispanic American	0.00	19.72*	0.00	0.91	1.67
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	ND	ND	ND	ND	ND
MBE	3.06	6.39*	0.00	3.88*	2.90*
WBE	0.73	0.00	0.00	0.07	0.23**
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	1.57	2.31	0.00	1.45	1.19
SBE	ND	ND	ND	ND	ND

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-130 of A-241

Table A.80: Goods & Supplies Census Utilization vs. Census Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	1.19*	1.21*	0.95	1.19	1.13*
Asian American	0.00	0.00	0.00	0.00	0.00**
African American	ND	ND	ND	ND	ND
Hispanic American	0.00	0.00	0.00	0.00	0.00
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	ND	ND	ND	ND	ND
MBE	0.00	0.00	0.00	0.00	0.00**
WBE	0.00**	0.00**	0.07**	0.09	0.03**
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	0.00**	0.00**	0.05**	0.07	0.02**
SBE	ND	ND	ND	ND	ND

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-131 of A-241

C. Contracts Pure Prime + Subcontractor v. RWASM Level 3 (no outliers)

Table A.81: Construction Contracts Utilization vs. RWASM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	PERIOD
White male	1.02	1.10	0.94	0.90	0.96
Asian American	0.49	0.00	0.00	0.00	0.18
African American	0.20	0.23	0.00	0.81	0.52
Hispanic American	0.28	0.75	0.00	0.95	0.78
Native American	0.00	0.00	0.00	0.00	0.00
Non-Designated MBE	1.11*	7.15*	0.00**	0.43**	0.67**
MBE	0.33	1.12	0.00	0.77	0.60**
WBE	0.81	0.22	1.39	1.57	1.89*
Non-Designated M/WBE	ND	ND	ND	ND	0.00**
M/WBE	0.52	0.76	0.56	1.09	0.91
SBE	2.16	0.58**	2.95	1.87*	1.78*

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-132 of A-241

D. Accounts Payable v. RWASM Level 3

Table A.82: Professional Services Accounts Payable Utilization vs. RWASM Availability Level 3					
State of Connecticut					
The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.12*	1.15*	1.14*	1.05*	1.11*
Asian American	0.00	0.00**	0.07**	0.72	0.23**
African American	0.15**	0.07**	0.07**	3.65*	1.14
Hispanic American	0.00**	0.01**	0.21**	0.32	0.16**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.03**	0.00**	0.00**	0.00**	0.00**
MBE	0.07**	0.03**	0.12**	1.81*	0.58**
WBE	0.45**	0.01**	0.00**	0.14**	0.11**
Non-Designated M/WBE	0.00**	0.00**	0.00**	0.52**	0.16**
M/WBE	0.21**	0.02**	0.07**	1.14	0.39**
SBE	0.38	0.23	0.28	0.05**	0.21**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.83: Architecture & Engineering Accounts Payable Utilization vs. RWASM Availability Level 3					
State of Connecticut					
The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.28*	1.29*	1.29*	1.29*	1.29*
Asian American	0.00	0.00**	0.00**	0.00**	0.00**
African American	0.06	0.01**	0.00**	0.00**	0.01**
Hispanic American	0.00	0.00**	0.00**	0.00**	0.00**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.00**	0.00**	0.00**	0.00**	0.00**
MBE	0.02**	0.00**	0.00**	0.00**	0.00**
WBE	0.00**	0.00**	0.00**	0.00**	0.00**
Non-Designated M/WBE	0.00**	0.00**	0.00**	0.00**	0.00**
M/WBE	0.01**	0.00**	0.00**	0.00**	0.00**
SBE	0.17**	0.02	0.01**	0.03**	0.04**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-133 of A-241

Table A.84: Construction Accounts Payable Utilization vs. RWASM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.20*	0.65**	0.90**	1.10*	0.93**
Asian American	0.00	0.00	1.18	0.00	0.35**
African American	0.17**	0.12**	0.05**	0.00**	0.07**
Hispanic American	1.60*	2.22*	2.77*	0.42**	1.82*
Native American	0.00	0.00	0.00	0.00	0.00**
Non-Designated MBE	0.00**	0.00**	0.01**	7.89*	1.57*
MBE	0.65**	0.84	1.05	0.97	0.86**
WBE	0.14**	3.62*	2.63*	0.94	2.09*
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	0.45**	1.95*	1.68*	0.96	1.35*
SBE	0.40	2.04	0.09	0.04**	0.71**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.85: Goods & Supplies Accounts Payable Utilization vs. RWASM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.07*	1.08*	1.06*	1.00	1.05*
Asian American	0.00**	0.00**	0.00**	1.98*	0.65**
African American	0.99	0.83	0.00**	0.00**	0.37**
Hispanic American	0.35**	0.28**	0.75	0.00**	0.28**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.28**	0.04**	0.28**	1.30*	0.53**
MBE	0.53**	0.41**	0.24**	0.57**	0.42**
WBE	0.25**	0.15**	0.23**	0.39**	0.25**
Non-Designated M/WBE	0.00**	0.00**	0.00**	3.74*	1.22*
M/WBE	0.35**	0.25**	0.22**	0.66**	0.38**
SBE	0.29	0.30	0.69**	1.26*	0.68**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-134 of A-241

Table A.86: Non-Professional Services Accounts Payable Utilization vs. <i>RWA</i>SM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	0.89**	0.85**	0.81**	0.89**	0.87**
Asian American	41.02*	52.76*	50.58*	48.42*	46.84*
African American	0.49**	0.03**	0.00**	0.00**	0.11**
Hispanic American	0.16**	0.02**	0.12**	0.00	0.09**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	1.44*	1.58*	0.37**	0.74**	1.02*
MBE	5.20*	6.32*	6.01*	5.74*	5.65*
WBE	0.12**	0.03**	0.08**	0.00**	0.05**
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	2.92*	3.48*	3.33*	3.15*	3.13*
SBE	0.48	0.51	1.18*	0.14**	0.55**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-135 of A-241

E. Purchase Orders v. RWASM Level 3

Table A.87: Architecture & Engineering Purchase Orders Utilization vs. RWASM Availability Level 3 State of Connecticut The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.29*	1.29*	1.29*	1.29*	1.29*
Asian American	0.00	0.00	0.00	0.00**	0.00**
African American	0.03	0.01	0.00	0.00**	0.01**
Hispanic American	0.00	0.02	0.00	0.00**	0.01**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.00**	0.00**	0.00**	0.00**	0.00**
MBE	0.01**	0.01**	0.00	0.00**	0.01**
WBE	0.00	0.00**	0.00	0.00**	0.00**
Non-Designated M/WBE	0.00**	0.00**	0.00**	0.00**	0.00**
M/WBE	0.01**	0.01**	0.00**	0.00**	0.00**
SBE	0.08	0.00**	0.00**	0.03**	0.02**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.88: Construction Purchase Orders Utilization vs. RWASM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	0.72**	0.99	1.17*	1.10*	0.97
Asian American	0.00	0.00	1.40	0.00	0.35
African American	0.01**	0.01**	0.01**	0.00**	0.01**
Hispanic American	1.03	3.08*	1.62	0.42**	1.60*
Native American	0.00	0.00	0.00	0.00	0.00
Non-Designated MBE	0.00**	0.00**	0.01**	7.90*	1.43*
MBE	0.37**	1.09	0.64	0.97	0.73**
WBE	3.64*	1.72*	0.77	0.94	1.94*
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	1.68*	1.35*	0.69	0.96	1.22*
SBE	2.12	0.05	0.01	0.04**	0.68**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-136 of A-241

Table A.89: Professional Services Purchase Orders Utilization vs. RWASM Availability Level 3 State of Connecticut The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.15*	1.15*	1.15*	1.03	1.12*
Asian American	0.00	0.00	0.00	0.87	0.21
African American	0.16	0.00	0.03	4.39*	1.13
Hispanic American	0.00	0.00	0.11	0.39	0.12**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.00**	0.00**	0.00**	0.00**	0.00**
MBE	0.07**	0.00**	0.06**	2.17*	0.56**
WBE	0.10**	0.00**	0.07**	0.17	0.08**
Non-Designated M/WBE	0.00**	0.00**	0.69**	0.62**	0.29**
M/WBE	0.08**	0.00**	0.08**	1.38	0.37**
SBE	0.20**	0.30	0.18	0.06**	0.20**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio Is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Table A.90: Non-Professional Services Purchase Orders Utilization vs. RWASM Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	0.89**	1.05*	0.85**	0.76**	0.90**
Asian American	39.97*	12.99*	50.53*	47.98*	35.98*
African American	0.77	0.05**	0.34	0.00**	0.28**
Hispanic American	0.03	0.15	0.28	0.00	0.13**
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.42**	1.25*	0.28**	0.74**	0.70**
MBE	5.10*	1.68*	6.22*	5.69*	4.45*
WBE	0.20**	0.05**	0.07**	4.01*	0.80
Non-Designated M/WBE	ND	ND	ND	ND	ND
M/WBE	2.88*	0.94	3.44*	4.93*	2.80*
SBE	0.50	0.34	0.49**	0.14**	0.38**

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-137 of A-241

Table A.91: Goods & Supplies Purchase Orders Utilization vs. <i>RWASM</i> Availability Level 3 Four-State Area of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ) The Metropolitan District Commission; FY 2005-FY 2008					
Ethnicity	2005	2006	2007	2008	Period
White male	1.07*	1.04*	0.95**	0.98**	1.01
Asian American	0.00**	0.00**	0.00**	2.44*	0.60
African American	0.00**	0.00**	0.00**	0.00**	0.00**
Hispanic American	0.00**	9.11*	0.37	0.00**	2.72*
Native American	ND	ND	ND	ND	ND
Non-Designated MBE	0.12**	0.00**	3.29*	1.58*	1.34*
MBE	0.02**	2.43*	0.54**	0.70	1.02
WBE	0.15**	0.05**	0.28**	0.46**	0.23**
Non-Designated M/WBE	0.00**	0.00**	0.00**	4.63*	1.14*
M/WBE	0.08**	1.07	0.37**	0.80	0.62**
SBE	0.52	0.24	2.40*	1.56*	1.22*

Source: The MDC Financial Management System, MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders, Winning bidders, PMU Sub Awardees, Sub Awardees, 2008 Data and PO 2005-2007 INV; M³ Consulting

*Significant and Disparity Ratio is Greater than 1; Overutilized

**Significant and Disparity Ratio is Less than 1; Underutilized

ND: Not Defined

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-138 of A-241

VIII. Availability Tables: All Zips

A. Level 1 Availability: All Zips

Table A.92: RWASM Availability by Procurement Type

All Zips

Level 1: Bidders

The Metropolitan District Commission; FY 2005-FY 2008

Bidder Ethnicity	A&E		Construction		Goods & Supplies		Non-Professional Services		Professional Services	
	#	%	#	%	#	%	#	%	#	%
White male	65	78.31	136	75.98	279	88.01	68	80.95	122	94.57
Asian	4	4.82	1	0.56	2	0.63	2	2.38		0.00
Black	4	4.82	6	3.35	5	1.58	4	4.76	3	2.33
Hispanic	2	2.41	6	3.35	1	0.32	3	3.57	1	0.78
Native American	0	0.00	1	0.56		0.00		0.00		0.00
Non-designated MBEs	1	1.20	1	0.56	1	0.32	0	0.00	0	0.00
MBE	11	13.25	15	8.38	9	2.84	9	10.71	4	3.10
WBE	4	4.82	10	5.59	8	2.52	1	1.19	2	1.55
Non-designated M/WBES	1	1.20		0.00	0	0.00	0	0.00		0.00
M/WBE	16	19.28	25	13.97	17	5.36	10	11.90	6	4.65
SBE	2	2.41	18	10.06	21	6.62	6	7.14	1	0.78
Total	83	100.00	179	100.00	317	100.00	84	100.00	129	100.00

Note: Grand total includes seven bidders with unknown procurement type

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-139 of A-241

Table A.93: RWASM Availability Total		
All Zips		
Level 1: Bidders		
The Metropolitan District Commission; FY 2005-FY 2008		
Bidder Ethnicity	Unique Total	
	#	%
White male	608	85.15
Asian	7	0.98
Black	19	2.66
Hispanic	13	1.82
Native American	1	0.14
Non-designated MBEs	3	0.42
MBE	43	6.02
WBE	21	2.94
Non-designated M/WBEs	1	0.14
M/WBE	65	9.10
SBE	41	5.74
Total	714	100.00

Note: Grand total includes seven bidders with unknown procurement type

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-140 of A-241

B. Level 2 Availability: All Zips

**Table A.94: RWASM Availability by Procurement Type
All Zips**

**Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal)
The Metropolitan District Commission; FY 2005-FY 2008**

Bidder Ethnicity	A&E		Construction		Goods & Supplies		Non-Professional Services		Professional Services	
	#	%	#	%	#	%	#	%	#	%
White male	74	73.27	141	61.04	279	88.01	68	76.40	124	89.86
Asian	5	4.95	1	0.43	2	0.63	2	2.25	1	0.72
Black	4	3.96	22	9.52	5	1.58	5	5.62	3	2.17
Hispanic	4	3.96	13	5.63	1	0.32	3	3.37	2	1.45
Native American		0.00	1	0.43	0	0.00	0	0.00	0	0.00
Non-designated MBEs	2	1.98	5	2.16	1	0.32	1	1.12	1	0.72
MBE	15	14.85	42	18.18	9	2.84	11	12.36	7	5.07
WBE	9	8.91	30	12.99	8	2.52	4	4.49	6	4.35
Non-designated M/WBES	1	0.99	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	25	24.75	72	31.17	17	5.36	15	16.85	13	9.42
SBE	2	1.98	18	7.79	21	6.62	6	6.74	1	0.72
Total	101	100.00	231	100.00	317	100.00	89	100.00	138	100.00

Note: Grand total includes 13 bidders with unknown procurement type

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-141 of A-241

Table A.95: <i>RWASSM</i> Availability Total		
All Zips		
Level 2: Bidders + Prime Awardees (formal) + Subawardees (formal)		
The Metropolitan District Commission; FY 2005-FY 2008		
Bidder Ethnicity	Unique Total	
	#	%
White male	625	78.72
Asian	8	1.01
Black	35	4.41
Hispanic	22	2.77
Native American	1	0.13
Non-designated MBEs	9	1.13
MBE	75	9.45
WBE	52	6.55
Non-designated M/WBEs	1	0.13
M/WBE	128	16.12
SBE	41	5.16
Total	794	100.00

Note: Grand total includes 13 bidders with unknown procurement type

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-142 of A-241

C. Level 3 Availability: All Zips

Table A.96: RWA SM Availability by Procurement Type All Zips										
Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal) + Prime Awardees (informal) The Metropolitan District Commission; FY 2005-FY 2008										
Bidder Ethnicity	A&E		Construction		Goods & Supplies		Non-Professional Services		Professional Services	
	#	%	#	%	#	%	#	%	#	%
White male	158	82.72	332	75.11	890	91.66	461	89.00	497	90.53
Asian	5	2.62	2	0.45	3	0.31	2	0.39	3	0.55
Black	4	2.09	23	5.20	6	0.62	8	1.54	8	1.46
Hispanic	5	2.62	17	3.85	4	0.41	6	1.16	7	1.28
Native American	0	0.00	1	0.23	0	0.00	0	0.00	0	0.00
Non-designated MBEs	2	1.05	5	1.13	2	0.21	1	0.19	1	0.18
MBE	16	8.38	48	10.86	15	1.54	17	3.28	19	3.46
WBE	10	5.24	34	7.69	18	1.85	14	2.70	12	2.19
Non-designated M/WBEs	1	0.52	0	0.00	2	0.21	0	0.00	1	0.18
M/WBE	27	14.14	82	18.55	35	3.60	31	5.98	32	5.83
SBE	6	3.14	28	6.33	46	4.74	26	5.02	20	3.64
Total	191	100.00	442	100.00	971	100.00	518	100.00	549	100.00

Note: Grand total includes 13 bidders with unknown procurement type

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-143 of A-241

Table A.97: RWASM Availability Total

All Zips

Level 3: Bidders + Prime Awardees (formal) + Subawardees (formal) + Prime Awardees (informal)

The Metropolitan District Commission; FY 2005-FY 2008

Bidder Ethnicity	Unique Total	
	#	%
White male	1409	86.49
Asian	8	0.49
Black	39	2.39
Hispanic	26	1.60
Native American	1	0.06
Non-designated MBES	9	0.55
MBE	83	5.10
WBE	66	4.05
Non-designated M/WBES	3	0.18
M/WBE	152	9.33
SBE	68	4.17
Total	1629	100.00

Note: Grand total includes 13 bidders with unknown procurement type

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-144 of A-241

IX. Utilization Tables: All Zips

A. Pure Prime + Subcontractor Dollars

Table A.98: <i>RWASM</i> Utilization Total Dollars		2,005		2,006		2,007		2,008		2005-2008	
All Zips		\$	%	\$	%	\$	%	\$	%	\$	%
Pure Prime + Subcontracting Dollars; All Industry Categories											
The Metropolitan District Commission; FY 2005-FY 2008											
Non-M/WBE		40,650,652	75.56	31,054,942	79.52	19,954,227	82.31	59,523,067	56.24	151,182,888	67.82
Asian		201,290	0.37	397,947	1.02	331,142	1.37	438,500	0.41	1,368,879	0.61
Black		339,563	0.63	172,725	0.44	435,700	1.80	2,029,836	1.92	2,977,824	1.34
Hispanic		2,317,775	4.31	3,400,626	8.71	0	0.00	24,603,305	23.25	30,321,706	13.60
Native American		0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE		982,494	1.83	2,013,800	5.16	179,300	0.74	2,523,900	2.38	5,699,494	2.56
MBE		3,841,122	7.14	5,985,098	15.33	946,142	3.90	29,595,541	27.96	40,367,903	18.11
WBE		4,894,180	9.10	1,429,115	3.66	1,423,629	5.87	8,237,701	7.78	15,984,625	7.17
Non-Designated M/WBE		0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE		8,735,302	16.24	7,414,213	18.99	2,369,771	9.78	37,833,242	35.75	56,352,528	25.28
SBE		4,413,796	8.20	581,595	1.49	1,918,413	7.91	8,476,307	8.01	15,390,111	6.90
Total		53,799,750	100.00	39,050,750	100.00	24,242,411	100.00	105,832,616	100.00	222,925,527	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-145 of A-241

Table A.99: RWASM Utilization Total Dollars										
All Zips										
Pure Prime + Subcontracting Dollars; Architecture & Engineering										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non-M/WBE	4,639,630	89.30	9,119,012	84.57	6,439,401	88.36	11,549,052	71.18	31,747,095	80.39
Asian	130,540	2.51	397,947	3.69	144,774	1.99	163,500	1.01	836,761	2.12
Black	14,693	0.28	0	0.00	0	0.00	0	0.00	14,693	0.04
Hispanic	0	0.00	80,700	0.75	0	0.00	1,753,146	10.80	1,833,846	4.64
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	243,000	4.68	862,331	8.00	179,300	2.46	2,279,000	14.05	3,563,631	9.02
MBE	388,233	7.47	1,340,978	12.44	324,074	4.45	4,195,646	25.86	6,248,931	15.82
WBE	167,529	3.22	322,480	2.99	523,843	7.19	480,822	2.96	1,494,674	3.78
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	555,762	10.70	1,663,458	15.43	847,917	11.64	4,676,468	28.82	7,743,605	19.61
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	5,195,392	100.00	10,782,470	100.00	7,287,318	100.00	16,225,520	100.00	39,490,700	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-146 of A-241

Table A.100: RWASM Utilization Total Dollars

All Zips

Pure Prime + Subcontracting Dollars; Construction Services

The Metropolitan District Commission; FY 2005-FY 2008

	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	21,991,721	64.47	13,212,913	68.15	3,880,959	78.05	34,629,325	46.02	73,714,918	55.13
Asian	70,750	0.21	0	0.00	0	0.00	0	0.00	70,750	0.05
Black	324,870	0.95	172,725	0.89	0	0.00	1,549,364	2.06	2,046,959	1.53
Hispanic	2,317,775	6.79	3,236,151	16.69	0	0.00	22,782,659	30.28	28,336,585	21.19
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	572,494	1.68	1,151,469	5.94	0	0.00	179,900	0.24	1,903,863	1.42
MBE	3,285,889	9.63	4,560,345	23.52	0	0.00	24,511,923	32.58	32,358,157	24.20
WBE	4,656,651	13.65	1,106,635	5.71	391,600	7.88	7,709,404	10.25	13,864,290	10.37
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	7,942,540	23.28	5,666,980	29.23	391,600	7.88	32,221,327	42.82	46,222,447	34.57
SBE	4,178,344	12.25	506,800	2.61	699,950	14.08	8,391,903	11.15	13,776,997	10.30
Total	34,112,605	100.00	19,386,693	100.00	4,972,509	100.00	75,242,555	100.00	133,714,362	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-147 of A-241

Table A.101: RWASM Utilization Total Dollars										
All Zips										
Pure Prime + Subcontracting Dollars; Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	5,904,392	100.00	1,164,912	100.00	1,015,000	48.48	1,353,735	70.81	9,438,039	85.22
Asian	0	0.00	0	0.00	186,368	8.90	0	0.00	186,368	1.68
Black	0	0.00	0	0.00	435,700	20.81	450,472	23.56	886,172	8.00
Hispanic	0	0.00	0	0.00	0	0.00	42,500	2.22	42,500	0.38
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	65,000	3.40	65,000	0.59
MBE	0	0.00	0	0.00	622,068	29.71	557,972	29.19	1,180,040	10.66
WBE	0	0.00	0	0.00	456,404	21.80	0	0.00	456,404	4.12
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	1,078,472	51.52	557,972	29.19	1,636,444	14.78
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	5,904,392	100.00	1,164,912	100.00	2,093,472	100.00	1,911,707	100.00	11,074,483	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-148 of A-241

Table A.102: RWASM Utilization Total Dollars										
All Zips										
Pure Prime + Subcontracting Dollars; Non-Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	473,209	62.00	99,532	54.30	667,795	100.00	5,532,637	93.53	6,773,173	89.95
Asian	0	0.00	0	0.00	0	0.00	275,000	4.65	275,000	3.65
Black	0	0.00	0	0.00	0	0.00	30,000	0.51	30,000	0.40
Hispanic	0	0.00	83,775	45.70	0	0.00	25,000	0.42	108,775	1.44
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	167,000	21.88	0	0.00	0	0.00	0	0.00	167,000	2.22
MBE	167,000	21.88	83,775	45.70	0	0.00	330,000	5.58	580,775	7.71
WBE	70,000	9.17	0	0.00	0	0.00	9,950	0.17	79,950	1.06
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	237,000	31.05	83,775	45.70	0	0.00	339,950	5.75	660,725	8.78
SBE	53,050	6.95	0	0.00	0	0.00	42,678	0.72	95,728	1.27
Total	763,259	100.00	183,307	100.00	667,795	100.00	5,915,265	100.00	7,529,626	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-149 of A-241

Table A.103: RWASM Utilization Total Dollars										
All Zips										
Pure Prime + Subcontracting Dollars; Goods & Supplies										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	7,641,700	97.67	7,458,573	99.01	7,951,072	86.22	6,458,318	98.79	29,509,663	94.84
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Black	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	51,782	0.56	37,525	0.57	89,307	0.29
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	51,782	0.56	37,525	0.57	89,307	0.29
SBE	182,402	2.33	74,795	0.99	1,218,463	13.21	41,726	0.64	1,517,386	4.88
Total	7,824,102	100.00	7,533,368	100.00	9,221,317	100.00	6,537,569	100.00	31,116,356	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-150 of A-241

B. Pure Prime + Subcontractor Counts

Table A.104: RWA SM Utilization Total Counts											
All Zips											
Pure Prime + Subcontracting Counts; Architecture & Engineering											
The Metropolitan District Commission; FY 2005-FY 2008											
	2,005		2,006		2,007		2,008		2005-2008		
	#	%	#	%	#	%	#	%	#	%	
Non-M/WBE	7	36.84	7	33.33	10	62.50	19	39.58	43		41.35
Asian	3	15.79	2	9.52	0	0.00	3	6.25	8		7.69
Black	1	5.26	0	0.00	0	0.00	0	0.00	1		0.96
Hispanic	0	0.00	1	4.76	0	0.00	9	18.75	10		9.62
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0		0.00
Non-Designated MBE	3	15.79	3	14.29	1	6.25	2	4.17	9		8.65
MBE	7	36.84	6	28.57	1	6.25	14	29.17	28		26.92
WBE	5	26.32	8	38.10	5	31.25	15	31.25	33		31.73
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0		0.00
M/WBE	12	63.16	14	66.67	6	37.50	29	60.42	61		58.65
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0		0.00
Total	19	100.00	21	100.00	16	100.00	48	100.00	104		100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-151 of A-241

Table A.105: RWASM Utilization Total Counts											
All Zips											
Pure Prime + Subcontracting Counts; Construction Services											
The Metropolitan District Commission; FY 2005-FY 2008											
	2,005		2,006		2,007		2,008		2005-2008		
	#	%	#	%	#	%	#	%	#	%	
Non-M/WBE	18	27.27	21	55.26	11	73.33	25	26.04	75	34.88	
Asian	1	1.52	0	0.00	0	0.00	0	0.00	1	0.47	
Black	5	7.58	2	5.26	0	0.00	24	25.00	31	14.42	
Hispanic	7	10.61	5	13.16	0	0.00	10	10.42	22	10.23	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated MBE	8	12.12	2	5.26	0	0.00	3	3.13	13	6.05	
MBE	21	31.82	9	23.68	0	0.00	37	38.54	67	31.16	
WBE	22	33.33	7	18.42	1	6.67	29	30.21	59	27.44	
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	43	65.15	16	42.11	1	6.67	66	68.75	126	58.60	
SBE	5	7.58	1	2.63	3	20.00	5	5.21	14	6.51	
Total	66	100.00	38	100.00	15	100.00	96	100.00	215	100.00	



Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-152 of A-241

Table A.106: RWASM Utilization Total Counts

All Zips

Pure Prime + Subcontracting Counts; Goods & Supplies

The Metropolitan District Commission; FY 2005-FY 2008

	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	46	92.00	64	91.43	59	93.65	25	89.29	194	91.94
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Black	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	1	1.43	1	1.59	1	3.57	3	1.42
Non-Designated M/WBE	0	0.00	1	1.43	0	0.00	0	0.00	1	0.47
M/WBE	0	0.00	2	2.86	1	1.59	1	3.57	4	1.90
SBE	4	8.00	4	5.71	3	4.76	2	7.14	13	6.16
Total	50	100.00	70	100.00	63	100.00	28	100.00	211	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-153 of A-241

Table A.107: RWASM Utilization Total Counts										
All Zips										
Pure Prime + Subcontracting Counts; Non-Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	7	70.00	5	83.33	5	100.00	18	69.23	35	74.47
Asian	0	0.00	0	0.00	0	0.00	1	3.85	1	2.13
Black	0	0.00	0	0.00	0	0.00	2	7.69	2	4.26
Hispanic	0	0.00	1	16.67	0	0.00	1	3.85	2	4.26
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	1	10.00	0	0.00	0	0.00	1	3.85	2	4.26
MBE	1	10.00	1	16.67	0	0.00	5	19.23	7	14.89
WBE	1	10.00	0	0.00	0	0.00	2	7.69	3	6.38
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	2	20.00	1	16.67	0	0.00	7	26.92	10	21.28
SBE	1	10.00	0	0.00	0	0.00	1	3.85	2	4.26
Total	10	100.00	6	100.00	5	100.00	26	100.00	47	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-154 of A-241

Table A.108: RWASM Utilization Total Counts										
All Zips										
Pure Prime + Subcontracting Counts; Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	10	100.00	7	100.00	9	50.00	12	63.16	38	70.37
Asian	0	0.00	0	0.00	2	11.11	0	0.00	2	3.70
Black	0	0.00	0	0.00	2	11.11	2	10.53	4	7.41
Hispanic	0	0.00	0	0.00	0	0.00	3	15.79	3	5.56
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	2	10.53	2	3.70
MBE	0	0.00	0	0.00	4	22.22	7	36.84	11	20.37
WBE	0	0.00	0	0.00	5	27.78	0	0.00	5	9.26
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	9	50.00	7	36.84	16	29.63
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	10	100.00	7	100.00	18	100.00	19	100.00	54	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-155 of A-241

Table A.109: RWASM Utilization Total Counts											
All Zips											
Pure Prime + Subcontracting Counts; All Industry Categories											
The Metropolitan District Commission; FY 2005-FY 2008											
	2,005		2,006		2,007		2,008		2005-2008		
	#	%	#	%	#	%	#	%	#	%	
Non-M/WBE	88	56.77	104	73.24	94	80.34	99	45.62	385	61.01	
Asian	4	2.58	2	1.41	2	1.71	4	1.84	12	1.90	
Black	6	3.87	2	1.41	2	1.71	28	12.90	38	6.02	
Hispanic	7	4.52	7	4.93	0	0.00	23	10.60	37	5.86	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated MBE	12	7.74	5	3.52	1	0.85	8	3.69	26	4.12	
MBE	29	18.71	16	11.27	5	4.27	63	29.03	113	17.91	
WBE	28	18.06	16	11.27	12	10.26	47	21.66	103	16.32	
Non-Designated M/WBE	0	0.00	1	0.70	0	0.00	0	0.00	1	0.16	
M/WBE	57	36.77	33	23.24	17	14.53	110	50.69	217	34.39	
SBE	10	6.45	5	3.52	6	5.13	8	3.69	29	4.60	
Total	155	100.00	142	100.00	117	100.00	217	100.00	631	100.00	

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-156 of A-241

C. Subcontractor Dollars

Table A.110: RWASM Utilization Total Dollars

All Zips

Subcontracting Dollars; Architecture & Engineering

The Metropolitan District Commission; FY 2005-FY 2008

	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	684,217	12.76	684,217	8.26
Asian	130,540	23.49	397,947	23.92	0	0.00	163,500	3.05	691,987	8.35
Black	14,693	2.64	0	0.00	0	0.00	0	0.00	14,693	0.18
Hispanic	0	0.00	80,700	4.85	0	0.00	1,753,146	32.70	1,833,846	22.14
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	243,000	43.72	862,331	51.84	179,300	25.50	2,279,000	42.51	3,563,631	43.02
MBE	388,233	69.86	1,340,978	80.61	179,300	25.50	4,195,646	78.27	6,104,157	73.69
WBE	167,529	30.14	322,480	19.39	523,843	74.50	480,822	8.97	1,494,674	18.04
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	555,762	100.00	1,663,458	100.00	703,143	100.00	4,676,468	87.24	7,598,831	91.74
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	555,762	100.00	1,663,458	100.00	703,143	100.00	5,360,685	100.00	8,283,048	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-157 of A-241

Table A.111: RWASM Utilization Total Dollars										
All Zips										
Subcontracting Dollars; Construction										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	802,201	14.28	802,201	7.88
Asian	70,750	3.33	0	0.00	0	0.00	0	0.00	70,750	0.70
Black	324,870	15.29	172,725	7.10	0	0.00	947,918	16.87	1,445,513	14.21
Hispanic	343,300	16.16	720,376	29.63	0	0.00	1,341,830	23.88	2,405,506	23.64
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	572,494	26.94	1,151,469	47.36	0	0.00	179,900	3.20	1,903,863	18.71
MBE	1,311,414	61.72	2,044,570	84.09	0	0.00	2,469,648	43.96	5,825,632	57.26
WBE	813,431	38.28	386,850	15.91	0	0.00	2,346,539	41.77	3,546,820	34.86
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	2,124,845	100.00	2,431,420	100.00	0	0.00	4,816,187	85.72	9,372,452	92.12
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	2,124,845	100.00	2,431,420	100.00	0	0.00	5,618,388	100.00	10,174,653	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-158 of A-241

Table A.112: RWA SM Utilization Total Dollars										
All Zips										
Subcontracting Dollars; Goods & Supplies										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Black	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-159 of A-241

Table A.113: <i>RWASM</i> Utilization Total Dollars										
All Zips										
Subcontracting Dollars; Non-Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%		%	\$	%	\$	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Black	0	0.00	0	0.00	0	0.00	30,000	75.09	30,000	10.83
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	167,000	70.46	0	0.00	0	0.00	0	0.00	167,000	60.30
MBE	167,000	70.46	0	0.00	0	0.00	30,000	75.09	197,000	71.13
WBE	70,000	29.54	0	0.00	0	0.00	9,950	24.91	79,950	28.87
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	237,000	100.00	0	0.00	0	0.00	39,950	100.00	276,950	100.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	237,000	100.00	0	0.00	0	0.00	39,950	100.00	276,950	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-160 of A-241

Table A.114: RWASM Utilization Total Dollars										
All Zips										
Subcontracting Dollars; Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	5,000	4.44	5,000	0.62
Asian	0	0.00	0	0.00	186,368	26.63	0	0.00	186,368	22.94
Black	0	0.00	0	0.00	57,100	8.16	0	0.00	57,100	7.03
Hispanic	0	0.00	0	0.00	0	0.00	42,500	37.78	42,500	5.23
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	65,000	57.78	65,000	8.00
MBE	0	0.00	0	0.00	243,468	34.79	107,500	95.56	350,968	43.20
WBE	0	0.00	0	0.00	456,404	65.21	0	0.00	456,404	56.18
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	699,872	100.00	107,500	95.56	807,372	99.38
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	699,872	100.00	112,500	100.00	812,372	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-161 of A-241

Table A.115: RWA SM Utilization Total Dollars										
All Zips										
Subcontracting Dollars; All Industry Categories										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	\$	%	\$	%	\$	%	\$	%	\$	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	1,491,418	13.40	1,491,418	7.63
Asian	201,290	6.90	397,947	9.72	186,368	13.28	163,500	1.47	949,105	4.86
Black	339,563	11.64	172,725	4.22	57,100	4.07	977,918	8.79	1,547,306	7.92
Hispanic	343,300	11.77	801,076	19.56	0	0.00	3,137,476	28.19	4,281,852	21.91
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	982,494	33.67	2,013,800	49.18	179,300	12.78	2,523,900	22.67	5,699,494	29.16
MBE	1,866,647	63.98	3,385,548	82.68	422,768	30.13	6,802,794	61.11	12,477,757	63.83
WBE	1,050,960	36.02	709,330	17.32	980,247	69.87	2,837,311	25.49	5,577,848	28.54
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	2,917,607	100.00	4,094,878	100.00	1,403,015	100.00	9,640,105	86.60	18,055,605	92.37
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	2,917,607	100.00	4,094,878	100.00	1,403,015	100.00	11,131,523	100.00	19,547,023	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-162 of A-241

D. Subcontractor Counts

Table A.116: RWA SM Utilization Total Counts											
All Zips											
Subcontracting Counts; Architecture & Engineering											
The Metropolitan District Commission; FY 2005-FY 2008											
	2,005		2,006		2,007		2,008		2005-2008		
	#	%	#	%	#	%	#	%	#	%	
Non-M/WBE	0	0.00	0	0.00	0	0.00	8	33.33	8	11.59	
Asian	3	25.00	2	14.29	0	0.00	3	5.56	8	11.59	
Black	1	8.33	0	0.00	0	0.00	0	0.00	1	1.45	
Hispanic	0	0.00	1	7.14	0	0.00	9	25.00	10	14.49	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated MBE	3	25.00	3	21.43	1	16.67	2	8.33	9	13.04	
MBE	7	58.33	6	42.86	1	16.67	14	36.11	28	40.58	
WBE	5	41.67	8	57.14	5	83.33	15	30.56	33	47.83	
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	12	100.00	14	100.00	6	100.00	29	66.67	61	88.41	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Total	12	100.00	14	100.00	6	100.00	37	100.00	69	100.00	

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-163 of A-241

Table A.117: RWASM Utilization Total Counts

All Zips

Subcontracting Counts; Construction

The Metropolitan District Commission; FY 2005-FY 2008

	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	4	17.54	4	3.74
Asian	1	2.86	0	0.00	0	0.00	0	0.00	1	0.93
Black	5	14.29	2	15.38	0	0.00	21	35.09	28	26.17
Hispanic	4	11.43	3	23.08	0	0.00	8	12.28	15	14.02
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	8	22.86	2	15.38	0	0.00	2	14.04	12	11.21
MBE	18	51.43	7	53.85	0	0.00	31	61.40	56	52.34
WBE	17	48.57	6	46.15	0	0.00	24	17.54	47	43.93
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	3.51	0	0.00
M/WBE	35	100.00	13	100.00	0	0.00	55	82.46	103	96.26
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	35	100.00	13	100.00	0	0.00	59	100.00	107	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-164 of A-241

Table A.118: <i>RWASSM</i> Utilization Total Counts										
All Zips										
Subcontracting Counts; Goods & Supplies										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005	%	2,006	%	2,007	%	2,008	%	2005-2008	
	#		#		#		#		#	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Black	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-165 of A-241

Table A.119: RWASM Utilization Total Counts										
All Zips										
Subcontracting Counts; Non-Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	1	16.67	1	12.50
Asian	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Black	0	0.00	0	0.00	0	0.00	2	33.33	2	25.00
Hispanic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	1	50.00	0	0.00	0	0.00	1	16.67	2	25.00
MBE	1	50.00	0	0.00	0	0.00	3	50.00	4	50.00
WBE	1	50.00	0	0.00	0	0.00	2	33.33	3	37.50
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	2	100.00	0	0.00	0	0.00	5	83.33	7	87.50
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	2	100.00	0	0.00	0	0.00	6	100.00	8	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-166 of A-241

Table A.120: RWA SM Utilization Total Counts										
All Zips										
Subcontracting Counts; Professional Services										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	2	33.33	2	12.50
Asian	0	0.00	0	0.00	2	25.00	0	0.00	2	12.50
Black	0	0.00	0	0.00	1	12.50	1	0.00	2	12.50
Hispanic	0	0.00	0	0.00	0	0.00	3	50.00	3	18.75
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	2	16.67	2	12.50
MBE	0	0.00	0	0.00	3	37.50	6	66.67	9	56.25
WBE	0	0.00	0	0.00	5	62.50	0	0.00	5	31.25
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	8	100.00	6	66.67	14	87.50
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	8	100.00	8	100.00	16	100.00

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-167 of A-241

Table A.121: <i>RWA</i> SM Utilization Total Counts										
All Zips										
Subcontracting Counts; All Industry Categories										
The Metropolitan District Commission; FY 2005-FY 2008										
	2,005		2,006		2,007		2,008		2005-2008	
	#	%	#	%	#	%	#	%	#	%
Non-M/WBE	0	0.00	0	0.00	0	0.00	15	23.58	15	7.50
Asian	4	8.16	2	7.41	2	14.29	3	1.89	11	5.50
Black	6	12.24	2	7.41	1	7.14	24	20.75	33	16.50
Hispanic	4	8.16	4	14.81	0	0.00	20	17.92	28	14.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	12	24.49	5	18.52	1	7.14	7	12.26	25	12.50
MBE	26	53.06	13	48.15	4	28.57	54	52.83	97	48.50
WBE	23	46.94	14	51.85	10	71.43	41	21.70	88	44.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	1.89	0	0.00
M/WBE	49	100.00	27	100.00	14	100.00	95	76.42	185	92.50
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	49	100.00	27	100.00	14	100.00	110	100.00	200	100.00



Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix -- Final Report
July 31, 2009
Page A-168 of A-241

X. Total: All Industry Categories Threshold Tables

Table A.122: Contract Thresholds (Part 1 of 4)

Total: All Industry Categories Threshold Tables

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	<\$50K			\$50K-\$250K			\$250K-\$750K			\$750K-\$1M		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%		\$	%	
White male	2,003,120	83.52	86.93	9,156,190	84.05	12,650,782	16,777,030	70.38	19,886,819	5,042,358	55.15	7,552,628
Asian American	0	0.00	0.00	159,720	1.47	159,720	305,988	1.28	305,988	0	0.00	0
African American	0	0.00	0.00	751,235	6.90	751,235	827,275	3.47	827,275	0	0.00	0
Hispanic American	25,000	1.04	0.79	158,125	1.45	158,125	461,969	1.94	461,969	883,700	9.67	883,700
Native American	0	0.00	0.00	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated MBE	0	0.00	0.00	0	0.00	0	0	0.00	0	0	0.00	0
MBE	25,000	1.04	0.79	1,099,080	9.81	1,069,080	1,595,232	6.69	1,595,232	883,700	9.67	883,700
WBE	37,525	1.56	1.79	51,782	0.48	51,782	2,945,444	12.36	3,276,788	3,216,390	35.18	3,216,390
Non-Designated M/WBE	0	0.00	0.00	83,775	0.77	137,283	0	0.00	0	0	0.00	0
M/WBE	62,525	2.61	2.58	1,204,637	11.06	1,258,145	4,540,676	19.05	4,872,020	4,100,090	44.85	4,100,090
SBE	332,833	13.88	10.49	533,136	4.89	533,136	2,519,560	10.57	2,769,560	0	0.00	0
Total	2,398,478	100.00	3,174,353	10,893,963	100.00	14,442,063	23,837,266	100.00	27,528,399	9,142,448	100.00	11,652,718

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-169 of A-241

Table A.104b: Contract Thresholds (Part 2 of 4)

Total: All Industry Categories

**Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	\$1M-\$3M			\$3M-\$5M			\$5M-\$10M			\$10M-\$25M			\$25M-\$50M			\$50M-\$100M			\$100M+		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%		\$	%		\$	%		\$	%		\$	%		\$	%		\$	%	
White male	34,367,598	77.56	46,598,612	77.08	12,832,250	76.42	15,865,296	80.03	18,692,982	100.00	23,742,931	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Hispanic American	3,849,425	8.69	3,849,425	6.37	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
MBE	3,849,425	8.69	3,849,425	6.37	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
WBE	1,609,020	3.63	5,519,020	9.13	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
M/WBE	5,458,445	12.32	9,368,445	15.50	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
SBE	4,485,204	10.12	4,485,204	7.42	3,959,998	23.58	3,959,998	19.97	18,692,982	100.00	23,742,931	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Total	44,311,247	100.00	60,452,261	100.00	16,792,248	100.00	19,825,294	100.00	18,692,982	100.00	23,742,931	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-170 of A-241

Table A.104c: Contract Thresholds (Part 3 of 4)

Total: All Industry Categories

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$10M-\$15M			\$15M-\$20M			\$20M+		
	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²	State of CT ¹		CT, MA, NY, NJ ²
	\$	%	\$	\$	%	\$	\$	%	\$
White male	0	0.00	0	0	0.00	0	0	0.00	0
Asian American	0	0.00	0	0	0.00	0	0	0.00	0
African American	0	0.00	0	0	0.00	0	0	0.00	0
Hispanic American	0	0.00	0	0	0.00	0	0	0.00	0
Native American	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated	0	0.00	0	0	0.00	0	0	0.00	0
MBE	0	0.00	0	0	0.00	0	0	0.00	0
WBE	0	0.00	0	0	0.00	0	0	0.00	0
Non-Designated M/WBE	0	0.00	0	0	0.00	0	0	0.00	0
SBE	0	0.00	0	0	0.00	0	0	0.00	0
Total	0	0.00	0	0	0.00	0	0	0.00	0
							22,889,625		22,889,625
									100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

² Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-171 of A-241

Table A.104d: Contract Thresholds (Part 4 of 4)					
Total: All Industry Categories					
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ					
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008					
Ethnicity	State of CT ¹		Total		
	%				
	\$	%	\$	CT, MA, NY, NJ ²	%
White male	98,871,528	78.43	129,056,623		70.25
Asian American	465,708	0.37	465,708		0.25
African American	1,578,510	1.25	1,578,510		0.86
Hispanic American	5,378,219	4.27	28,267,844		15.39
Native American	0	0.00	0		0.00
Non-Designated MBE	0	0.00	0		0.00
MBE	7,422,437	5.89	30,312,062		16.50
WBE	7,860,161	6.23	12,120,945		6.60
Non-Designated M/WBE	83,775	0.07	137,283		0.07
M/WBE	15,366,373	12.19	42,570,290		23.17
SBE	11,830,731	9.38	12,080,731		6.58
Total	126,068,632	100.00	183,707,644		100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

2 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-172 of A-241

A. Architecture & Engineering Threshold Tables

Table A.123: Contract Thresholds (Part 1 of 2)

**Architecture & Engineering
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹	
	<\$50K		\$50K-\$250K		\$250K-\$750K		\$750K-\$1M		\$1M-\$3M		\$3M-\$5M	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	28,600	100.00	468,001	74.56	2,519,222	100.00	767,353	100.00	14,304,758	100.00	7,888,500	100.00
Asian American	0	0.00	159,720	25.44	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	159,720	25.44	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	159,720	25.44	0	0.00	0	0.00	0	0.00	0	0.00
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	28,600	100.00	627,721	100.00	2,519,222	100.00	767,353	100.00	14,304,758	100.00	7,888,500	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-173 of A-241

Table A.105b: Contract Thresholds (Part 2 of 2)
Architecture & Engineering
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$5M-\$10M		\$10M-\$15M		\$15M-\$20M		\$20M+		Total	
	State of CT ¹	%	State of CT ¹	%	State of CT ¹	%	State of CT ¹	%	State of CT ¹	%
White male	7,501,979	100.00	0	0.00	0	0.00	0	0.00	33,478,413	99.53
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	159,720	0.47
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	159,720	0.47
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	159,720	0.47
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	7,501,979	100.00	0	0.00	0	0.00	0	0.00	33,638,13	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-174 of A-241

B. Construction Threshold Tables

Table A.124: Contract Thresholds (Part 1 of 2)

Construction
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	169,060	78.68	2,931,297	77.73	7,290,499	53.63	5,162,712	55.74	27,426,801	68.38	3,033,046	43.37		
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00		
African American	0	0.00	300,763	7.98	376,803	2.77	0	0.00	0	0.00	0	0.00		
Hispanic American	0	0.00	158,125	4.19	461,969	3.40	883,700	9.54	3,849,425	9.60	0	0.00		
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00		
Non-Designated														
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00		
MBE	0	0.00	458,888	12.17	838,772	6.17	883,700	9.54	3,849,425	9.60	0	0.00		
WBE	0	0.00	0	0.00	2,945,444	21.67	3,216,390	34.72	5,519,020	13.76	0	0.00		
Non-Designated														
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00		
M/WBE	0	0.00	458,888	12.17	3,784,216	27.84	4,100,090	44.26	9,368,445	23.36	0	0.00		
SBE	45,812	21.32	380,798	10.10	2,519,560	18.53	0	0.00	3,311,449	8.26	3,959,998	56.63		
Total	214,872	100.00	3,770,98	100.00	13,594,27	100.00	9,262,80	100.00	40,106,69	100.00	6,993,04	100.00		

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-175 of A-241

Table A.106b: Contract Thresholds (Part 2 of 2)

Construction

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$5M-\$10M		\$10M-\$15M		\$15M-\$20M		\$20M+		Total	
	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%
White male	16,240,952	100.00	0	0.00	0	0.00	0	0.00	62,254,367	55.06
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	677,566	0.60
Hispanic American	0	0.00	0	0.00	0	0.00	22,889,625	100.00	28,242,844	24.98
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	22,889,625	100.00	28,920,410	25.58
WBE	0	0.00	0	0.00	0	0.00	0	0.00	11,680,854	10.33
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	22,889,625	100.00	40,601,264	35.91
SBE	0	0.00	0	0.00	0	0.00	0	0.00	10,217,617	9.04
Total	16,240,952	2	0	0.00	0	0.00	22,889,625	5	113,073,248	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-176 of A-241

C. Professional Services Threshold Tables

Table A.125: Contract Thresholds (Part 1 of 2)													
Professional Services													
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ													
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008													
Ethnicity	State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹		State of CT ¹
	<\$50K		\$50K-\$250K		\$250K-\$750K		\$750K-\$1M		\$1M-\$3M		\$3M-\$5M		
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	
White male	202,570	100.00	871,147	65.92	615,000	57.72	850,000	100.00	0	0.00	4,943,750	100.00	
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
African American	0	0.00	450,472	34.08	450,472	42.28	0	0.00	0	0.00	0	0.00	
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
MBE	0	0.00	450,472	34.08	450,472	42.28	0	0.00	0	0.00	0	0.00	
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
M/WBE	0	0.00	450,472	34.08	450,472	42.28	0	0.00	0	0.00	0	0.00	
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
Total	202,570	100.00	1,321,611	100.00	1,065,472	100.00	850,000	100.00	0	0.00	4,943,750	100.00	

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = State of Connecticut

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

¹ Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-177 of A-241

Table A.107b: Contract Thresholds (Part 2 of 2)
Professional Services
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$5M-\$10M		\$10M-\$15M		\$15M-\$20M		\$20M+		Total	
	State of CT ¹	%	State of CT ¹	%	State of CT ¹	%	State of CT ¹	%	State of CT ¹	%
	\$		\$		\$		\$		\$	
White male	0	0.00	0	0.00	0	0.00	0	0.00	7,482,467	89.25
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	900,944	10.75
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	900,944	10.75
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	900,944	10.75
SBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	0	0.00	0	0.00	0	0.00	0	0.00	8,383,411	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = State of Connecticut

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-178 of A-241

D. Non-Professional Services Threshold Tables

Table A.126: Contract Thresholds (Part 1 of 2)

**Non-Professional Services
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008**

Ethnicity	CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	515,108	88.39	1,416,956	91.19	363,050	54.26	0	0.00	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	305,988	45.74	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	25,000	4.29	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	25,000	4.29	0	0.00	305,988	45.74	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	83,775	5.39	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	25,000	4.29	83,775	5.39	305,988	45.74	0	0.00	0	0.00	0	0.00	0	0.00
SBE	42,678	7.32	53,050	3.41	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	582,786	100.00	1,553,781	100.00	669,038	100.00	0	0.00	0	0.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting
1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-179 of A-241

Table A.108b: Contract Thresholds (Part 2 of 2)
Non-Professional Services
Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ
Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$5M-\$10M		\$10M-\$15M		\$15M-\$20M		\$20M+		Total	
	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	2,295,114	81.80
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	305,988	10.91
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	25,000	0.89
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	330,988	11.80
WBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	83,775	2.99
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	414,763	14.78
SBE	0	0.00	0	0.00	0	0.00	0	0.00	95,728	3.41
Total	0	0.00	0	0.00	0	0.00	0	0.00	2,805,605	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page A-180 of A-241

E. Goods & Supplies Threshold Tables

Table A.127: Contract Thresholds (Part 1 of 2)

Goods & Supplies

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹		CT, MA, NY, NJ ¹	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
White male	1,661,367	84.65	6,362,911	96.88	8,007,855	93.23	0	0.00	3,692,391	75.88	0	0.00	0	0.00	0	0.00
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	56,965	2.90	51,782	0.79	331,344	3.86	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated	0	0.00	53,508	0.81	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
M/WBE	56,965	2.90	105,290	1.60	331,344	3.86	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SBE	244,343	12.45	99,288	1.51	250,000	2.91	0	0.00	1,173,755	24.12	0	0.00	0	0.00	0	0.00
Total	1,962,67	5	100.00	9	100.00	100.00	8,589,199	100.00	0	0.00	4,866,146	100.00	0	0.00	0	0.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-181 of A-241

Table A.109b: Contract Thresholds (Part 2 of 2)

Goods & Supplies

Threshold Tables Dollars, State of CT and States of CT, MA, NY, NJ

Relevant Market, The Metropolitan District Commission, FY 2005-FY 2008

Ethnicity	\$5M-\$10M		\$10M-\$15M		\$15M-\$20M		\$20M+		Total	
	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%	CT, MA, NY, NJ ¹	%
White male	0	0.00	0	0.00	0	0.00	0	0.00	19,724,524	89.72
Asian American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
African American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Hispanic American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Native American	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-Designated MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MBE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
WBE	0	0.00	0	0.00	0	0.00	0	0.00	440,091	2.00
Non-Designated M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	53,508	0.24
M/WBE	0	0.00	0	0.00	0	0.00	0	0.00	493,599	2.25
SBE	0	0.00	0	0.00	0	0.00	0	0.00	1,767,386	8.04
Total	0	0.00	0	0.00	0	0.00	0	0.00	21,985,509	100.00

Source: The Metropolitan District Commission's Procurement Department; M³ Consulting

1 Relevant Market = States of Connecticut (CT), Massachusetts (MA), New York (NY) and New Jersey (NJ)

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-182 of A-241

XI. TOP TEN Bidders and Awardees

A. TOP TEN: Architecture & Engineering

Table A.128: Top 10 Bidders					
Architecture & Engineering					
The Metropolitan District Commission					
	Name	Number of Bids	% of Total Bids	Ethnicity	State of CT
1	Camp, Dresser & McKee, Inc.	12	9.76	White male	YES
2	MALCOLM PIRNIE INC	5	4.07	White male	YES
3	METCALF & EDDY, INC.	5	4.07	White male	YES
4	Stearns & Wheeler, LLC	4	3.25	White male	YES
5	FUSS & O'NEIL PC	3	2.44	White male	YES
6	GEI CONSULTANTS, INC.	3	2.44	White male	YES
7	GZA GEOENVIRONMENTAL, INC.	3	2.44	White male	YES
8	TIGHE AND BOND	3	2.44	White male	NO
9	United International Corporation	3	2.44	Asian	YES
10	WESTON AND SAMPSON ENGINEERS, INC.	3	2.44	White male	YES
10	Wright-Pierce	3	2.44	White male	YES
	Total Bids	123			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders and RFP/RFQ; M³ Consulting.

Table A.129: Top 10 Prime Awardees					
Architecture & Engineering					
The Metropolitan District Commission					
	Name	Number of Awards	% of Total Awards	Ethnicity	State of CT
1	Camp, Dresser & McKee, Inc.	9	31.03	White male	YES
2	GEI CONSULTANTS, INC.	3	10.34	White male	YES
3	Stearns & Wheeler, LLC	2	6.90	White male	YES
4	TIGHE AND BOND	2	6.90	White male	NO
5	The Ink Spot	1	3.45	Black	YES
6	United International Corporation	1	3.45	Asian	YES
7	E.A. MELCHIORI, PE	1	3.45	White male	NO
8	F.B. Leopold Company, Inc.	1	3.45	White male	NO
9	Faye, Spofford & Thorndike	1	3.45	White male	NO
10	GZA Environmental	1	3.45	White male	YES
	Total	29			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders for FY08, Winning bidders from RFP bidders and RFP/RFQ; M³ Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-183 of A-241.

B. TOP TEN: Construction

Table A.130: Top 10 Bidders

Construction

The Metropolitan District Commission

	Name	Number of Bids	% of Total Bids	Ethnicity	State of CT
1	Paganelli Construction Corp.	31	7.38	WBE	YES
2	CFL, INC.	26	6.19	White male	YES
3	VMS Construction Co.	22	5.24	Hispanic	YES
4	Palker Excavating	18	4.29	White male	YES
5	C. H. NICKERSON & CO INC	9	2.14	White male	YES
6	Kovacs Construction Corp.	9	2.14	SBE	YES
7	Laydon Industries, Inc.	9	2.14	WBE	YES
8	Baltazar Contractors, Inc.	8	1.90	White male	NO
9	EMPIRE PAVING	8	1.90	White male	YES
10	Wethersfield Construction Co., Inc.	8	1.90	White male	YES
10	ERROL & VINCENT LLC	7	1.67	Black	YES
	Total Bids	420			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders and RFP/RFQ; M3 Consulting.

Table A.131: Top 10 Prime Awardees

Construction

The Metropolitan District Commission

	Name	Number of Awards	% of Total Awards	Ethnicity	State of CT
1	CFL, INC.	8	7.21	White male	YES
2	Paganelli Construction Corp.	6	5.41	WBE	YES
3	VMS Construction Co.	6	5.41	Hispanic	YES
4	Kovacs Construction Corp.	5	4.50	SBE	YES
5	MARTIN LAVIERO CONTRACTOR, INC.	5	4.50	SBE	YES
6	INSITUFORM TECHNOLOGIES, INC.	4	3.60	White male	NO
7	ERROL & VINCENT LLC	3	2.70	Black	YES
8	Laydon Industries, Inc.	3	2.70	WBE	YES
9	Northeast Remsco Construction Inc.	2	1.80	Hispanic	NO
10	CREST MECHANICAL SERVICES, INC.	2	1.80	White male	YES
	Total	111			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders for FY08, Winning bidders from RFP bidders and RFP/RFQ; M3 Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-184 of A-241

C. TOP TEN: Professional Services

Table A.132: Top 10 Bidders					
Professional Services					
The Metropolitan District Commission					
	Name	Number of Bids	% of Total Bids	Ethnicity	State of CT
1	Camp, Dresser & McKee, Inc.	7	4.73	White male	YES
2	PCC Technology Group	3	2.03	Black	YES
3	Clean Harbors Environmental Services, Inc.	2	1.35	White male	YES
4	Cybertech Systems & Software, Inc.	2	1.35	White male	NO
5	DLT SOLUTIONS, INC	2	1.35	White male	NO
6	INFRASTRUCTURE MANAGEMENT GROUP INC	2	1.35	White male	NO
7	MILLIMAN, INC.	2	1.35	White male	YES
8	NEW DIMENSION SOLUTIONS, INC.	2	1.35	White male	NO
9	RYAN MARKETING PARTNERSHIP	2	1.35	White male	YES
10	Savage Alert, Inc.	2	1.35	White male	YES
10	TERRA FIRMA CONSULTING, INC	2	1.35	White male	NO
10	Webster Bank	2	1.35	White male	YES
	Total Bids	148	100.00		

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders and RFP/RFQ; M3 Consulting.

Table A.133: Top 10 Prime Awardees					
Professional Services					
The Metropolitan District Commission					
	Name	Number of Awards	% of Total Awards	Ethnicity	State of CT
1	Camp, Dresser & McKee, Inc.	6	15.38	White male	YES
2	Clean Harbors Environmental Services, Inc.	2	5.13	White male	YES
3	Miller ³ Consulting Inc	2	5.13	Black	NO
4	PCC Technology Group	2	5.13	Black	YES
5	MILLIMAN, INC.	2	5.13	White male	YES
6	Avtex-Citywatch	1	2.56	White male	NO
7	BLUM SHAPIRO	1	2.56	White male	YES
8	BVH Integrated Services	1	2.56	White male	YES
9	CARLSON SOFTWARE	1	2.56	White male	NO
10	CK Environmental, Inc.	1	2.56	White male	YES
	Total	39			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders for FY08, Winning bidders from RFP bidders and RFP/RFQ; M3 Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-185 of A-241

D. TOP TEN: Non-Professional Services

Table A.134: Top 10 Bidders

Non-Professional Services

The Metropolitan District Commission

	Name	Number of Bids	% of Total Bids	Ethnicity	State of CT
1	Paines, Inc.	5	4.85	White male	YES
2	ERROL & VINCENT LLC	3	2.91	Black	YES
3	NEW ENGLAND SERVICES LLC	3	2.91	Hispanic	YES
4	USA Hauling & Recycling, Inc.	3	2.91	White male	YES
5	ASSOCIATED ELECTRO MECHANICS	2	1.94	White male	NO
6	Breathe Easy Cleaning	2	1.94	White male	YES
7	Charter Oak Building Maint., Inc.	2	1.94	Hispanic	YES
8	CLASS ACT CLEANING SERVICE, LLC	2	1.94	SBE	YES
9	EARTH TECHNOLOGY, INC.	2	1.94	White male	YES
10	EMERY WINSLOW SCALE COMPANY	2	1.94	White male	YES
10	H. O. PENN MACHINERY CO., INC.	2	1.94	White male	YES
10	Mel's Ventures	2	1.94	White male	YES
10	WI Clark Company	2	1.94	White male	YES
10	Clean Harbors Environmental Services, Inc.	2	1.94	White male	YES
	Total Bids	103	100.00		

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders and RFP/RFQ; M3 Consulting.

Table A.135: Top 10 Prime Awardees

Non-Professional Services

The Metropolitan District Commission

	Name	Number of Awards	% of Total Awards	Ethnicity	State of CT
1	Paines, Inc.	4	10.00	White male	YES
2	ASSOCIATED ELECTRO MECHANICS	2	5.00	White male	NO
3	Breathe Easy Cleaning	2	5.00	White male	YES
4	Charter Oak Building Maint., Inc.	1	2.50	Hispanic	YES
5	CLASS ACT CLEANING SERVICE, LLC	1	2.50	SBE	YES
6	EXTECH, LLC	1	2.50	SBE	YES
7	HORIZON SERVICES COMPANY	1	2.50	Asian	YES
8	NEW ENGLAND SERVICES LLC	1	2.50	Hispanic	YES
9	The Pyne Davidson Co.	1	2.50	SBE	YES
10	Clean Harbors Environmental Services, Inc.	1	2.50	White male	YES
	Total	40			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders for FY08, Winning bidders from RFP bidders and RFP/RFQ; M3 Consulting.

Appendix A: Tables

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page A-186 of A-241

E. TOP TEN: Goods & Supplies

Table A.136: Top 10 Bidders

Goods & Supplies

The Metropolitan District Commission

	Name	Number of Bids	% of Total Bids	Ethnicity	State of CT
1	E.J.PRESCOTT,INC	20	3.18	White male	YES
3	INTER-STATE FORD TRUCK SALES,INC	19	3.03	White male	YES
2	Ferguson Waterworks	18	2.87	White male	YES
4	MOTION INDUSTRIES, INC.	14	2.23	White male	YES
5	WAGNER FORD SALES, INC.	11	1.75	White male	YES
6	BUCKLEY ENERGY GROUP LTD	10	1.59	White male	YES
7	APPLIED INDUSTRIAL TECHNOLOGIES	9	1.43	White male	YES
8	EAST RIVER ENERGY	9	1.43	White male	YES
9	G&L Waterworks Supply	8	1.27	White male	YES
10	WELDING WORKS INC	8	1.27	White male	YES
	Total Bids	628			

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no bidders, RFP bidders and RFP/RFQ; M3 Consulting.

Table A.137: Top 10 Prime Awardees

Goods & Supplies

The Metropolitan District Commission

	Name	Number of Awards	% of Total Awards	Ethnicity	State of CT
1	INTER-STATE FORD TRUCK SALES,INC	14	6.51	White male	YES
2	MOTION INDUSTRIES, INC.	9	4.19	White male	YES
3	Ferguson Waterworks	6	2.79	White male	YES
4	Maggoteaux, Inc.	5	2.33	White male	NO
5	WAGNER FORD SALES, INC.	5	2.33	White male	YES
6	CUMMINS METROPOWER INC	4	1.86	White male	YES
7	EAST RIVER ENERGY	4	1.86	White male	YES
8	EPPCO	4	1.86	White male	YES
9	G&L Waterworks Supply	4	1.86	White male	YES
10	FLEET BUSINESS PRODUCTS INC.	3	1.40	SBE	YES
	Total	215	100.00		

Source: MDC Contract Bidders, Contracts bidder 05-07, PMU awardees-no Bidders for FY08, Winning bidders from RFP bidders and RFP/RFQ; M3 Consulting.



APPENDIX B



DISPARITY STUDY FINAL REPORT

July 30, 2009

Prepared by:
Miller³ Consulting, Inc.
84 Peachtree Street NW, Suite 1000
Atlanta, Georgia 30308
Contact: Sherry J. Williams, Esq.
Telephone Number: (404) 827-9019
Fax Number: (404) 827-9015
www.miller3group.com

INTRODUCTION

The Metropolitan District Commission (MDC) seeks to determine the appropriateness and effectiveness of its current efforts to increase Minority and Women Business Enterprise (M/WBE) participation in its procurement opportunities. To further its understanding of the parameters in which it can create programmatic initiatives, MDC sought an analysis of the legal requirements surrounding M/WBE initiatives. Below is a discussion of the legal requirements of the U.S. Supreme Court in *City of Richmond v. J.A. Croson* and its progeny.

City of Richmond v. J. A. Croson Analysis

The legal basis for adoption and application of a government race-conscious program was considered by the U.S. Supreme Court in the precedent-setting case *City of Richmond v. J.A. Croson Co.*¹ The following sections of this chapter discuss the *Croson* case and the lower courts' interpretation of the Supreme Court's constitutional analysis of government sponsored race- and gender-conscious programs.

Background

In 1983, the City of Richmond, Virginia enacted an ordinance which established a minority business enterprise utilization plan (MBE plan) requiring White male-owned prime contractors to whom the city awarded contracts to subcontract at least 30 percent of the dollar amount to minority business enterprises. According to the MBE plan, minority business enterprises were defined broadly as companies with at least 51 percent ownership and control by U.S. citizens who were Black, Hispanic, Asian, American Indian, Alaskan, or Aleuts. Under this definition, the MBE plan had no geographic boundaries, in that the MBEs who could participate in the plan could be located anywhere in the United States. It was declared remedial for the stated purpose of promoting greater participation by minority

¹ 488 U.S. 469, 109 S.Ct. 706 (1989).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-189 of B-241

business in construction contracting. The operation of the MBE plan included a waiver for contractors who demonstrated to the director of the Department of General Services that the plan's set-aside requirements could not be achieved. There was no administrative appeal of the director's denial of waiver.

The MBE plan was adopted after a public hearing at which no direct evidence was presented that 1) the City had discriminated on the basis of race in letting contracts, or that 2) prime contractors had discriminated against minority subcontractors. In the creation of its program, the City Council relied upon a statistical study indicating that, in a city where the population was 50 percent Black, less than 1 percent of the contracts had been awarded to minority businesses in recent years.

In 1983, the same year the MBE plan was adopted, J.A. Croson Company lost a contract to install plumbing fixtures in the city jail because of a failure to satisfy the 30 percent set-aside requirement. Croson sued the City of Richmond in the U.S. District court, alleging the plan was unconstitutional because it violated the Equal Protection Clause of the Fourteenth Amendment.² The court upheld the plan. In 1985, the Fourth Circuit Court of Appeals affirmed the decision. The U.S. Supreme Court, in an opinion in which Justice O'Connor was joined by four other Justices, held that the Equal Protection Clause of the U.S. Constitution was violated by the City of Richmond's set-aside ordinance because: 1) Richmond had failed to demonstrate a compelling governmental interest in apportioning public contracting opportunities on the basis of race, and 2) the plan was not narrowly tailored to remedy the effects of prior or present discrimination.³ The Court stated there was no proof in the record upon which to base a *prima facie* case of a constitutional or statutory violation by any contractors in the Richmond construction industry. The Court further held that the inclusion of Hispanics, Asians, American Indians, Alaskans, and Aleuts, where there was absolutely no

² The district court upheld the plan which was affirmed by the Court of Appeals for the Fourth Circuit in reliance on *Fullilove v. Klutznick*, 448 U.S. 448, 100 S. Ct. 2758 (1980). The United States Supreme Court remanded the case for further consideration in light of the decision in *Wygant v. Jackson Board of Education*, 476 U.S. 267, 106 S.Ct. 1842 (1986) in which is applied the "strict scrutiny test" in invalidating the local school board's layoff policy.

³ See *Croson*, at 488 U.S. 469, 109 S. Ct. 706 (1989).

evidence of past discrimination against such persons, demonstrated that the city's purposes were not, in fact, to remedy past discrimination. Finally, the Court held that the 30 percent set-aside was not narrowly tailored to remedy the past effects of any prior alleged discrimination.

Standard of Scrutiny Analysis

The *Croson* case falls under the auspices of the Equal Protection Clause. The Fourteenth Amendment, which prohibits states from denying any person within its jurisdiction the equal protection of the laws, is usually invoked when the state makes distinctions or classifications. There are three levels of scrutiny under which a state statute, regulation, policy or practice can be examined: strict scrutiny, intermediate scrutiny, or rational basis. The strict scrutiny standard is evoked if the classification is suspect, in particular, one based on race, ethnic or alien distinctions or infringements upon fundamental rights.

The strict scrutiny test is the most rigorous of the three, requiring the state to show compelling governmental interests for making such classifications. Intermediate scrutiny is applied to gender and age distinctions and requires the state to prove there is a fair and substantial relationship between the classification and the objective of the legislation.⁴ Economic programs, which do not make distinctions on race, ethnic origin or gender, are treated under the rational basis test. Under this standard, the moving party is required to show that the classification is not rationally related to a valid state purpose. Some Justices on the Supreme Court were not completely convinced the three standards of scrutiny were the best measures of the importance of an equal protection claim. Chief Justice Rehnquist declared in *Craig v. Boren*:

I would think we have had enough difficulty with the two standards of review which our cases have recognized—the norm of “rational basis,” and the

⁴ Lower courts have not agreed upon the standard to be applied to physical and mental handicaps, however, intermediate and rational basis have been employed.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-191 of B-241

“compelling state interest” required where a “suspect classification” is involved so as to counsel weightily against the insertion of still another “standard” between those two. How is it to be determined whether a particular law is “substantially” related to the achievement of such objective, rather than related in some other way to its achievement? Both of the phrases used are so diaphanous and elastic as to invite subjective judicial preference or prejudices relating to particular types of legislation, masquerading as judgments whether such legislation is directed at “important” objectives or, whether the relationship to those objectives is “substantial” enough.⁵

He continued to support this position by joining in a concurrence with Justice Stevens in *City of Cleburne, Texas v. Cleburne Living Center*. Justice Stevens stated:

I am inclined to believe that what has become known as the [tiered] analysis of equal protection claims does not describe a completely logical method of deciding cases, but rather is a method the court has employed to explain decisions that actually apply a single standard in a reasonably consistent fashion.⁶

Croson and Strict Scrutiny

The Supreme Court, in reviewing the Richmond ordinance, analyzed an affirmative action program that made distinctions based on race. Although the Court was deeply divided, the majority opinion in *Croson* interpreted the Equal Protection Clause as providing to majority individuals the same protection against discrimination and unequal treatment as provided to

⁵ *Craig v. Boren*, 429 U.S. 190, 220-221, 97 S. Ct. 451 (1976), (Judge Rehnquist)

⁶ *City of Cleburne, Tex. v. Cleburne Living Center*, 473 U.S. 432, 105 S. Ct. 3249 (1985) (Justice Stevens, with Chief Justice concurring).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-192 of B-241

Blacks and other minorities.⁷ The Court reasoned that protection of the individual rights guaranteed by the Equal Protection Clause requires strict judicial scrutiny of the facts and circumstances surrounding the adoption of race-based preferences to “smoke out” possible illegitimate motivations such as simple race politics or racial stereotyping.⁸

The *Croson* decision did not itself define the legal standard of strict scrutiny. Justice O'Connor, writing the majority opinion, favored this heightened scrutiny of race-conscious programs, basing her opinion on Justice Powell's opinions in *Bakke*⁹ and *Wygant*. The use of a heightened scrutiny was necessary, O'Connor reasoned, because the majority Black population in the City of Richmond raised the concern of the Court that a political majority will more easily act to the disadvantage of a minority based on “unwarranted assumptions or incomplete facts . . .”¹⁰ Although Justice O'Connor relied on *Wygant* to define the strict scrutiny standard for *Croson*, it is important to note that her concurring opinion in *Wygant* acknowledges the lack of consensus among the members of the Court regarding the appropriate interpretation of the strict scrutiny standard. Four members of the Court dissented on the standard set forth in the O'Connor opinion. In fact, Justice Marshall, in his dissent, stated:

Today, for the first time, a majority of this Court has adopted strict scrutiny as its standard of Equal Protection Clause review of race-conscious remedial measures. This is an unwelcomed development. A profound difference separates governmental actions that themselves are racist and governmental actions that seek to remedy the effects of prior racism or to prevent neutral governmental activity from perpetuating the effects of such racism.¹¹

In his concurrence, Justice Stevens maintained the position he espoused in *Cleburne*.

⁷ *Croson*, at 721.

⁸ *Id.* at 721.

⁹ *Univ. of California Regents v. Bakke*, 438 U.S.265, 98 S. Ct. 2733 (1978).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-193 of B-241

Instead of engaging in a debate over the proper standard of review to apply in affirmative-action litigation, I believe it is more constructive to try to identify the characteristics of the advantaged and disadvantaged classes that may justify their disparate treatment.¹²

While the majority in *Croson* subjected race-based preferences adopted by state and local governments to the most stringent test of constitutionality, the Court apparently did not intend to sound a complete retreat from attempts by state and local governments to remedy racial injustice. Writing for the majority, Justice O'Connor stated,

It would seem equally clear, however, that a state or local subdivision (if delegated the authority from the State) has the authority to eradicate the effects of private discrimination within its own legislative jurisdiction. This authority must, of course, be exercised within the constraints of the Fourteenth Amendment.¹³

Justice Kennedy, in his concurring opinion, went further, stating the city, upon intentionally causing wrongs, has an “absolute duty” to eradicate discrimination.¹⁴ Under this heightened standard of review, race-based preference programs enacted by state and local governments are constitutional where: 1) there is a compelling governmental interest justifying the use of race-conscious measures, and 2) the measures employed are “narrowly tailored” to remedy identified discrimination.¹⁵ Based on the facts presented in the *Croson* record, the Court concluded that, in the enactment and design of the plan, the City of Richmond failed both prongs of the strict scrutiny test.

¹⁰ *Croson*, at 722.

¹¹ *Croson*, at 752.

¹² *Id.* at 732.

¹³ *Id.* at 720.

¹⁴ *Id.* at 734.

¹⁵ *Id.* at 708.

Compelling Governmental Interest

In some instances, public entities do have compelling reasons to remedy past discriminatory treatment of racial or ethnic groups in which they have been actively involved. This remedy necessarily will involve consciousness of race. In *Croson*, the Court noted that a municipality has a compelling interest in redressing not only discrimination committed by the municipality, but also discrimination committed by private parties within the municipality's legislative jurisdiction, so long as the municipality in some way perpetuated the discrimination to be remedied by the program.¹⁶ The *Croson* Court makes clear that a state or local government may use its legislative authority in procurement to remedy private discrimination, if that discrimination is identified with the "particularity required by the Fourteenth Amendment."

In the most recent Supreme Court case dealing with affirmative action programs, *Grutter v. Bollinger*,¹⁷ the Court further expounded on the compelling governmental test, stating that, "[w]e have never held that the only governmental use of race that can survive strict scrutiny is remedying past discrimination... Not every decision influenced by race is equally objectionable and strict scrutiny is designed to provide a framework for carefully examining the importance and the sincerity of the reasons advanced by the governmental decision-maker for the use of race in that particular context."¹⁸

Factual Predicate

Thus, race-conscious measures can be adopted when a governmental entity establishes, through a factual predicate, identified instances of past discrimination which must be

¹⁶ *Id.* at 720.

¹⁷ 539 U.S. 306 123 S. Ct. 2325 (2003)

¹⁸ Three recent lower court *Croson* progeny cases have concluded that the holdings of the *Gratz v. Bollinger*, 539 U.S. 244, 123 S. Ct. 2411 (2003) and *Grutter v. Bollinger*, 539 U.S. 306 123 S. Ct. 2325 (2003) cases in no way disturbs the holdings of *Croson*. See *Sherbrooke Turf, Inc. v. Minnesota Department of Transportation*, 345 F. 3d 964 (8th Cir. 2003) and *Hershell Gill Consulting Engineers v. Miami-Dade County*, Case No. 98-2300-CIV-JORDAN (August 24, 2004).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-195 of B-241

particularized in order to provide guidance for the “legislative body to determine the precise scope of the injury it seeks to remedy.”¹⁹

The City of Richmond justified its enactment of the plan based on five factors: (1) the plan declared its purpose to be “remedial”; (2) at public hearings in connection with enacting the plan, proponents stated there had been past discrimination in the construction industry locally, throughout the state and the county; (3) minority businesses received .67 percent of prime contracts from the city, while minorities constituted 50 percent of Richmond’s population; (4) minority contractors were grossly under represented in local contractors’ associations; and (5) U.S. congressional studies have concluded that minority participation in the construction industry nationally was stifled by the present effects of past discrimination.²⁰

The *Croson* court rejected the foregoing factors as inadequate, either singularly or in concert, to establish a strong basis in evidence to justify Richmond’s plan for the following reasons:

- *Remedial Purpose Recitation*—The mere recitation of a “remedial” purpose for a racial classification was entitled to little or no weight, particularly where an examination of the history of the legislation and its legislative scheme suggests that its goal was other than its asserted purpose.
- *Statements Regarding Past Discrimination*—The expression of plan proponents’ views that there had been past discrimination in the construction industry, “in this area and this State, and around the nation,” were highly conclusive in nature and of

¹⁹ *Id.* at 723.

²⁰ The City of Richmond attempted in part to predicate its program on the studies cited by the Supreme Court in *Fullilove v. Klutznick*, supra n. 1. The court noted that the Equal Protection component of the Fifth Amendment was not violated when Congress established a set-aside program since it was substantially related to the achievement of an important national goal of remedying the past acts of racial discrimination in the area of public contracts. The Congressional authority to establish a set-aside program is greater than that of a state and is subjected to less judicial scrutiny by the courts. However, the Court in *Adarand Contractors, Inc. v. Federica Pena* held that “all racial classifications, imposed by whatever federal, state, or local government actor, must be analyzed under strict scrutiny. 515 U.S. 200, 115 S. Ct. 2097, 2113 (1995)

no probative value in establishing past discrimination by anyone in the construction industry in the City of Richmond.

- *Disparity in Contracts Awarded*—Where special qualifications were required, the comparisons to the general population, rather than to the special smaller group of qualified individuals, may have little probative value. Thus, the relevant statistical pool for demonstrating discriminatory exclusion was the number of MBEs qualified to undertake the task, as opposed to the percentage of minority individuals in the general population. While the plan contemplated minority subcontractor participation, the city did not know how many MBEs in the local area were qualified to do the work or the percentage of MBE participation in city projects.
- *Low Participation in Contractors' Association*—A low percentage of minorities in the local contractors associations was not probative without proof that this low percentage was due to discrimination against, as opposed to the free choice, of Blacks to pursue alternate employment or interests.
- *Congressional Findings*—The finding by Congress that past discrimination accounted for the low number of minority contractors in the county had little or no probative value with respect to establishing discrimination in the *City of Richmond*. A more particularized showing of past discrimination by the City was required, such as a pattern of discrimination in the local industry that the City could act to eradicate, or discrimination in which the city was a “passive participant.”

The Court concluded that much more specific inquiry and findings than those conducted by the City of Richmond were required to support a constitutionally permissible set-aside program. The factual inquiry must be local in nature and the statistical analysis must address a relevant comparison. In *Croson*, Justice O'Connor relied heavily on her opinion and that of Justice Powell in *Wygant*, when specifying the requirement that “judicial, legislative or administrative findings of constitutional or statutory violation” must be found before a government entity has compelling interest in favoring one race over another.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-197 of B-241

For example, in *Wygant*, the Supreme Court considered the validity of a collective bargaining agreement, which provided special protection for minority teachers in layoffs. The school board argued in part that the board's interest in providing minority teacher role models for its minority students, as an attempt to alleviate societal discrimination was sufficiently important to justify the use of a racial classification embodied in the layoff provision.²¹ The Justices rejected the role model theory and held that it could not be used to support a remedial measure, such as a layoff provision. The disparity between teachers and students, according to the Court, had no probative value in demonstrating discrimination in hiring and promotion, which necessitated remedial action. Substantially, the same conclusion had been reached by the Supreme Court in 1979 in *Bakke*.²²

In showing particularized instances of discrimination, the *Croson* Court decided that the factual predicate suffered the same flaws, as did *Wygant*'s. The factual predicate depended upon generalized assertions, which could lead to an attempt to match contract awards to MBEs to the minority population as a whole. In analyzing the *Croson* factual predicate, the Supreme Court did not "provide a set of standards or guidelines describing the kind of MBE plan that would pass constitutional muster. It simply provided a stringent burden of proof for proponents of MBE laws to meet . . ." ²³ The Court also did not give legislatures much guidance on the parameters of a factual predicate that would show evidence of discrimination. There are some indications of the measures the Court will accept: 1) a pattern of discrimination shown through an appropriate disparity analysis can raise an inference of discrimination, 2) a relevant market in which the public entity conducts business must be established, and 3) some qualitative evidence of discrimination, such as anecdotal testimony, may also be acceptable. The Court, however, leaves a great deal of room for interpretation in the development of models to satisfy these standards.

²¹ See *Wygant*, at 274.

²² *Cone v. Hillsborough*, 905 F. 2d 908, 913 (1990)

²³ 488 U.S. at 507-508

Because the *Croson* Court left the task of further establishing a factual predicate to the lower courts, they have been grappling with this issue there ever since. State and local governmental entities are engaging independent consultants to assess whether they have the factual predicate or a statistically significant disparity necessary to justify remedial race- and/or gender-conscious programs under *Croson*.

Narrowly Tailored

The Court in *Croson* made it clear that the second prong of the “strict scrutiny” test demands that remedial action be “narrowly tailored” to identify past or present discrimination. At least three characteristics were identified by the Court as indicative of a narrowly tailored remedy:

- The program should be instituted either after, or in conjunction with, race-neutral means of increasing minority business participation; a governmental entity does not have to enact race-neutral means if they are not feasible or conducive to remedying past discrimination,
- the plan should avoid the use of rigid numerical quotas,²⁴
- the program must be limited in its effective scope to the boundaries of the governmental entity.

Croson found the 30 percent quota in Richmond to be a rigid numerical quota without justification. Given that the city considered bids and waivers on a case-by-case basis, the Court found no need for the rigid quotas. In creating a plan, a public entity cannot employ quotas simply to avoid “the bureaucratic effort necessary to tailor remedial relief to those who truly have suffered the effects of prior discrimination.”²⁵

²⁴ 488 U.S. at 507-508.

²⁵ *Id.* at 729.

Appendix B Legal Analysis

Yet, based on the discovery of a significant statistical disparity, the public entity can then institute measures to “end the discriminatory exclusion.”²⁶ In fact, in severe showings of discrimination, quotas or set-asides could be employed: “in the extreme case, some form of narrowly tailored racial preference might be necessary to break down patterns of deliberate exclusion.”²⁷ Even so, any plan of action containing racial preferences should be grounded in the statistical assessment of disparity.

Several lower courts have sought to expound upon the components of narrow tailoring dictated by the Supreme Court. In doing so, the following findings have been made:

- *Goals should be flexible and aspirational.* Flexible and aspirational goals are demonstrated by the goals being tied to availability, set project-by-project and achieved through good faith efforts.²⁸ Goals can also be set for minority groups where their numbers are so small that discrimination may have kept their numbers so low as to being unable to reach statistical significance.²⁹
- A narrowly tailored program should also contain waivers. If MBEs are not available, or submit unreasonably high price quotes, the prime contractor should be granted a waiver.³⁰
- A sunset clause is also a component of a narrowly tailored MBE program. This can involve: 1) a graduation program,³¹ 2) a definite date to end the program;³² or 3) an annual review of M/WBE program efficacy, goals, and utilization.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Cone v. Hillsborough County*, 905 F. 2d 908 (1990), *Associated General Contractors of Ohio v. Drabik*, 214 F. 3d 300 (6th Cir. 2000)

²⁹ *Concrete Works v. County of Denver*, 823 F. Supp. 821, 843 (1993)

³⁰ *Coral Construction Co. v. King County*, 941 F. 2d at 924, *Associated General Contractors of Ohio v. Drabik*, 214 F. 3d 300 (6th Cir. 2000), *Hershell Gill Consulting Engineers v. Miami-Dade County*, Case No. 98-2300-CIV-JORDAN (August 24, 2004).

³¹ *AGC v. Coalition for Economic Equality*, 950 F.2d 1407,1417 (1991), *Associated General Contractors of Ohio v. Drabik*, 214 F. 3d 300 (6th Cir. 2000), *Hershell Gill Consulting Engineers v. Miami-Dade County*, Case No. 98-2300-CIV-JORDAN (August 24, 2004).

³² *AGC v. San Francisco*, 748 F. Supp. 1443,1454 (1990), *Associated General Contractors of Ohio v. Drabik*, 214 F. 3d 300 (6th Cir. 2000).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-200 of B-241

- Additionally, any race-conscious program or other remedial action should not extend its benefits to MBEs outside the political jurisdiction, unless the MBEs can show that they have suffered discrimination within the locale.³³

Recently, the U.S. Supreme Court reviewed the utilization of goals in affirmative action cases in *Grutter v. Bollinger*³⁴ and *Gratz v. Bollinger*³⁵, which addressed the standards for utilizing race conscious measures in public education. The utilization of race should allow for individualized consideration. As such, race must be applied in a flexible, non-mechanical way. Race can be used as more of a “plus” factor, as opposed to a defining feature of the application.

In *Sherbrooke Turf, Inc. v. Minnesota Department of Transportation* and *Gross Seed Company v. Department of Transportation*³⁶, the Eighth Circuit Court of Appeals has interpreted these two cases in light of the U.S. Supreme Court’s decision in *Croson*. The court found that the DOTs’ goal programs were consistent with the requirements of *Gratz* and *Grutter*, as they were flexible and individualized and emphasized race-neutral means. In *Western States Paving Co., Inc. v. Washington State Department of Transportation*³⁷, the Ninth Circuit reached a similar conclusion.

Race-Neutral Alternatives

The Court in *Croson* held that the MBE program should be instituted either after, or in conjunction with, race-neutral means of increasing minority business participation. The *Croson* Court stated that, in Richmond, there did “not appear to have been any consideration of the use of race-neutral means to increase minority participation in City

³³ *Concrete Works*, 823 F. Supp. 821, 843 (1993). This was true even if the statistical evidence shows discrimination by contractors in cities in other locales, *Coral Construction v. King County*, 941 F. 2d 910, 925 (1991).

³⁴ 539 U.S. 306, 123 S. Ct. 2325 (2003)

³⁵ 539 U.S. 244, 123 S. Ct. 2411 (2003)

³⁶ 345 F.3d 964, 2003 U.S. App. LEXIS 20287 (8th Circuit, May 2004)

³⁷ 407 F.3d 983 (9th Cir. 2005)

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-201 of B-241

contracting.”³⁸ The Court further stated that, in upholding the federal set-aside in *Fullilove*, “Congress had carefully examined the rejected race-neutral alternatives before enacting the MBE set-aside.” This was because “by the time Congress enacted [the MBE set-aside] in 1977, it knew that other racial remedies had failed to ameliorate the effects of racial discrimination in the construction industry.”³⁹

While *Croson* does not define race-neutral programs or what constitutes a consideration of race-neutral programs, other passages in *Croson* do shed some light on the Court’s thinking on these two issues. The Supreme Court noted that the City of Richmond had at its disposal a wide array of race-neutral measures which could “increase the accessibility of City contracting opportunities to small entrepreneurs of all races. Simplification of bidding procedures, relaxation of bonding requirements, and training and financial aid for disadvantaged entrepreneurs of all races would open the public contracting market to all those who have suffered the effects of past societal discrimination or neglect.”⁴⁰

The Court also suggested that the City may “[a]ct to prohibit discrimination in the provision of credit or bonding by local suppliers and banks. Business as usual should not mean business pursuant to the unthinking exclusion of certain members of our society from its rewards.”⁴¹ Thus, the cities can attempt to thwart discrimination in those private industries that can award city contracts to minority contractors.⁴²

What constitutes an adequate consideration of race-neutral programs is even more vague. *Fullilove* held that Congress made a thorough investigation of the inadequacy of race-neutral measures to promote MBEs. While *Croson* held that Richmond could not rely on the congressional findings referred to in *Fullilove*, presumably, Richmond could have relied on a similar quantum of evidence that Congress relied upon in *Fullilove*. But congressional findings in *Fullilove* were remarkably thin. In fact, no hearings were held to document the

³⁸ *Croson*, citing *U.S. v. Paradise*, 480 U.S. 49, 171 (1987).

³⁹ *Croson*, 109 S.C. at 732 (1989).

⁴⁰ *Id.* at 706-707.

⁴¹ *Id.* at 729.

⁴² However, the court did not say whether this influence should be exercised through legislative enactment.

discrimination that the statute in *Fullilove* set out to rectify. While *Fullilove* has been in large part superseded by *Adarand v. Peña*, *Adarand* was also largely silent on what constituted an adequate consideration of race-neutral alternatives.

Subsequent federal case law has provided some illumination on the question of what constitutes adequate consideration of race-neutral measures.

- A governmental entity does not have to enact race-neutral means if they are not feasible or conducive to remedying past discrimination.⁴³
- If race-neutral programs and legislation were in place prior to the establishment of a race-conscious program and had been attempted in good faith, and yet M/WBE participation in public procurement remains low relative to availability, then an inference is created that race-neutral programs were inadequate to relieve the impact of past discrimination.⁴⁴

Scrutiny Applied to Federally Funded Programs

In *Adarand Contractors, Inc. v. Peña*⁴⁵ the Court analyzed the constitutionality of a federally funded race-conscious program. The facts of *Adarand*⁴⁶ are as follows. The Central Federal Lands Highway Division (CFLHD), which is part of the United States Department of Transportation, in 1989, awarded the prime contract for a highway construction project in Colorado to Mountain Gravel & Construction Company. Mountain Gravel then solicited bids from subcontractors for the guardrail portion of the contract. Petitioner *Adarand*, a Colorado-based highway construction company that specialized in guardrail work, submitted the lowest bid. Gonzales Construction Company also submitted a bid to complete the

⁴³ *Coral Construction v. King County*, 941 F.2d 910, 923 (1991), *AGC of California V. Coalition*, 950-F. 2d 1401,1417 (1991), *Engineering Contractors v. Dade County*, 122 F. 3d 895 (11th Cir. 1997), *Concrete Works vs. Denver*, 823 F. Supp. 821 (D Colo 1993), *Western States Paving Co., Inc. v. Washington State Department of Transportation*, 407 F.3d 983 (9th Cir. 2005)

⁴⁴ See note 67.

⁴⁵ *Id.*

⁴⁶ *Id.*

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-203 of B-241

guardrails.⁴⁷ Gonzales was a certified Disadvantaged Business Enterprise (DBE), however Adarand was not. Mountain Gravel awarded the subcontract to Gonzales, even though Adarand had the lowest bid.⁴⁸

Federal law requires a subcontracting clause “be inserted which states that [t]he contractor shall presume that socially and economically disadvantaged individuals include Blacks, Hispanics, American Indians, Asians, and other minorities, or any other individual found to be disadvantaged by the [Small Business] Administration pursuant to section 8(a) of the Small Business Act.”⁴⁹ Adarand filed suit in the United States District for the District of Colorado against various federal officials, claiming that the race-based presumptions involved in the use of subcontracting compensation clauses violated Adarand's right to equal protection. In addition to its general prayer for “such other and further relief as to the court seems just and equitable,” Adarand specifically sought declaratory and injunctive relief against any *future* use of subcontractor compensation clauses.⁵⁰

Before the Court could decide on the merits of the case, it had to determine whether Adarand had standing to seek forward-looking relief. In order for Adarand to have standing, it would have to allege that the use of subcontractor compensation clauses in the future constitutes “an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical.”⁵¹ The Court determined that Adarand's claim met this test. The Court went on to state that Adarand need not demonstrate that it has been, or will be, the low bidder on a government contract. The injury in cases of this kind is that a “discriminating classification prevent[s] the plaintiff from

⁴⁷ *Id.* at 205.

⁴⁸ *Id.* Note that in *Washington DOT*, the Ninth Circuit concluded that a DBE program is not rendered unconstitutional because it sometimes results in bids by non-DBE firms being rejected in favor of higher bids from DBEs. “Although this places a very real burden on non-DBE firms, this fact alone does not invalidate TEA_21. If it did, all affirmative action programs would be unconstitutional because of the burden on non-minorities.” 407 F.3d at 995.

⁴⁹ *Id.* at 205.

⁵⁰ *Id.* at 210.

⁵¹ *Id.* at 211.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-204 of B-241

competing on an equal footing"... The aggrieved party "need not allege that he would have obtained the benefit but for the barrier in order to establish standing."⁵²

The next issue the Court addressed related to whether a program based on *disadvantage*, not on race, should be subjected to the most relaxed judicial scrutiny. In particular, the Court had to decide the standard of review for federal racial classifications in determining the viability of programs to address discrimination. The Court concluded "that any person, of whatever race, has the right to demand that any governmental actor subject to the Constitution justify any racial classification subjecting that person to unequal treatment under the strictest judicial scrutiny,"⁵³ thereby holding "that all racial classifications, imposed by whatever federal, state, or local governmental actor, must be analyzed by a reviewing court under strict scrutiny." In other words, such classifications are constitutional only if they are narrowly-tailored measures that further compelling governmental interests. The Court, in its decision, recognized the persistence of the practice and lingering effects of racial discrimination against minority groups in this country and the government's ability to act in response to it. Further, the Court wanted to dispel the notion that strict scrutiny is "strict in theory, but fatal in fact."⁵⁴

The Court remanded the case to the court of appeals to address several issues:

- To determine whether the interests served by the use of subcontractor compensation clauses are properly described as "compelling;"
- To address narrow tailoring in terms of strict scrutiny cases by exploring the use of race-neutral means to increase minority business participation in government contracting;
- To determine whether the program is appropriately limited, so it will not outlive the discriminatory effects it was designed to eliminate;

⁵² *Id.* at 211.

⁵³ *Adarand*, 515 U.S. at 224.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-205 of B-241

- To review the discrepancy between the definitions of which socially disadvantaged individuals qualify as economically disadvantaged for the 8(a) and 8(d) programs; and,
- To determine whether 8(d) subcontractors must make individualized showings, or whether the race-based presumption applies to both socially and economically disadvantaged businesses.

The Tenth Circuit Court of Appeals remanded the case to the district court for action on the issues raised by the Supreme Court.⁵⁵ The federal district court in *Adarand* (“*Adarand IV*”) accepted the federal government’s evidence of compelling interest, but rejected the DBE program in Colorado as not being narrowly tailored.⁵⁶ The Court, although acknowledging the Supreme Court’s pronouncement that strict scrutiny is not “fatal in fact”, found it “difficult to envisage a race-based classification” that would ever be narrowly tailored, thereby effectively pronouncing strict scrutiny fatal in fact.⁵⁷

Following *Adarand IV*, the Tenth Circuit Court of Appeals considered subsequent events that the court deemed to have rendered the case moot.⁵⁸ During the course of the litigation, *Adarand* applied for and was granted DBE certification by the Colorado Department of Transportation. The appellate court concluded that *Adarand* could no longer demonstrate an injury stemming from the Subcontractors Compensation Clause (a federal subcontracting program), and therefore, the case was moot.⁵⁹ In the Supreme Court’s review of the court of appeals decision in *Adarand VI*, the Court reversed the lower court, holding that “it was ‘far from clear’ that DOT would not initiate proceedings to revoke *Adarand*’s status and because ‘it is impossible to conclude that respondents have borne their burden of establishing that it

⁵⁴ *Fullilove*, supra at 519.

⁵⁵ *Adarand Constructors, Inc. v. Peña*, 965 F.Supp. 1556 (D.Colo. 1997).

⁵⁶ Similarly, a Texas District court, in *Rothe Development Corp v. U.S. Department of Defense*, Civ. Act No. SA-98-CV-1011-EP (1999), upheld the federal government benchmark study as an adequate factual predicate for the small, disadvantaged business program of the U.S. Department of Defense. See also *Concrete Works of Colorado, Inc. v. City and County of Denver, Co.* Civil Action No: 92-M-21 Mar. 7, 2000.

⁵⁷ See *Adarand Constructors, Inc. v. Peña* 965 F. Supp. 1556, 1580 (D. Colo. 1997) (“*Adarand IV*”)

⁵⁸ See *Adarand Constructors, Inc. v. Slater*, 169 F.3d 1292 (10th Cir. 1999) (“*Adarand V*”)

⁵⁹ *Id.* at 1296-1297

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-206 of B-241

is 'absolutely clear that the allegedly wrongful behavior could not reasonably be expected to recur' petitioner's cause of action remains alive."⁶⁰ The Supreme Court remanded the case back to the Appellate Court for consideration on the merits.

On remand, the Appeals Court found that the government's evidence more than satisfied the compelling interests prong of the strict scrutiny test, thus reversing the district court's holding in *Adarand IV*. The Court then considered whether the programs currently before the Court were narrowly tailored using the following factors: (1) the availability of race-neutral alternative remedies, (2) limits on the duration of the subcontractors' compensation clause program and the DBE certification program, (3) flexibility, (4) numerical proportionality, (5) the burden on third parties, and (6) over- or under-inclusiveness. Taking all these factors into consideration, the Court found the amended and revised subcontracting program and DBE certification programs to be narrowly tailored.⁶¹ On November 27, 2001, in *Adarand Constructors v. Mineta*, the U.S. Supreme Court dismissed the writ of certiorari on the Tenth Circuit's decision as improvidently granted.⁶²

Intermediate Scrutiny

The courts examine programs that give preference to women-owned businesses under a different standard than racially-based programs. A gender-conscious program created by a governmental entity is examined under the intermediate scrutiny test, rather than the strict scrutiny test employed for racial classifications.⁶³ Under intermediate scrutiny review, the actions of the state are valid if they are substantially related to important governmental objectives.⁶⁴

⁶⁰ *Adarand Constructors, Inc. v. Slater*, 120 S.Ct. 722, 726-27 (2000) ("Adarand VI")

⁶¹ *Adarand Constructors, Inc. v. Slater*, docket no. 90-K-1413 (D. Colo) (Sep 25, 2000)

⁶² 534 U.S. 103, 122 S. Ct. 511 (2001). See also *Gratz v. Bollinger*, 539 U.S. 244, 123 S. Ct. 2411 (2003) and *Grutter v. Bollinger*, 539 U.S. 306 123 S. Ct. 2325 (2003)

⁶³ See e.g. *City of Cleburne*, supra no.6.

⁶⁴ *Id.* at 441.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-207 of B-241

Lower courts examining the validity of a sex-based preference have applied the intermediate scrutiny standard.⁶⁵ In the *Coral Construction* case, the Ninth Circuit employed the intermediate scrutiny test to review King County's WBE program. Under the test, the Court noted that the gender classification must serve an important governmental objective, and there must be a direct, substantial relationship between the objective and the means chosen to accomplish that objective.⁶⁶ A governmental entity may use gender-based preferences "only if members of the gender benefited by the classification actually suffered a disadvantage related to the classification."⁶⁷

According to the court of appeals, unlike the strict standard of review applied to race-based programs, intermediate scrutiny does not require any showing of governmental involvement, active or passive, in the discrimination it seeks to remedy.⁶⁸ The Court would uphold the ten percent gender preference if the county could establish a sufficient factual predicate for the claim that women-owned construction businesses have suffered economic discrimination.

The Court concluded that King County had legitimate and important interests in remedying the many disadvantages that confronted women business owners. Further, the means chosen was substantially related to the objective. The Court observed that an affidavit from a woman business owner showing that less than seven percent of her firm's business came from private contracts, and that most of the business had come from gender-based set-aside programs was adequate information to show discrimination against women in King County.⁶⁹

⁶⁵ See *Coral Construction Co. v. King County*, 941 F.2d 910,931 (9th Cir. 1971); *Contractors Ass'n. Eastern Pennsylvania, Inc. v. City of Philadelphia*, 6 F.3d 990 (3rd Cir. 1993). The Sixth Circuit Court of Appeals employed the intermediate scrutiny review in *Michigan Road Builders Ass'n. v. Milliken*, 834 F. 2d 583 (6th Cir. 1987), aff'd 49 U.S. 1061 (1989). However, after *Croson*, the sixth Circuit seemingly applied a strict scrutiny test when considering a gender-based affirmative action program.

⁶⁶ *Id.* at 921.

⁶⁷ *Id.* at 931.

⁶⁸ *Id.* at 932.

⁶⁹ *Id.* at 932-33. In *Construction Association of Eastern Pennsylvania, Inc. v. City of Philadelphia*, supra n. 76, the Court of Appeals for the Third Circuit also applied the intermediate standard to a gender-based preference program.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-208 of B-241

The Court of Appeals for the Third Circuit in the City of Philadelphia observed that it is unclear whether statistical evidence, as well as anecdotal evidence, is required to establish the factual predicate necessary to satisfy intermediate scrutiny. It noted that the Supreme Court's gender discrimination cases are inconclusive and the Court has never squarely ruled on the necessity of statistical evidence in gender discrimination cases. However, the court of appeals found that logically the City must be able to rely on less evidence in enacting a gender preference than a racial preference, because the intermediate scrutiny standard is less stringent than the strict scrutiny test applied in *Croson*.⁷⁰

In support of its program, Philadelphia relied only on general statistics and one affidavit from a woman in the catering business. Since there was not a disparity index for women-owned construction businesses, and given the absence of anecdotal evidence establishing discrimination in the construction industry, the court of appeals affirmed the grant of summary judgment, invalidating the gender preference for construction contracts.

Although the district court in Philadelphia applied the intermediate scrutiny test to gender-conscious programs,⁷¹ it recognized the anomaly that the Supreme Court has created in establishing different standards of scrutiny for race- and gender-conscious programs:

The use of intermediate scrutiny to analyze gender-based classifications in the affirmative action context produces an anomalous result. In the non-affirmative action context, the use of a three-tiered analysis for ordinances disadvantaging Blacks, women or non-suspect classifications creates the result intended by the Supreme Court—it is most difficult to uphold a classification disadvantaging Blacks, less difficult to uphold a classification disadvantaging women, and easiest to uphold a classification

⁷⁰ *Id.* at 1010. Another example of this double standard was in *RGW Construction v. San Francisco BART*, Case No. C92-2938 TEH (N.D. CA). In this case, an injunction was issued against the race-conscious but not the gender-conscious program area of BART's DBE program for non-federally funded contracts because of the lack of a factual predicate for the program. The injunction was later partially lifted based on evidence in two disparity studies in counties where BART operated.

Appendix B Legal Analysis

disadvantaging a non-suspect class. However, in the affirmative action setting, the use of this three-tiered scheme means that laws disadvantaging Whites (MBEs) will be held to a stricter standard than laws disadvantaging men (FBEs). The flip side of this is that, under the sliding scale analysis, it becomes easier for a state legislature or a city council to pass an FBE than an MBE, because the former will be held to a lesser standard of scrutiny by the courts.

This Court questions whether this result was intended. The anomaly lies in the fact that the three-tiered scheme sprung from the judicial determination that, as a class, Blacks have been subjected to the most egregious discrimination over time. This determination is reflected in the choice of higher percentages for minorities in the Philadelphia ordinance and other similar set-aside programs. The very existence of the Thirteenth and Fifteenth Amendments to the U.S. Constitution evinces a Congressional intent to give itself the power to redress past discrimination against Blacks.

However a look at the Supreme Court decisions holding that laws disadvantaging Blacks and Whites should be held to the same strict standard (see *Croson*, supra), and that laws disadvantaging women and men should be held to the same intermediate standard (see *Craig v. Boren*, supra), may explain or justify this anomalous result. Perhaps by determining that discrimination against both Blacks and Whites is equally abhorrent and that the criteria of race is “more suspect” than gender discrimination, the Supreme Court has accepted the result that it is now more difficult to remedy race discrimination than sex discrimination. Whether it has or not, this Court questions the logic of such a result.⁷²

⁷¹ *Contractors Association v. City of Philadelphia*, 735 F. Supp 1274 (E.D. Pa. 1990).

⁷² *Id.* at 1302-1303.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-210 of B-241

In *Engineering Contractors Association of South Florida Inc. v. Metropolitan Dade County*, the Eleventh Circuit Court of Appeals held that the intermediate scrutiny remains the applicable constitutional standard in gender discrimination cases.⁷³ The level of evidence that is sufficient to meet the intermediate scrutiny test is “one of degree, not of kind.”⁷⁴ This test requires less evidence than a race-conscious constitutional review. The Court, however, noted that the difficulty in determining the adequacy of evidence in gender-conscious cases is determining how much less evidence is permissible. In an attempt to resolve this issue, the Court looked to the Third Circuit Court of Appeals’ review of the City of Philadelphia for guidance and applied the same analysis to its review of the Dade County WBE program.

Rationally Related Standard of Scrutiny

Race-neutral economic development programs and local business programs would be evaluated under the rationally related test. That is, a legitimate state interest must exist and the means employed to further the interest must be rationally related to the legislation’s purpose.

In *San Francisco*,⁷⁵ the Court held that the City had a legitimate state interest in encouraging businesses to locate and remain in the city. Two factors were used to substantiate the City’s interest. First, the Court noted the higher administrative costs of doing business in the city—higher rents, taxes and wages incurred by disadvantaged businesses operating in the city. Second, the Court noted that the public interest was best served by encouraging businesses to locate in the city. The Court also noted that foreign businesses could be locally-owned business enterprises (LBEs) by acquiring offices within the city and paying permit and license fees from a city address.

⁷³ 122 F.ed 895 (11th Cir. 1997).

⁷⁴ *Id.*

⁷⁵ 813 F. 2d 922, 943 (9th Cir 1987)

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-211 of B-241

In *Gary Concrete Products, Inc. v. Riley*⁷⁶ the Court held that an LBE bid preference was constitutional, as the State has a legitimate interest in directing the benefits of its purchases to its citizens. The Court concluded that bid preferences for residents encourage local industry, which increases the tax base and helps the state economy. The statute was rationally related, even though non-residents could qualify for the preference. Non-residents qualified only when they maintained an office and inventory in the state and paid certain taxes.

⁷⁶ 285 S.C. 498, 331 S.E. 2d 335 (1985)

BURDEN OF PROOF IN PUBLIC CONTRACTING AFFIRMATIVE ACTION PLANS

In affirmative action cases, the plaintiff bears the burden of proof to demonstrate the unconstitutionality of an affirmative action plan. In *Johnson v. Transportation Agency, Santa Clara County*,⁷⁷ the Supreme Court established that:

Once a plaintiff establishes a *prima facie* case that race or sex has been taken into account . . . the burden shifts to the employer to articulate a nondiscriminatory rationale for its decision. The existence of an affirmative action plan provides such a rationale. If such a plan is articulated as the basis for the employer's decision the, burden shifts to plaintiff to provide that [this] justification is pre-textual and the plan is invalid. As a practical matter, of course, an employer will generally seek to avoid a charge of pretext by presenting evidence in support of its plan. That does not mean however . . . that reliance on an affirmative action plan is to be treated as an affirmative defense requiring the employer to carry the burden of proving the validity of the plan. The burden of proving its invalidity remains on the plaintiff.⁷⁸

Croson seems to apply this standard to public contracting affirmative action programs by suggesting that an appropriate statistical analysis by the public entity showing disparity would lead to an inference of discrimination. It would then be incumbent upon the contractor/plaintiff to show, (1) there is a "neutral explanation" for the disparity, (2) the statistical analysis is flawed, (3) the disparities are not significant or actionable, or (4) contrasting statistical data. A general assertion that there is some reason other than discrimination that could explain the disparity is not enough to overcome the inference of discrimination created by the statistical analysis.⁷⁹ Indeed, as in Title VII cases,

⁷⁷ 480 U.S. 616, 107 S. Ct. 1442 (1987)

⁷⁸ *Id.* at 1449.

⁷⁹ See, e.g., *City of Philadelphia*, *supra* n. 26, at 1007.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-213 of B-241

a party challenging evidence of discrimination must have conducted its own regression analysis to show that the evidence is in fact flawed, and that correcting for any alleged flaws would have resulted in no disparities. . . . Concrete Works has criticized portions of Denver's methodology without showing that its alleged flaws would have made a difference in the disparity ratios. It would be unfair to allow disgruntled plaintiffs to drag affirmatively acting municipalities into court on such meager rebuttal evidence.⁸⁰

Thus, what is distinct about the *Croson* burden of proof is that the defendant in *Croson*, the public agency, must meet its burden of production to demonstrate that it had committed sufficient discrimination to satisfy the strict scrutiny standard for race-conscious procurement programs. In the absence of such evidence, an MBE program will not survive summary judgment. Once such proof is developed by a public agency, typically in the form of a disparity study and public hearings, the burden of proof then shifts to the plaintiff, typically a contractor's association, to demonstrate that evidence presented by the public agency is flawed. This standard has been further supported in *Hershell Gill Consulting Engineers v. Miami-Dade County and Concrete Works of Colorado, Inc. v. City and County of Denver*.⁸¹ However, the two lower courts established different standards, with *Hershell Gill* placing a strong burden on the defendant to show actual discrimination supports a M/WBE program and *Concrete Works* stating that the defendant can meet its burden without conclusively proving the existence of past or present racial discrimination.

One problem, however, for conducting *Croson* research is the extent to which guidance can be drawn from the employment discrimination literature for conducting a *Croson* disparity study. In particular the question arises: Are the standards for burden of proof and burden of production in business disparity the same as in employment discrimination? The analysis of the burden of proof and the burden of production is well-developed in the employment

⁸⁰ *Concrete Works v. County of Denver*, 823 F. Supp. 821, 839-40 (1993).

⁸¹ No. 00-1145, 2003 U.S. App. Lexis 2396 (10th Circuit, February 10, 2003).

discrimination literature used, and has been further clarified in the *Civil Rights Act of 1991*.⁸² *Croson* litigation differs in at least two respects from employment discrimination litigation. First, the injured parties are businesses, not individuals. Second, evidence of discrimination for *Croson* litigation is required prior to litigation, in the absence of subpoena power to verify claims of discrimination cases. In contrast, plaintiffs in an employment discrimination case do not have to produce a statistical analysis of discrimination to survive summary judgment. In spite of this distinction, O'Connor did make a number of references to employment discrimination cases in developing her holding in *Croson*.

JUDICIAL REVIEW OF CROSON CASES IN THE SECOND CIRCUIT

The summary of cases in the Second Circuit are discussed in the legal analysis contained in Volume I.

OTHER RECENT LOWER COURT CASES

Western States Paving Co., Inc. v. Washington State Department of Transportation

Western States Paving Company Inc.'s subcontract bid was rejected in favor of a higher bid by a minority-owned firm on a contract in Vancouver, Washington. The State mandated that the City of Vancouver obtain 14 percent participation. Western States challenged the award, contending that the Transportation Equity Act for the 21st Century (TEA-21) was unconstitutional under the equal protection laws. Washington DOT argued that it complied with federal law, and thus its actions were constitutional. In *Western States Paving Co., Inc. v. Washington State Department of Transportation*,⁸³ the Ninth Circuit granted summary judgment to the State in regard to the facial challenge to TEA-21, but reversed the lower court's decision with regard to the application of TEA-21 by the State.

⁸² PI No. 102-166, 105 Stat. 1071 (1991).

⁸³ 407 F.3d 983 (9th Cir. 2005)

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-215 of B-241

The Ninth Circuit first considered the constitutionality of TEA-21 on its face. The court sought to determine whether the federal government had met the compelling interest prong of the strict scrutiny test. The Ninth Circuit found that Congress had sufficient evidence of discrimination against minorities to enact legislation that is applicable on a nationwide basis, thus TEA-21 met the requirements of the first prong of the *Croson* test.

The court then turned to the second prong of the strict scrutiny test, which is narrow tailoring. The Ninth Circuit outlined the features of a narrowly tailored program and found that TEA-21 possessed all of the features of a narrowly tailored remedial program. The features of a narrowly tailored program are as follows:

- Efficacy of alternative remedies (TEA-21 “places a preference on the use of race-neutral means, including informational and instructional program targets toward all small businesses.”);
- The flexibility and duration of the relief, including waiver provisions (TEA-21 prohibits the use of quotas. Prime contracts can either meet goals through subcontracting with DBEs or showing that they have made a good faith effort to do so);
- The relationship of the numerical goals to the relevant labor market; and,
- The impact of the relief on the rights of third parties.⁸⁴

The court then turned to a review of whether TEA-21 as applied by the State was constitutional. The State argued that it was not obligated to show that its application of TEA-21 met the strict scrutiny standard. It further argued that its DBE program was constitutional because the State had met federal regulations. The court disagreed, in part. While the State does not have to meet the compelling interest test, it does have to meet the narrow tailoring test. It does so by showing that race-based measures provided by the national program are needed in its local area. “If no such discrimination is present in Washington, then the State’s DBE program does not serve a remedial purpose; it instead provides an unconstitutional

⁸⁴ *Id.* at 993, citing *United States v. Paradise*, 480 U.S. 149, 171, 94 L. Ed. 2d 203, 107 S. Ct. 1053 (1987).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-216 of B-241

windfall to minority contractors solely on the basis of their race or sex.”⁸⁵ The court went on to suggest that a properly conducted statistical analysis might support a finding of discrimination.

Sherbrooke Turf, Inc. v. Minnesota Department of Transportation; Gross Seed Company v. U.S. Department of Transportation

Sherbrooke and Gross Seed provided landscaping services to prime contractors on federal highway projects. Each challenged the constitutionality of the DOT’s Disadvantaged Business Enterprises (DBE) program in *Sherbrooke Turf, Inc. v. Minnesota Department of Transportation; Gross Seed Company v. U.S. Department of Transportation*.⁸⁶ In Minnesota, the ten percent set-aside program was suspended after the *Adarand* case was decided. The revised program provided “contracting advantages to small businesses owned and controlled by ‘socially and economically disadvantaged individuals’.”⁸⁷ The Tenth Circuit Court of Appeals upheld the District court’s finding that the revised programs were constitutional.

First, regarding the compelling governmental interest test, the court found that Congress had a strong basis in evidence to support its conclusion that race-based measures were necessary. Second, regarding the narrow tailoring test, the court decided that the programs were narrowly tailored for the following reasons:

- The regulations placed heavy emphasis on utilizing race-neutral means to increase MBE participation;
- The revised program had substantial flexibility because a state may grant waivers or exemptions and a contractor is not penalized for good faith failure to meet the goals;
- DOT has tied the goals to the relevant contracting markets; and,

⁸⁵ *Id.* at 998.

⁸⁶ 345 F. 3d 964 (10th Cir. 2003)

⁸⁷ *Id.* at 968.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-217 of B-241

- DOT has attempted to minimize the race-conscious nature of the programs, by excluding wealthy minority firms from the program and providing certification to persons who are not presumptively disadvantaged, but who can demonstrate actual social and economic disadvantage.⁸⁸

Lastly, the court found that the plaintiffs could not simply posit that the statistical data upon which the DOTs relied to establish their goals was flawed. The plaintiffs needed to establish that there was better data or that the DOT was unreasonable in undertaking the analysis and relying on the results.⁸⁹

*Concrete Works of Colorado v. City and County of Denver*⁹⁰

Concrete Works of Colorado v. City and County of Denver has been of particular interest to many public agencies. This case represents one of the most exhaustive reviews by a court of disparity study evidence and the critiques of that evidence. After the District court enjoined Denver from enforcing its M/WBE ordinance in *Concrete Works III*, the Tenth Circuit Court of Appeals heard this appeal. The court made several key findings, addressing the standard of review and burden of proof, and the evidence upon which the City and County of Denver (Denver) relied and Concrete Works (CWC) challenged.

i. Legal Framework

As its evidence, Denver submitted disparity studies conducted by two disparity study consultants in 1990, 1995, and 1998. Also, Denver submitted evidence of discrimination from the U.S. General Accounting Officer (GAO) and the U.S. Department of Transportation (DOT). Within the legal framework below, the District court established the following six questions. The legal questions and the Tenth Circuit's view on each question are outlined below:

⁸⁸ *Id.* at 970-971.

⁸⁹ *Id.* at 974.

⁹⁰ No. 00-1145, 2003 U.S. App. Lexis 2396 (10th Circuit, February 10, 2003)

1. Is there pervasive race, ethnic, and gender discrimination throughout all aspects of the construction and professional design industry in the six-county Denver MSA?

The appropriate question is whether Denver presented strong evidence from which an *inference* of past or present discrimination could be drawn.

2. Does such discrimination equally affect all of the racial and ethnic groups designated for preference by Denver and all women?

Croson does not require that Denver show that each group suffered equally from discrimination.⁹¹

3. Does such discrimination result from policies and practices intentionally used by business firms for the purpose of disadvantaging those firms because of race, ethnicity, and gender?

Denver did not have to show direct discrimination, but relied on statistical and anecdotal evidence. “Denver was under no burden to identify any specific practice or policy that resulted in discrimination. Neither was Denver required to demonstrate that the purpose of any such practice or policy was to disadvantage women or minorities. To impose such a burden on a municipality would be tantamount to requiring direct proof of discrimination and would eviscerate any reliance the municipality could place on statistical studies and anecdotal evidence.”⁹²

4. Would Denver’s use of those discriminating firms without requiring them to give work to certified MBEs and WBEs in the required percentages on each project make Denver guilty of prohibited discrimination?

⁹¹ *Id.* at 44.

⁹² *Id.* at 46.

First, the question erroneously presupposes that Denver can only remedy its own discrimination. Second, Denver does not have to show “an exact linkage between its award of public contracts and private discrimination.” It is sufficient to submit evidence of private discrimination in the construction industry, along with evidence that it has become a passive participant in that discrimination.⁹³

5. Is the compelled use of certified MBEs and WBEs in the prescribed percentages on particular projects likely to change the discriminatory policies and programs that taint the industry?

“Denver’s program can survive the equal protection challenge brought by CWC if Denver can show that the ordinances are narrowly tailored to remedy Denver’s participation in the identified discrimination; there is no requirement that the ordinances must also eliminate the discrimination. In fact, any such requirement would be illogical. If firms persisted in their discrimination, they could effectively defeat all affirmative action legislation.”⁹⁴

6. Is the burden of compliance with Denver’s preferential program a reasonable one fairly placed on those who are justly accountable for the proven discrimination?

The standard is not whether the program only addresses those firms accountable for the discrimination, but on “whether the burden on third parties is ‘too intrusive’ or ‘unacceptable’.” As such, the district court placed a greater burden on Denver than that required by applicable law.

ii. Evidence and Rebuttal Evidence

The Tenth Circuit also reviewed and considered in detail the disparity studies and other evidence relied upon by Denver. The court made the following observations:

⁹³ *Id.* at 49.

⁹⁴ *Id.* at 50.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-220 of B-241

1. Marketplace

Both public and private discrimination in the construction industry are relevant. As such, Denver can meet its burden by showing marketplace or private sector discrimination and linking its spending practices to the private discrimination. This can be done through:

- a. anecdotal evidence of City contractors subject to Denver's goals who are not using M/WBEs on private sector contracts;
- b. evidence of discriminatory barriers to business formation by M/WBEs and fair competition; and,
- c. evidence of lending discrimination.

2. Variables

The Tenth Circuit reviewed those variables that CWC alleged the disparity studies had not controlled for and made the following findings:

- a. Size and experience. First of all, CWC did not conduct its own disparity study that controlled for firm size and experience. Second, "Denver is permitted to make assumptions about capacity and qualification of M/WBEs to perform construction services if it can support those assumptions. The assumptions made in this case are consistent with the evidence presented at trial, and support the City's position that a firm's size does not affect its qualifications, willingness, or ability to perform construction services and that the smaller size and lesser experience of M/WBEs are, themselves, the result of industry discrimination."⁹⁵

⁹⁵ *Id.* at 73.

- b. Specialization. CWC offered no support for its view that M/WBEs are clustered in certain construction specialties and did not demonstrate that disparities are eliminated when there is control for firm specialization. On the other hand, the disparity study consultant controlled for SIC code subspecialty and still showed disparities.⁹⁶
- c. Bidding. Disparity studies must make the same assumptions about availability for *all* firms. It is not necessary to consider only those firms actually bidding on Denver's projects. Showing only those firms who actually bid still does not indicate whether they are actually qualified.⁹⁷

3. *Utilization of M/WBEs on City Projects*

CWC did not present any evidence that explained the decrease in the City's utilization rates after the goal program was amended to eliminate minimum annual goals, replaced annual goals with project-by-project goals and added the requirement that MBEs seeking certification demonstrate that they had suffered from past discrimination. On the other hand, Denver presented data on non-goal projects that revealed lower MBE participation rates than those projects subject to the goals. The court found that the non-goal projects were a better indicator of discrimination in City contracting.

4. *Other Studies*

The court found somewhat relevant additional pieces of evidence submitted, including a GAO Report which found that the pre-qualification system was applied in "an inconsistent and subjective manner" and "appeared to have a greater adverse effect on small and

⁹⁶ *Id.*

⁹⁷ *Id.* at 73-74.

minority contractors.”⁹⁸ Also included was DOT’s threat to withdraw federal funds because of Denver’s discriminatory pre-qualification procedures.⁹⁹

5. Anecdotal Evidence

Denver was not required to verify anecdotes. “Anecdotal evidence is nothing more than a witness’ narrative of an incident told from the witness’ perspective and including the witness’ perceptions. In this case, the anecdotal evidence was not subject to rigorous cross-examination...Denver was not required to present corroborating evidence and CWC was free to present its own witnesses to either refute the incidents described by Denver’s witnesses or to relate their own perceptions on discrimination in the Denver construction industry.”¹⁰⁰

Overall, the Tenth Circuit held that the information upon which Denver’s ordinances were predicated indicated “that discrimination was persistent in the local construction industry and that Denver was, at least, an indirect participant in that discrimination.”¹⁰¹

iii. Narrow Tailoring

In regard to the second prong of the *Croson* test, narrow tailoring, the Tenth Circuit held that, since CWC had not challenged the District court’s conclusion that the program was narrowly tailored, the Tenth Circuit would not address it here.¹⁰² As such, Denver met the two-pronged *Croson* test and the district court’s ruling that Denver’s ordinances were unconstitutional was reversed.¹⁰³

Northern Contracting, Inc. v. Illinois Department of Transportation

Plaintiffs filed a lawsuit challenging the constitutionality of three Illinois affirmative action construction contract programs: Transportation Equity Act for the 21st Century, 49 C.F.R. Part

⁹⁸ *Id.* at 81.

⁹⁹ *Id.* at 82.

¹⁰⁰ *Id.* at 87-88.

¹⁰¹ *Id.* at 89.

¹⁰² *Id.* at 95.

¹⁰³ *Id.* at 98-99. On November 17, 2003, the U.S. Supreme Court denied certiorari on this case.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-223 of B-241

26, and the Illinois Department of Transportation's DBE Program.¹⁰⁴ Northern Contracting claimed that the affirmative action programs were not narrowly tailored to a compelling government interest and thus "discriminate against white-male owned and controlled contractors."¹⁰⁵

The purpose of the affirmative action programs was to provide highway construction subcontracting opportunities to M/WBE firms.¹⁰⁶ These same affirmative action programs were previously challenged and upheld in the case of *Adarand Constructors v. Slater*.¹⁰⁷ Therefore, the federal defendants filed a motion for summary judgement and the state defendant filed a motion to dismiss pursuant to Rule 12(b)(6).¹⁰⁸ Both motions were denied, as the court determined there were material issues of fact regarding the constitutionality of the affirmative action programs and the plaintiff's pleadings met the short and plain statement requirement. The court did not however decide on the actual merits of this case.

In 2004, the plaintiffs filed a similar case against the defendants.¹⁰⁹ This case addressed the same issues detailed above. The court looked to the decision in *Adarand Constructors v. Slater*¹¹⁰ and noted that this court conducted a full inquiry into the constitutionality of the Federal TEA-21 Disadvantaged Business Enterprise (DBE) Programs and had concluded that it was constitutional because, "they are narrowly tailored to serve a compelling government interest."¹¹¹ Thus ultimately, the court held in favor of the Federal defendants and followed the *Adarand* precedent by granting summary judgment.

The *Adarand* case only addressed the federal DBE program, therefore, the Illinois state defendants in this case had the separate challenge of proving their DBE program to be

¹⁰⁴ 2001 U.S. Dist. LEXIS 13964

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ 228 F. 3d 1147 (10th Cir. 2000)

¹⁰⁸ *Federal Rules of Civil Procedure*; 2001 U.S. Dist. LEXIS 13964

¹⁰⁹ 2004 U.S. Dist Lexis 3226

¹¹⁰ 228 F. 3d 1147 (10th Cir. 2000)

¹¹¹ 2004 U.S. Dist Lexis 3226

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-224 of B-241

constitutional. The court in *Sherbrooke Turf*¹¹² concluded that, “a recipient need not establish a distinct compelling interest before implementing the federal DBE program.”¹¹³ Therefore, IDOT in the instant case only had the burden of proving that their implemented affirmative action program was narrowly tailored.¹¹⁴ The court ultimately held that there were material issues of fact that needed to be determined, therefore it denied both the plaintiff’s and IDOT’s motion for summary judgment. The court’s holding was justified by the following factors:

- The Zero-Goal Program: The zero-goal program was an experiment that the State of Illinois conducted, where they dropped the DBE goal for certain construction projects to zero to see if there would be a decrease in the number of DBE participants on those contracts in comparison to the construction projects with an affirmative action goal. The zero-goal program experienced a drop down to 1.5 percent DBE participation. However, the court found this experiment to be flawed because the state did not provide the number of DBEs that actually participated in bidding on the “experimental contracts” and the dates in which the experiments took place were not documented. Thus, the court could not conclude that the lack of an affirmative action program actually resulted in the decrease in DBE participation.¹¹⁵
- Lack of a combination of persuasive statistical data and anecdotal evidence: The court found that IDOT presented anecdotal evidence of some discrimination in the construction contracting business that affected the participation of DBEs. The court also found that the state made extensive attempts to use race neutral measures such as: “assistance to minority contractors with bonding, insurance, seminars, technical services, training in filling out paperwork and other tasks that highway construction contractors frequently perform, and making general help available on

¹¹² 345 F. 3d at 973-74

¹¹³ 2004 U.S. Dist Lexis 3226 at 138

¹¹⁴ *Id.*

¹¹⁵ *Id.* at 150

Appendix B Legal Analysis

IDOT's website."¹¹⁶ However, the court was concerned about the lack of persuasive statistical data presented. The court noted, "both statistical and anecdotal evidence are appropriate in strict scrutiny calculus, although anecdotal evidence by itself is not."¹¹⁷

- Lack of evidence that the private contractors discriminated against DBEs using federal funds: Due to a lack of quantifiable evidence of discrimination against DBEs, the court concluded it is unable to determine if IDOT's affirmative action program, "discriminates no more than is necessary to accomplish the remedial purpose."¹¹⁸

In 2005, the plaintiff's filed another identical lawsuit, yet this time it was only IDOT challenging its DBE affirmative action program.¹¹⁹ In this case, IDOT had the opportunity to answer the questions of fact presented by the court in the previous case, which they successfully accomplished. The court ultimately held that IDOT's DBE program was constitutional, as it was narrowly tailored to a compelling government interest. The following factors led to this decision:

- IDOT's affirmative action program actually resulted in a high level of DBE participation.
- IDOT implemented various race neutral programs, such as its small business initiative, which encouraged small business participation in the construction contracting process, regardless of DBE qualifications.¹²⁰ Another outreach program was the prompt pay program, which prohibited prime contractors from delaying payment to subcontractors, as this could serve as a way to squeeze DBEs out of the market due to their lack of access to resources.¹²¹

¹¹⁶ *Id.* at 146

¹¹⁷ *Id.*

¹¹⁸ *Id.* at 152

¹¹⁹ 2005 U.S. Dist. Lexis 19868

¹²⁰ *Id.* at 45

¹²¹ *Id.*

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-226 of B-241

- Decisions were made on a contract-by-contract basis allowing for flexibility in the DBE program. Waivers were granted when a good faith effort was made to increase DBE participation, but no progress shown.¹²²
- There was extensive evidence presented proving discrimination in the insurance, bonding, and finance market, which affected DBE participation in the construction contracting process. Additionally, a valid statistical methodology was presented to justify that the DBE program was narrowly tailored. This methodology included six steps: (1) identified the geographic market for contracting as the State of Illinois; (2) identified the product markets (i.e. highways, transportation, engineering, housing, etc.); (3) identified all available contractors in each product market regardless of race, using Dun & Bradstreet; (4) identified the number of DBE contractors in each product market and broke the numbers down by geographical location; (5) corrected errors by updating the qualified DBE firm list to eliminate firms that are no longer qualified; and (6) correct errors by accounting for DBE firms that were not listed on the qualified directory.¹²³ This statistical data ultimately allowed the state to create a narrowly tailored affirmative action plan.

The plaintiff's appealed this decision to the 7th Circuit Court of Appeals, however, the court of appeals affirmed the decision of the lower court holding that IDOT appropriately adjusted the requirements of the program to take into account the local market needs and DBE availability.¹²⁴ Ultimately, the extensive methodology presented in the District court case assured the court that the state had created a narrowly tailored DBE program.¹²⁵

¹²² *Id.* at 44

¹²³ *Id.* at 23

¹²⁴ 473 F. 3d 715

¹²⁵ *Id.*

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-227 of B-241

Builders Association of Greater Chicago v. City of Chicago

The Builders Association of Greater Chicago (BAGC) challenged the City of Chicago's construction contract affirmative action program claiming it violated the equal protection clause of the 14th Amendment.¹²⁶ The affirmative action initiative, called "Target Market Contract Program", was for city procurement, construction, goods, and services with a primary goal to provide general contracting opportunities for M/WBEs.¹²⁷ The program consisted of aspects such as:

- A set-aside for a certain percentage of prime or subcontracts solely for M/WBEs.¹²⁸
- Qualified M/WBEs were required to be certified by the city, and then they were subsequently added to a list for the city to select from in awarding contracts.
- Waivers were available to the government for special circumstances where the set-aside goals could not be met.
- Qualified M/WBE firms were removed from the certified list when their annual revenues exceeded \$27.5 million for 3 years.

The "Target Market Contract Program" was created by an appointed counsel which was charged with developing an affirmative action program that would "survive constitutional challenge under the *Croson* decision."¹²⁹

The *BAGC v. City of Chicago* lawsuit was suspended while the court awaited a disposition on plaintiff's other relevant action against Cook County,¹³⁰ as it would guide the court on how to rule in the case at hand.¹³¹ BAGC did, in fact, receive a favorable decision against Cook

¹²⁶ 298 F. Supp. 2d 725, 726 (2003)

¹²⁷ *Id.* at 729

¹²⁸ M/WBEs would be awarded 16.9% of all subcontracts and 10% of all prime contracts

¹²⁹ 298 F. Supp. 2d at 729

¹³⁰ In *Builders Association of Greater Chicago v. County of Cook*, 123 F. Supp. 2d 1087 (2000), the district court ruled in favor of the Builder's Association striking down the city's ordinance. The 7th Circuit Court of Appeals upheld this decision in *Builder's Association of Greater Chicago v. County of Cook*, 256 3d 642 (7th Cir. 2001).

¹³¹ 298 F. Supp. 2d 725, 726 (2003)

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-228 of B-241

County. The District court then revisited this case to consider whether “the program was appropriately remedial in its inception, and whether there is sufficient evidence in 2003 of a continuing need, and of narrow-tailoring, so as to cause the program to pass constitutional muster.”¹³²

The court reviewed a significant amount of evidence regarding the history of racial discrimination, mainly in the construction industry. “The vestiges of past discrimination linger on to skew the marketplace and adversely impact M/WBEs disproportionately as more recent entrants to the industry.”¹³³ The court found that the city had a compelling interest in protecting the disbursement of public funds and ensuring fairness in the process.¹³⁴ However, the narrow tailoring requirement did not meet constitutional standards and thus, the court found in favor of BAGC.¹³⁵ The primary factors that lead to this determination was:

- The Target Market Contract Program did not have a sunset clause determining when the affirmative action program would end.
- The annual revenue limitation (\$27.5 million¹³⁶) for M/WBEs to graduate from the program was too high. Therefore, only a small number of M/WBE firms were removed from the list.
- The Target Market Contract Program did not ascertain the net worth of each M/WBE firm in the certification process. Thus, M/WBE firms owned by wealthy minorities or women could still benefit from the affirmative action program.
- Although waivers were allowed, they were rarely granted.

¹³² *Id.* at 732

¹³³ *Id.* at 738

¹³⁴ *Id.*

¹³⁵ *Id.* at 742

¹³⁶ \$27.5 million is the highest limitation in the country and far exceeds that of the Federal DBE programs (17 million).

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-229 of B-241

The Court ordered an injunction on the City of Chicago's set-aside program, yet suspended it for 6 months.¹³⁷ This allowed the City to redress the problem with discrimination in the construction field.

Hershell Gill Consulting Engineers v. Miami-Dade County

The plaintiffs, Hershell Gill Consulting Engineers and Brill and Rodriguez, Inc., were White male-owned engineering firms who consistently did business with Miami-Dade County. They challenged the architectural and engineering portion of the County's M/WBE program as unconstitutional in *Hershell Gill Consulting Engineers v. Miami-Dade County*.¹³⁸

In an earlier case, the County's race- and gender-conscious construction program had been struck down by the district court. The Eleventh Circuit Court of Appeals later upheld the district court's ruling. The County implemented a Community Small Business Enterprise program for construction thereafter. However, the County did not alter any of its other programs in response to this ruling.¹³⁹

For architecture and engineering (A&E) contracts, the County had goals of 12 percent for Black business enterprises (BBEs), 25 percent for Hispanic business enterprises (HBEs) and 17 percent for Women business enterprises (WBEs).¹⁴⁰ The goals could be achieved through the utilization of set-asides, subcontractor goals, project goals, bid preferences or selection factors. Based on the County's policies and procedures, the County was to review its M/WBE programs on an annual basis to determine whether there was a continuing need for race/gender-conscious remedies. No independent study was conducted by the Commission for the period 1994-2000. The County Manager conducted a study for 1998-

¹³⁷ 298 F. Supp. 2d at 742

¹³⁸ Case No. 98-2300-CIV-JORDAN, 2004 U.S. Dist. LEXIS 17197 (August 24, 2004)

¹³⁹ *Id.* at 7.

¹⁴⁰ *Id.* at 8.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-230 of B-241

1999, which showed that parity had been reached in A&E contracting. However, the Commission questioned the methodology utilized in the report and did not alter the goals.¹⁴¹

In May 2000, about 18 months after the lawsuit was filed, the Commission brought in Dr. Manuel J. Carvajal, an econometrician, to conduct a study of architects and engineers. Dr. Carvajal found that there was discrimination against women and Hispanics, but not against Blacks.¹⁴²

Before the court commenced its review of the evidence before it, the court determined that the County bore the burden of proving that the racial or ethnic classification met strict scrutiny. This is a significant change from established case law and raises the burden on the defendants tremendously.¹⁴³

Compelling Governmental Interest

The standard of review utilized by the court is the two-pronged *Croson* test of compelling governmental interest and narrow tailoring. The court first reviewed the evidence submitted to determine whether it satisfied the compelling governmental test. The court was seeking to determine whether the County had submitted evidence that showed gross statistical disparities between the proportion of minorities awarded contracts and the proportion of minorities willing and able to do the work. This could be supported by anecdotal evidence or by showing that the County was a passive participant in a system of racial exclusion in the local A&E industry.¹⁴⁴ For women, the court sought to determine whether there was discrimination in the economic sphere at which the affirmative action efforts were targeted.¹⁴⁵

¹⁴¹ *Id.* at 14.

¹⁴² *Id.* at 19.

¹⁴³ *Id.* at 21.

¹⁴⁴ *Id.* at 22.

¹⁴⁵ *Id.* at 23.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-231 of B-241

Turning to the evidence submitted by Dr. Carvajal, there were several data elements submitted: (1) 1999-2000 Bell South telephone directory, (2) a list compiled by info USA, (3) firms registered for technical certification with the County's Department of Public Works, (4) firms with an architecture professional license, (5) a telephonic survey which solicited information on gender/ethnic classification, capacity/experience input variables and annual volume of business (6) M/WBE certification data and (7) County awards data. The first four measures were used in the availability analysis.

The court first noted that Dr. Carvajal himself corroborated the County Manager's report, finding that "there is no disparity indicating any underutilization of M/WBEs or of minority firms in the award of contracts by the County itself for A&E services, nor is there any significant underutilization of M/WBEs in the contracts they were awarded."¹⁴⁶ Therefore, the first component of review for gross statistical disparities was not met.

As such, the court turned to the marketplace data to determine whether the County had been a passive participant in discrimination in the A&E marketplace. The court found the County's BBE program to be unconstitutional, as Dr. Carvajal's study conceded that there was no evidence of discrimination to support the BBE program.¹⁴⁷ Then, the court turned to the evidence to determine the constitutionality of the HBE and WBE programs. The court made the following findings regarding the data:

- *The data failed to properly measure the geographic market.* Dr. Carvajal did not attempt to limit his analysis of the firms' volume of business only to the volume of business performed in Miami-Dade County. Further, no effort was made to count subcontractor/subconsultant dollars.¹⁴⁸
- *The data failed to properly measure the product market.* Dr. Carvajal did not look at the volume of business for each of the three product markets being reviewed separately—architecture, civil engineering and structural engineering. As such, each

¹⁴⁶ *Id.* at 35.

¹⁴⁷ *Id.*

¹⁴⁸ *Id.* at 36-38.

product market is clearly overstated. Further, each product market has submarkets that the court believed should have been reviewed separately. By overstating the dollars in each market, Dr. Carvajal was not taking into account that all firms, particularly small firms, cannot perform all types of A&E projects. According to the court, this is particularly true for small firms whose scope is usually limited.¹⁴⁹

- *The marketplace data survey is unreliable.* Even though a large number of firms reported to have only one to two architects or engineers, Dr. Carvajal did not question the large dollar ranges provided by these firms. An example of a range submitted by one engineering firm was from \$45,000 to \$100 million. Additionally, some firms reported no architects or engineers. However, Dr. Carvajal utilized the volume data submitted anyway. Further, Dr. Carvajal utilized number of employees and number of professionals as a proxy for capacity. However, according to the court, this assumes that each employee and professional had a substantially similar effect on productivity. This was inconsistent with Dr. Carvajal's data that showed wide differences between employee productivity, with architectural productivity ranging from \$20,000 for one employee to \$175 million for another.¹⁵⁰
- *The anecdotal evidence did not support Dr. Carvajal's findings.* First, there was no anecdotal evidence related to HBEs or BBEs. Secondly, the anecdotal evidence submitted pertained to discrimination in County contracts, where there was no statistical support for a M/WBE program, as opposed to the overall marketplace, where all of Dr. Carvajal's statistical analysis was directed.¹⁵¹

Based on the aforementioned findings, the court held that "the statistical evidence presented in this case is unreliable and fails to establish the existence of discrimination."¹⁵²

¹⁴⁹ *Id.* at 39.

¹⁵⁰ *Id.* at 40-46.

¹⁵¹ *Id.* at 49-52.

¹⁵² *Id.* at 51.

Narrow Tailoring

The court then turned to the narrow tailoring prong of the *Croson* test. The court utilized the four factors established by the Eleventh Circuit to determine narrow tailoring: (1) the necessity for the relief and the use of alternate remedies; (2) the flexibility and duration of the relief, including the availability of waiver provisions; (3) the relationship of the goals to the relevant labor market; and (4) the impact of the relief on the rights of innocent third parties.

The court first reiterated that Dr. Carvajal's study failed to "identify who is engaging in the discrimination, what form the discrimination might take, at what stage in the process it is taking place, or how the discrimination is accomplished."¹⁵³ The court then held that the program was not narrowly tailored. The court found that the County had not considered race-neutral alternatives. While the County implemented a race/gender-neutral program for construction after the race/gender-conscious program was struck down, the County made no attempts to implement a similar program for A&E and did not make any adjustments to its race/gender-conscious goals. Furthermore, the County had a very strong anti-discrimination ordinance. However, there were no complaints filed. According to the court, this was either due to, (1) non-enforcement by the County or (2) no discrimination occurring. Additionally, the court found that the goal and waiver provisions were inflexible, as the County had never made any adjustments to its program. It appeared, according to the Court, that the County intended to allow its program to run indefinitely.¹⁵⁴

After reviewing the *Croson* standards, the court turned its attention to the issues of immunity and damages. As to immunity, the court found that the Commissioners had absolute immunity for their legislative actions of enacting the race/gender-conscious program.

¹⁵³ *Id.* at 64.

¹⁵⁴ *Id.* at 66-67.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-234 of B-241

However, they have qualified immunity for their administrative actions of voting on the application of goals to specific A&E contracts.¹⁵⁵

Even so, the Court found no support for compensatory or punitive damages in this case.

Rothe Development Co. v. U.S. Department of Defense (Rother I–VII)

In *Rothe Development Co. v. U.S. Department of Defense and the U.S. Department of the Air Force (Rothe I)*,¹⁵⁶ the Department of Defense awarded a communications contract on an Air Force base in Mississippi to a minority-owned business located in Maryland. The plaintiff did not receive the contract because the selected business was given a preference under section 1207 of the National Defense Authorization Act, which provides a 5 percent participation preference to economically and socially disadvantaged businesses under 8(d) of the Small Business Act. Under the Act, businesses that are 51 percent owned by Black, Hispanic, Asian Pacific, and other minorities are presumed disadvantaged.

The plaintiff in this case argued that, in order for the government to meet its compelling interest burden under the strict scrutiny test, Congress must make findings of discrimination specific to (1) the minority in question, (2) the industry in question and (3) the geographic area where the contract is to be performed. The court rejected this argument and noted that Congress may assess the condition of the nation as a whole and may respond, within the confines of the constitution, to those conditions.

In *Rothe IV*, the plaintiff filed sought an injunction against section 1207 of the National Defense Authorization Act of 1987 (1207 Program) claiming it violated the 14th Amendment of the Constitution.¹⁵⁷ The district court was reviewing this motion for summary judgment, after the Fifth Circuit and Federal Circuit remanded the case. The Fifth Circuit held that it did

¹⁵⁵ *Id.* at 78-89.

¹⁵⁶ 49 F.Supp.2d 2937 (W.D.TX 1999)

¹⁵⁷ 499 F. Supp. 2d 775 (W.D. Tex. 2007)

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-235 of B-241

not have jurisdiction over the appeal (*Rothe II*).¹⁵⁸ The Federal Circuit concluded that the District court had not relied on strict scrutiny and had impermissibly relied upon post-reauthorization evidence. As such, it vacated the District court's opinion and remanded for further proceedings (*Rothe III*).¹⁵⁹

In *Rothe IV*¹⁶⁰, the district court dismissed as moot *Rothe's* claim (1) for an injunction preventing any work on the 1998 contract, (2) for an award of the 1998 contract and (3) for costs of bid preparation and presentation for the 1998 contract. The Federal Circuit, in *Rothe V*¹⁶¹, vacated and remanded the District court's decision because the evidentiary record had not been developed regarding the facial constitutionality of the present reauthorization of section 1207.

In *Rothe VI*, the district court found in favor of the DOD, granting a summary judgment motion. After reviewing a significant amount of evidence (discussed below in *Rothe VII*), the Court concluded that the DOD had presented sufficient evidence of past discrimination in contracts let in the past that have amounted to the DOD being a "passive participant of the discrimination."¹⁶² The court also held that the 1207 Program's remedial measures were narrowly tailored.

In *Rothe VII*¹⁶³, the Federal Circuit reversed the district court's holding in part, finding that Congress did not have a "strong basis in evidence" before it in the 2006 Reauthorization of Section 1207, and as such Section 1207 was unconstitutional on its face.

The court first concluded that Section 1207 was subject to strict scrutiny, because it included an explicit racial classification or the presumption that members of certain minority

¹⁵⁸ 194 F.3d 622 (5th Cir. 1999)

¹⁵⁹ 262 F.3d 1306 (Fed. Cir. 2001)

¹⁶⁰ 324 F. Supp. 2d 840 (W.D. Tex. 2004)

¹⁶¹ 413 F.3d 1327 (Fed. Cir. 2005)

¹⁶² *Id.* at 878

¹⁶³ 2008-1017, Federal Circuit.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-236 of B-241

groups were socially disadvantaged.¹⁶⁴ The court then turned to determining whether the Government had satisfied its burden of producing a strong basis in evidence for remedial action. The Federal Circuit Court of Appeals made the following findings regarding the statistical and anecdotal evidence submitted:

- Urban Institute and Department of Commerce Benchmark Study--The court first recognized that the district court found studies completed in 1998 to be stale as it related to the 2006 Reauthorization;
- Six State and Local Disparity Studies
 - Staleness--the court found the studies conducted between 2002 and 2005 not to be stale, as they were the most up-to-date data available at the relevant time.
 - Before Congress--the court was not positioned to address the question of whether to defer to Congress regarding these studies, as there was no indication that the studies had been review by members of Congress.
 - Availability--the appropriate measure of availability is to determine those firms "ready, willing, and able" to do business with the government. The court found the following sources as tending to establish a business' qualifications--awardees, bidders, certification lists. The reliance on lists compiled by local business associations, by community outreach, from vendor lists and from self-affirmation of qualification and ability is more questionable.
 - Capacity--the studies did not take into account the relative capacity of businesses. The court found the most reliable way for accounting for firm size, without changing the disparity-ratio methodologies was to employ "regression analysis to determine whether there was a statistically significant

¹⁶⁴ Id. at p. 19.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-237 of B-241

correlation between the size of a firm and the share of contract–dollars awarded to it.”¹⁶⁵

- Geographic coverage—data from six localities is insufficient to provide a nation-wide pattern or practice of discrimination. While the court did not provide an exact number, it did note that the Urban Institute Report analyzed fifty disparity studies and relied on thirty of those studies for its conclusions.¹⁶⁶
- Anecdotal evidence—this type of evidence should provide some link between the DOD’s spending practices and discrimination. There was no direct testimony from MBEs regarding their experience with DOD or its prime contractors.

Based on the foregoing, the Federal District court of Appeals found that Section 1207 violated the 5th Amendment. The court remanded instructing the District court to deny Rothe any relief, declare that Section 1207 was unconstitutional and enjoin the application of the current 10 U.S.C. Section 2323.

¹⁶⁵ Id. at p. 36.

¹⁶⁶ Id. at 39.

CONCLUSION

If MDC chooses to continue to utilize race/gender-conscious techniques, it will need to, first, meet the U.S. Supreme Court requirements of *Richmond v. Croson*. The U.S. Supreme Court established a two-pronged test: (1) that a governmental entity had to show a compelling governmental interest to utilize race/gender-conscious remedies and (2) that any such remedies must be narrowly tailored. A factual predicate or disparity study is utilized to show whether there is a compelling governmental interest. Narrow tailoring is the crucial element in crafting appropriate *Croson* remedies.

Courts, for failure of local jurisdictions to narrowly tailor their remedies, have struck down many MBE programs. Once a factual predicate has been established, post-*Croson* case law presents several broad guidelines for crafting recommendations for MBE programs by a public entity, based on the factual predicate findings:

- Race/gender-conscious MBE programs should be instituted only after, or in conjunction with, race/gender-neutral programs.
- MBE programs should not be designed as permanent fixtures in a procurement system without regard to eradicating bias in standard procurement operations or in private sector contracting. Consequently, each MBE program should have a sunset provision, as well as provisions for regular review. Additionally, there is the implication that reform of procurement systems should be undertaken.
- MBE programs should have graduation provisions for the M/WBEs themselves.
- Rigid numerical quotas run a greater risk of being overturned by judicial review than flexible goals.
- Race/gender-conscious goals, if any, should be tied to M/WBE availability and to addressing identified discrimination.
- MBE programs should limit their impact on the rights and operations of third parties.

Appendix B Legal Analysis

The Metropolitan District Commission
Disparity Study
Appendix – Final Report
July 31, 2009
Page B-239 of B-241

- MBE programs should be limited in scope to only that group(s) that has suffered from discrimination in the jurisdiction enacting the program.

The criteria of *Croson* were buttressed in the recent U.S. Supreme Court cases of *Grutter v. Bollinger*, 539 U.S. 306, 123 S. Ct. 2325 (2003), and *Gratz v. Bollinger*, 539 U.S. 244, 123 S. Ct. 2411 (2003), which addressed the standards for utilizing race-conscious measures in public education. In *Sherbrooke Turf, Inc. v. Minnesota Department of Transportation* and *Gross Seed Company v. Department of Transportation*, 345 F.3d 964, 2003 U.S. App. LEXIS 20287 (10th Circuit, May 2004), the Tenth Circuit has interpreted these two cases in light of the U.S. Supreme Court's decision in *Croson*. In upholding the DBE programs in Minnesota DOT and Nebraska DOT, the court found that the programs were narrowly tailored because they met the following criteria:

- The goals were based on demonstrable evidence as to the number of DBEs who are ready, willing and able to participate as contractors or subcontractors and DBE participation was tied to the relevant contracting markets. As required in *Grutter*, Minnesota DOT determined the subcontracting goal based on several individualized factors, such as the availability of DBEs and the extent of subcontracting opportunities on the project;
- Emphasis was placed on the use of race-neutral means to increase minority business participation; further, Congress and DOT had taken steps to minimize the race-based nature of the programs; and,
- The programs were flexible, as the States could grant waivers or exemptions from any requirement and contractors were not penalized for a good faith failure to meet their overall goal.

Focusing on the 2nd Circuit, the City of New Haven case set some precedent for the utilization of set-asides in certain circumstances. However, other cases decided later shows that the courts have taken note of good faith efforts provisions, appropriate evidence to support a

Appendix B Legal Analysis	The Metropolitan District Commission Disparity Study Appendix – Final Report July 31, 2009 Page B-240 of B-241
--------------------------------------	--

race-conscious program and other measures, which suggests that set-aside programs would undergo significant and rigorous scrutiny in this current legal environment.

Therefore, what is clear from these cases is that MDC should review the contents of this Disparity Study carefully to determine whether set-asides are the most effective means of meeting the standards outlined in *Richmond v. Croson*.

Appendix C
Survey Instrument

The Metropolitan District Commission
Disparity Study
Appendix - Final Report
July 31, 2009
Page C-241 of B-241



Business Capacity Survey

The Metropolitan District Commission
Disparity Study
September 10, 2008
Page 1 of 4

Section 1

Business Background and Owner Experience

1. Have you contracted with any of the following public entities in the past five years? (mark all that apply)

- ☐ The Metropolitan District Commission
☐ City of Hartford
☐ State of Connecticut
☐ Other _____

2. If yes to "the Metropolitan District Commission (hereafter, MDC)" in Q1, how many years have you contracted with MDC?

- ☐ 0-3 years ☐ 4-7 years
☐ 8-10 years ☐ Over 10 years

Other agencies (listed in Q1.):

- ☐ 0-3 years ☐ 4-7 years
☐ 8-10 years ☐ Over 10 years

3. Type of Organization:

- ☐ Sole Proprietorship ☐ Partnership
☐ Corporation ☐ Subchapter S Corporation

4. Firm was established in Year _____

5. Firm's headquarters zip code _____

6. Number of full-time, full-year employees

7. When your firm began, was the firm:

- ☐ a start-up or
☐ a buy-out of a previously existing enterprise

8. If you answered 'start-up' in Q7, please check the range below that most closely corresponds to your firm's initial capital investment.

- ☐ Under \$10,000 ☐ \$10,000-\$25,000
☐ \$25,001-\$50,000 ☐ \$50,001-\$100,000
☐ Over \$100,000

9. If you answered "start-up" in Q7, what was your source of start-up capital? (Check all that apply)

- ☐ Self/Home
☐ Family/Friends
☐ Financial Institution
☐ Contract

10. Please check one of the industries below that best describes your business:

- ☐ Architecture & Engineering
☐ Construction
☐ Professional Services
☐ Non-Professional Services
☐ Goods and Supplies

11. Is at least 51 % of your firm owned and controlled by one or more women?

- ☐ Yes
☐ No

12. Do you primarily bid as:

- ☐ Prime Contractor
☐ Subcontractor
☐ Both

13. Is at least 51% of your firm owned and controlled by a member of one or more of the following racial/ethnic/gender groups? Please check the appropriate category.

- ☐ African American/Black (not of Hispanic origin)
☐ Hispanic (of Latin American descent)
☐ Asian or Pacific Islander
☐ Caucasian/White Male (not of Hispanic origin)
☐ Native American (i.e., American Indian) or Alaskan Native
☐ Caucasian/White Female (not of Hispanic origin)
☐ Other Race (also mark if, multiple categories), please specify _____

14. What is your owner's highest level of education? (In case of more than one owner, please mark the highest degree attained by any of the owners).

- ☐ Did not complete High School
☐ High School Diploma
☐ Completed 2 Year College (Associates Degree)
☐ Undergraduate Degree
☐ Graduate Degree

15. Please check the range that most closely corresponds to the age of the owner with the largest share:

- ☐ Under 25
☐ 25-35
☐ 36-45
☐ 46-55
☐ 56-65
☐ Over 65

16. Prior to the owner's involvement with this firm, did he/she ever work in this professional area?

- ☐ Yes ☐ No

If yes, how many years did he/she work in this area? _____

17. Prior to the owner's involvement with this firm, did the owner ever work in a managerial or supervisory capacity?

- ☐ Yes ☐ No

If yes, how many years did he/she work in this managerial or supervisory capacity? _____

18. Was the owner's prior experience in:

- ☐ Private Sector
☐ Public Sector
☐ Both



Business Capacity Survey

The Metropolitan District Commission
Disparity Study
September 10, 2008
Page 2 of 4

Section 2 Business Capacity

19. Please check the range below that most closely corresponds to your firm's total gross receipts from all sources for Fiscal Year (FY) 2007.

☐ Under \$100,000	☐ \$100,000 - \$200,000	☐ \$200,001 - \$300,000
☐ \$300,001 - \$500,000	☐ \$500,001 - \$1,000,000	☐ \$1,000,001 - \$2,500,000
☐ \$2,500,001 - \$5,000,000	☐ \$5,000,001 - \$10,000,000	☐ Over \$10,000,000

20. In the past 5 years, have you applied for a
i. Bond?

☐ Yes ☐ No If yes, how many times?

ii. Loan?

☐ Yes ☐ No If yes, how many times?

☐ Not Applicable

21. If applicable, in the past five years, in what range did your firm acquire its largest bond?

☐ Under \$25,000	☐ \$25,000 - \$50,000
☐ 50,001 - \$100,000	☐ \$100,001 - \$250,000
☐ \$250,001 - \$500,000	☐ \$500,001 - \$1,000,000
☐ \$1,000,001 - \$2,500,000	☐ \$2,500,001 - \$5,000,000
☐ \$5,000,001 - \$10,000,000	☐ Over \$10,000,000
☐ Not Applicable	

22. If your answer to Q20 is 'yes,' then, in the past 5 years how many times have you been denied?

i. A Bond?

☐ 0 times ☐ 1 time
☐ 2 times ☐ 3 times
☐ 4 times ☐ 5 times
☐ Greater than 5 times
☐ Not Applicable

ii. A Loan?

☐ 0 times ☐ 1 time
☐ 2 times ☐ 3 times
☐ 4 times ☐ 5 times
☐ Greater than 5 times
☐ Not Applicable

23. In the past 2 years, has your firm bid (or supplied a quote or a proposal) as a prime contractor (consultant) or subcontractor (sub-consultant) on contracts in or with:

i. Private Sector ☐ Yes ☐ No
ii. MDC ☐ Yes ☐ No
iii. Other public entities ☐ Yes ☐ No

24. If 'yes' to any parts of Q23, in the past two years, how many bids (or quotes or proposals) did your firm:

Submit as a Prime Contractor

MDC

Private

Other Govt

☐ 0 times	☐ 0 times	☐ 0 times
☐ 1-3 times	☐ 1-3 times	☐ 1-3 times
☐ 4-5 times	☐ 4-5 times	☐ 4-5 times
☐ Greater than 5 times	☐ Greater than 5 times	☐ Greater than 5 times
☐ N/A	☐ N/A	☐ N/A

Submit as a Sub Contractor

MDC

Private

Other Govt

☐ 0 times	☐ 0 times	☐ 0 times
☐ 1-3 times	☐ 1-3 times	☐ 1-3 times
☐ 4-5 times	☐ 4-5 times	☐ 4-5 times
☐ Greater than 5 times	☐ Greater than 5 times	☐ Greater than 5 times
☐ N/A	☐ N/A	☐ N/A

Win as a Prime Contractor

MDC

Private

Other

☐ 0 times	☐ 0 times	☐ 0 times
☐ 1-3 times	☐ 1-3 times	☐ 1-3 times
☐ 4-5 times	☐ 4-5 times	☐ 4-5 times
☐ Greater than 5 times	☐ Greater than 5 times	☐ Greater than 5 times
☐ N/A	☐ N/A	☐ N/A

Win as a Sub Contractor

MDC

Private

Other

☐ 0 times	☐ 0 times	☐ 0 times
☐ 1-3 times	☐ 1-3 times	☐ 1-3 times
☐ 4-5 times	☐ 4-5 times	☐ 4-5 times
☐ Greater than 5 times	☐ Greater than 5 times	☐ Greater than 5 times
☐ N/A	☐ N/A	☐ N/A

25. If 'yes' to any part of Q23, then what is the closest average bid range that your firm submitted in the past two years?

☐ Under \$25,000	☐ \$25,000 - \$50,000	☐ \$50,001 - \$100,000
☐ \$100,001 - \$250,000	☐ \$250,001 - \$500,000	☐ \$500,001 - \$1,000,000
☐ \$1,000,001 - \$2,500,000	☐ \$2,500,001 - \$5,000,000	☐ \$5,000,001 - \$10,000,000
☐ Over \$10,000,000	☐ Not Applicable	



Business Capacity Survey

The Metropolitan District Commission
Disparity Study
September 10, 2008
Page 3 of 4

26. In the past 2 years, please list the single largest contract dollar award received as a prime contractor or subcontractor from the private sector, and/or from MDC, and/or from Other Public Entities.

i. Single Largest Contract Dollar Awarded as Prime Contractor

Private Sector _____

MDC _____

Other public entities _____

ii. Single Largest Contract Dollar Awarded as Subcontractor

Private Sector _____

MDC _____

Other public entities _____

Section 3 Business Marketplace Experience

27. Is your company a member of a trade or professional association? ☐ Yes ☐ No If so, which one(s)? _____

28. If Yes to Q27, are you in a leadership position or decision-making position in these association(s)? ☐ Yes ☐ No

29. Are there any minorities in leadership positions in these associations? ☐ Yes ☐ No

30. Do memberships to these association(s) require sponsorship or payment of dues? ☐ Yes ☐ No

31. What geographic area(s) does your company consider its market? (mark the broadest market that applies)

☐ Local (Hartford)

☐ State

☐ Eastern region of the US

☐ More than one region of the US

☐ Entire US

☐ Domestic and International

32. Do you have access to bid solicitations?

☐ Yes ☐ No

33. How do you find out about bids? (mark all that apply):

i. In the Private sector

☐ Phone Solicitation

☐ Mail Solicitation

☐ Advertisements

☐ Solicitation by Prime contractor

☐ Web Solicitation

☐ Email (not same as web posting)

i. In the Public sector

☐ Phone Solicitation

☐ Mail Solicitation

☐ Vendor registration

☐ Advertisements

☐ Solicitation by Prime contractor

☐ Web Solicitation

☐ Email (not same as web posting)

34. In general, has your firm experienced any of the following issues while bidding for contracts with the MDC or with a Prime Contractor? On a scale from 1 to 5 circle one number: 1 Never; 2 Rarely; 3 Sometimes; 4 Frequently; 5 Always.

i. Received timely notification of bid requests

ii. Officials followed bid procedures

iii. Officials fairly evaluated bids/sub-bids

iv. Contract/subcontract was denied despite being lowest bidder

v. Notified of being listed as a sub on a bid

vi. Could access an M/WBE procurement counselor or M/WBE officer to obtain information

vii. Experienced changes in contract awards (cut or reduced work)

viii. Experienced changes in scope of work (after work was started)

ix. Received payments too slowly as a prime contractor

x. Received payments too slowly as a sub contractor

xi. Experienced solicitation of subcontractor bids after contract awards (i.e., bid shopping, problems contacting buyers)

xii. Experienced discriminatory treatment from MDC when acting a prime contractor

xiii. Experienced discriminatory treatment from prime when acting a subcontractor

With MDC					With Prime Contractor				
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5



Business Capacity Survey

The Metropolitan District Commission
Disparity Study
September 10, 2008
Page 4 of 4

35. Did prime contractors solicit your company to participate in contract opportunities in the public sector during the last five years?

___ Yes ___ No

If yes, were you successful? ___ Yes ___ No

36. Did prime contractors solicit your company to participate in contract opportunities in the private sector during the last five years?

___ Yes ___ No

If yes, were you successful? ___ Yes ___ No

37. Did you solicit prime contractors to participate in contract opportunities with them in private sector contracts during the last five years? ___ Yes ___ No

If yes, were you successful ___ Yes ___ No

38. Did you ever contact the PMU Diversity Officer to assist you with any bidding or contract related problem?

___ Yes ___ No

39. If yes in Q38, was the PMU Diversity Officer helpful in assisting you with the issue?

___ Yes ___ No

40. If certified, has your certification as an M/W/DBE by any public entity assisted you in obtaining contracts?

___ Yes ___ No ___ N/A

41. If you have received management and technical assistance, has it assisted you in obtaining contracts?

___ Yes ___ No ___ N/A

42. Are you prequalified as a construction contractor with the Connecticut Department of Administrative Services?

___ Yes ___ No

43. If yes in Q42, has your prequalification assisted you in obtaining contracts with public sector agencies?

___ Yes ___ No ___ N/A

44. Has your prequalification application ever been rejected?

___ Yes ___ No

45. If yes in Q44, did this rejection impact your ability to obtain contracts with public sector agencies?

___ Yes ___ No ___ N/A

46. Are you certified/prequalified as a MBE/WBE with the Connecticut Department of Administrative Services?

___ Yes ___ No

47. If yes in Q46, has your certification/prequalification assisted you in obtaining contracts with public sector agencies?

___ Yes ___ No

48. Has your certification/prequalification application as a MBE/WBE ever been rejected?

___ Yes ___ No

49. If yes in Q48, did this rejection impact your ability to obtain contracts with public sector agencies?

___ Yes ___ No ___ N/A

50. Do you have a relationship with a bank?

___ Yes ___ No

51. Did you need to have collateral for a loan that you obtained for your business? ___ Yes ___ No

52. Did you have trouble obtaining a loan or line of credit from any financial institution? ___ Yes ___ No

53. If yes to the Q52, then what trouble did you have in obtaining a loan or a line of credit from a financial institution? (mark all that apply)

- ___ Bank/Financial Institution manager's attitude;
- ___ Loan application process;
- ___ Pricing (interest rate charged or other terms of the loan)
- ___ Other (please specify) _____

54. What is your credit rating?

- ___ Weak ___ Fair
- ___ Good ___ Excellent

55. Have you ever used any of the following programs in obtaining a loan?

- | | | |
|------------------------------------|---------|--------|
| ___ Government assistance programs | ___ Yes | ___ No |
| ___ Small business loan program | ___ Yes | ___ No |
| ___ Micro loan program | ___ Yes | ___ No |
| ___ Bond programs | ___ Yes | ___ No |
| ___ Other (please specify) | ___ Yes | ___ No |

56. Are you familiar with the bonding programs in Connecticut?

___ Yes ___ No