

METRO NASHVILLE TENNESSEE



Disparity Study
Final Report
August, 2018

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I. INTRODUCTION

In June, 2017, the Metropolitan Government of Nashville and Davidson County, Tennessee (“Metro Nashville”) contracted with Griffin & Strong, P.C. (“GSPC”) to conduct a disparity study. The purpose of this disparity study (“Study”) was to determine if there is a disparity between the number of minority and woman owned business enterprises (“MWBE”) that are ready, willing, and able to perform on construction, professional services, and goods and services procurements and the dollars spend with these same business types who are actually participating in these same industries with Metro Nashville.

The Study collected and analyzed relevant data on businesses in the industries of:

- Construction
- Architecture & Engineering (“A&E”)
- Other Professional Services
- Non-Professional Services
- Goods

The study period for the was a five (5) year period from July 1, 2012 - June 30, 2017 (FY2013-FY2017).

A. Objectives

The principal objectives of this study are to determine:

1. Is there is a statistically significant disparity in the relevant geographic and product markets between the percentage of qualified MWBE's willing and able to provide goods or services to Metro Nashville in each of the categories of contracts and the percentage of dollars spent with such firms by the City (whether as prime contractors/consultants or subcontractors/consultants)?
2. If a statistically significant disparity exists, have factors, other than race and gender been ruled out as the cause of that disparity, such that there can be an inference of discrimination?
3. Can the discrimination be adequately remedied with race and gender neutral remedies?
4. If race and gender neutral remedies are not sufficient, does the evidence from the Study legally support a race and/or gender conscious remedial program?
5. Are the proposed remedies narrowly tailored to the strong basis in evidence from the disparity study?

B. Technical Approach

In conducting this study and preparing our recommendations, GSPC followed a carefully designed work plan that allowed study team members to fully analyze availability, utilization, and disparity regarding MWBE participation. The final work plan consisted of, but was not limited to, the following major tasks:

- establishing data parameters and finalizing a work plan;
- legal analysis;
- policy and procurement process review and remedial program analysis;
- collecting, organizing, and cleaning data;
- conducting market area analyses;
- conducting product market analysis;
- conducting utilization analyses;
- estimating the availability of qualified firms;
- analyzing the utilization and availability data for disparity and significance;
- conducting private sector analysis including credit and self-employment analysis;
- collecting and analyzing anecdotal information; and
- preparing a final report that presents race- and gender-neutral and narrowly tailored race- and gender-based remedies.

C. Report Organization

This report is organized into the following sections, which provide the results of our quantitative and qualitative analysis. In addition to this introductory chapter, this report includes:

- Chapter II, which presents a legal overview of disparity studies and the requirements for race- and gender-conscious programs.
- Chapter III, which provides a review of Metro Nashville's purchasing policies and practices, particularly as they relate to minority and women owned firms.
- Chapter IV, which presents the methodology used in the collection of statistical data from Metro Nashville and the analyses of those data as they relate to relative MWBE utilization and availability for prime contractors and subcontractors.
- Chapter V, which presents an analysis of disparities, if any, in the private sector.
- Chapter VI, which provides the analysis of anecdotal data collected from the survey of business owners, personal interviews, focus groups, public hearings, organizational meetings, and emailed comments.
- Chapter VII, a summary of the findings and recommendations based upon the analyses.
- Chapter VIII, the conclusion.

Note: Study Definitions are contained in Appendix H.

II. LEGAL ANALYSIS

A. Introduction to Legal Analysis

The extensive discussion and analysis contained throughout this Disparity Study underscore the several purposes for which such a study may be done, and the usefulness of the information contained therein. Disparity studies can provide historical context regarding government procurement practices, an overview of the challenges a governmental entity has faced and continues to face in seeking minority and/or female inclusion in procurement awards, a contemporary snap-shot of procurement practices, and a predictive preview of future challenges/needs.

There is also, however, an important historical legal basis for the advent of disparity studies in the first instance. The bedrock judicial decisions from the United States Supreme Court anticipating and inviting increased use of disparity studies are therefore discussed first in the following legal analysis, before digging deeper into the legal considerations and related evidentiary requirements for sustaining an MBE/WBE program in the face of a challenge on constitutional grounds.

We have also included in the historical analysis a significant decision of the United States Court of Appeals for the Sixth Circuit, as this decision demonstrates the continuing significance and vitality of the featured Supreme Court precedent, and highlights the legal foundation under which any federal challenge to Metropolitan Nashville's MBE/WBE program will be analyzed.

Lastly, we provide an appendix of recent federal court decisions in which MBE/WBE or DBE programs were under challenge, for additional context and to provide insight into trends in this discrete public policy and legal arena.

An expanded legal analysis is contained in Appendix A.

B. Historic Development of the Relevant Law

The outgrowth of disparity studies was in large measure a response to constitutionally-based legal challenges made against federal, state, and local minority business enterprise programs enacted to remedy past or present discrimination (whether real or perceived).

Such studies were effectively invited by the United States Supreme Court in rendering its seminal decision in City of Richmond v. J. A. Croson Company, 488 U.S. 469; 109 S. Ct. 706; 102 L. Ed. 2d 854 (1989), and subsequent judicial decisions have drawn a direct line between Croson and the utilization of disparity studies. See, for example, Adarand Constructors, Inc. v. Slater (Adarand III), 228 F.3d 1147, 1172-73 (10th Cir. 2000) ("Following the Supreme Court's decision in Croson, numerous state and local governments have undertaken statistical studies to assess the disparity, if any, between availability and utilization of minority-owned businesses in government contracting.").

Disparity studies have therefore become an important tool for governmental entities in deciding whether to enact minority business programs or legislation, and in justifying existing programs or legislation in the face of constitutional challenge. To better understand the proper parameters of such programs, one must understand their judicial origin.

C. The Supreme Court's Decision in *City of Richmond v. Croson*

To fully appreciate the usefulness of disparity studies for development and defense of minority business programs, an overview of the Croson decision is helpful.

Laws that, on their face, favor one class of citizens over another, may run afoul of the Equal Protection Clause of the Fourteen Amendment. MBE/WBE programs and legislation are among the types of laws invoking such concerns. Depending on the nature of the differentiation (e.g., based on race, ethnicity, gender), courts evaluating the constitutionality of a minority business program will apply a particular level of judicial scrutiny. As explained at greater length below, race-based programs are evaluated under a "strict scrutiny" standard, and gender-based programs may be subject to strict scrutiny or under a less-rigorous "intermediate scrutiny" standard, depending on the federal circuit within which the entity sits.

In its Croson decision, the Supreme Court ruled that the City of Richmond's Minority Business Enterprise (hereinafter "MBE") program failed to satisfy the requirements of "strict scrutiny." "Strict scrutiny" review involves two co-equal considerations: First, the need to demonstrate a compelling governmental interest; second, implementation of a program or method narrowly-tailored to achieve/remedy the compelling interest. In Croson, the Supreme Court concluded that the City of Richmond failed to show that its minority set-aside program was "necessary" to remedy the effects of discrimination in the marketplace.

In fact, the Court found that the City of Richmond had not established the necessary factual predicate to infer that discrimination in contracting had occurred in the first place. The Court reasoned that a mere statistical disparity between the overall minority population in Richmond (50 percent African-American) and awards of prime contracts to minority-owned firms (0.67 percent to African-American firms) was an irrelevant statistical comparison and insufficient to raise an inference of discrimination.

Addressing the disparity evidence that Richmond proffered to justify its MBE program, the Court emphasized the need to distinguish between "societal discrimination," which it found to be an inappropriate and inadequate basis for social classification, and the type of identified discrimination that can support and define the scope of race-based relief.

Specifically, the Court opined that a generalized assertion of past discrimination in an entire industry provided no guidance in determining the present scope of the injury a race-conscious program seeks to remedy, and emphasized that "there was no direct evidence of race discrimination on the part of the City in letting contracts or any evidence that the City's prime contractors had discriminated against minority-owned subcontractors." Croson, 488 U.S. at 480.

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Accordingly, the Court concluded there was no prima facie case of a constitutional or statutory violation by anyone in the construction industry that might justify the MBE program. Justice O'Connor nonetheless provided some guidance on the type of evidence that might indicate a proper statistical comparison:

[W]here there is a significant statistical disparity between the number of qualified minority contractors willing and able to perform a particular service and the number of such contractors actually engaged by the locality or the locality's prime contractors, an inference of discriminatory exclusion could arise.

Croson, 488 U.S. at 509.

Stated otherwise, the statistical comparison should be between the percentage of MBEs in the marketplace qualified to do contracting work (including prime contractors and subcontractors), and the percentage of total government contract awards (and/or contractual dollars paid) to minority firms. The relevant question among lower federal courts has been which tools or methods are best for such analysis (a matter addressed in the detailed discussion of statistical comparison provided below).

Additionally, the Court in Croson stated that identified anecdotal accounts of past discrimination also could provide a basis for establishing a compelling interest for local governments to enact race-conscious remedies. However, conclusory claims of discrimination by City officials, alone, would not suffice, nor would an amorphous claim of societal discrimination, simple legislative assurances of good intention, or congressional findings of discrimination in the national economy. In order to uphold a race- or ethnicity-based program, the Court held, there must be a determination that a strong basis in evidence exists to support the conclusion that the remedial use of race is necessary.

Regarding the second prong of the strict scrutiny test, the Croson Court ruled that Richmond's MBE program was not narrowly tailored to redress the effects of discrimination. First, the Court held that Richmond's MBE program was not remedial in nature because it provided preferential treatment to minorities such as Eskimos and Aleuts, groups for which there was no evidence of discrimination in Richmond. Thus, the scope of the City's program was too broad.

Second, the Court ruled that the thirty percent (30%) goal for MBE participation in the Richmond program was a rigid quota not related to identified discrimination. Specifically, the Court criticized the City for its lack of inquiry into whether a particular minority business, seeking racial preferences, had suffered from the effects of past discrimination.

Third, the Court expressed disappointment that the City failed to consider race-neutral alternatives to remedy the under-representation of minorities in contract awards. Finally, the Court highlighted the fact that the City's MBE program contained no sunset provisions for a periodic review process intended to assess the continued need for the program. Croson, 488 U.S. at 500.

After the decision in Croson, the Supreme Court and the federal Circuit Courts of Appeal have provided additional guidance regarding the considerations, measurements, information, and features surrounding an MBE/WBE program which will assist in protecting the program from constitutional challenge under a

strict scrutiny analysis. These recommendations have in many respects provided a roadmap for useful disparity studies, therefore are discussed in greater detail below.

D. The Supreme Court's Decision in *Adarand v. Peña* and Subsequent Circuit Court Proceedings

Six years after its decision in *Croson*, the Supreme Court was again confronted with an equal protection challenge to a minority business program, in *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995) (*Adarand II*). This time, however, the program under challenge was enacted by the federal government, thus implicating the Fifth Amendment rather than the Fourteenth Amendment analysis required for the local (state) program in *Croson*.

Reversing the decision of the Tenth Circuit, the Supreme Court ruled that federal programs are not reviewed for constitutionality under a more lenient standard (as had been indicated in some prior Supreme Court opinions); strict scrutiny is likewise to be applied to such programs. *Id.* at 222-26. Because the district court and the Tenth Circuit had not applied the proper standard of review, the Supreme Court remanded the case back to the district court to apply strict scrutiny to the program, consistent with *Croson*. *Id.*

On remand, the district court (D. Colo.) essentially ruled that no program can meet the strict scrutiny standard --- *i.e.*, it is "fatal in fact." The Tenth Circuit disagreed, upholding the federal program even under a strict scrutiny standard, finding a compelling state interest, and the required narrow tailoring to achieve such compelling interest. *Adarand Constructors, Inc. v. Slater*, 228 F.3d 1147 (10th Cir. 2000) (*Adarand III*).

Consistent with *Croson* and subsequent opinions, the Tenth Circuit described its task regarding the compelling state interest as follows:

[O]ur inquiry necessarily consists of four parts: First, we must determine whether the government's articulated goal in enacting the race-based measures at issue in this case is appropriately considered a "compelling interest" under the governing case law; if so, we must then set forth the standards under which to evaluate the government's evidence of compelling interest; third, we must decide whether the evidence presented by the government is sufficiently strong to meet its initial burden of demonstrating the compelling interest it has articulated; and finally, we must examine whether the challenging party has met its ultimate burden of rebutting the government's evidence such that the granting of summary judgment to either party is proper. We begin, as we must, with an inquiry into the meaning of "compelling interest."

Adarand v. Slater, 228 F.3d at 1164.

If satisfied that the compelling state interest prong had been met, the court then needed to determine whether the federal DBE program was narrowly tailored, as required under *Croson* (and strict scrutiny jurisprudence generally). *Id.* at 1176-77.

The court first found that the government's proffered interest – "remedying the effects of racial discrimination and opening up federal contracting opportunities to members of previously excluded

minority groups” – met the standard. Id. at 1164-65 (“[W]e readily conclude that the federal government has a compelling interest in not perpetuating the effects of racial discrimination in its own distribution of federal funds and in remedying the effects of past discrimination in the government contracting markets created by its disbursements.”).

As for the “strong basis in evidence” that remedial action was necessary, the court in Adarand v. Slater found that the government established that minority contractors faced significant discriminatory barriers to entry into the disbursement programs, such as a classic “old boy” network of contractors, denial of access to capital, and denial of or difficulty in obtaining union membership to assist in access. 228 F.3d at 1168-69. The government also demonstrated, the court found, that existing minority contractors faced barriers to competition, owing to various methods of “discrimination by prime contractors, private sector customers, business networks, suppliers, and bonding companies[.]” Id. at 1170-72.

In support of its position, the government produced statistical and anecdotal evidence, both direct and circumstantial, taken from local disparity studies which demonstrated underutilization of minority subcontractors (described in more detail below), and the effect on utilization rates when affirmative action programs or efforts were discontinued for one reason or another. Id. at 1174-75.

The court went on to discuss at length its reasoning that the government also adequately demonstrated that its program was narrowly tailored to achieve the compelling interest discussed previously. 228 F.3d at 1176-1187. In sum, the court found that the government satisfactorily met the following important factors: “the necessity for the relief and the efficacy of alternative remedies; the flexibility and duration of the relief, including the availability of waiver provisions; the relationship of the numerical goals to the relevant labor market; and the impact of the relief on the rights of third parties.” Id. at 1177.¹

The case was therefore returned to the district court for further proceedings “consistent with this opinion.” Id.

E. The Sixth Circuit’s Decision in Associated General Contractors v. Drabik

Having the benefit of the Supreme Court’s thinking in Croson and Adarand, the Sixth Circuit addressed the constitutionality of the State of Ohio’s minority business enterprise statute (“MBEA”) in Associated Gen. Contrs. of Ohio, Inc. v. Drabik, 214 F.3d 730, 735 (6th Cir. 2000), an opinion which remains among the most significant MBE/WBE appellate decisions in the Circuit covering Metropolitan Nashville.

In Drabik, the Court of Appeals affirmed the district court’s finding that Ohio’s MBEA was not narrowly tailored to remedy past discrimination. The court found the statute lacked narrow tailoring because (1) the MBEA suffered from under inclusiveness and over inclusiveness, (lumping together racial and ethnic groups without identified discrimination); (2) the MBEA lacked a sunset date; and (3) the state failed to

¹ These remedial concepts are covered in greater detail below.

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provide specific evidence that Ohio had considered race-neutral alternatives before adopting the plan to increase minority participation. Drabik, 214 F.3d 739.

Specifically, the court ruled that the State of Ohio failed to satisfy the strict scrutiny standard to justify the state's minority business enterprise act by relying on statistical evidence that did not account for which firms were qualified, willing and able to perform on construction contracts. Drabik, 214 F.3d at 736. The court stated that "although Ohio's most compelling statistical evidence compares the percentage of contracts awarded to minorities to the percentage of minority-owned businesses...the problem is that the percentage of minority-owned businesses in Ohio (7% of 1978) did not take into account which were construction firms and those who were qualified, willing and able to perform on state construction contracts." Drabik, 214 F.3d at 736. Although this was more data than was submitted in Croson, it was still insufficient under strict scrutiny, according to the court. Id.

Drabik thus underscores that MBE/WBE Programs must be designed so that the benefits of the programs are targeted specifically toward those firms that faced discrimination in the local marketplace. To withstand a challenge, relief must extend only to those minority groups for which there is evidence of discrimination. See Drabik, 214 F.3d at 735.

Finally, expressly relying on Croson, the Drabik court cited the requirement that there not only be a strong basis in evidence for a conclusion that there has been discrimination, but also for a conclusion that the remedy is made necessary by the discrimination. In other words, there must be a "fit" between past/present harm and the remedy. Id. at 730 ("outdated evidence does not reflect prior unremedied or current discrimination").

III. PURCHASING PRACTICES, POLICIES AND PROCEDURES

The objective of the “Purchasing Practices, Policies, and Procedures” chapter of this study is to review the stated policies and practices of Metro Nashville in relation to purchasing and programs to enhance inclusion of minority, women, small, and service disabled businesses. This review is conducted with three (3) main questions in mind:

1. Do any policies and regulations governing purchasing, as written, present barriers for MWBEs in contracting with the Metro Nashville Government?
2. Do staff understand the policies and regulations as written?
3. Are there discrepancies from written policy to actual purchasing operations?

It is well understood that where there is policy, there is often room for interpretation and discretionary practice. These areas will be examined closely, as well, for any effect they may have on the overall ability of minority and women business enterprises (“MWBEs”), Disadvantaged Business Enterprises (DBE),² as well as small business enterprises (“SBEs”) and Service Disabled Veteran enterprises (“SDVs”) to obtain work with Metro Nashville.

A. Document Review and Personnel Interviews

GSPC reviewed State of Tennessee (“State”) statutes, Metro Nashville ordinances, a previous Metro Nashville disparity study, Metro Nashville purchasing manuals, Metro Nashville purchasing regulations, Metro Nashville bid and proposal solicitations, past and present Metro Nashville budgets, Metro Nashville performance reports, bid protests filed within the study period and other related documents. GSPC conducted policy interviews in the fall of 2017 with officials that engage regularly in purchasing from the following Metro Nashville departments:

- Procurement Division
- Business Assistance Office
- Metro Nashville Water Services
- Finance
- Legal
- Budget
- Capital Project Solutions (a contractor with Metro Nashville that assist with procurement)

B. Overview Metro Nashville Government Purchasing

1. *Formal and Informal Bid Thresholds.*

The Metro Nashville competitive bidding thresholds are as follows in Table 1.

² This report uses DBE to stand for disadvantaged business enterprises and not for diversified business enterprises (MWBEs, SBEs and SDVs).

**Table 1: Competitive Bidding Thresholds Metro Nashville TN
Metro Nashville, TN Disparity Study**

Dollar Amount of Purchase	Requirements
Up to \$999.99	One oral or written quotation required. Departments are encouraged to make these purchases from an SBE or SDV.
\$1,000.00 to \$3,999.99	A minimum of three verbal quotations required.
\$4,000.00 to \$9,999.99	A minimum of three written quotations required.
\$10,000.00 and above	Competitive sealed bids or Requests for Proposals must go through the Procurement Division.

Source: Metro Nashville Code of Ordinances § 4.12.010 – Definitions.

There is no requirement here for purchases delegated to Departments to seek quotations from MWBEs, SBEs, or SDVs.

2. Exemptions from Competitive Bidding Requirements

Contracts that are not subject to Metro Nashville competitive bidding rules include:

- Authority to contract for Professional Services.³The Metro Nashville Procurement regulations list three groups under Professional Services: architects and engineers and investment managers.⁴ For architects and engineers a Capital Improvements Architectural/Engineering Review Board is to recommend the most qualified firm for negotiation with the Metro Nashville Purchasing Agent with compensation determined by the Metro Nashville Finance Director.⁵ Metro Nashville staff reports that there is a limited amount of vendor rotation in the procurement of architects and engineers, which is implemented by taking into consideration the past volume of work that firms have received from Metro Nashville . Investment managers are recommended to the Metro Nashville Purchasing Agent by the Metro Nashville Investment Committee.
- Competitive sealed proposals.⁶ Competitive sealed proposals are to be used when competitive sealed bids are deemed not practicable or advantageous through a written determination of the Metro Nashville Purchasing Agent. The following services do not require a written determination from the Metro Nashville Purchasing Agent: 1) Professional Services (as provided in paragraph 4.08.080 of the Metro Nashville Procurement Code); 2) Consultant services; 3) Property and facilities management and Procurement Code; 4) Social services; 5) Travel and travel-related services; 6) Employee benefits, including insurance; and 7) Artistic services. It is worth observing here that Metro Nashville does use design-build and

³ Metro Nashville Code of Ordinances § 4.08.080 - Authority to Contract for Professional Services.

⁴ Metro Nashville Procurement Regulations § R4.08.080 - Authority to Contract for Professional Services.

⁵ Metro Nashville Procurement Regulations § R4.08.080.1. B – Selection Process.

⁶ Metro Nashville Code of Ordinances § 4.12.040 – Competitive sealed proposals.

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Construction manager at risk, as opposed to competitive sealed bids, for some of the larger Construction projects. Moreover, Metro Nashville outsources much of the technical guidance on these procurements to outside firms, such as Capital Project Solutions.

- Sole source procurement.⁷The 2015-2016 Metro Nashville Key Performance Indicator (KPI) Annual Performance Report found only four sole source procurements above \$250,000.⁸
- Purchases through state and other governments.⁹ The Metro Nashville regulations provide that in order to promote the use of SBE, MWBEs and SDVs “the procurement standards board limits the participation in intergovernmental cooperative purchasing agreements to that of supplies and products that do not include services unless the purchasing agent, after consultation with the Director of Finance, determines that such cooperative purchasing is in the best interests of Metro Nashville.”¹⁰ Consistent with this policy the 2015-2016 KPI Annual Performance Report found only one use of cooperative agreements in Metro Nashville Procurement.¹¹
- Other exemptions from competitive sealed bidding include emergency procurements,¹² utilities¹³ and small purchases.¹⁴

3. *Trends in Contract Sizing, Project Bundling.*

Metro Nashville staff reported no clear trends, one way or the other, in contract sizing. The use of Construction Manager at Risk on larger projects has led to some bundling. Even when projects have been bundled, however, there have been MWBE and SBE requirements placed on the bundled projects.

C. Bonding, Insurance, and Prompt Payment

1. *Bonding Requirements*

Performance and payment bonds are required for Construction and repair contracts of more than \$100,000.¹⁵ Metro Nashville Procurement regulations allow the Metro Nashville Purchasing Agent to lower performance and payments bonds to 50 percent of the contract price for Construction.¹⁶ Metro Nashville staff did not report any implementation of these partial waivers. Metro Nashville staff did report that bonding remains an issue for MWBE contractors, including, on occasion, for subcontractors.

Metro Nashville has considered ways to lower and alleviate burdens caused by bonding thresholds. Metro

⁷ Metro Nashville Code of Ordinances § 4.12.060 – Sole source procurement.

⁸ 2015-2016 Metro Nashville KPI Annual Performance Report.

⁹ Metro Nashville Code of Ordinances § 4.12.090 - Purchases through state and other governments.

¹⁰ Metro Nashville Procurement Regulations § R 4.12.090.05

¹¹ 2015-2016 Metro Nashville KPI Annual Performance Report.

¹² Metro Nashville Code of Ordinances § 4.12.070 - Emergency procurements.

¹³ Metro Nashville Code of Ordinances § 4.12.080 - Utilities.

¹⁴ Metro Nashville Code of Ordinances § 4.12.050 -Small purchases.

¹⁵ Metro Nashville Code of Ordinances § 4.20.030 - Contract performance and payment bonds.

¹⁶ Metro Nashville Procurement Regulations § 4.20.030.01 - Reduction of Bond Amounts for Construction.

staff report that the Purchasing Agent is authorized to look at bonding on a project by project basis in construction contracts to review bonding limits to ensure they are necessary and for increasing the need for bonding on projects from \$25,000 to \$100,000.

2. *Insurance*

Insurance requirements can vary somewhat by procurement type and class of projects. The following provides an overview of Metro Nashville insurance requirements from a sample Metro Nashville solicitation. Sample insurance requirements for Construction include:

- General Liability Insurance in the amount of one million dollars.
- Automobile Liability Insurance in the amount of one million dollars (if contractor will be making on-site deliveries).
- Worker's compensation insurance (if applicable) with statutory limits required by the State of Tennessee or other applicable laws and employer's liability insurance with limits of no less than one hundred thousand dollars, as required by the laws of Tennessee (not required for companies with fewer than five employees).¹⁷

Metro Nashville staff did not report hearing many vendor complaints concerning Metro Nashville insurance requirements.

3. *Prompt Payment*

Metro Nashville complies with the Tennessee Prompt Payment Act, which provides that vendors should be paid within forty-five (45) days of receipt of invoice, with interest to accrue at the rate of 1.5 percent per month the day after payment is due.¹⁸ Subcontractors and suppliers are to be paid within thirty (30) days of payment to the prime, with interest to accrue at the rate of 1.5 percent per month the day after payment is due.¹⁹

Metro Nashville solicitations have the following prompt payment language:

Metro Nashville shall make every attempt to make payment to Contractor within thirty (30) days following the submission of a Payment Request, in form acceptable to Metro Nashville.²⁰

When payment is received from Metro Nashville, Contractor shall within fourteen (14) calendar days pay all subcontractors, subconsultants, laborers, and suppliers the amounts they are due for the work covered by such payment. In the event Metro Nashville becomes informed that Contractor has not paid a subcontractor, subconsultant, laborer, or supplier as provided herein, Metro Nashville shall have the right, but not the duty, to issue future checks and payments to Contractor of amounts otherwise due hereunder naming Contractor and any such subcontractor, subconsultant, laborer, or supplier as joint

¹⁷ Metro Nashville, Request for Quotation 1025687 Page 24 of 42 Terms and Conditions, Open Date 07-NOV-2017 Section 5.

¹⁸ Tenn. Stat. §§ 12-4-703, 704.

¹⁹ Tenn. Stat. §§ 12-4-706, 707

²⁰ Request for Quotation 1025687 Page 24 of 42 Terms and Conditions Open Date 07-NOV-2017 Metro Nashville, Section 2.1.

payees.²¹ One of the required reports for the Metro Nashville Procurement Standards Board is government performance on prompt payment. The Metro Nashville Office of Financial Accountability produces quarterly Prompt Payment Reports on the timeliness of payments to vendors by department. Consequently, Metro Nashville departments are aware of Board oversight of prompt payment. Most recent summaries of Prompt Payment Reports indicated payments of invoices for Metro Nashville overall of between seven and eight days, with some individual departments reaching up to 53 days. Lateness was attributed to data entry errors and issues with vendors' invoicing.

Metro Nashville and Capital Project Staff ("CPS") staff reported that prompt payment is not a major issue for either prime contractors or subcontractors.

D. Prequalification, Licensing, and Supplier Registration

1. *Prequalification and Master Lists*

The Metro Nashville Code allows for the prequalification of suppliers.²¹ However, Metro Nashville Procurement regulations provide that solicitations and awards are not to be limited to prequalified firms.²² Moreover, Metro Nashville does not generally prequalify firms and does not maintain a prequalification list, such as the ones maintained by the Tennessee Department of Transportation (TDOT). Under Metro Nashville policy, prequalification is limited to specific projects that that may necessitate prequalification. Staff reports that the use of the prequalification provision has been limited by the Metro legal department. Metro Nashville regulations also allow for the maintenance of a bidders list, but such a list does not currently exist.²³

The Metro Nashville Code does provide for master lists of architecture and engineering firms. For architectural/engineering firms Metro Nashville ordinances provide that:

The metropolitan county mayor is authorized to execute and enter into on behalf of the Metropolitan Government of Nashville and Davidson County, Professional Services contracts with any and all firms listed on the master list of architectural/engineering firms on a project- by-project basis and upon the recommendation of the capital improvements architectural/engineering review board.

Architectural/engineering firms may be added to the master list of architectural/engineering firms by resolution.²⁴

To be included on the Master List of Engineers or the Master List of Architects firms must complete a form which includes information on: ²⁵

- numbers and location of employees
- categories of work experience
- professional liability insurance coverage
- date firm was established

²¹ Metro Nashville Code of Ordinances § 4.12.120 - Prequalification of suppliers.

²² Metro Nashville Procurement Regulations § 4.12.120 - Prequalification.

²³ Metro Nashville Procurement Regulations § R4.12.030.07 - Bidders Lists.

²⁴ Metro Nashville Code of Ordinances § 2.08.040.A, B. Metro Nashville Procurement Regulation § 4.08.080

²⁵ Metro Nashville Procurement Regulations § R4.08.080.01. A. - Master Lists.

- evidence of state licensing.

The proposed Master Lists are then presented to the Metropolitan Council by resolution.

There is confusion among staff about the implementation of the Metro Nashville master list provisions. Some report that this provision was considered “defunct” and the master lists have not been updated on a regular basis. Other staff seemed completely unaware of the master list provision, as well, or say such lists are never utilized by their departments. There is no compiled data on MWBE participation on these master lists but staff report that MWBE firms were not negatively impacted by the confusion around this provision given that it does not appear to have been implemented.

2. *Licensing*

Under State law, a licensed general contractor must oversee all projects costing more than \$25,000.²⁶ All contractor licenses are assigned a monetary limit and also a classification, such as: Building (Residential, Commercial and Industrial); Electrical; Mechanical (Plumbing and HVAC); Heavy Construction; Highway, Railroad & Airport; Masonry; Municipal Utility; Environmental; and Specialties (landscaping, excavation, roofing, cell towers, solar panels, audio visual, etc.).

All licenses are issued with a monetary limit, an amount approved for contracting/bidding, and this is based upon a firm’s financial statement prepared by a CPA. Generally, the monetary limitation placed on a classification of a license may be determined as follows:

- For applicants having no apparent deficiency with respect to plant or equipment, the lesser of: 1. Ten times the applicant’s net worth; or 2. Ten times the applicant’s working capital. Accounts receivable that are more than three months overdue may not be included within the calculation of working capital.
- At the Board’s discretion, renewal applicants having no apparent deficiency with respect to plant or equipment, but with limited working capital, the greater of: 1. Ten times the applicant’s working capital; or 2. Fifty percent of the applicant’s net worth.
- For other applicants, a lesser amount reflecting the degree of lack of plant or equipment.²⁷

3. *Supplier Registration*

Suppliers wishing to do business with Metro Nashville Government are required to register as a supplier in iSupplier. Vendors self-register by commodity codes and receive email notifications of relevant solicitations. The Metro iSupplier system is also the only portal that provides prospective vendors with access to the Metro MWBE and DBE directory.

Staff has reported some difficulty with the Metro iSupplier vendor registration system, with vendor work codes being inaccurate or misaligned and contact information not being regularly updated by vendors.

²⁶ Rules of Tennessee Board for Licensing Contractors § 0680-01-.13.

²⁷ Rules of Tennessee Board for Licensing Contractors § 0680-01-.13.

E. MWBE Certification

1. *Ethnic/Gender Definition of MWBEs*

The Metro Nashville Code defines an MWBE as,

a business enterprise maintaining a significant business presence in the MSA and performing a commercially useful function that is owned by one or more of the following: (1) African Americans, (2) Native Americans, (3) Hispanic Americans, (4) Asian Americans and (5) Women.²⁸

The Metro Nashville Code defines "significant business presence" as,

a business enterprise with an established place of business in the MSA at which one or more of its employees is regularly based and that such place of business has a substantial role in the business' performance of a commercially useful function as herein defined. A location utilized solely as a post office box, mail drop or telephone message center or any combination thereof, with no other substantial work function, shall not constitute a significant business presence.²⁹

The Metro Nashville Code defines the ethnic groups as follows:

"African American" means persons having origins in any black racial group of Africa. It includes people who indicate their race as "Black, African American, or Negro," or provide written entries such as African American, Afro American, Kenyan, Nigerian, or Haitian.

"Asian American" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

"Hispanic American" means persons who identify with the terms "Hispanic" or "Latino" and who classify themselves in a specific Hispanic or Latino category such as "Mexican," "Puerto Rican," "Cuban," or "other Spanish, Hispanic, or Latino."

"Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.³⁰

Metro Nashville separates racial and gender categories for monitoring and tracking purposes only. There is no size limit on the certification.

Metro Nashville does not certify MWBEs, but instead accepts MWBE certification from other government or private agencies.³¹ Metro Nashville does not accept certifications from agencies that do not conduct site visits, or accept self-certification. In 2017 Metro Nashville accepted the certifications from the agencies in Table 2 below.

²⁸ Metro Nashville Code of Ordinances § 4.46.020 - Definitions.

²⁹ Metro Nashville Code of Ordinances § 4.46.020 - Definitions.

³⁰ Metro Nashville Code of Ordinances § 4.46.020 - Definitions.

³¹ Metro Nashville Code of Ordinances § 4.46.050.B - MWBE designation.

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Table 2: Certifying Agencies Accepted by Metro Nashville 2017

Metro Nashville Disparity Study

Certifying Agency	MBE	WBE	DBE	SDV
Governor's Office of Diversity Business Enterprise	X	X		X
Metropolitan Nashville Airport Authority			X	
Metropolitan Transit Authority			X	
Small Business Administration-8a only	X	X		
National Minority Supplier Development Council Affiliates including the TMSDC	X			
National Women Business Owners Corporation		X		

Source: Business Assistance Office ("BAO") website

The Metro Nashville MWBE list is part of the overall iSupplier vendor list. There is not a separate Metro Nashville MWBE database on line. Nor is there a central statewide MWBE database such as in some states. When registering in the iSupplier system, the firm checks the appropriate certification box and sends in certification documents, which Metro Nashville then confirms. Thus, prime contractors search the iSupplier vendor database by commodity codes and certification when looking for an MWBE subcontractor or supplier.

Tables 3 and 4 show the number of certified and non-certified firms in 2014 and 2017 in the Metro Nashville vendor lists. The largest number of certified MWBEs were women owned firms and African American owned firms. The number of certified MWBEs in the Metro Nashville vendor database grew 81.4 percent from September 2014 to September 2017. At the same time, certified firms were less than 20 percent of the total number of MWBEs in the iSupplier database in September 2017.³²

Table 3: Number of Certified and Non-Certified MWBEs 2017

Metro Nashville Disparity Study

Ethnic/Gender Group	Certified		Non-Certified		Total	
	Number	Percent	Number	Percent	Number	Percent
African American	339	36.1%	1,263	33.3%	1,602	33.8%
Hispanic	45	4.8%	232	6.1%	277	5.9%
Asian	76	8.1%	265	7.0%	341	7.2%
Native American	22	2.3%	94	2.5%	116	2.5%
Women	456	48.6%	1,941	51.1%	2,397	50.6%
Total	938		3,795		4,733	

Source: Metro Nashville KPI September Report, 2017

³² <https://tn.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp?XID=8961&TN=tn>.

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Table 4: Number of Certified and Non-Certified MWBEs 2014

Metro Nashville Disparity Study

Ethnic/Gender Group	Certified		Non-Certified		Total	
	Number	Percent	Number	Percent	Number	Percent
African American	182	35.2%	1,149	30.8%	1,331	31.4%
Hispanic	28	5.4%	223	6.0%	251	5.9%
Asian	43	8.3%	235	6.3%	278	6.6%
Native American	17	3.3%	127	3.4%	144	3.4%
Women	247	47.8%	1,992	53.5%	2,239	52.8%
Total	517		3,726		4,243	

Source: Metro Nashville KPI September Report, 2014

By way of comparison, the State of Tennessee had 116 MBEs 110 WBEs, and 94 SBEs in Nashville in its database in November 2017. (The numbers in Tables 3 and 4 above are not limited to the Nashville city limits.)

F. Procurement Nondiscrimination Program

1. Program Objectives

Metro Nashville first established the Procurement Nondiscrimination Program (“PNP”) program in 2008 after the 2004 disparity study (discussed below). The stated objective of the PNP is,

... to promote and encourage full and open competition in all Metropolitan Government procurement and purchasing; encourage all Metropolitan Government personnel involved in procurement and contracting activities to utilize appropriate purchasing procedures; to prevent the Metropolitan Government from becoming a passive participant in any unlawful discrimination; to spur economic development in the public and private sectors of the local economy; and, to rectify that participation in such unlawful discrimination.³³

2. Bid Submissions

The PNP covers Construction, Professional Services and Non-Professional Services. The Metro Nashville policy does not set annual aspirational MWBE goals or race conscious MWBE project goals. Instead the PNP has the following requirements for submission with all bids:

- **Covenant of Nondiscrimination.** The covenant of nondiscrimination includes a provision that bidders will “...attempt certain good faith efforts to solicit MWBE participation on projects and

³³ Metro Nashville Code of Ordinances § 4.46.010.C – Program Objectives.

- contracts in addition to regular and customary solicitation efforts.”³⁴
- Statement of Written Notification to MWBEs
 - Statement of Interested Subcontractors/Vendors
 - Statement of Bid Proposals/Price Quotations
 - Letter of Intent to Perform as a Subcontractor/Joint Venture
 - Statement of Written Notification. This statement provides that each bidder must provide a statement that the bidder has delivered written notice to at least three available certified
 - MWBEs, if use of MWBEs is reasonable and if BAO can provide at least three MWBEs for the applicable category
 - Statement of Successful Subcontractors³⁵

Compliance with Metro’s Procurement Nondiscrimination Program is part of Metro’s standard terms and conditions.³⁶ Prospective vendors must subscribe to the Covenant of Nondiscrimination when they register with Metro. The PNP has also been applied in some instances where it was not required, such as the Convention Center, which had a 20 percent goal for SBEs, SDVs and MWBEs. Because the PNP applies to all bids, the bid submission requirements have been applied to small purchases, but inconsistently so, according to Metro Nashville staff.

3. *Good Faith Efforts Requirements*

In the PNP model, only failure to satisfy good faith efforts (“GFE”) impacts contract award. Failure to submit GFE makes the bid nonresponsive. The requirement to include proposed MWBEs and GFE compliance also applies to MWBE bidders. Bidders demonstrate GFE through efforts that may include, but are not limited to, the following:

- Attending informational meetings
- Dividing the contract
- Providing a written explanation for rejection of any potential subcontractor or vendor to the bidder
- Providing a nondiscriminatory work site
- Soliciting specific individual MWBEs whose availability as potential sources of goods or services can be reasonably ascertained
- Sending letters or making other personal contacts with other programs as well as private trade associations in the MSA which are known to publicize contracting and procurement opportunities for the benefit of their respective associates and/or members
- Advertising in trade publications of general circulation in the MSA
- Following up initial solicitations by contacting potential subcontractors or vendors to determine, with certainty, whether these firms are interested in participating on the contract.
- Thoroughly investigating the potential subcontractor or vendor's capabilities in good faith.
- Providing reasonable assistance to a MWBE in need of equipment, supplies, bonding, letters of credit and/or insurance.
- Providing reasonable technical assistance to MWBEs to ameliorate any deficiencies of technical

³⁴ Metro Nashville Code of Ordinances § 4.46.070.A-Covenant of Nondiscrimination.

³⁵ Metro Nashville Code of Ordinances § 4.46.070.

³⁶ Metro Nashville, Request for Quotation 1025687 Page 24 of 42 Terms and Conditions, Open Date 07-NOV-2017 Section 4.3.

knowledge or advance skill, where such assistance is undertaken by the Bidder to facilitate the MWBE's successful participation on a project or contract.³⁷

4. *Bid Evaluation*

The Business Assistance Office (“BAO,” discussed further below) evaluates whether the first ranked bidder has complied with the PNP requirements, including making good faith efforts.³⁸ If BAO determines that the first ranked bidder has failed to make good faith efforts or other elements of the PNP, the bidder is “permitted to present any additional materials relevant to the question of non-compliance for consideration by the BAO.”³⁹ If the First Ranked Bidder is still not in compliance the BAO may then identify another bidder as the First Ranked Bidder. The Purchasing Agent ultimately decides on bidder non responsiveness.⁴⁰

There are several observations about this GFE system. First, this is not a point based system. There are no minimum points that must be satisfied to meet the GFE standard. Second, in practice, these requirements ultimately are that firms must document outreach to at least three MWBEs to satisfy GFE. Evaluation of GFE is based on the PNP forms, emails and the responses to those emails. Various Metro Nashville staff reported that most firms satisfy the PNP GFE requirements. Some staff felt that the current PNP GFE requirements “lack teeth.”

5. *Race and Gender Conscious Goals*

The Metro Nashville Code provides that race and gender conscious goals “shall only be considered in the event the Metropolitan Government has exhausted all race/gender neutral remedies and continues to fall below identified Benchmarks in contracting.”⁴¹ The procedure of adopting race and gender conscious goals is then as follows:

After using Benchmarks and Good Faith Efforts of the Program for 24 months, if the BAO semiannual review shows continuing underutilization of MWBEs and can demonstrate a compelling interest to support imposition of goals in specific subcategories, upon concurrence of the Purchasing Agent, the BAO shall recommend to the Finance Director and the Director of Law the implementation of goals for selected contracts in the identified subcategories. If the Finance Director and the Director of Law agree that goals are warranted and necessary and that the goals proposed by the BAO and the Purchasing Agent are reasonably likely to result in achieving satisfactory utilization, the BAO shall publish the proposed goals three times over a period of thirty days in a newspaper of general circulation. After such time BAO will hold a ten-day comment period to receive written comments from any interested individual or entity regarding implementation of a race/gender-conscious program. After this comment period, upon approval of the Finance Director and the Director of Law, the BAO with the concurrence of the Purchasing Agent, shall prepare a resolution for submission to the Metropolitan Council with a proposal to implement goals and the proposed goals.⁴²

³⁷ Metro Nashville Code of Ordinances § 4.46.080.B - Good faith efforts.

³⁸ Metro Nashville Code of Ordinances § 4.46.080.B - Good faith efforts.

³⁹ Metro Nashville Code of Ordinances § 4.46.090.B - Evaluation of bid for program compliance.

⁴⁰ Metro Nashville Code of Ordinances § 4.46.090.B - Evaluation of bid for program compliance.

⁴¹ Metro Nashville Code of Ordinances § 4.46.110.A - Goals.

⁴² Metro Nashville Code of Ordinances § 4.46.110.B - Procedure for Adopting Goals.

The PNP further provides that should “the Metropolitan Council approve the imposition of goals by a resolution receiving twenty-one affirmative votes, the Purchasing Agent may consider the inclusion or underutilization of MWBEs in specific industry subcategory as an additional factor in the evaluation of a Bid.”⁴³

Some Metro report having previously advocated for a move to more race conscious goals, but stated that they did not feel they had the administrative support or legislative support as outlined in ordinance to effectuate a race conscious goals program. There was also some concern about having all the data needed in the current iSupplier system to engage in effective goal setting.

The Metro Nashville PNP program does provide for a 20 percent goal for “diversified business enterprises (small, minority, and women owned firms) for private project receiving tax incentives in the form of tax increment financing (“TIF”) or payments-in-lieu-of-taxes (“PILOT”) agreements.”⁴⁴

This element of the Metro Nashville PNP program has not been fully implemented for several reasons, most prominently, TIFs are managed through the Metro Housing Development Agency (“MDHA”), a separately chartered entity with no requirement to adhere to Metro statutes and regulations, including in its use of TIF funding for diverse initiatives. PILOT agreements and other economic development tools are managed by the Mayor’s Office of Economic Development, however there are no persons within these offices with the skill and expertise to engage in supplier diversity consulting and contract compliance work. This has caused confusion regarding who is responsible for goal setting and administration, as this responsibility falls outside of the scope of BAO and the PNP program, and BAO is not actively engaged in this process.

6. *Benchmarking*

It follows from the discussion above that benchmarking is a key intermediate step before implementing race and gender conscious project goals. The PNP defines benchmarking as

...the method enabling the Metropolitan Government to track the inclusion of MWBEs in the procurement process. Benchmarks are not quotas or goals, rather, they are percentage ranges based on MWBE availability, current MWBE participation, and previous MWBE participation in the Nashville MSA.⁴⁵

Initial benchmarks were based on the 2008 disparity study. Benchmarks were then completed for 2011, 2013, 2015, and 2017. The Metro Nashville benchmark MWBE availability in 2017 was based on:

- The firm is in the Nashville MSA;
- The firm does business within an industry group from which Metro Nashville makes certain purchases;
- The firm's owner appears on vendor, bidder, awardee, payment, or certified lists from TNUCP (Tennessee Unified Certification Program), Nashville International Airport Metro Nashville, GoDBE and TDOT.⁴⁶

⁴³ Metro Nashville Code of Ordinances § 4.46.110.C - Goals in Bids/Proposals.

⁴⁴ Metro Nashville Code of Ordinances § 4.46.110.C - Goals in Bids/Proposals.

⁴⁵ Metro Nashville Code of Ordinances § 4.46.020 – Definitions.

⁴⁶ Griffin & Strong, PC, 2017 Benchmark Report: 4.

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For Construction, there were twenty-one (21) categories for benchmarking in the 2017 Benchmark Report. Of those categories, MWBE utilization for four (4) procurement categories was the farthest from the benchmark:

- Interior Finishing, 17.12 percent under benchmark
- Coating and Caulking and Weather and Water and Fireproofing, 15.18 percent under benchmark
- Painting and Paper Hanging, 16.09 percent under benchmark
- Refurbishing Services, 14.96 percent under benchmark

Overall MWBE utilization was slightly above the Construction benchmark, although African Americans and Hispanics and Asians were below the benchmark for Construction.⁴⁷

For Professional Services, there were seven (7) categories for benchmarking. Of those categories MWBE utilization for three (3) procurement categories was farthest from the benchmark:

- Legal Services, 9.84 percent under benchmark Accounting and Auditing, 8.69 percent under benchmark
- Medical, Health and Wellness Services, 8.37 percent under benchmark
- Overall MWBE utilization was above the Professional Services benchmark, although African Americans and Asians were below the benchmark for Professional Services.⁴⁸
- For Non-Professional Services, there were twenty-one (21) categories for benchmarking. Of those categories MWBE utilization for four (4) procurement categories was the farthest from the benchmark:
 - Management Advisory Services, 16.54 percent under benchmark
 - Marketing and Distribution, 16.36 percent under benchmark
 - Trade Policy and Services, 37.50 percent under benchmark
 - Information Services, 21.43 percent under benchmark.
- Overall MWBE utilization was below the Non-Professional Services benchmark, and African American owned businesses, Native American owned firms, and Women owned businesses were below the benchmark for Non-Professional Services.⁴⁹

To date, the Benchmark Reports have not been used to set race or gender-conscious project goals. Metro Nashville staff reported that the process for establishing race and gender conscious project goals was not feasible. It follows that there is no Metro Nashville MWBE goal setting committee as well.

G. Metro Nashville DBE Program

Metro Nashville does not have a written DBE plan, or a DBE Liaison Officer, and Metro Nashville is not a part of the Tennessee Unified Certification Plan for DBEs.⁵⁰ For federally funded projects, BAO sets and monitors the DBE project goal on a solicitation-by-solicitation basis using the project work items and the availability of certified DBEs. The Metro Nashville PNP program does not apply to

⁴⁷ Griffin & Strong, PC, 2017 Benchmark Report: 10-11.

⁴⁸ Griffin & Strong, PC, 2017 Benchmark Report: 10-11.

⁴⁹ Griffin & Strong, PC, 2017 Benchmark Report: 20-21.

⁵⁰ Tennessee Unified Certification Program (undated). <https://www.tdot.tn.gov/Applications/dbedirect/Partners>.

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projects with DBE goals.

Metro Nashville produces a monthly report tracking total DBE spending, but does not have a separate DBE plan apart from its tracking of MWBE dollars. In reference to Table 5, below, DBEs received \$15.8 million in FY 2016-2017, 1.59 percent of total Metro Nashville DBE spending during the period.

**Table 5: Metro Nashville DBE Spending FY 2016-2017
Metro Nashville Disparity Study**

Month FY 2016-2017	DBE Spending	Total Spending	DBE Percent of Total Spending
July	\$1,929,025	\$79,635,195	2.42%
August	\$2,588,925	\$113,948,283	2.27%
September	\$1,804,863	\$73,214,568	2.47%
October	\$614,152	\$53,818,230	1.14%
November	\$4,525,656	\$91,238,084	4.96%
December	\$312,611	\$40,761,275	0.77%
January	\$147,499	\$114,436,866	0.13%
February	\$1,352,295	\$74,199,423	1.82%
March	\$463,795	\$105,650,197	0.44%
April	\$416,151	\$47,996,715	0.87%
May	\$1,149,373	\$75,132,277	1.53%
June	\$509,543	\$121,456,009	0.42%
Total	\$15,813,888	\$991,487,122	1.59%

Source: BAO Monthly KPI Reports, July 2016-June 2017

H. Race Neutral Programs

1. SBE Certification

The Metro Nashville SBE program started in 1989. Under current rules, a Metro Nashville SBE satisfies all the following criteria:⁵¹

- A United States business which is independently owned and operated, and which is not dominant in its field of operation or an affiliate or subsidiary of a business dominant in its field of operation;
- Either has no more than the following number of employees or has no more than the following annual sales volume for the applicable industry in Table 6 below.

⁵¹ Metro Nashville Procurement Regulations § 4.44.010.02.

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Table 6: Size Standards for SBE Approval Metro Nashville

Metro Nashville Disparity Study 2017

Industry	Annual Sales Volume	Minimum Number of Employees*
Agriculture, Forestry, Fishing	\$500,000	9
Architectural/Design/Engineering	\$2,000,000	30
Construction	\$2,000,000	30
Educational	\$1,000,000	9
Finance, Insurance, Real Estate	\$1,000,000	9
Information Systems/Technology	\$2,000,000	30
Manufacturing	\$2,000,000	99
Marketing/Communications/Public Relations	\$2,000,000	30
Medical/Healthcare	\$2,000,000	30
Mining	\$1,000,000	49
Retail Trade	\$750,000	9
Service Industry	\$500,000	9
Transportation, Commerce, and Utilities	\$1,000,000	9
Wholesale Trade	\$1,000,000	19

Source: Metro Nashville Procurement Regulations § 4.44.010.02 - Definition of Small Business.

For Metro, an SBE also must satisfy the following additional criteria:

- Has demonstrated capability to perform independently a substantial portion of the contract they seek, or a substantial portion of the subcontract for which they are proposed by a bidder or offeror, as specified by the Purchasing Agent;
- Not share or jointly use office space, production, marketing and sales, business support systems, personnel, or equipment with any business not classified by Metro Nashville as a small business (i.e., a large business)
- Has existed as a legal business entity for a minimum of one year (twelve months of continuous business enterprise), performing independently and satisfactorily and achieving a minimum of \$35,000.00 sales income during the previous tax year and supported by tax documentation;
- Not be owned, controlled, or directed by individuals or groups of individuals who own, control, or direct a large business involved in the same category of work as the business for which small business status is sought.⁵²

For SBEs, Metro Nashville has an approval process, not certification process. SBE approval requires:

- A letter of affirmation for which industry the firm is seeking approval for SBE status.
- The firm’s two most recently submitted business tax returns (only one year is required for those seeking renewal status as a small business).

⁵² Metro Nashville Procurement Regulations § 4.44.010.02.

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- The firm’s two most recently submitted quarters of IRS 941 tax forms.⁵³ SBE status must be approved before the bid or proposal is due.

Metro Nashville had 609 approved SBEs in September 2017. Prior to 2006, ownership was not confirmed, and Metro Nashville staff reported that there were upwards of 7,000 firms in the SBE program. Once an approval process was inaugurated, the number of SBEs fell to around 500, only to increase somewhat again.

2. SBE Program Elements

Since 2008 the SBE program has been the focus of Metro’s remedial procurement efforts. The Metro Nashville Procurement regulations provide for setting an annual SBE and SDV goal.⁵⁴ Metro Nashville set the SBE and SDV goal at 15% for fiscal year 1992-1993 where the goal remained until 2012. Since then, an SBE and SDV goal has not been set.

Metro Nashville Procurement regulations do allow for SBE and SDV bid discounts in price for competitive bids and in points for request for proposals (“RFPs”). The Metro Nashville Purchasing Agent can consider the following discounts for Goods and Non-Professional Services for SBEs and SDVs in Table 7 below. Offers more than the percentages below are considered financially unreasonable.

**Table 7: SBE Discounts for Goods and Services
Metro Nashville Disparity Study**

Discount	Range	
15% on low bids from	\$ 0	\$ 1,500
10% on low bids from	1,500	19,999
9% on low bids from	20,000	39,999
8% on low bids from	40,000	59,999
7% on low bids from	60,000	79,999
6% on low bids from	80,000	99,999
5% on low bids from	100,000	149,999
4% on low bids from	150,000	249,999
3% on low bids from	250,000	499,999
2% on low bids from	500,000	999,999
1% on low bids from	1,000,000 or more	

Source: Metro Nashville Procurement Regulations § R4.44.020.04.1

The Metro Nashville Purchasing Agent can consider the following discounts for Construction in calculating the maximum acceptable price for SBEs and SDVs in Table 8 below.

⁵³ Metro Nashville Procurement Regulations § 4.44.010.02.

⁵⁴ Metro Nashville Procurement Regulations § R4.44.020.01 - Annual Goal.

**Table 8: SBE Discounts for Construction
Metro Nashville Disparity Study**

Discount	Range	
20.00% on low bids from	\$0 to	\$100,000
17.50% on low bids from	100,001 to	200,000
15.00% on low bids from	200,001 to	300,000
12.50% on low bids from	300,001 to	400,000
10.00% on low bids from	400,001 to	1,000,000
9.80% on low bids from	1,000,001 to	1,200,000
9.40% on low bids from	1,200,001 to	1,400,000
9.00% on low bids from	1,400,001 to	1,600,000
8.60% on low bids from	1,600,001 to	1,800,000
8.20% on low bids from	1,800,001 to	2,000,000
7.80% on low bids from	2,000,001 to	2,200,000
7.40% on low bids from	2,200,001 to	2,400,000
7.00% on low bids from	2,400,001 to	2,600,000
6.60% on low bids from	2,600,001 to	2,800,000
6.20% on low bids from	2,800,001 to	3,000,000
5.83% on low bids from	3,000,001 to	3,500,000
5.63% on low bids from	3,500,001 to	4,000,000
5.38% on low bids from	4,000,001 to	4,500,000
5.13% on low bids from	4,500,001 to	5,000,000
5.00% on low bids from	5,000,001 to	10,000,000
4.25% on low bids from	10,000,001 to	15,000,000
2.75% on low bids from	15,000,001 to	20,000,000
1.89% on low bids from	20,000,001 to	25,000,000
1.63% on low bids from	25,000,001 to	30,000,000
1.38% on low bids from	30,000,001 to	35,000,000
1.13% on low bids from	35,000,001 to	40,000,000
1.00% on low bids from	40,000,001 to	99,999,999

Source: Metro Nashville Procurement Regulations § R4.44.020.04.1

Metro Nashville sets SBE or SDV project requirements on a solicitation-by-solicitation basis. For an RFP, for example, Metro Nashville may set a maximum number of points for SBE utilization awarded to the firm with the highest level of SBE utilization. Points are prorated for bidders with lower levels of SBE utilization. Similarly, bid discounts can be awarded on invitations to bid for SBE utilization.

The Metro Nashville Procurement regulations allow for SBE set-asides:

- For small purchase if there are three or more SBEs or SDVs
- For other purchases if the Purchasing Agent determines that SBE set-asides are not detrimental to the interests of Metro Nashville government.⁵⁵

The Metro Nashville SBE Program rarely uses set-asides, except for some small roofing, demolition, painting projects.

⁵⁵ Metro Nashville Procurement Regulations § R4.44.020.03 - Targets or Set Asides.

3. *SDV Certification*

For Metro, an SDV is:

A business that is a continuing, independent, for profit business located in Davidson County, Tennessee that performs a commercially useful function, and

- Is at least fifty-one percent owned and controlled by one or more service-disabled owned veterans;
- In the case of a business solely owned by one service-disabled veteran and such person's spouse, is at least fifty percent owned and controlled by the service-disabled veterans; or
- In the case of any publicly owned business, at least fifty-one percent of the stock of which is owned and controlled by one or more service-disabled veteran and whose management and daily business operations are under the control of one or more service- disabled veteran.⁵⁶

Metro Nashville confirms the status of SDVs through the receipt of an SDV certificate from the Governor's Office of Diversity Business Enterprise.⁵⁷ There were ten (10) certified SDVs in Nashville and in the entire state of Tennessee in November 2017.

4. *SDV Evaluated Preference*

Procurement incentives are awarded for the use of SDVs. Those incentives are identified in the procurement solicitation. When suppliers seeking to do business either are an SDV or commit to using SDVs, they receive an evaluated preference. SDV bidders and offerors also receive discounts like SBEs based on the Tables 7 and 8 above. Metro Nashville reports SDV utilization in its KPI reports, but reported there have been only two (2) utilized SDVs.

I. Management, Financial and Bonding Assistance

BAO has one staff specifically focused on business development efforts. BAO provides six (6) to eight (8) annual training sessions for business capacity and certification. BAO training topics have included cost estimating, the PNP, certification, contract compliance and how to do business with Metro.

One of the primary networking events for BAO is Metro Nashville Government 2017 Annual Business Symposium, with attendance ranging from 70 to 200 participants, including 20 to 30 prime contractors. As part of the networking process, BAO has MWBEs fill out capacity information forms on firm work force, bonding capacity, experience, and related matters that can be forwarded to prime contractors.

The BAO also collaborates on a business resource partner roundtable, for sponsoring networking events and maintaining a common calendar of events and training to avoid duplication of efforts.

The Metro Nashville ordinance provides that the "BAO shall encourage all contractors and

⁵⁶ Metro Nashville Code of Ordinances § 4.44.010 – Definitions.

⁵⁷ Metro Nashville Code of Ordinances § 4.44.010 – Definitions.

subcontractors to participate in a Mentor/Protégé initiative on a voluntary basis...”⁵⁸ Although there is no formal Metro Nashville mentor/protégé program, BAO does work with prime contractors on mentor/protégé efforts in Construction.

Metro Nashville does not have a loan or bonding program, but BAO does collaborate with programs that provide those services, including the NBIC Incubation Center, OneFund, the Minority Business Development Center, and Empowerment. Metro Nashville does not provide funding to any of these programs.

J. Business Assistance Office

1. Mission and Objectives

The BAO Office mission as stated in the Metro Nashville budget is as follows:

The purpose of the Business Assistance Office Program is to provide contract monitoring and business development/outreach products so that Metro Nashville can purchase products, services, and Construction to ensure economic inclusion of small, minority owned and woman-owned businesses and service-disabled veteran owned firms.⁵⁹

2. Tasks

BAO tasks as listed on the Metro Nashville ordinance are listed in Table 9 below. The status of those tasks is also listed in Table 8.

⁵⁸ Metro Nashville Code of Ordinances § 4.46.130 - Mentor-protégé initiative.

⁵⁹ Metro Nashville, Citizens' Guide to the Metro Nashville Budget, Finance.

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Table 9: Business Assistance Office Tasks Metro Nashville

Metro Nashville Disparity Study

Tasks	Status
1. Verifying certification of MWBEs.	Being undertaken
2. Maintaining outreach and assistance programs.	Being undertaken. See discussion of business development above.
3. Maintaining a current database of certified and available MWBEs and making this database accessible to interested parties.	Being undertaken. certification above.
4. Monitoring utilization of MWBE.	Being undertaken. See Reporting MWBE Utilization below.
5. In consultation with the Purchasing Agent, recommending reasonable MWBE Benchmark ranges and, should Goals become necessary, recommending reasonable Goals to the Director of Finance and the Director of Law.	Being undertaken, but no goals have been set.
6. Developing and supplying to each Bidder, as part of each Bid solicitation, forms for (a) the Covenant of Non-Discrimination, Statement of Successful Subcontractors, (b) Statement of Written Notification to MWBEs, (c) Statement of Interested Subcontractors/Vendors, (d) Statement of Bid Proposals/Price Quotations and (e) Letter of Intent to Perform as a Subcontractor/Joint Venturer.	Being undertaken/ See discussion of Good Faith Efforts above.
7. Investigating written complaints.	Investigates reported all violations
8. Notifying affected parties in writing of their right to review an adverse recommendation of the BAO.	Being undertaken.
9. Preparing reports as requested by the Purchasing Agent or the Finance Director as well as semiannual and annual reports.	Being undertaken. See discussion of reporting MWBE utilization below.

Source: Metro Nashville Code of Ordinances 4.46.030.B – Duties.

While the BAO has undertaken all of its specified duties on the above list, some tasks that similar offices provide include: working with an MWBE advisory committee, providing advance substantive input in a contract specification review process, reporting to the City and the public on at least an annual basis as to Metro’s progress toward satisfying the MWBE Program purposes, conducting periodic audits of GFE documentation, providing screening of MWBE firm certifications, and overseeing the maintenance of an accurate contract performance reporting system.

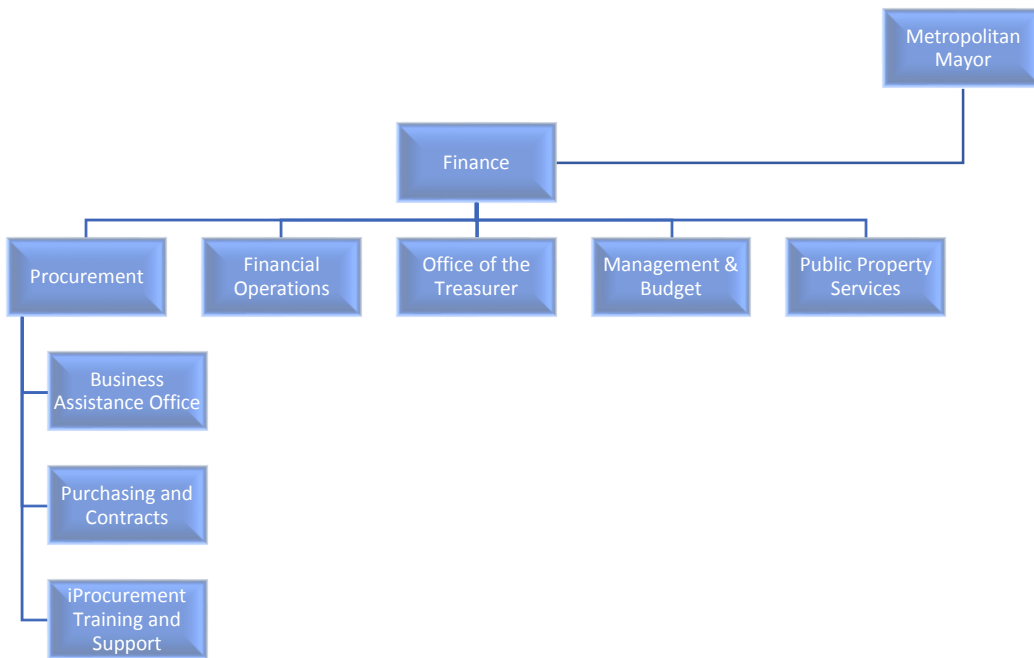
3. BAO Budget and Staffing.

The BAO budget lists six (6) staff, which are identified on the BAO website as a manager, three procurement officers, a business development officer, and a procurement resource specialist. There is no internal or external MWBE Advisory Committee, composed of internal or external stakeholders.⁶⁰

4. Organizational Chart

As can be seen in Figure 1, the BAO is part of the Procurement Division which is then part of the Finance Department. While this organizational placement is not unusual, such a reporting distance from the mayor tends to limit the effectiveness of most MWBE programs. However, it is worth observing that the former Director of the BAO is now Metro’s Purchasing Agent.

Figure 1: Organizational Chart



Source: Metro Nashville, Citizens' Guide to the Metro Nashville Budget, Finance

⁶⁰ In 2016 the Metro Nashville Mayor’s Executive Order Number 026 did establish a Diversity Advisory Committee focused on Metro’s workforce hiring, but not contracting.

K. Mayor's Office for Small Business and Entrepreneurship

A unique complexity in the Metro Small Business approach is the existence of a separate small business entity within the municipal structure. The Mayor's Office of Small Business and Entrepreneurship was developed in 2016 under Mayor Megan Barry to support Nashville's economic growth with a focus on community economic development through the small and creative business community. This office is housed within the Office of Economic Development and consist of one staff member who reports directly to the Mayor.

The function of this office, especially in relation to the Metro BAO program, has been unclear for Metro staff, who report some uncertainty with the role and how it is designed to interface with BAO. BAO, as chartered, exist for the purpose of furthering business opportunity and development for both small and minority businesses. The purpose of this office seems duplicative in providing services that encourage growth of what was regularly referred to by staff as "main street" businesses and the creative economy.

This office was also tasked with the responsibility to "fill gaps" to business development and "grow cultural assets" through work with organizations that support small businesses and provision of services such as networking, training and consulting services to "understand how businesses are using these (available) services."⁶¹

The Mayor's Small Business office operates independently of BAO, creating further confusion in areas where the mission of these two offices seems to intersect, such as through provision of supportive services, coordination of business development resources, outreach, and oversight for contract compliance, goal setting, and diverse business utilization on projects receiving PILOT funding (as noted above). This relationship is explored further in the Anecdotal chapter of this Study.

L. Reporting MWBE Utilization

1. *Disparity Study*

Metro Nashville has released a previous disparity study in 2004 covering the FY 1999 to FY 2003. The 2004 Study showed statistically significant underutilization for the study period in the following procurement categories: 1) Construction Prime Contracting 2) Professional Services Prime Contracting, 3) Goods and Services Prime Contracting 4) Professional Services Subconsulting. Further results on MWBE utilization during the study in the 2004 Disparity Study are as follows:

- WBEs received \$266,110, or 0.10 percent, and MBEs \$0 as Construction prime contractors.⁶¹
- WBEs received \$138,152, or 10.52 percent, and MBEs \$602,064, or 45.83 percent, as Construction subcontractors.⁶²
- No Minority and Women owned businesses were awarded prime contracts in Professional Services by Metro Nashville Purchasing.⁶³
- WBEs received \$44,796, or 0.03 percent, and MBEs \$8,419 or, 0.01 percent, as Professional Services subconsultants.⁶⁴

⁶¹ Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 14.

⁶² Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 15.

⁶³ Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 17. ⁶⁴ Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 18.

⁶⁴ Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 17. ⁶⁴

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- WBEs received \$ 23,901,198 or 2.51 percent, and MBEs \$78,548,554, or 8.26 percent, for Goods and Services.⁶⁵

2. Reporting Annual MWBE, SBE, and SDV Utilization

The PNP gives the BAO the following MWBE utilization reporting duties:

The Business Assistance Office shall submit an annual report to the Metropolitan Council regarding the effectiveness of the Program. Such report shall include, without limitation, a summary of the purchases, contracts and subcontracts placed with MWBEs for the period and the relative percentage to the total of purchases and contracts for that period. The reports shall also emphasize quantity and quality of MWBE involvement by dollar volume. The report shall specify the race, national origin, gender, and UNSPSC with each category reported separately. Payments made to non-certified MWBEs shall be included as a separate set of figures for purposes of tabulating the total contract dollars going to MWBEs. The report shall include an analysis of the percentage for the reporting period of MWBE awards of the total awards for each MWBE category and Purchasing Sector and the percentage of availability of MWBEs in the MSA for each MWBE category and Purchasing Sector⁶⁶ (emphasis added).

BAO issues regular KPI reports that are posted monthly on the web.⁶⁷ The KPI reports give data on

- MBE, WBE, SBE certification counts, by certification status and gender.
- MBE, WBE, SBE prime contractor and subcontractor utilization by certification status and by gender and as a percentage of total spending for the period.

The BAO KPI reports do not decompose the data by purchasing sector (Construction, Professional Services, etc.). Metro Nashville also does not collect and report MWBE, SBE and SDV spending by departments under department delegated purchasing authority. Monthly and quarterly reports of MWBE spending are posted on the web, but not annual reports.

Table 11 below shows that Metro Nashville spent \$64.8 million with MWBEs in FY 2016-17, six point five percent of the total spending over the period. Metro Nashville spent \$160.0 million with SBEs, 16.1 percent of the total. This data includes purchases with certified and non-certified MWBEs. While, as noted earlier, the majority of the MWBEs in the Metro Nashville vendor database are non-certified firms, the overwhelming majority of the dollars spent with MWBEs is with certified firms. To take one example, in June 2017, Metro Nashville spent \$49,713 with non-certified MWBEs, two point eight percent of spending with MBEs, and \$75,222 spending with non-certified WBEs, one point six percent of spending with WBEs. Metro Nashville spent no dollars with non-approved SBEs June 2017.

This BAO KPI data also includes subcontractor data, although the subcontractor data is reportedly not complete. Prime contractors regularly only report MWBE subcontractors. Metro Nashville is moving towards tracking all subcontractors in their iSupplier system. Metro Nashville staff reports that they feel there is second tier MWBE participation, but that participation is not tracked.

Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 18.

⁶⁵ Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 17. 64

Griffin & Strong, Metropolitan Government of Nashville and Davidson County Disparity Study: Table 18.

⁶⁶ Metro Nashville Code of Ordinances § 4.46.030.D. – Duty to Report.

⁶⁷ Council Reports for Monthly Contract Abstracts also reports MWBE, SBE, DBE and SDV spending

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Table 10: Metro Nashville MBE, WBE, SBE Spending

**(Certified and Non-Certified MWBEs)
Metro Nashville Disparity Study
FY 2016-2017**

Month FY 2016- 2017	MBEs		WBEs		SBEs	
	Dollars	Percent	Dollars	Percent	Dollars	Percent
July	\$1,805,773	2.3%	\$1,342,190	1.7%	\$10,858,065	13.6%
August	\$5,703,327	5.0%	\$2,989,747	2.6%	\$13,952,971	12.2%
September	\$1,456,185	2.0%	\$8,302,064	11.3%	\$15,847,113	21.6%
October	\$1,516,056	2.8%	\$1,278,994	2.4%	\$8,240,206	15.3%
November	\$5,049,905	5.5%	\$4,073,049	4.5%	\$6,468,180	7.1%
December	\$1,533,982	3.8%	\$524,505	1.3%	\$13,161,036	32.3%
January	\$4,251,227	3.7%	\$929,560	0.8%	\$13,798,467	12.1%
February	\$1,124,300	1.5%	\$2,315,121	3.1%	\$17,714,707	23.9%
March	\$1,393,331	1.3%	\$3,695,088	3.5%	\$14,090,877	13.3%
April	\$3,923,465	8.2%	\$1,359,449	2.8%	\$8,440,496	17.6%
May	\$1,496,337	2.0%	\$2,325,837	3.1%	\$19,672,854	26.2%
June	\$1,902,907	1.6%	\$4,636,095	3.8%	\$17,825,560	14.7%
Total	\$31,156,795	3.1%	\$33,771,699	3.4%	\$160,070,532	16.1%

Source: BAO Monthly KPI Reports, July 2016-June 2017

Metro Nashville Quarterly reports also separately report MWBE subcontractor spending. For example, for the first quarter of FY 2017 Metro Nashville reported spending:

- \$ 19,380,172 with MWBE prime contractors
- \$ 3,619,403 with MWBE subcontractors
- \$ 22,999,575 total with MWBEs
- 13.22 % of the total of all procurement transaction values.
- \$21,940,992 with SBE prime contractors
- \$ 6,759,938 with SBE subcontractors
- \$28,700,930 total with SBEs
- 16.49% of the total of all procurement transaction values. ⁶⁸

⁶⁸ Metropolitan Government of Nashville & Davidson County Business Utilization Quarterly Report Highlights FY 17 – 1st Quarter (July – September 2016).

M. Conclusions

The Metro Nashville PNP is a stable program that has been largely race neutral over the Study period. The PNP GFE requirements, as currently implemented, are essentially outreach. However, due to gaps in the current vendor identification, including commodity codes, work categories and contact information it has rendered the GFE process unreliable. Metro Nashville has commissioned benchmark studies; however, benchmarks have not been used to set race conscious annual or project goals as identified in ordinance.

The Metro Nashville SBE program has had stronger tools in the form of goals, bid preferences and set-asides and, based on published Metro Nashville data, has been more relatively successful in achieving SBE utilization despite the inconsistent application of its SBE goals program. Other entities, such as the Mayor's Office for Small Business may have helped further SBE participation through connecting with community resources, but its distance from BAO may also create an additional barrier in business development and municipal efficiency. The SDV program has similar tools as the SBE program, but has very few program participants.

The BAO has implemented some of the tasks assigned to it, but for a myriad of reasons such as lacking administrative, legislative, and infrastructure support, left many available tools which could have positively impacted MWBE utilization, unused. Some aspects of reporting SBE and MWBE utilization could be strengthened, such as more comprehensive collection of subcontractor data and reporting data by procurement category.

The impact of these policies and controversies is evaluated further in the qualitative and anecdotal material in subsequent chapters in this report.

Detailed recommendations about Metro Nashville procurement and MWBE policy are found in the recommendations chapter below. Those recommendations are based on the combination of the findings in this chapter with the findings in the statistical and anecdotal chapters in this report.

IV. QUANTITATIVE ANALYSIS

A. Introduction

In pursuing a response to the research question, the quantitative analysis measures and compares the percentage of ready, willing, and able MWBE firms within Metro Nashville’s geographical and product market areas (“Availability”) to the utilization of MWBEs, measured by the percentage of dollars awarded to these groups by Metro Nashville (“Utilization”).

The result will determine whether there is a disparity between Availability and Utilization indicating overutilization, underutilization, or parity, which is the percentage to be expected (“Simple Disparity”). Further, the Simple Disparity is tested to see if it is statistically significant. Finally, the regression analysis contained in Chapter V: Private Sector Analysis will test other explanations for the disparity to determine if it is likely that the disparity is caused by MWBE status, or other factors. If there is statistically significant underutilization of MWBEs that is likely caused by race/ethnicity/gender, then GSPC will determine that there is a legal basis for an inference of discrimination.

B. Data Assessment

The data assessment meeting occurred on July 25, 2017. The Griffin & Strong, P.C. (“GSPC”) team of Project Manager, Michele Clark Jenkins; Deputy Project Manager, Sterling Johnson; Sr. Data Analyst, Tanesha Jones; and Data Analyst, Felicia Loetscher traveled to Nashville and met with Michelle Lane, Chief Procurement Officer; Melissa Day, Information Technology Services; Bryan Gleason, Contract Compliance Specialist; (“Meeting”) to establish:

1. How data maintenance has changed since the Benchmark;
2. What data is needed for the Disparity Study
3. Whether the data is available electronically or must be entered manually;
4. What fields of data are needed and what fields are available;
5. Whether any obstacles to data collection or data entry exist;
6. Process for data to be provided to GSPC.

The Data Assessment Report is attached as Appendix B.

C. Data Setup

Following approval of the Data Assessment Report, GSPC developed and executed a Data Collection Plan and submitted data requests to Metro Nashville. The Data Collection Plan set out the process for collecting manual and electronic data for statistical analyses. In addition, it included a plan for collecting data needed for the anecdotal portions of the study which included surveys, public hearings, focus groups, and interviews. GSPC’s Data Collection Plan is attached hereto as Appendix C.

Research Question

Is there a statistically significant disparity in the relevant geographic and product markets between the percentage of qualified MWBE's willing and able to provide goods or services to Metro Nashville in each of the categories of contracts and the percentage of dollars spent with such firms by the City (whether as prime contractors/consultants or subcontractors/consultants)?

1. ***Electronic Data***

Electronic data (MS Excel or other computer spreadsheets) supplied by Metro Nashville and other data collected by GSPC were catalogued and stored in GSPC's computer systems after the data collection effort. The data entered were used to develop databases containing contracting history for each business type. GSPC related all of the databases collected in order to cross-reference information among the files, including matching addresses, work categories, and MWBE assignments.

2. ***Manual Data Entry***

Some of Metro Nashville's data were not available in electronic format and had to be entered manually by GSPC. This included the Sub Reports that were pulled from Metro Nashville's system by the GSPC data team.

D. Data Assignment, Cleanup and Verification

After the completion of data collection, the data were electronically and manually "cleaned" to find duplicates (both electronically and manually) and fill in unpopulated fields. The cleanup phase also included the following five (5) tasks:

- Assigning and verifying ethnicity, race & gender of each firm;
- Assigning each firm to one or more of the five (5) business categories based upon the kind of work that the firm performs as well as an industry class associated with the business category;
- Utilizing zip codes to determine certain areas to assign each firm's location;
- Matching files electronically to pick up addresses, ethnicity/race/gender, and/or work category, then creating a master MWBE list from both City and outside sources that it used to match against all databases used for analysis to make sure that there were consistent ethnicity/race/gender assignments (see 1 below); and
- Filling in any additional missing data on firms.

File cleanup was first done electronically by linking information provided by Metro Nashville to certain indicators, like commodity codes, or cross-referencing information with other files to fill in missing fields.

1. ***Assignment of Race/Gender/Ethnicity: Master MWBE List***

The City does not certify or maintain a list of MWBEs; therefore, GSPC compiled Metro Nashville assignments, including the certified DBE lists from third parties, and created a Master MWBE List. It then used this list to match against all files used in the analyses to make sure that MWBE assignments were consistent. In order to identify all minority and woman owned firms, GSPC utilized the assignments given to firms in the following databases:

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- Metro POs
- Metro Contracts
- Metro Suppliers
- Metro Bidders
- Metro Sub Contractor Payments
- Metro Subcontractor Reports
- Metro Approved MWBEs
- Minority Enterprise Growth and Needs Study Results List
- GoDBE
- Nashville Airport
- TNUCP
- TDOT
- SAM
- Hoover Data (Dun & Bradstreet)

This list was then checked for any inconsistencies and matched to all files used for analysis to insure consistent race/gender/ethnicity.

In assignment of race/gender/ethnicity, priority is given to race/ethnicity, so that all minority owned firms were categorized according to their race/ethnicity and not by gender. Women are Caucasian woman owned firms and Caucasian male owned firms are categorized as Non-MWBE firms.

2. *Assignment of Business Categories*

Firms were analyzed in one of five (5) business categories:

- Construction
- Construction Related Professional Services (sometimes referred to as “A&E”)
- Professional Services
- Non-Professional Services
- Goods

Firms were also analyzed in one of the industry classes below that is related to their business category:

- Construction Related Professional Services: Architecture & Engineering
- Construction Related Professional Services: Other
- Construction Related Professional Services: Construction Management
- Construction Related Professional Services: Surveying
- Construction: Bridges, Roadway, Airport Construction
- Construction: Commercial and Residential Building Construction
- Construction: Other Construction
- Construction: Sewer, Waste, Utilities Construction
- Goods: Chemicals & Cleaning Goods
- Goods: Consumable Goods
- Goods: Drug Goods
- Goods: Medical Equipment Goods

- Goods: Office Equipment & Supply Goods
- Goods: Other Goods
- Goods: Software Goods
- Goods: Water & Waste Treatment Goods
- Non-Professional Services: Agriculture/Livestock/Forestry Services/Mining Services
- Non-Professional Services: Building Repair and Maintenance Services
- Non-Professional Services: Computer/IT Service
- Non-Professional Services: Educational Services
- Non-Professional Services: Entertainment/Hospitality Services
- Non-Professional Services: Landscaping
- Non-Professional Services: Environmental Services
- Non-Professional Services: Janitorial Services
- Non-Professional Services: Transportation Services
- Non-Professional Services: Other
- Non-Professional Services: Weapons & Security Services
- Professional Services: Finance/Insurance/Real Estate
- Professional Services: Professional Services (Legal, Medical/Health Services, Consulting)

In order to place firms in their proper business categories and industry classes, GSPC used a variety of methods, as not all databases used uniform identifiers. In some cases, GSPC used NAICS and UNSPS codes, and in other instances, GSPC relied on Metro Nashville or other governmental entities' identifications; in still others, GSPC used word descriptions of the firm or project. Some firms were able to be identified by their names and some had to be Google searched for work categories.

3. *Contract Classifications*

Firms were identified and classified into the following five (5) work categories:

- a) Construction – "Construction services" shall mean all services related to the construction phase of a project, including professional services ancillary to construction, such as, but not limited to, architectural, engineering, land surveying, testing, and construction management services. For sake of this Study, GSPC has broken professional services into a separate category called, "A&E."
- b) A&E – see definition contained under Construction above.
- c) Other Professional Services—legal services, fiscal agent, banking, medical, financial advisor or advisory services, consultant services, and similar services by professional persons or groups, particularly professions requiring licensing.
- d) Non-Professional Services – services not included in any of the Professional Services listed above, such as landscaping, janitorial, IT, maintenance, repair, advertising, and other services.
- e) Goods – all physical materials, supplies, and equipment; excludes real property.

E. Data Source Description

The following describes the databases created by GSPC and used for the analyses contained in this Study:

1. *Bidders*

Bidders (both successful and unsuccessful) are from centralized electronic files. Bidder information only provides details about the prime vendors. The firms on the Bidders' List are included in the Master Vendor File (see below) for inclusion in the Availability Estimates and were used as an alternative method to determine the Relevant Market.

2. *Contract Awards*

All Contract Awards from the Study Period were included in the analysis. They were provided electronically in spreadsheets. This list was used to create the mailing list for the Prime Vendor Questionnaire and to conduct the Availability analysis. Contracts, along with Purchase Orders were used to determine Prime Utilization, Threshold, and Relevant Market.

3. *Purchase Orders ("Purchase Order")*

Purchase Orders issued during the Study Period were provided electronically in spreadsheets. These were combined with Contracts to determine Prime Utilization, Relevant Market, and Threshold. The firms were also included in Availability and used for the mailing list for the Prime Vendor Questionnaire.

4. *Suppliers(Current)*

Suppliers were provided electronically in spreadsheets. These were cleaned and used for Availability Analysis.

5. *Subcontractor Data*

Subcontractor Payments were supplied electronically; however, subcontractor reports were gathered manually by GSPC staff and entered into spreadsheets. All subcontractor data was combined and used for Availability Analysis.

6. *Outside Lists*

Certified outside lists such as TNUCP, GoDBE, Nashville Airport, and TDOT were used for obtaining MWBEs as well as used for availability analysis. Non-certified lists such as Hoover and SAM were used to identify and verify minority status of firms in the Master MWBE List.

7. *Master Vendor File*

The purpose of the Master Vendor File is to collect, in one database, a listing of all firms that are ready, willing, and able to do business with Metro Nashville. It includes internal lists from Nashville as well as outside governmental lists. By including the outside lists, GSPC has a broader inclusion of firms that have expressed an interest in doing business with government by at least registering.

The Master Vendor file is a compilation of all lists used to determine availability estimates. It was also used to match and verify data in other data files, particularly to make sure that information assigned to firms for utilization calculations matched the information assigned to firms for availability calculations. This is important to make sure that GSPC is comparing like-data to like-data. The Master Vendor File contains the lists of firms from the following data sources:

a) *Nashville Data Files*

- Suppliers (Current)
- Contract Awards
- Bidders (successful and unsuccessful)
- Purchase Orders
- Subcontractor Payments
- Subcontractor Reports (PDF)
- Prime Vendor Questionnaire (for subcontractors)

b) *Outside Files*

- TDOT
- TNUCP
- Nashville Airport
- GoDBE

8. *Prime Vendor Questionnaire*

Since Metro Nashville does not maintain subcontractor information GSPC utilized a Prime Vendor Questionnaire to request subcontractor information from prime contractors. The Prime Vendor Questionnaire (“Questionnaire”) was conducted through a mailed and emailed questionnaire prepared by GSPC and sent to all firms awarded contracts during the Study Period, except Goods (because Goods do not generally have subcontractors). A copy of the questionnaire is attached as Appendix D.

GSPC sent out 1734 Prime Vendor questionnaires and received 161 responses or 9.28%. Of those firms that responded, 37 had subcontractors or 22.98%. There were 178 contractors, in Construction and A&E, these were sufficient occurrences to draw inferences about Metro Nashville’s subcontracting.

The responses of the Prime Vendor Questionnaire were used to calculate Subcontractor Utilization and to include subcontractors in Availability Estimates. In addition, the subcontractor race/ethnicity/gender identification was used to verify like information provided by Nashville in various databases.

F. Relevant Market Analysis

The now commonly held idea that the relevant market area should encompass at least 75% to 85% of the "qualified" vendors that serve a particular sector has its origins in antitrust lawsuits.⁶⁹ In line with antitrust precepts, United States Supreme Court Justice Sandra Day O'Connor, in Crosby, specifically criticized Richmond, Virginia, for making Minority Business Enterprises (MBEs) all over the country eligible to participate in its set-aside programs. The Court reasoned that a mere statistical disparity between the overall minority population in Richmond, Virginia, which was 50% African American, and the award of prime contracts to minority owned firms, 0.67% of which were African American owned firms, was an insufficient statistical comparison to raise an inference of discrimination. Justice O'Connor also wrote that the relevant statistical comparison is one between the percentage of Minority Business Enterprises in the marketplace [or *Relevant Market*] who were qualified to perform contracting work (including prime and subcontractors) and the percentage of total County contracting dollars awarded to minority firms. For purposes of this Study, GSPC used the 75% benchmark to determine relevant market.

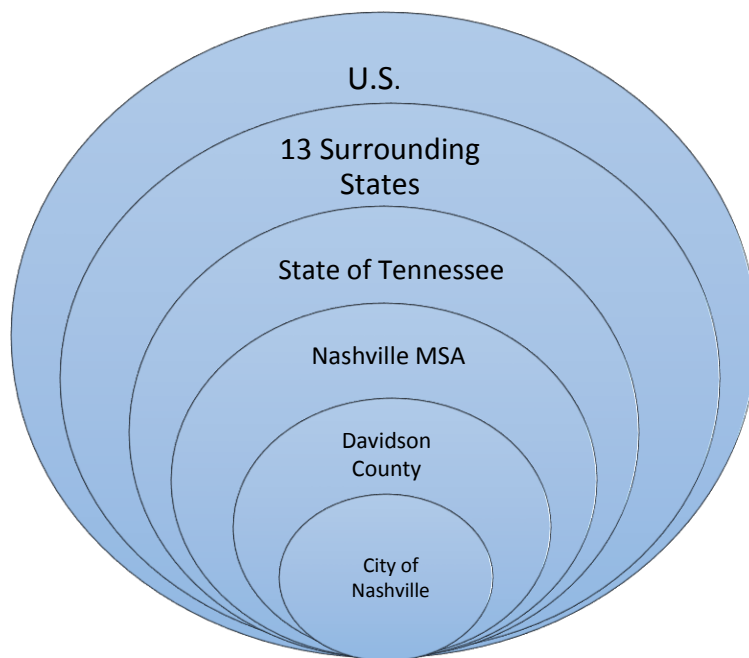
The relevant market has been determined for each of the major procurement categories:

- Construction
- Construction Related Professional Services ("A&E")
- Other Professional Services
- Non-Professional Services
- Goods

For each procurement category, GSPC measured the "relevant market" by the area where at least 75% of Metro Nashville's Contract and Purchase Order dollars were spent during the Study Period. Figure 1, below, summarizes the geographic area where at least 75% of Contract and Purchase Order were spent in each industry. In analyzing the relevant market data, GSPC tabulated the percentage of dollars spent, beginning with Metro Nashville (by zip codes). GSPC continued counting in the radius surrounding Metro Nashville until the cumulative percentage was equal to or greater than 75%.

⁶⁹ D. Burman. "Predicate Studies: The Seattle Model," Tab E of 11-12 Minority and Women Business Programs Revisited (ABA Section of Public Contract Law, Oct. 1990).

Figure 2: Levels of Measurement for Geographic Relevant Market



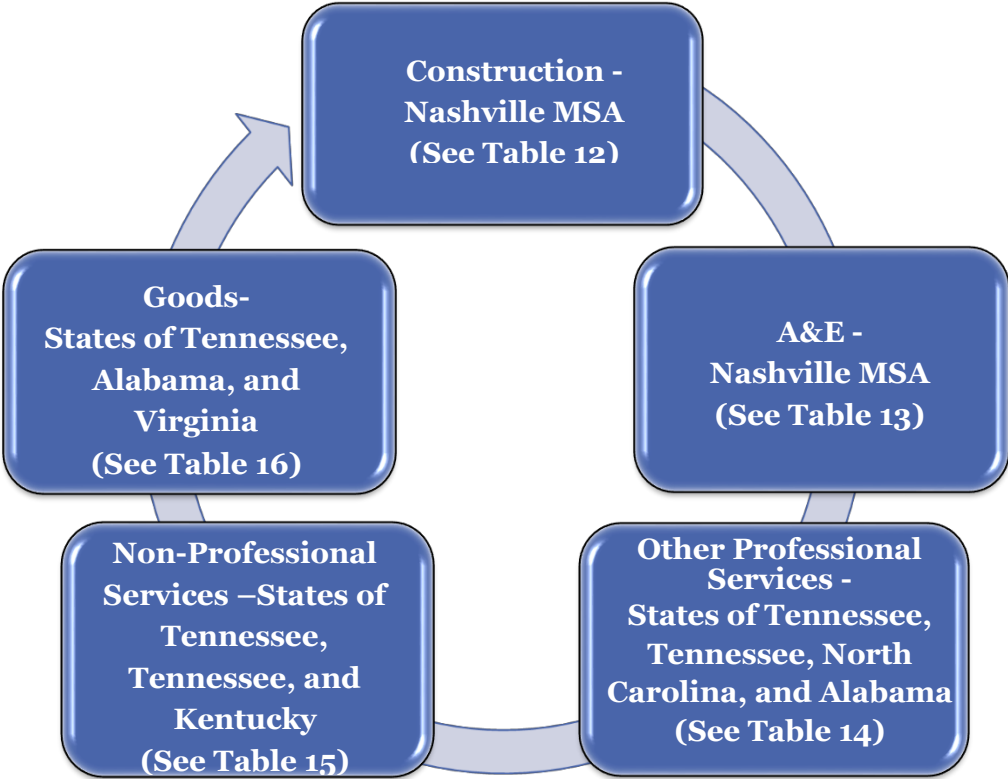
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In analyzing the relevant market data, GSPC tabulated the percentage of utilization, beginning with City of Nashville. If the Contract and PO dollars that were spent within Metro Nashville did not reach the 75% benchmark, then GSPC began counting the dollars from Davidson County until the total percentage reached 75%. If the benchmark of 75% was still not met, GSPC continued by counting the counties in the Nashville MSA of Cannon (TN), Cheatham (TN), Hickman (TN), Macon (TN), Maury (TN), Robertson (TN), Rutherford (TN), Smith (TN), Sumner (TN), Trousdale (TN), Williamson (TN), Wilson (TN), and Dickson (TN) counties. If still not reaching the 75%, GSPC included the remaining State of Tennessee. If GSPC exhausted the firms within the State of Tennessee and the 75% benchmark still had not been reached, GSPC analyzed the utilization of Contract and PO dollars in the neighboring states, beginning with those states where the utilization was highest. Neighboring States were Tennessee, Illinois, Indiana, Kentucky, Ohio, West Virginia, North Carolina, Georgia, Alabama, Mississippi, Arkansas, South Carolina, and Virginia. In situations in which the firms within the surrounding states had been exhausted, but the 75% benchmark still had not been reached, it was appropriate to make the determination that the relevant market is the entire United States.

GSPC utilizes a “radiate-out” methodology for determining the relevant geographic market because the courts have been consistent in ruling that it is appropriate for the relevant market to encompass the jurisdiction of the governmental entity. It has also been widely accepted that the relevant market may extend beyond the “jurisdictional boundaries” of the governmental entity and may include contiguous jurisdictions, or even MSAs. Courts have clearly upheld cases where a whole state and surrounding states could be included, if indicated.

The Relevant Geographic Market for each business category is determined as follows:

Table 11: Summary of Geographic Relevant Market
(Contract and PO Dollars FY2013-FY2017)
Nashville Disparity Study



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Tables 12-16 detail the Contract and PO dollars spent in each level of the Geographic Relevant Market calculations. In Construction and A&E, it is notable that around 80% of all Contract and PO dollars are spent within the Nashville MSA.

Also notable is in Other Professional Services, Contract and PO dollars are much broader, spent in the State of Tennessee, North Carolina, and Alabama at 78%. About 75% of Non-Professional Services dollars are spent in Tennessee and Kentucky.

In the Goods business category, the 75% threshold is met with the State of Alabama and the State of Virginia at about 76%.

Overall, when all business categories are analyzed together, 76% of the Contract and PO dollars are spent in the Nashville MSA.

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**Table 12: Geographical Relevant Market – Construction
(Contract and PO Dollars FY2013-FY2017)
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	Dollars	Percent	Cumulative Dollars	Cumulative Percent
City of Nashville	\$1,009,861,958	63%	\$1,009,861,958	63.09%
Davidson County	\$40,425,199	3%	\$1,050,287,157	65.62%
Nashville MSA	\$301,885,771	19%	\$1,352,172,928	84.48%
State of Tennessee	\$13,178,872	1%	\$1,365,351,800	85.30%
Missouri	\$136,415,095	9%	\$1,501,766,895	93.82%
Indiana	\$31,602,911	2%	\$1,533,369,806	95.80%
Kentucky	\$31,140,204	2%	\$1,564,510,010	97.74%
Georgia	\$14,190,480	1%	\$1,578,700,490	98.63%
Alabama	\$9,655,707	1%	\$1,588,356,197	99.23%
North Carolina	\$5,594,455	0%	\$1,593,950,652	99.58%
Ohio	\$328,519	0%	\$1,594,279,171	99.60%
Illinois	\$248,275	0%	\$584,665,488	99.62%
Virginia	\$117,483	0%	\$544,357,772	99.63%
South Carolina	\$4,308	0%	\$242,476,309	99.63%
Arkansas	\$948	0%	\$229,298,385	99.63%
Mississippi	\$0	0%	\$92,883,290	99.63%
West Virginia	\$0	0%	\$61,280,379	99.63%
United States	\$5,971,014	0%	\$1,600,621,199	100.00%
Total	\$1,600,621,199	100%		

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Table 13: Geographical Relevant Market – A/E
(Contract and PO Dollars FY2013-FY2017)
Nashville Disparity Study

	Dollars	Percent	Cumulative Dollars	Cumulative Percent
City of Nashville	\$294,627,015	60%	\$294,627,015	60.28%
Davidson County	\$21,558,693	4%	\$316,185,708	64.69%
Nashville MSA	\$107,763,934	22%	\$423,949,642	86.73%
State of Tennessee	\$11,077,848	2%	\$435,027,490	89.00%
Mississippi	\$14,457,612	3%	\$449,485,102	91.96%
Alabama	\$9,637,682	2%	\$459,122,784	93.93%
Indiana	\$7,391,029	2%	\$466,513,813	95.44%
Virginia	\$4,101,090	1%	\$470,614,903	96.28%
Georgia	\$2,335,782	0%	\$472,950,685	96.76%
South Carolina	\$1,799,999	0%	\$474,750,684	97.13%
Illinois	\$1,759,670	0%	\$476,510,354	97.49%
Missouri	\$822,127	0%	\$182,705,466	97.66%
Ohio	\$489,562	0%	\$161,636,335	97.76%
North Carolina	\$194,543	0%	\$54,066,944	97.80%
Kentucky	\$8,817	0%	\$42,997,913	97.80%
Arkansas	\$0	0%	\$28,540,301	97.80%
West Virginia	\$0	0%	\$478,025,403	97.80%
United States	\$10,765,452	2%	\$488,790,855	100.00%
Total	\$488,790,855	100%		

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**Table 14: Geographical Relevant Market – Other-Professional Services
(Contract and PO Dollars FY2013-FY2017)
Nashville Disparity Study**

	Dollars	Percent	Cumulative Dollars	Cumulative Percent
City of Nashville	\$3,563,373	15%	\$3,563,373	15.32%
Davidson County	\$45,627	0%	\$3,609,000	15.52%
Nashville MSA	\$1,127,521	5%	\$4,736,521	20.37%
State of Tennessee	\$2,927,044	13%	\$7,663,565	32.95%
Missouri	\$6,308,187	27%	\$13,971,752	60.08%
North Carolina	\$2,749,199	12%	\$16,720,951	71.90%
Alabama	\$1,500,396	6%	\$18,221,347	78.35%
Georgia	\$145,639	1%	\$18,366,986	78.97%
Illinois	\$43,693	0%	\$18,410,679	79.16%
Kentucky	\$16,600	0%	\$18,427,279	79.23%
South Carolina	\$0	0%	\$18,427,279	79.23%
Arkansas	\$0	0%	\$14,863,906	79.23%
Mississippi	\$0	0%	\$14,818,279	79.23%
Indiana	\$0	0%	\$13,690,758	79.23%
Ohio	\$0	0%	\$10,763,714	79.23%
Virginia	\$0	0%	\$4,455,527	79.23%
West Virginia	\$0	0%	\$18,427,279	79.23%
United States	\$4,829,854	21%	\$23,257,133	100.00%
Total	\$23,257,133	100%		

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**Table 15: Geographical Relevant Market – Non-Professional Services
(Contract and PO Dollars FY2013-FY2017)
Nashville Disparity Study**

	Dollars	Percent	Cumulative Dollars	Cumulative Percent
City of Nashville	\$167,077,284	53%	\$167,077,284	52.82%
Davidson County	\$1,843,560	1%	\$168,920,844	53.41%
Nashville MSA	\$30,658,661	10%	\$199,579,505	63.10%
State of Tennessee	\$26,056,466	8%	\$225,635,971	71.34%
Missouri	\$6,994,196	2%	\$232,630,167	73.55%
Kentucky	\$6,048,485	2%	\$238,678,652	75.46%
Alabama	\$5,097,802	2%	\$243,776,454	77.07%
Indiana	\$5,022,438	2%	\$248,798,892	78.66%
North Carolina	\$2,998,115	1%	\$251,797,007	79.61%
Virginia	\$2,714,767	1%	\$254,511,774	80.47%
Ohio	\$1,624,689	1%	\$256,136,463	80.98%
Georgia	\$1,485,077	0%	\$257,621,540	81.45%
South Carolina	\$674,547	0%	\$91,218,803	81.66%
Illinois	\$392,333	0%	\$89,767,576	81.79%
Arkansas	\$26,591	0%	\$59,135,506	81.80%
Mississippi	\$1,725	0%	\$33,080,765	81.80%
West Virginia	\$0	0%	\$26,086,569	81.80%
United States	\$57,576,075	18%	\$316,292,811	100.00%
Total	\$316,292,811	100%		

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**Table 16: Geographical Relevant Market – Goods
(Contract and PO Dollars FY2013-FY2017)
Nashville Disparity Study**

	Dollars	Percent	Cumulative Dollars	Cumulative Percent
City of Nashville	\$407,695,386	36%	\$407,695,386	35.76%
Davidson County	\$151,186,455	13%	\$558,881,841	49.01%
Nashville MSA	\$195,320,250	17%	\$754,202,091	66.14%
State of Tennessee	\$39,697,678	3%	\$793,899,769	69.63%
Alabama	\$40,316,178	4%	\$834,215,947	73.16%
Virginia	\$34,105,843	3%	\$868,321,790	76.15%
North Carolina	\$18,472,089	2%	\$886,793,879	77.77%
Georgia	\$17,031,785	1%	\$903,825,664	79.27%
Indiana	\$16,437,000	1%	\$920,262,664	80.71%
Ohio	\$15,596,057	1%	\$935,858,721	82.08%
South Carolina	\$13,161,219	1%	\$949,019,940	83.23%
Illinois	\$8,390,858	1%	\$549,715,412	83.97%
Kentucky	\$6,539,287	1%	\$405,068,244	84.54%
Missouri	\$6,665,097	1%	\$216,413,091	85.12%
Mississippi	\$1,416,191	0%	\$178,131,604	85.25%
West Virginia	\$339,771	0%	\$138,155,197	85.28%
Arkansas	\$93,782	0%	\$972,464,926	85.29%
United States	\$167,775,880	15%	\$1,140,240,806	100.00%
Total	\$1,140,240,806	100%		

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Table 17: Geographical Relevant Market – All Business Categories
(Contract and PO Dollars FY2013-FY2017)
Nashville Disparity Study

	Dollars	Percent	Cumulative Dollars	Cumulative Percent
City of Nashville	\$1,882,825,015	53%	\$1,882,825,015	52.75%
Davidson County	\$215,059,534	6%	\$2,097,884,549	58.78%
Nashville MSA	\$636,756,137	18%	\$2,734,640,686	76.62%
State of Tennessee	\$92,937,908	3%	\$2,827,578,594	79.22%
Missouri	\$157,204,702	4%	\$2,984,783,296	83.63%
Alabama	\$66,207,765	2%	\$3,050,991,061	85.48%
Indiana	\$60,453,378	2%	\$3,111,444,439	87.17%
Kentucky	\$43,753,393	1%	\$3,155,197,832	88.40%
Virginia	\$41,039,184	1%	\$3,196,237,016	89.55%
Georgia	\$35,188,763	1%	\$3,231,425,779	90.54%
North Carolina	\$30,008,402	1%	\$3,261,434,181	91.38%
Ohio	\$18,038,827	1%	\$1,396,647,993	91.88%
Mississippi	\$15,875,529	0%	\$1,197,463,988	92.33%
South Carolina	\$15,640,072	0%	\$576,347,923	92.77%
Illinois	\$10,834,829	0%	\$494,244,844	93.07%
West Virginia	\$339,771	0%	\$337,379,913	93.08%
Arkansas	\$121,321	0%	\$3,322,284,530	93.08%
United States	\$246,918,276	7%	\$3,569,202,806	100.00%
Total	\$3,569,202,806	100%		

G. Availability Analysis

1. Methodology

The methodology utilized to determine the availability of businesses for public contracting is crucial to understanding whether a disparity exists within the relevant market. Availability is a benchmark to examine whether there are any disparities between the utilization of MWBEs and their availability in the marketplace.

Availability is the determination of the percentage of MWBEs that are “ready, willing, and able to provide goods and services

Croson and subsequent decisions give only general guidance as to how to measure availability. One common theme from the court decisions is that being qualified to perform work for a local jurisdiction is one of the key indices of an available firm. In addition, the firm must have demonstrated that it is both willing and able to perform the work.

The measures of availability utilized in this disparity study incorporate all of the criteria of availability required by Croson:

- The firm does business within an industry group from which Metro Nashville makes certain purchases.
- The firm's owner has taken steps to do business with Metro Nashville and qualified itself to do such business by registering or certifying.
- The firm is located within a relevant geographical area such that it can do business with Metro Nashville.

The following definitions are necessary for the estimation of availability: Definitions:

Let:

A = Availability Estimates

A (Asian) = Availability Estimates for Asian Business Enterprises

N (Asian) = Number of Asian Business Enterprises in the relevant

market N (MWBE) = Number of Minority owned Business Enterprises

N (t) = Total number of businesses in the pool of bidders in the procurement category (for example, Construction)

Availability, (A), is a percentage and is computed by dividing the number of firms in each MWBE group by the total number of businesses in the pool of bidders for that procurement category, N (t).

For instance, availability for Asian Americans is given by

$A \text{ (Asian)} = N \text{ (Asian)} / N \text{ (t)}$

and total availability for all MWBE groups is given by $A \text{ (MWBE)} = N \text{ (MWBE)} / N \text{ (t)}$.

Once these availability estimates were calculated, GSPC compared them to the percentage of firms

utilized in the respective business categories in order to generate the disparity indices which will be discussed later in this analysis.

2. *Measurement Basis for Availability*

There are numerous approaches to measuring available, qualified firms. GSPC has established a methodology of measuring availability based upon demonstrated interest in doing business with governments. In determining whether a firm is ready, willing, and able, it cannot be presumed that simply because a firm is doing business in a relevant market, it desires, or is capable of, working for Metro Nashville, particularly as a prime, which may require a particular capacity. However, a determination of availability for subcontractors, where all levels of work are available, to be made strictly based upon the existing vendor base of Metro Nashville assumes that there are no discriminatory barriers associated with registration or certification. GSPC measured Availability by utilizing the Master Vendor File (the contents of which is set forth below):

- *Contract Awards*
- *Bidders (successful and unsuccessful)*
- *Purchase Order's*
- *Suppliers (Current)*
- *Subcontractor Payments*
- *Subcontractor Reports*
- *Transportation DBEs*
- *Nashville Airport*
- *TDOT*
- *TNUCP*
- *GoDBE*

3. *Capacity*

The ability or capacity to perform the work is tested below in the Threshold Analysis. It is also tested in the Regression Analysis conducted in Chapter V below.

First, capacity is important to determine whether a separate availability estimate for prime contractors and subcontractors is needed. GSPC performs a threshold analysis of the level of contracting done by prime contractors to determine if it is reasonable to believe that the firms in the marketplace that have at least registered to do business with governments, and that are included in our availability lists, have the capacity to perform as prime contractors, or only as subcontractors. The threshold analysis shows the ladder of awards at each level and across all race/ethnicity/gender groups to see if the capacity of MWBEs is equal to those of Non-MWBEs in contracting with Metro Nashville. The sources for the award data is Contract Awards and Purchase Orders. These are the same sources used to perform the prime utilization analysis.

Secondly, from the GSPC Survey of Business Owners, we can see whether the level of contracting awarded to MWBEs outside of contracting with Metro Nashville indicates similar levels of contracting to those attained in County awards. If not, it may indicate a level of unutilized capacity of MWBEs within Metro Nashville's contracting.

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Finally, the regression analysis shows whether race/ethnicity/gender factors are impediments overall to the success of MWBEs in obtaining awards in the Metro Nashville marketplace and whether, but for those factors, firms would have the capacity to provide goods and services on a level higher than what is presently being utilized

a) *Overall Award Thresholds to Determine Level of Contracting*⁷⁰

In Construction, there were a total of 11,999 contracts for a total of \$1,600,621,199 over the Study Period, but only 3,258 were \$5,000 or over, and only 736 were over \$100,000. The average contract was \$133,396. Only 156 construction contracts exceeded \$2,000,000, but those contracts accounted for \$1,284,910,132 or 80% of all Construction awards.

**Table 18: Award Thresholds- Construction
Nashville Disparity Study**

Construction			
Award Threshold	Number of Awards	Percent of Awards	Dollars
Under 5,000	8741	72.85%	\$10,399,593
5,000 to 10,000	1211	10.09%	\$8,886,721
10,001 to 50,000	1007	8.39%	\$23,091,835
50,001 to 100,000	304	2.53%	\$22,272,792
100,001 to 250,000	285	2.38%	\$45,713,423
250,001 to 500,000	147	1.23%	\$52,420,767
500,001 to 750,000	43	0.36%	\$26,528,517
750,001 to 1,000,000	33	0.28%	\$28,903,811
1,000,001 to 1,500,000	53	0.44%	\$64,813,683
1,500,001 to 2,000,000	19	0.16%	\$32,679,925
2,000,001 to 2,500,000	15	0.13%	\$35,517,635
2,500,001 to 5,000,000	64	0.53%	\$243,173,871
Over 5,000,000	77	0.64%	\$1,006,218,626
Total	11999	100.00%	\$1,600,621,199

Griffin & Strong, P.C. 2018

Average: \$133,396

Median: \$1,255

⁷⁰ Threshold Analysis is based upon Contracts and Purchase Orders but excludes any amount below \$100 dollars.

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In A&E, there were a total of 1,901 contracts for a total of \$488,790,856 over the Study Period. The average contract was \$257,123. There were 591 contracts over \$100,000 with a total of \$463,854,073. Only 99 contracts were over \$1,000,000, but they accounted for \$320,035,005 or 65% of all A&E dollars.

Table 19: Award Thresholds- A&E
Nashville Disparity Study

A&E			
Award Threshold	Number of	Percent of	Dollars
Under 5,000	545	28.67%	\$917,937
5,000 to 10,000	190	9.99%	\$1,460,306
10,001 to 50,000	418	21.99%	\$10,381,029
50,001 to 100,000	157	8.26%	\$12,177,511
100,001 to 250,000	268	14.10%	\$45,339,514
250,001 to 500,000	168	8.84%	\$59,030,234
500,001 to 750,000	36	1.89%	\$22,070,610
750,001 to 1,000,000	20	1.05%	\$17,378,710
1,000,001 to 1,500,000	26	1.37%	\$32,001,327
1,500,001 to 2,000,000	26	1.37%	\$45,342,332
2,000,001 to 2,500,000	12	0.63%	\$26,470,243
2,500,001 to 5,000,000	24	1.26%	\$83,268,669
Over 5,000,000	11	0.58%	\$132,952,434
Total	1901	100.00%	\$488,790,856

Griffin & Strong, P.C. 2017

Average: \$257,123

Median: \$22,672

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In Other Professional Services, there were a total of 332 awards for a total of \$23,257,133. There were 38 contracts over \$100,000 for a total of \$20,701,957, and 5 contracts over \$1,000,000, for a total of \$10,300,000, which accounted for 44% of all Professional Services dollars.

Table 20: Award Thresholds- Other Professional Services
Nashville Disparity Study

Other Professional Services			
Award Threshold	Number of	Percent of	Dollars
Under 5,000	178	53.61%	\$243,066
5,000 to 10,000	51	15.36%	\$399,900
10,001 to 50,000	56	16.87%	\$1,253,454
50,001 to 100,000	9	2.71%	\$658,756
100,001 to 250,000	19	5.72%	\$3,092,839
250,001 to 500,000	10	3.01%	\$4,035,166
500,001 to 750,000	2	0.60%	\$1,273,999
750,001 to 1,000,000	2	0.60%	\$1,999,953
1,000,001 to 1,500,000	1	0.30%	\$1,300,000
1,500,001 to 2,000,000	3	0.90%	\$6,000,000
2,000,001 to 2,500,000	0	0.00%	\$0
2,500,001 to 5,000,000	1	0.30%	\$3,000,000
Over 5,000,000	0	0.00%	\$0
Total	332	100.00%	\$23,257,133

Griffin & Strong, P.C. 2017

Average: \$70,052

Median: \$4,338

NASHVILLE 2018 DISPARITY STUDY
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In Non-Professional Services, there were a total of 8,572 awards for a total of 316,292,812. This makes the average contract about \$36,898. 405 of those contracts were over \$100,000 and accounted for about 80% of the dollars at \$250,648,342. There were only 36 contracts over \$1,000,000 that accounted for \$155,255,126 or 49% of all Non-professional Services dollars.

**Table 21: Award Thresholds- Non-Professional Services
Nashville Disparity Study**

Non-Professional Services			
Award Threshold	Number of	Percent of	Dollars
Under 5,000	5759	67.18%	\$6,711,190
5,000 to 10,000	853	9.95%	\$6,265,371
10,001 to 50,000	1229	14.34%	\$29,952,413
50,001 to 100,000	326	3.80%	\$22,715,496
100,001 to 250,000	241	2.81%	\$40,921,171
250,001 to 500,000	88	1.03%	\$30,778,343
500,001 to 750,000	35	0.41%	\$18,913,752
750,001 to 1,000,000	5	0.06%	\$4,779,950
1,000,001 to 1,500,000	20	0.23%	\$21,890,779
1,500,001 to 2,000,000	2	0.02%	\$3,228,083
2,000,001 to 2,500,000	0	0.00%	\$0
2,500,001 to 5,000,000	7	0.08%	\$29,548,229
Over 5,000,000	7	0.08%	\$100,588,035
Total	8572	100.00%	\$316,292,812

Griffin & Strong, P.C. 2017

Average: \$36,898

Median: \$1,500

NASHVILLE 2018 DISPARITY STUDY
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There were 52,709 awards in Goods for a total of \$1,140,240,805. There were 908 Contracts over \$100,000 for a total of \$916,272,878, and 121 contracts over a \$1,000,000, that accounted for \$689,820,715 or 60% of all Goods dollars.

Table 22: Award Thresholds- Goods
Nashville Disparity Study

Goods			
Award Threshold	Number of	Percent of	Dollars
Under 5,000	43080	81.73%	\$45,174,902
5,000 to 10,000	4037	7.66%	\$28,817,219
10,001 to 50,000	3831	7.27%	\$89,339,713
50,001 to 100,000	853	1.62%	\$60,636,093
100,001 to 250,000	493	0.94%	\$80,694,613
250,001 to 500,000	189	0.36%	\$66,710,500
500,001 to 750,000	55	0.10%	\$34,173,581
750,001 to 1,000,000	50	0.09%	\$44,873,469
1,000,001 to 1,500,000	25	0.05%	\$31,603,371
1,500,001 to 2,000,000	17	0.03%	\$31,136,414
2,000,001 to 2,500,000	6	0.01%	\$14,093,045
2,500,001 to 5,000,000	43	0.08%	\$164,974,294
Over 5,000,000	30	0.06%	\$448,013,591
Total	52709	100.00%	\$1,140,240,805

Griffin & Strong, P.C. 2017

Average: \$6,570

Median: \$324

Overall, there were 75,513 awards in all contract areas for a total of \$3,569,202,806 during the Study Period. That average dollar amount was \$47,266. There were 2,678 contracts over \$100,000, totaling \$3,187,447,508, and 489 awards over \$1,000,000, with a total of 2,557,814,584 or 72% of all award dollars.

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Table 23: Award Thresholds- All Work Categories
Nashville Disparity Study

All Categories			
Award Threshold	Number of	Percent of	Dollars
Under 5,000	58303	77.21%	\$63,446,689
5,000 to 10,000	6342	8.40%	\$45,829,517
10,001 to 50,000	6541	8.66%	\$154,018,443
50,001 to 100,000	1649	2.18%	\$118,460,649
100,001 to 250,000	1306	1.73%	\$215,761,560
250,001 to 500,000	602	0.80%	\$212,975,011
500,001 to 750,000	171	0.23%	\$102,960,459
750,001 to 1,000,000	110	0.15%	\$97,935,894
1,000,001 to 1,500,000	125	0.17%	\$151,609,159
1,500,001 to 2,000,000	67	0.09%	\$118,386,753
2,000,001 to 2,500,000	33	0.04%	\$76,080,923
2,500,001 to 5,000,000	139	0.18%	\$523,965,063
Over 5,000,000	125	0.17%	\$1,687,772,686
Total	75513	100.00%	\$3,569,202,806

Griffin & Strong, P.C. 2017

Average: \$47,266

Median: \$975

Since the average contract was only \$47,266 and even eliminating all contracts under \$5,000, there were still 17,210 contracts averaging \$203,705. GSPC determined that all firms, including those that have only provided services as subcontractors, have the capacity to perform as prime contractors in City awards. There is no need to separate the availability estimates between prime contractors and subcontractors, as all can perform as both prime contractors and subcontractors.

b) Metro Nashville Award Thresholds by Race/Ethnicity/Gender

GSPC measured the level of contracting awarded by Metro Nashville to each MWBE group and then compared that to the level of contracting that firms in each MWBE group have performed in all public and private contracting. If public and private contracting levels are higher than contracting with Metro Nashville, the difference is deemed to be Unutilized Capacity. Every group had some utilization, but African American, Native American, Women, and Non-MWBE firms had at least two awards in excess of \$10 Million with Metro Nashville or they had no unutilized capacity as a race or gender group. Hispanic American reported that they had contracts all under \$100,000, so Metro Nashville's award of three (3) contracts between \$250,000 and \$500,000 demonstrate that there was no unutilized capacity as a race or gender group. The only group that had substantial unutilized capacity as a race or gender group was Asian American owned firms with two awards from Metro Nashville between \$250,000 and \$500,000, when their capacity was 23.37% for awards over \$500,000.

**Table 24: Unutilized Capacity by Race/Ethnicity/Gender
(from Contract Awards, Purchase Orders and Direct Invoices) and Question 15
responses from GSPC Survey of Business Owners)
Metro Nashville, TN Disparity Study**

Metro Nashville Disparity Study Unutilized Capacity by Ethnicity				
Race/Ethnicity	Highest Award	# of Awards at this Level by Metro Nashville	% Surveyed with Revenues in Excess of the Highest Award (Unutilized capacity) ⁷¹	of next highest awards
African American	\$17,180,000	3 ⁷²	0%	N/A
Asian American	\$500,000	2 ⁷³	25.37%	Over \$500,000
Hispanic American	\$453,622	3 ⁷⁴	0%	Over \$500,000
Native American	\$40,000,000	3 ⁷⁵	0%	N/A
Women	\$30,000,000	2 ⁷⁶	0%	N/A
Non-MWBE	\$75,000,000	46 ⁷⁷	0%	N/A

Griffin & Strong, P.C. 2017

⁷¹ Reflects an “at least” percentage.

⁷² # of Awards over \$10M

⁷³ # of Awards \$250,000 to \$500,000

⁷⁴ # of Awards \$250,000 to \$500,000

⁷⁵ # of Awards over \$10M

⁷⁶ # of Awards over \$10M

⁷⁷ # of Awards over \$10M

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**Table 25: Gross Revenues of Firms for 2014 by Race/Ethnicity/Gender
Metro Nashville, TN Disparity Study**

<i>What is the highest single award made to your company over the last five (5) years? Your best estimate will suffice.</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
\$100,000 or less	41 33.6 %	49 57.6 %	37 55.2 %	4 57.1 %	7 100 %	0 0 %	2 100 %	2 33.3 %	142 47.5 %
\$100,001 - \$250,000	9 7.4 %	9 10.6 %	7 10.4 %	0 0 %	0 0 %	2 66.7 %	0 0 %	0 0 %	27 9 %
\$250,001 - \$500,000	12 9.8 %	5 5.9 %	6 9 %	0 0 %	0 0 %	0 0 %	0 0 %	2 33.3 %	25 8.4 %
\$500,001 - \$750,000	5 4.1 %	4 4.7 %	1 1.5 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	11 3.7 %
\$750,001 - \$1,000,000	15 12.3 %	3 3.5 %	1 1.5 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	20 6.7 %
\$1,000,001 - \$1,250,000	5 4.1 %	4 4.7 %	3 4.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 4 %
\$1,250,001 - \$1,500,000	5 4.1 %	2 2.4 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	9 3 %
\$1,500,001 - \$5,000,000	19 15.6 %	7 8.2 %	7 10.4 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	34 11.4 %
\$5,000,001 - \$10,000,000	5 4.1 %	2 2.4 %	1 1.5 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	9 3 %
Over \$10 million	6 4.9 %	0 0 %	3 4.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	10 3.3 %
Total	122 100 %	85 100 %	67 100 %	7 100 %	7 100 %	3 100 %	2 100 %	6 100 %	299 100 %

Griffin & Strong, P.C. 2017

H. Availability Estimates

GSPC has determined that only one availability estimate is needed because the average level of prime contracting awarded by Metro Nashville could likely be undertaken by firms that have operated as subcontractors, based upon dollars. GSPC is not suggesting that all subcontractors have the capacity to be awarded all contracts, just as all primes do not have the capacity to be awarded all contracts. GSPC also acknowledges that some firms that have operated only as subcontractors may need supportive services to assist them in becoming prime contractors

The Availability estimates for each primary work category are set out below. Figures 28-32 show the number of firms by race/gender/ethnicity as compared with the total number of firms. Each race/gender/ethnicity group is counted separately; however, in some cases, certifications only indicated MWBE or DBE as the status and GSPC was not able to determine the ethnicity or gender of the firm ownership. In those cases, the firms were placed in an “Unidentified MWBE” category and were counted in the total MWBE numbers.

The availability analyzed from the Master Vendor File includes all unique vendors in each work category.⁷⁸ The Metro Nashville availability in Table 26 below shows that, in Construction, African American owned firms make up 10.10% of all construction firms, and woman owned firms make up 12.43%. Asian American owned firms are .87%, Hispanic American owned firms are at 1.66% and Native American owned firms are at .75%. In total, MWBEs account for 29.55% of all available firms in Construction.

Table 26: MWBE Availability Estimates – Construction

In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

Construction		
Race/Ethnicity	Number	Percent
African American	243	10.10%
Asian American	21	0.87%
Hispanic American	40	1.66%
Native American	18	0.75%
Total MBE	322	13.38%
Caucasian Women	299	12.43%
Unidentified MWBE	90	3.74%
Total MWBE/DBE	711	29.55%
Non-MWBE	1695	70.45%
Total	2406	100.00%

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⁷⁸ Firms can count in more than one business category if they perform services in each category, but can be counted only once in each work category.

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In A&E, availability in Table 27 indicates that Non-MWBE owned firms make up 69.30% of all available firms and MWBEs are 30.70%. African American owned firms represent 10.19% of all A&E firms and woman owned firms make up 14.93% of all available A&E firms. Asian American and Hispanic American owned A&E firms account for 1.70% and .73%, respectively, and Native American owned firms are .49% of all A&E firms.

Table 27: MWBE Availability Estimates-A&E

In the Relevant Market – Nashville MSA
 City of Nashville Disparity Study

A&E		
Race/Ethnicity	Number	Percent
African American	84	10.19%
Asian American	14	1.70%
Hispanic American	6	0.73%
Native American	4	0.49%
Total MBE	108	13.11%
Caucasian Women	123	14.93%
Unidentified MWBE/DBE	22	2.67%
Total MWBE/DBE	253	30.70%
Non-MWBE	571	69.30%
Total	824	100.00%

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As set out in the availability Table 28, African American owned firms make up 20.61% of Other Professional Services firms and woman owned firms make up 16.41%. Non-MWBE owned firms account for about 48.78%, while Asian American owned firms have .99%. Hispanic American owned firms have 1.22% and Native American owned firms have .76% availability in this category. MWBEs are 51.22% of all available firms in Other Professional Services, which is the majority of Professional Services firms in the Relevant Market.

Table 28: MWBE Availability Estimate - Other Professional Services

In the Relevant Market – State of Tennessee, Alabama, Tennessee and North Carolina
 City of Nashville Disparity Study

Professional Services		
Race/Ethnicity	Number	Percent
African American	270	20.61%
Asian American	13	0.99%
Hispanic American	16	1.22%
Native American	10	0.76%
Total MBE	309	23.59%
Caucasian Women	215	16.41%
Unidentified MWBE/DBE	147	11.22%
Total MWBE/DBE	671	51.22%
Non-MWBE	639	48.78%
Total	1310	100.00%

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NASHVILLE 2018 DISPARITY STUDY
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In Non-Professional Services, Availability Table 29 shows that the availability of African American owned firms is about 19.33%, woman owned firms make up 15.90%, Asian and Hispanic American owned firms make up 1.35% and 1.89%, respectively, and Native American owned firms are .76%. MWBEs total 45.75% of all available firms in Non-Professional Services.

Table 29: MWBE Availability Estimates - Non-Professional Services
In the Relevant Market – State of Tennessee, Kentucky, and Tennessee
City of Nashville Disparity Study

Non-Professional Services		
Race/Ethnicity	Number	Percent
African American	1114	19.33%
Asian American	78	1.35%
Hispanic American	109	1.89%
Native American	44	0.76%
Total MBE	1345	23.34%
Caucasian Women	916	15.90%
Unidentified MWBE/DBE	375	6.51%
Total MWBE/DBE	2636	45.75%
Non-MWBE	3126	54.25%
Total	5762	100.00%

Griffin & Strong, P.C. 2018

Availabilities in Goods are reflected in Table 30, so that businesses owned by African Americans make up 7.14% and Women owned are 10.96% of the firms. Non-MWBEs account for 76.25% of all availability. Hispanic American and Native American firms are both less than 1% and Asian American owned firms are at 1.11%. MWBEs total 23.75% of all available firms in Goods.

Table 30: MWBE Availability Estimates - Goods

In the Relevant Market – State of Tennessee, Alabama, and Virginia
 City of Nashville Disparity Study

Goods		
Race/Ethnicity	Number	Percent
African American	417	7.14%
Asian American	65	1.11%
Hispanic American	55	0.94%
Native American	38	0.65%
Total MBE	575	9.84%
Caucasian Women	640	10.96%
Unidentified MWBE/DBE	172	2.94%
Total MWBE/DBE	1387	23.75%
Non-MWBE	4454	76.25%
Total	5841	100.00%

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NASHVILLE 2018 DISPARITY STUDY
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I. Utilization Analysis

GSPC calculated prime utilization by combining Contract Awards and Purchase Orders (“Award Dollars”) into one data file. After cleaning up and removing duplicates, GSPC conducted the analysis by determining the percentage of Award Dollars and the number of firms that received the Award Dollars. The analysis has been disaggregated by both year and MWBE group.

Since Metro Nashville does not track subcontractor utilization, GSPC obtained the data by sending a questionnaire to all Prime Contractors, except firms providing Goods, to request information on the subcontractors they used and the amount of the subcontractor award.

PRIME UTILIZATION is the percentage of awards made directly by Metro Nashville during the Study Period to MWBEs in comparison to all actual awards made directly to all vendors by Metro Nashville during the Study Period.

1. Prime Utilization

In the Prime Utilization tables below, the dollars and percentage of dollars spent in each of the five (5) major procurement categories have been broken out by race/gender/ethnicity for each year of the Study Period. The total of each group represented will, when added to the Non-MWBE group, equal the Total Column.

In Construction during the Study Period, MWBEs received a total of \$214,744,516 which accounts for 15.88% of all Award Dollars. Those Award Dollars were awarded to 109 MWBE firms that make up 17.17% of all Construction firms. Non-MWBE firms received a total of \$1,137,428,412 or 84.12% of all Construction prime award dollars.

Table 31: MWBE Prime Utilization – Construction by Number of Firms

In the Relevant Market – Nashville MSA

City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	14	5.34%	13	4.81%	8	3.27%	9	3.09%	14	4.42%	28	4.41%
Asian American	4	1.53%	2	0.74%	3	1.22%	3	1.03%	3	0.95%	4	0.63%
Hispanic American	1	0.38%	2	0.74%	1	0.41%	2	0.69%	3	0.95%	5	0.79%
Native American	1	0.38%	2	0.74%	1	0.41%	3	1.03%	2	0.63%	4	0.63%
Unidentified MWBE/DBE	1	0.38%	4	1.48%	2	0.82%	1	0.34%	5	1.58%	7	1.10%
Total MBE	21	8.02%	23	8.52%	15	6.12%	18	6.19%	27	8.52%	48	7.56%
Caucasian Woman	37	14.12%	29	10.74%	27	11.02%	32	11.00%	35	11.04%	61	9.61%
Total MWBE/DBE	58	22.14%	52	19.26%	42	17.14%	50	17.18%	62	19.56%	109	17.17%
Non-MWBE	204	77.86%	218	80.74%	203	82.86%	241	82.82%	255	80.44%	526	82.83%
Total	262	41.26%	270	42.52%	245	38.58%	291	45.83%	317	49.92%	635	100.00%

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Table 32: MWBE Prime Utilization – Construction by Dollars
In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$7,745,976	2.81%	\$38,325,687	15.58%	\$20,274,341	8.49%	\$6,761,465	1.86%	\$1,784,547	0.78%	\$74,892,016	5.54%
Asian American	\$667,722	0.24%	\$565,222	0.23%	\$230,668	0.10%	\$699,631	0.19%	\$855,586	0.38%	\$3,018,829	0.22%
Hispanic American	\$7,500	0.00%	\$79,578	0.03%	\$153,369	0.06%	\$10,183	0.00%	\$25,901	0.01%	\$276,531	0.02%
Native American	\$300,111	0.11%	\$9,006,697	3.66%	\$62,961	0.03%	\$23,005	0.01%	\$141,842	0.06%	\$9,534,616	0.71%
Unidentified MWBE/DBE	\$14,715	0.01%	\$14,600	0.01%	\$4,733	0.00%	\$1,003	0.00%	\$14,527	0.01%	\$49,579	0.00%
Total MBE	\$8,736,024	3.17%	\$47,991,785	19.51%	\$20,726,073	8.68%	\$7,495,287	2.06%	\$2,822,404	1.24%	\$87,771,572	6.49%
Caucasian Woman	\$19,835,195	7.20%	\$20,333,751	8.27%	\$54,466,025	22.81%	\$14,576,902	4.00%	\$17,761,071	7.81%	\$126,972,945	9.39%
Total MWBE/DBE	\$28,571,219	10.37%	\$68,325,536	27.77%	\$75,192,098	31.49%	\$22,072,189	6.06%	\$20,583,475	9.05%	\$214,744,516	15.88%
Non-MWBE	\$246,972,922	89.63%	\$177,686,478	72.23%	\$163,605,392	68.51%	\$342,384,696	93.94%	\$206,778,925	90.95%	\$1,137,428,412	84.12%
Total	\$275,544,141	20.38%	\$246,012,014	18.19%	\$238,797,490	17.66%	\$364,456,884	26.95%	\$227,362,399	16.81%	\$1,352,172,929	100.00%

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In A&E there were 24 MWBEs that shared a total amount of \$75.42 Million or 17.55% of Award Dollars compared to being 16.55% of the firms.

Table 33: MWBE Prime Utilization – A&E by Number of Firms
In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	4	4.82%	4	6.35%	3	4.55%	1	1.72%	1	1.49%	7	4.83%
Asian American	1	1.20%	2	3.17%	1	1.52%	2	3.45%	2	2.99%	3	2.07%
Hispanic American	1	1.20%	1	1.59%	1	1.52%	1	1.72%	1	1.49%	1	0.69%
Native American	1	1.20%	1	1.59%	1	1.52%	1	1.72%	1	1.49%	1	0.69%
Unidentified MWBE/DBE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total MBE	7	8.43%	8	12.70%	6	9.09%	5	8.62%	5	7.46%	12	8.28%
Caucasian Woman	8	9.64%	3	4.76%	6	9.09%	6	10.34%	7	10.45%	12	8.28%
Total MWBE/DBE	15	18.07%	11	17.46%	12	18.18%	11	18.97%	12	17.91%	24	16.55%
Non-MWBE	68	81.93%	52	82.54%	54	81.82%	47	81.03%	55	82.09%	121	83.45%
Total	83	57.24%	63	43.45%	66	45.52%	58	40.00%	67	46.21%	145	100.00%

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Table 34: MWBE Prime Utilization – A&E by Dollars
In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$671,970	0.57%	\$337,215	0.53%	\$240,830	0.40%	\$4,858	0.00%	\$4,120	0.01%	\$1,258,994	0.30%
Asian American	\$104,082	0.09%	\$316,370	0.50%	\$9,000	0.01%	\$123,965	0.12%	\$726,690	0.98%	\$1,280,108	0.30%
Hispanic American	\$678,811	0.58%	\$9,657	0.02%	\$375,000	0.62%	\$321,327	0.30%	\$55,000	0.07%	\$1,439,795	0.34%
Native American	\$4,803,287	4.07%	\$6,162,333	9.70%	\$4,039,524	6.68%	\$4,340,689	4.03%	\$2,122,162	2.86%	\$21,467,995	5.06%
Unidentified MWBE/DBE	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Total MBE	\$6,258,151	5.30%	\$6,825,575	10.75%	\$4,664,354	7.71%	\$4,790,839	4.45%	\$2,907,972	3.91%	\$25,446,891	6.00%
Caucasian Woman	\$10,037,720	8.51%	\$3,829,339	6.03%	\$8,543,000	14.12%	\$11,480,125	10.67%	\$15,079,391	20.29%	\$48,969,575	11.55%
Total MWBE/DBE	\$16,295,871	13.81%	\$10,654,914	16.78%	\$13,207,354	21.83%	\$16,270,964	15.12%	\$17,987,363	24.20%	\$74,416,466	17.55%
Non-MWBE	\$101,680,911	86.19%	\$52,860,930	83.22%	\$47,288,941	78.17%	\$91,362,413	84.88%	\$56,339,981	75.80%	\$349,533,176	82.45%
Total	\$117,976,782	27.83%	\$63,515,844	14.98%	\$60,496,295	14.27%	\$107,633,377	25.39%	\$74,327,344	17.53%	\$423,949,642	100.00%

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As indicated in Tables 35 and 36, 22 MWBE owned firms represented 21.15% of all firms to be awarded dollars in Other Professional Services. Six African American owned firms shared \$89,127; Three Asian American owned firms shared \$286,608; 1 Hispanic American owned firm was awarded \$9,635; and no Native American owned firm won any awards in Other Professional Services. Eleven Woman owned firms were awarded \$746,609 over the period, and Non-MWBEs represented 78.85% or \$16,712,068.

Table 35: MWBE Prime Utilization – Other Professional Services by Number of Firms

In the Relevant Market – State of Tennessee, Alabama, Tennessee and North Carolina
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	2	5.26%	3	9.09%	2	10.00%	2	4.88%	2	7.14%	6	5.77%
Asian American	1	2.63%	2	6.06%	1	5.00%	2	4.88%	1	3.57%	3	2.88%
Hispanic American	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	3.57%	1	0.96%
Native American	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Unidentified MWBE/DBE	1	2.63%	0	0.00%	0	0.00%	1	2.44%	1	3.57%	1	0.96%
Total MBE	4	10.53%	5	15.15%	3	15.00%	5	12.20%	5	17.86%	11	10.58%
Caucasian Woman	6	15.79%	6	18.18%	3	15.00%	5	12.20%	3	10.71%	11	10.58%
Total MWBE/DBE	10	26.32%	11	33.33%	6	30.00%	10	24.39%	8	28.57%	22	21.15%
Non-MWBE	28	73.68%	22	66.67%	14	70.00%	31	75.61%	20	71.43%	82	78.85%
Total	38	36.54%	33	31.73%	20	19.23%	41	39.42%	28	26.92%	104	100.00%

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Table 36: MWBE Prime Utilization – Other Professional Services by Dollars

In the Relevant Market – State of Tennessee, Alabama, Tennessee and North Carolina
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$13,465	0.25%	\$30,758	2.05%	\$12,923	0.40%	\$22,282	0.38%	\$9,700	0.45%	\$89,127	0.49%
Asian American	\$109,686	2.03%	\$5,650	0.38%	\$110,107	3.39%	\$48,566	0.82%	\$12,600	0.58%	\$286,608	1.57%
Hispanic American	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$9,635	0.45%	\$9,635	0.05%
Native American	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Unidentified MWBE/DBE	\$117,300	2.18%	\$0	0.00%	\$0	0.00%	\$130,000	2.19%	\$130,000	6.03%	\$377,300	2.07%
Total MBE	\$240,450	4.46%	\$36,408	2.43%	\$123,030	3.79%	\$200,848	3.39%	\$161,935	7.52%	\$762,670	4.19%
Caucasian Woman	\$67,758	1.26%	\$41,795	2.79%	\$32,670	1.01%	\$523,561	8.83%	\$80,826	3.75%	\$746,609	4.10%
Total MWBE/DBE	\$308,208	5.72%	\$78,202	5.22%	\$155,700	4.80%	\$724,409	12.21%	\$242,761	11.27%	\$1,509,279	8.28%
Non-MWBE	\$5,082,183	94.28%	\$1,421,233	94.78%	\$3,089,723	95.20%	\$5,207,128	87.79%	\$1,911,800	88.73%	\$16,712,068	91.72%
Total	\$5,390,391	29.58%	\$1,499,435	8.23%	\$3,245,423	17.81%	\$5,931,537	32.55%	\$2,154,561	11.82%	\$18,221,347	100.00%

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In Non-Professional Services, there were 99 MWBEs that were awarded a total of \$26,796,385 which is 11.23% of all Non-Professional Services Awards. Thirty (30) African American owned firms, four Asian American owned, one Hispanic American owned firm, two Native American owned firms, three unidentified MWBEs and 59 women owned firms were awarded during the Study Period. Non-MWBE firms were awarded \$211,882,267 to 497 firms.

Table 37: MWBE Prime Utilization – Non-Professional Services by Number of Firms

In the Relevant Market – State of Tennessee, Kentucky, and Tennessee
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	17	7.49%	9	4.07%	7	3.78%	11	4.70%	15	5.58%	30	5.03%
Asian American	3	1.32%	3	1.36%	1	0.54%	2	0.85%	2	0.74%	4	0.67%
Hispanic American	1	0.44%	1	0.45%	1	0.54%	1	0.43%	1	0.37%	1	0.17%
Native American	1	0.44%	0	0.00%	0	0.00%	0	0.00%	2	0.74%	2	0.34%
Unidentified MWBE/DBE	0	0.00%	2	0.90%	0	0.00%	1	0.43%	2	0.74%	3	0.50%
Total MBE	22	9.69%	15	6.79%	9	4.86%	15	6.41%	22	8.18%	40	6.71%
Caucasian Woman	24	10.57%	26	11.76%	21	11.35%	25	10.68%	24	8.92%	59	9.90%
Total MWBE/DBE	46	20.26%	41	18.55%	30	16.22%	40	17.09%	46	17.10%	99	16.61%
Non-MWBE	181	79.74%	180	81.45%	155	83.78%	194	82.91%	223	82.90%	497	83.39%
Total	227	38.09%	221	37.08%	185	31.04%	234	39.26%	269	45.13%	596	100.00%

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Table 38: MWBE Prime Utilization – Non-Professional Services by Dollars
In the Relevant Market – State of Tennessee, Kentucky, and Tennessee
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$4,073,284	25.82%	\$3,743,075	12.09%	\$4,433,208	7.50%	\$5,410,048	10.32%	\$1,828,814	2.27%	\$19,488,428	8.17%
Asian American	\$8,666	0.05%	\$4,275	0.01%	\$3,375	0.01%	\$119,905	0.23%	\$23,547	0.03%	\$159,768	0.07%
Hispanic American	\$806	0.01%	\$2,737	0.01%	\$892	0.00%	\$3,348	0.01%	\$636	0.00%	\$8,419	0.00%
Native American	\$35,000	0.22%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$8,900	0.01%	\$43,900	0.02%
Unidentified MWBE/DBE	\$0	0.00%	\$131,450	0.42%	\$0	0.00%	\$2,400	0.00%	\$15,181	0.02%	\$149,031	0.06%
Total MBE	\$4,117,756	26.10%	\$3,881,536	12.54%	\$4,437,475	7.51%	\$5,535,701	10.56%	\$1,877,078	2.33%	\$19,849,546	8.32%
Caucasian Woman	\$1,351,832	8.57%	\$1,888,604	6.10%	\$1,010,503	1.71%	\$1,921,173	3.66%	\$774,728	0.96%	\$6,946,839	2.91%
Total MWBE/DBE	\$5,469,587	34.67%	\$5,770,140	18.64%	\$5,447,978	9.22%	\$7,456,874	14.22%	\$2,651,806	3.30%	\$26,796,385	11.23%
Non-MWBE	\$10,304,468	65.33%	\$25,188,866	81.36%	\$53,659,477	90.78%	\$44,986,506	85.78%	\$77,742,950	96.70%	\$211,882,267	88.77%
Total	\$15,774,056	6.61%	\$30,959,006	12.97%	\$59,107,455	24.76%	\$52,443,380	21.97%	\$80,394,756	33.68%	\$238,678,652	100.00%

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Every race/ethnicity/gender group received awards in Goods for a total of 192 MWBEs for \$162,463,530 or 18.71% of the Award Dollars in this category. \$5,418,432 were awarded to African American, \$530,057 to Asian American, \$324,375 to Hispanic American, \$99,288,794 to Native American, and \$51,613,058 to Caucasian Women owned firms. In comparison, 1018 non-MWBE firms represented 81.29% of the Award Dollars in this category.

Table 39: MWBE Prime Utilization – Goods by Number of Firms
In the Relevant Market – State of Tennessee, Alabama, and Virginia
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	19	3.10%	16	2.64%	12	2.24%	18	3.02%	13	2.01%	33	2.73%
Asian American	5	0.82%	5	0.83%	3	0.56%	3	0.50%	1	0.15%	8	0.66%
Hispanic American	3	0.49%	5	0.83%	4	0.75%	3	0.50%	2	0.31%	5	0.41%
Native American	4	0.65%	3	0.50%	4	0.75%	2	0.34%	3	0.46%	5	0.41%
Unidentified MWBE/DBE	10	1.63%	10	1.65%	9	1.68%	8	1.34%	11	1.70%	18	1.49%
Total MBE	41	6.69%	39	6.45%	32	5.98%	34	5.70%	30	4.64%	69	5.70%
Caucasian Woman	70	11.42%	66	10.91%	57	10.65%	58	9.73%	57	8.82%	123	10.17%
Total MWBE/DBE	111	18.11%	105	17.36%	89	16.64%	92	15.44%	87	13.47%	192	15.87%
Non-MWBE	502	81.89%	500	82.64%	446	83.36%	504	84.56%	559	86.53%	1018	84.13%
Total	613	50.66%	605	50.00%	535	44.21%	596	49.26%	646	53.39%	1210	100.00%

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Table 40: MWBE Prime Utilization – Goods by Dollars
In the Relevant Market – State of Tennessee, Alabama, and Virginia
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$894,103	0.92%	\$1,397,609	0.85%	\$1,167,963	0.35%	\$1,090,857	0.70%	\$867,900	0.74%	\$5,418,432	0.62%
Asian American	\$265,827	0.27%	\$6,181	0.00%	\$31,979	0.01%	\$103,907	0.07%	\$122,164	0.10%	\$530,057	0.06%
Hispanic American	\$58,563	0.06%	\$87,873	0.05%	\$54,150	0.02%	\$64,928	0.04%	\$58,861	0.05%	\$324,375	0.04%
Native American	\$2,156,979	2.23%	\$4,850,638	2.96%	\$91,308,366	27.23%	\$698,432	0.45%	\$274,378	0.23%	\$99,288,794	11.43%
Unidentified MWBE/DBE	\$235,922	0.24%	\$689,025	0.42%	\$133,826	0.04%	\$4,164,022	2.68%	\$66,018	0.06%	\$5,288,813	0.61%
Total MBE	\$3,611,394	3.73%	\$7,031,326	4.29%	\$92,696,284	27.64%	\$6,122,146	3.94%	\$1,389,320	1.19%	\$110,850,471	12.77%
Caucasian Woman	\$8,336,791	8.61%	\$21,912,322	13.36%	\$17,060,830	5.09%	\$2,166,797	1.40%	\$2,136,318	1.83%	\$51,613,058	5.94%
Total MWBE/DBE	\$11,948,185	12.34%	\$28,943,648	17.64%	\$109,757,115	32.73%	\$8,288,943	5.34%	\$3,525,638	3.02%	\$162,463,530	18.71%
Non-MWBE	\$84,886,023	87.66%	\$135,110,714	82.36%	\$225,556,900	67.27%	\$147,023,757	94.66%	\$113,280,866	96.98%	\$705,858,260	81.29%
Total	\$96,834,208	11.15%	\$164,054,362	18.89%	\$335,314,015	38.62%	\$155,312,700	17.89%	\$116,806,504	13.45%	\$868,321,790	100.00%

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2. Subcontractor Utilization

Subcontractor Utilization is determined from the Prime Vendor Questionnaire. It is a measure of what percentage of subcontractor award dollars were awarded to MWBEs. A copy of the correspondence and questionnaire sent to awardees is attached as Appendix D.

SUBCONTRACTOR UTILIZATION is the percentage of dollars awarded from Prime Contractors (in the Relevant Market) to their MWBE Subcontractors, in comparison to dollars awarded by those Prime Contractors to all Subcontractors during the Study Period.

GSPC sent out 1734 Prime Vendor questionnaires and received 161 responses or 9.28%. Of those firms that responded, 37 had subcontractors or 22.98%. There were 178 contractors, in Construction and A&E, these were sufficient occurrences to draw inferences about Metro Nashville's subcontracting.

Responding firms were asked to list the names of subcontractors, the type of work, and the dollar amount of subcontracts awarded. In Construction, during the study period, the questionnaire reported that 26.87% of Construction subcontractors were MWBEs who received 11.18% of the subcontracting dollars.

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Table 41: MWBE Subcontractor Utilization - Construction by Number of Firms
In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	2	7.14%	1	8.33%	0	#DIV/0!	8	8.08%	0	0.00%	10	7.46%
Asian American	0	0.00%	0	0.00%	0	#DIV/0!	2	2.02%	0	0.00%	2	1.49%
Hispanic American	0	0.00%	0	0.00%	0	#DIV/0!	0	0.00%	0	0.00%	0	0.00%
Native American	0	0.00%	0	0.00%	0	#DIV/0!	0	0.00%	0	0.00%	0	0.00%
Unidentified MWBE/DBE	0	0.00%	0	0.00%	0	#DIV/0!	0	0.00%	0	0.00%	0	0.00%
Total MBE	2	7.14%	1	8.33%	0	#DIV/0!	10	10.10%	0	0.00%	12	8.96%
Caucasian Woman	4	14.29%	4	33.33%	0	#DIV/0!	16	16.16%	9	45.00%	24	17.91%
Total MWBE/DBE	6	21.43%	5	41.67%	0	#DIV/0!	26	26.26%	9	45.00%	36	26.87%
Non-MWBE	22	78.57%	7	58.33%	0	#DIV/0!	73	73.74%	11	55.00%	98	73.13%
Total	28	20.90%	12	8.96%	0	0.00%	99	73.88%	20	14.93%	134	100.00%

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Table 42: MWBE Subcontractor Utilization - Construction by Dollars
In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$297,615	4.57%	\$18,686	0.35%	\$0	0.00%	\$5,847,075	6.31%	\$0	0.00%	\$6,163,376	5.76%
Asian American	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$446,806	0.48%	\$0	0.00%	\$446,806	0.42%
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%
Unidentified MWBE/DBE	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Total MBE	\$297,615	4.57%	\$18,686	0.35%	\$0	0.00%	\$6,293,881	6.79%	\$0	0.00%	\$6,610,182	6.17%
Caucasian Woman	\$1,013,747	15.56%	\$1,009,941	19.11%	\$0	0.00%	\$2,130,361	2.30%	\$1,207,376	47.47%	\$5,361,425	5.01%
Total MWBE/DBE	\$1,311,362	20.12%	\$1,028,627	19.46%	\$0	0.00%	\$8,424,242	9.09%	\$1,207,376	47.47%	\$11,971,607	11.18%
Non-MWBE	\$5,205,186	79.88%	\$4,256,468	80.54%	\$0	0.00%	\$84,279,749	90.91%	\$1,336,083	52.53%	\$95,077,486	88.82%
Total	\$6,516,548	6.09%	\$5,285,095	4.94%	\$0	0.00%	\$92,703,991	86.60%	\$2,543,459	2.38%	\$107,049,092	100.00%

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In A&E, MWBEs were 31.82% of the subcontractors, and were awarded 30.72% of the A&E dollars.

Table 43: MWBE Subcontractor Utilization – A&E by Number of Firms
In the Relevant Market – Nashville MSA
City of Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	0	0.00%	1	8.33%	1	8.33%	2	12.50%	0	0.00%	3	6.82%
Asian American	0	0.00%	1	8.33%	1	8.33%	1	6.25%	2	25.00%	3	6.82%
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%
Unidentified MWBE/DBE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total MBE	0	0.00%	2	16.67%	2	16.67%	3	18.75%	2	25.00%	6	13.64%
Caucasian Woman	2	15.38%	3	25.00%	4	33.33%	5	31.25%	1	12.50%	8	18.18%
Total MWBE/DBE	2	15.38%	5	41.67%	6	50.00%	8	50.00%	3	37.50%	14	31.82%
Non-MWBE	11	84.62%	7	58.33%	6	50.00%	8	50.00%	5	62.50%	30	68.18%
Total	13	29.55%	12	27.27%	12	27.27%	16	36.36%	8	18.18%	44	100.00%

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Table 44: MWBE Subcontractor Utilization – A&E by Dollars
In the Relevant Market – Nashville MSA

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$0	0.00%	\$15,103	0.80%	\$9,800	3.11%	\$426,270	37.28%	\$0	0.00%	\$451,173	9.32%
Asian American	\$0	0.00%	\$83,785	4.44%	\$6,600	2.10%	\$12,295	1.08%	\$251,797	28.89%	\$354,476	7.32%
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%
Unidentified MWBE/DBE	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Total MBE	\$0	0.00%	\$98,887	5.24%	\$16,400	5.21%	\$438,565	38.36%	\$251,797	28.89%	\$805,649	16.64%
Caucasian Woman	\$132,625	21.20%	\$180,275	9.56%	\$90,037	28.61%	\$271,004	23.70%	\$7,508	0.86%	\$681,449	14.08%
Total MWBE/DBE	\$132,625	21.20%	\$279,162	14.81%	\$106,437	33.83%	\$709,569	62.06%	\$259,304	29.75%	\$1,487,098	30.72%
Non-MWBE	\$493,039	78.80%	\$1,606,214	85.19%	\$208,214	66.17%	\$433,777	37.94%	\$612,292	70.25%	\$3,353,536	69.28%
Total	\$625,664	12.93%	\$1,885,376	38.95%	\$314,652	6.50%	\$1,143,346	23.62%	\$871,596	18.01%	\$4,840,634	100.00%

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J. Determination of Disparity

Here we answer the question as to whether, and to what extent, there is a disparity between MWBE utilization measured against their availability in the Metro Nashville marketplace.

1. *Methodology*

The statistical approach to answer this question is to assess the existence and extent of disparity by comparing the MWBE utilization percentages (by dollars) to the percentage of the total pool of MWBE firms in the relevant geographic and product areas. The actual disparity derived as a result of employing this approach is measured by use of a Disparity Index (DI).

DISPARITY INDICES calculate the difference between the percentage of Metro Nashville's UTILIZATION of MWBEs during the Study Period and the AVAILABILITY percentage of MWBEs.

The Disparity Index is defined as the ratio of the percentage of MWBE firms utilized (U) divided by the percentage of such firms available in the marketplace (A):

Let: U = Utilization percentage for the MWBE group
A = Availability percentage for the MWBE group
DI = Disparity Index for the MWBE group

DI = U/A

The results obtained by a disparity analysis will result in one of three conclusions: overutilization, underutilization or parity. Underutilization is when the Disparity Index is below one. Overutilization is when the Disparity Index is over one. Parity, or the absence of disparity, is when the Disparity Index is one (1.00) which indicates that the utilization percentage equals the availability percentage. In situations where there is availability, but no utilization, the corresponding disparity index will be zero. Finally, in cases where there is neither utilization nor availability, the corresponding disparity index is undefined and designated by a dash (-) symbol. Disparity analyses are presented separately for each procurement category and for each race/gender/ethnicity group. They are also disaggregated by year, for each year of the Study Period.

2. *Prime MWBE Disparity Indices*

The Prime Disparity Indices in Tables 45-49 demonstrate, that in total, over the Study Period, there was a statistically significant underutilization of all in each of the five (5) major work categories except:

Women owned firms were underutilized in Construction, but it was not statistically significant;
Asian American owned firms were overutilized in Non-Professional Services; and
Native American owned firms were overutilized in both A&E and Goods

In addition, Appendix G provides a utilization and disparity analysis of prime awards under \$250,000 and over \$1,000,000. It demonstrates that in awards under \$250,000 there is some overutilization of Asian American owned firms and Women owned firms as prime contractors in Construction. In awards over \$1,000,000 there is overutilization by Native American owned firm.

Further, Appendix K provides a disparity analysis of prime contracting in Construction by Industry.

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Table 45: MWBE Disparity Indices – Construction (Prime)
City of Nashville, TN Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	2.81%	10.10%	0.28	Underutilized
ASIAN AMERICAN	0.24%	0.87%	0.27	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.11%	0.75%	0.15	Underutilized
WOMEN	7.20%	12.43%	0.58	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	10.37%	29.55%	0.35	Underutilized
NON-MWBE/DBE	89.63%	70.45%	1.27	Overutilized
FY 2014				
AFRICAN AMERICAN	15.58%	10.10%	1.54	Overutilized
ASIAN AMERICAN	0.23%	0.87%	0.26	Underutilized
HISPANIC AMERICAN	0.03%	1.66%	0.02	Underutilized
NATIVE AMERICAN	3.66%	0.75%	4.89	Overutilized
WOMEN	8.27%	12.43%	0.67	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	27.77%	29.55%	0.94	Underutilized
NON-MWBE/DBE	72.23%	70.45%	1.03	Overutilized
FY 2015				
AFRICAN AMERICAN	8.49%	10.10%	0.84	Underutilized
ASIAN AMERICAN	0.10%	0.87%	0.11	Underutilized
HISPANIC AMERICAN	0.06%	1.66%	0.04	Underutilized
NATIVE AMERICAN	0.03%	0.75%	0.04	Underutilized
WOMEN	22.81%	12.43%	1.84	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	31.49%	29.55%	1.07	Overutilized
NON-MWBE/DBE	68.51%	70.45%	0.97	Underutilized
FY 2016				
AFRICAN AMERICAN	1.86%	10.10%	0.18	Underutilized
ASIAN AMERICAN	0.19%	0.87%	0.22	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.01%	0.75%	0.01	Underutilized
WOMEN	4.00%	12.43%	0.32	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	6.06%	29.55%	0.20	Underutilized
NON-MWBE/DBE	93.94%	70.45%	1.33	Overutilized
FY 2017				
AFRICAN AMERICAN	0.78%	10.10%	0.08	Underutilized
ASIAN AMERICAN	0.38%	0.87%	0.44	Underutilized
HISPANIC AMERICAN	0.01%	1.66%	0.01	Underutilized
NATIVE AMERICAN	0.06%	0.75%	0.08	Underutilized
WOMEN	7.81%	12.43%	0.63	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	9.05%	29.55%	0.31	Underutilized
NON-MWBE/DBE	90.95%	70.45%	1.29	Overutilized
TOTALS				
AFRICAN AMERICAN	5.54%	10.10%	0.55	Underutilized
ASIAN AMERICAN	0.22%	0.87%	0.25	Underutilized
HISPANIC AMERICAN	0.02%	1.66%	0.01	Underutilized
NATIVE AMERICAN	0.71%	0.75%	0.94	Underutilized
WOMEN	9.39%	12.43%	0.76	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	15.88%	29.55%	0.54	Underutilized
NON-MWBE/DBE	84.12%	70.45%	1.19	Overutilized

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Table 46: MWBE Disparity Indices – A&E (Prime)

City of Nashville, TN Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.57%	10.19%	0.06	Underutilized
ASIAN AMERICAN	0.09%	1.70%	0.05	Underutilized
HISPANIC AMERICAN	0.58%	0.73%	0.79	Underutilized
NATIVE AMERICAN	4.07%	0.49%	8.39	Overutilized
WOMEN	8.51%	14.93%	0.57	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	13.81%	30.70%	0.45	Underutilized
NON-MWBE	86.19%	69.30%	1.24	Overutilized
FY 2014				
AFRICAN AMERICAN	0.53%	10.19%	0.05	Underutilized
ASIAN AMERICAN	0.50%	1.70%	0.29	Underutilized
HISPANIC AMERICAN	0.02%	0.73%	0.02	Underutilized
NATIVE AMERICAN	9.70%	0.49%	19.99	Overutilized
WOMEN	6.03%	14.93%	0.40	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	16.78%	30.70%	0.55	Underutilized
NON-MWBE	83.22%	69.30%	1.20	Overutilized
FY 2015				
AFRICAN AMERICAN	0.40%	10.19%	0.04	Underutilized
ASIAN AMERICAN	0.01%	1.70%	0.01	Underutilized
HISPANIC AMERICAN	0.62%	0.73%	0.85	Underutilized
NATIVE AMERICAN	6.68%	0.49%	13.76	Overutilized
WOMEN	14.12%	14.93%	0.95	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	21.83%	30.70%	0.71	Underutilized
NON-MWBE	78.17%	69.30%	1.13	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	10.19%	0.00	Underutilized
ASIAN AMERICAN	0.12%	1.70%	0.07	Underutilized
HISPANIC AMERICAN	0.30%	0.73%	0.41	Underutilized
NATIVE AMERICAN	4.03%	0.49%	8.31	Overutilized
WOMEN	10.67%	14.93%	0.71	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	15.12%	30.70%	0.49	Underutilized
NON-MWBE	84.88%	69.30%	1.22	Overutilized
FY 2017				
AFRICAN AMERICAN	0.01%	10.19%	0.00	Underutilized
ASIAN AMERICAN	0.98%	1.70%	0.58	Underutilized
HISPANIC AMERICAN	0.07%	0.73%	0.10	Underutilized
NATIVE AMERICAN	2.86%	0.49%	5.88	Overutilized
WOMEN	20.29%	14.93%	1.36	Overutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	24.20%	30.70%	0.79	Underutilized
NON-MWBE	75.80%	69.30%	1.09	Overutilized
TOTALS				
AFRICAN AMERICAN	0.30%	10.19%	0.03	Underutilized
ASIAN AMERICAN	0.30%	1.70%	0.18	Underutilized
HISPANIC AMERICAN	0.34%	0.73%	0.47	Underutilized
NATIVE AMERICAN	5.06%	0.49%	10.43	Overutilized
WOMEN	11.55%	14.93%	0.77	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	17.55%	30.70%	0.57	Underutilized
NON-MWBE	82.45%	69.30%	1.19	Overutilized

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Table 47: MWBE Disparity Indices – Other Professional Services (Prime)
City of Nashville, TN Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.25%	20.61%	0.01	Underutilized
ASIAN AMERICAN	2.03%	0.99%	2.05	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	1.26%	16.41%	0.08	Underutilized
UNIDENTIFIED MWBE	2.18%	11.22%	0.19	Underutilized
TOTAL MWBE	5.72%	51.22%	0.11	Underutilized
NON-MWBE	94.28%	48.78%	1.93	Overutilized
FY 2014				
AFRICAN AMERICAN	2.05%	20.61%	0.10	Underutilized
ASIAN AMERICAN	0.38%	0.99%	0.38	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.79%	16.41%	0.17	Underutilized
UNIDENTIFIED MWBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE	5.22%	51.22%	0.10	Underutilized
NON-MWBE	94.78%	48.78%	1.94	Overutilized
FY 2015				
AFRICAN AMERICAN	0.40%	20.61%	0.02	Underutilized
ASIAN AMERICAN	3.39%	0.99%	3.42	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	1.01%	16.41%	0.06	Underutilized
UNIDENTIFIED MWBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE	4.80%	51.22%	0.09	Underutilized
NON-MWBE	95.20%	48.78%	1.95	Overutilized
FY 2016				
AFRICAN AMERICAN	0.38%	20.61%	0.02	Underutilized
ASIAN AMERICAN	0.82%	0.99%	0.83	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	8.83%	16.41%	0.54	Underutilized
UNIDENTIFIED MWBE	2.19%	11.22%	0.20	Underutilized
TOTAL MWBE	12.21%	51.22%	0.24	Underutilized
NON-MWBE	87.79%	48.78%	1.80	Overutilized
FY 2017				
AFRICAN AMERICAN	0.45%	20.61%	0.02	Underutilized
ASIAN AMERICAN	0.58%	0.99%	0.59	Underutilized
HISPANIC AMERICAN	0.45%	1.22%	0.37	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	3.75%	16.41%	0.23	Underutilized
UNIDENTIFIED MWBE	6.03%	11.22%	0.54	Underutilized
TOTAL MWBE	11.27%	51.22%	0.22	Underutilized
NON-MWBE	88.73%	48.78%	1.82	Overutilized
TOTALS				
AFRICAN AMERICAN	0.49%	20.61%	0.02	Underutilized
ASIAN AMERICAN	1.57%	0.99%	1.59	Overutilized
HISPANIC AMERICAN	0.05%	1.22%	0.04	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	4.10%	16.41%	0.25	Underutilized
UNIDENTIFIED MWBE	2.07%	11.22%	0.18	Underutilized
TOTAL MWBE	8.28%	51.22%	0.16	Underutilized
NON-MWBE	91.72%	48.78%	1.88	Overutilized

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Table 48: MWBE Disparity Indices – Non-Professional Services (Prime)

City of Nashville, TN Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	25.82%	19.33%	1.34	Overutilized
ASIAN AMERICAN	0.05%	1.35%	0.04	Underutilized
HISPANIC AMERICAN	0.01%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.22%	0.76%	0.29	Underutilized
WOMEN	8.57%	15.90%	0.54	Underutilized
UNIDENTIFIED MWBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE	34.67%	45.75%	0.76	Underutilized
NON-MWBE	65.33%	54.25%	1.20	Overutilized
FY 2014				
AFRICAN AMERICAN	12.09%	19.33%	0.63	Underutilized
ASIAN AMERICAN	0.01%	1.35%	0.01	Underutilized
HISPANIC AMERICAN	0.01%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	6.10%	15.90%	0.38	Underutilized
UNIDENTIFIED MWBE	0.42%	6.51%	0.07	Underutilized
TOTAL MWBE	18.64%	45.75%	0.41	Underutilized
NON-MWBE	81.36%	54.25%	1.50	Overutilized
FY 2015				
AFRICAN AMERICAN	7.50%	19.33%	0.39	Underutilized
ASIAN AMERICAN	0.01%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	1.71%	15.90%	0.11	Underutilized
UNIDENTIFIED MWBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE	9.22%	45.75%	0.20	Underutilized
NON-MWBE	90.78%	54.25%	1.67	Overutilized
FY 2016				
AFRICAN AMERICAN	10.32%	19.33%	0.53	Underutilized
ASIAN AMERICAN	0.23%	1.35%	0.17	Underutilized
HISPANIC AMERICAN	0.01%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	3.66%	15.90%	0.23	Underutilized
UNIDENTIFIED MWBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE	14.21%	45.75%	0.31	Underutilized
NON-MWBE	85.78%	54.25%	1.58	Overutilized
FY 2017				
AFRICAN AMERICAN	2.27%	19.33%	0.12	Underutilized
ASIAN AMERICAN	0.03%	1.35%	0.02	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.01%	0.76%	0.01	Underutilized
WOMEN	0.96%	15.90%	0.06	Underutilized
UNIDENTIFIED MWBE	0.02%	6.51%	0.00	Underutilized
TOTAL MWBE	3.30%	45.75%	0.07	Underutilized
NON-MWBE	96.70%	54.25%	1.78	Overutilized
TOTALS				
AFRICAN AMERICAN	8.17%	19.33%	0.42	Underutilized
ASIAN AMERICAN	0.07%	1.35%	0.05	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.02%	0.76%	0.02	Underutilized
WOMEN	2.91%	15.90%	0.18	Underutilized
UNIDENTIFIED MWBE	0.06%	6.51%	0.01	Underutilized
TOTAL MWBE	11.23%	45.75%	0.25	Underutilized
NON-MWBE	88.77%	54.25%	1.64	Overutilized

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Table 49: MWBE Disparity Indices – Goods (Prime)

City of Nashville, TN Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.92%	7.14%	0.13	Underutilized
ASIAN AMERICAN	0.27%	1.11%	0.25	Underutilized
HISPANIC AMERICAN	0.06%	0.94%	0.06	Underutilized
NATIVE AMERICAN	2.23%	0.65%	3.42	Overutilized
WOMEN	8.61%	10.96%	0.79	Underutilized
UNIDENTIFIED MWBE	0.24%	2.94%	0.08	Underutilized
TOTAL MWBE	12.34%	23.75%	0.52	Underutilized
NON-MWBE	87.66%	76.25%	1.15	Overutilized
FY 2014				
AFRICAN AMERICAN	0.85%	7.14%	0.12	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.05%	0.94%	0.06	Underutilized
NATIVE AMERICAN	2.96%	0.65%	4.54	Overutilized
WOMEN	13.36%	10.96%	1.22	Overutilized
UNIDENTIFIED MWBE	0.42%	2.94%	0.14	Underutilized
TOTAL MWBE	17.65%	23.75%	0.74	Underutilized
NON-MWBE	82.36%	76.25%	1.08	Overutilized
FY 2015				
AFRICAN AMERICAN	0.35%	7.14%	0.05	Underutilized
ASIAN AMERICAN	0.01%	1.11%	0.01	Underutilized
HISPANIC AMERICAN	0.02%	0.94%	0.02	Underutilized
NATIVE AMERICAN	27.23%	0.65%	41.86	Overutilized
WOMEN	5.09%	10.96%	0.46	Underutilized
UNIDENTIFIED MWBE	0.04%	2.94%	0.01	Underutilized
TOTAL MWBE	32.73%	23.75%	1.38	Overutilized
NON-MWBE	67.27%	76.25%	0.88	Underutilized
FY 2016				
AFRICAN AMERICAN	0.70%	7.14%	0.10	Underutilized
ASIAN AMERICAN	0.07%	1.11%	0.06	Underutilized
HISPANIC AMERICAN	0.04%	0.94%	0.04	Underutilized
NATIVE AMERICAN	0.45%	0.65%	0.69	Underutilized
WOMEN	1.40%	10.96%	0.13	Underutilized
UNIDENTIFIED MWBE	0.45%	2.94%	0.15	Underutilized
TOTAL MWBE	3.11%	23.75%	0.13	Underutilized
NON-MWBE	94.66%	76.25%	1.24	Overutilized
FY 2017				
AFRICAN AMERICAN	0.74%	7.14%	0.10	Underutilized
ASIAN AMERICAN	0.10%	1.11%	0.09	Underutilized
HISPANIC AMERICAN	0.05%	0.94%	0.05	Underutilized
NATIVE AMERICAN	0.23%	0.65%	0.36	Underutilized
WOMEN	1.83%	10.96%	0.17	Underutilized
UNIDENTIFIED MWBE	0.06%	2.94%	0.02	Underutilized
TOTAL MWBE	3.02%	23.75%	0.13	Underutilized
NON-MWBE	96.98%	76.25%	1.27	Overutilized
TOTALS				
AFRICAN AMERICAN	0.62%	7.14%	0.09	Underutilized
ASIAN AMERICAN	0.06%	1.11%	0.05	Underutilized
HISPANIC AMERICAN	0.04%	0.94%	0.04	Underutilized
NATIVE AMERICAN	11.43%	0.65%	17.58	Overutilized
WOMEN	5.94%	10.96%	0.54	Underutilized
UNIDENTIFIED MWBE	0.61%	2.94%	0.21	Underutilized
TOTAL MWBE	18.71%	23.75%	0.79	Underutilized
NON-MWBE	81.29%	76.25%	1.07	Overutilized

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3. ***Subcontractor MWBE Disparity Indices***

Subcontractor Disparity Indices were calculated by comparing the Availability Estimates to the Utilization derived from the responses to the Prime Vendor Questionnaire, with only Construction reporting subcontractors.

In Construction subcontracting, every MWBE group was statistically significantly underutilized in total over the Study Period.

In A&E, African American owned firms were underutilized, but it was not statistically significant; Asian American and Woman owned firms were overutilized; and overall MWBE firms were on parity in A&E.

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Table 50: MWBE Disparity Indices – Construction (Subcontractor)

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ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	4.57%	10.10%	0.45	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	15.56%	12.43%	1.25	Overutilized
UNIDENTIFIED MWBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE	20.13%	29.55%	0.68	Underutilized
NON-MWBE	79.88%	70.45%	1.13	Overutilized
FY 2014				
AFRICAN AMERICAN	0.35%	10.10%	0.03	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	19.11%	12.43%	1.54	Overutilized
UNIDENTIFIED MWBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE	19.46%	29.55%	0.66	Underutilized
NON-MWBE	80.54%	70.45%	1.14	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE	0.00%	70.45%	0.00	Underutilized
FY 2016				
AFRICAN AMERICAN	6.31%	10.10%	0.62	Underutilized
ASIAN AMERICAN	0.48%	0.87%	0.55	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	2.30%	12.43%	0.19	Underutilized
UNIDENTIFIED MWBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE	9.09%	29.55%	0.31	Underutilized
NON-MWBE	90.91%	70.45%	1.29	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	47.47%	12.43%	3.82	Overutilized
UNIDENTIFIED MWBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE	47.47%	29.55%	1.61	Overutilized
NON-MWBE	52.53%	70.45%	0.75	Underutilized
TOTALS				
AFRICAN AMERICAN	5.76%	10.10%	0.57	Underutilized
ASIAN AMERICAN	0.42%	0.87%	0.48	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	5.01%	12.43%	0.40	Underutilized
UNIDENTIFIED MWBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE	11.19%	29.55%	0.38	Underutilized
NON-MWBE	88.82%	70.45%	1.26	Overutilized

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Table 51: MWBE Disparity Indices – A&E (Subcontractor)

City of Nashville, TN Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	10.19%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.70%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	21.20%	14.93%	1.42	Overutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	21.20%	30.70%	0.69	Underutilized
NON-MWBE	78.80%	69.30%	1.14	Overutilized
FY 2014				
AFRICAN AMERICAN	0.80%	10.19%	0.08	Underutilized
ASIAN AMERICAN	4.44%	1.70%	2.61	Overutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	9.56%	14.93%	0.64	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	14.80%	30.70%	0.48	Underutilized
NON-MWBE	85.19%	69.30%	1.23	Overutilized
FY 2015				
AFRICAN AMERICAN	3.11%	10.19%	0.31	Underutilized
ASIAN AMERICAN	2.10%	1.70%	1.24	Overutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	28.61%	14.93%	1.92	Overutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	33.82%	30.70%	1.10	Overutilized
NON-MWBE	66.17%	69.30%	0.95	Underutilized
FY 2016				
AFRICAN AMERICAN	37.28%	10.19%	3.66	Overutilized
ASIAN AMERICAN	1.08%	1.70%	0.64	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	23.70%	14.93%	1.59	Overutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	62.06%	30.70%	2.02	Overutilized
NON-MWBE	37.94%	69.30%	0.55	Underutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.19%	0.00	Underutilized
ASIAN AMERICAN	28.89%	1.70%	17.00	Overutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	0.86%	14.93%	0.06	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	29.75%	30.70%	0.97	Underutilized
NON-MWBE	70.25%	69.30%	1.01	Overutilized
TOTALS				
AFRICAN AMERICAN	9.32%	10.19%	0.91	Underutilized
ASIAN AMERICAN	7.32%	1.70%	4.31	Overutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	14.08%	14.93%	0.94	Underutilized
UNIDENTIFIED MWBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE	30.72%	30.70%	1.00	Parity
NON-MWBE	69.28%	69.30%	1.00	Parity

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K. Determining the Significance of Disparity Indices

The determination that a particular ethnic or gender group has been overutilized or underutilized is not, itself, proof of discrimination. Typically, the determination of whether a disparity is “statistically significant” can be based on the depth of the disparity in that any disparity index that is less than .80 is considered to be a statistically significant underutilization, and any disparity index over 1.10 is considered to be a statistically significant overutilization. The disparity indices impact, as designated in Tables 45-51 as “overutilization”, “underutilization”, or “parity,” have been bolded to indicate such statistically significant impact.

However, GSPC’s approach to determining whether a measured disparity is significant in the general population versus being merely an artifact of our sample is nonparametric, meaning that we do not assume the data or population have any characteristic structure or parameters. In particular, we use a Wilcoxon test that considers whether or not the typical disparity index across all vendor categories is equal to unity. This constitutes a null hypothesis of “parity” and the Wilcoxon test estimates the probability that the typical disparity index departs from unity, and the magnitude of the calculated z-score indicates whether there is typically underutilization ($z < 0$) or overutilization ($z > 0$).

L. Conclusion

The simple disparities among MWBEs are a mixture of substantial underutilization in all groups in Construction, which represents almost half of all dollar measured during the Study Period. Native Americans were overutilized as primes and subs in A&E; and in general, there was parity for MWBEs in A&E subcontracting. This does not mean that these groups cannot participate in remedial programs, but may indicate that those groups may not be eligible for robust race and gender initiatives. Those determinations will be presented in GSPC’s findings and recommendations.

It is particularly important to also review the outcomes of the Private Sector Analysis that follows, GSPC will determine, through a regression analysis, whether the disparities found in this chapter are likely due to race/gender/ethnicity status. If so, then a legal inference of discrimination can be made. GSPC will, in such a case, make recommendations for appropriate and narrowly-tailored remedies.

V. PRIVATE SECTOR ANALYSIS

A. Introduction

In this section GSPC considers the market entry, private sector, public contracting and subcontracting outcomes and experiences of minority owned relative to non-minority owned firms in the relevant Metro Nashville market. Our analysis utilizes data from business firms that are either willing, able, or have actually contracted/subcontracted with Metro Nashville, with the aim of determining if the likelihood of successful contracting/subcontracting opportunities—actual and perceived—with Metro Nashville is conditioned in a statistically significant manner on the race, ethnicity, or gender status of firm owners. Such an analysis is a useful and important complement to estimating simple disparity indexes, which assume all things important for success and failure are equal among business firms competing for public contracts, and are based on unconditional moments—statistics that do not necessarily inform causality or the source of differences across such statistics. As simple disparity indexes do not condition on possible confounders of new firm entry, and success and failure in public sector contracting/subcontracting by business firms, they are only suggestive of disparate treatment, and their implied likelihood of success/failure could be biased.

Our analysis posits that there are possible confounders of success and failure in the entry of new firms in the market and public sector contracting/subcontracting that are sources of heterogeneity among business firms that lead to differences in success and failure. Failure to condition on the sources of heterogeneity in success/failure in new firm formation and public sector contracting/subcontracting outcomes can leave simple disparity indexes devoid of substantive policy implications as they ignore the extent to which firm owner race/ethnicity characteristics are causal factors. Disparate outcomes could possibly reflect in part or in whole outcomes driven by disparate business firm characteristics that matter fundamentally for success/failure in the formation of new firms and public sector contracting/subcontracting outcomes. If the race, ethnicity, or gender status of a firm owner conditions lower likelihoods of success/failure, this would be suggestive of these salient and mostly immutable characteristics causing the observed disparities.

A broad context for considering disparities by firm ownership status can be informed by considering private sector outcomes in the Nashville Market Area. In general, the success and failure of minority-owned firms in public contracting could be conditioned by their outcomes in the private sector regarding their revenue generating capacity. The value of a descriptive private sector analysis is that it situates disparity analyses in the "but-for-justification." Ian Ayres and Frederick Vars (1998), in their consideration of the constitutionality of public affirmative programs posit a scenario in which private suppliers of financing systematically exclude or charge higher prices to minority businesses, which potentially increases the cost of which minority owned businesses can provide services required under public contracts relative to non-minority owned businesses.⁷⁹ This private discrimination means that as minority-owned firms may only have recourse to higher cost financing due to facing discrimination in private sector capital markets, which compromises the competitiveness of their bids. Such a perspective on discrimination suggests that barriers faced by minority-owned firms in the private sector can rationalize targeted contracting programs by political jurisdictions, as the counterfactual is that in the *absence of such private sector discrimination*, they would be able to compete with other firms in bidding for public contracts.

Table 52 reports on firm ownership type and revenue for the Nashville-Davidson-Murfreesboro Census Area from the US Census Bureau's 2012 Survey of Business Owners (SBO).⁸⁰ The SBO Data are collected every 5 years

⁷⁹ See: Ayres, Ian, and Fredrick E. Vars. 1998, "When does private discrimination justify public affirmative action?" *Columbia Law Review*, 98: 1577-1641.

⁸⁰ SBO data are publicly available at <http://www.census.gov/programs-surveys/sbo/data.html>

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since 1972, for years ending in "2" and "7" as part of the economic census. The program began as a special project for minority-owned businesses in 1969 and incorporated into the economic census in 1972 along with the Survey of Women-Owned Businesses. The GSPC descriptive private sector analysis considers the percentage of representation in the population of firms and revenue across the firm ownership type classifications.

For the Nashville-Davidson-Murfreesboro Market Area, Table 52 reveals that relative to Non-minority-owned firms, the revenue shares of each minority-owned firm never exceeds 4.9 percent (Women).⁸¹ With the exception of firms owned by Asians, the revenue shares of other Minority and Women-owned Business Enterprises (MWBEs) never exceeds 6 tenths of one percent. This is particularly a stark finding for firms owned by MWBEs, as each represent approximately 15 percent respectively of all firms in the Nashville-Davidson-Murfreesboro Market Area, but each have revenue shares far smaller than their firm representation shares. Relative to firms owned by Non-minorities in the Nashville-Davidson-Murfreesboro Market Area, exclusive of women-owned firms—some of whom are non-minority—the MWBE revenue shares are an order of magnitude below their firm representation shares, consistent with and suggestive of—but not necessarily causal evidence for—MWBEs facing discriminatory barriers in the private sector of the Nashville-Davidson-Murfreesboro Market Area.⁸²

⁸¹ The percentages do not "add-up" to one, as the women ownership category is not "mutually exclusive" of the other race/ethnicity categories.

⁸² This can be ascertained by simply computing the ratio of each MWBE's firm share to total revenue share. For example, in the case of firms owned by African-Americans, this ratio is approximately 6 percent, in contrast to approximately 41 percent for firms owned by Whites. In this context, relative to firms owned by Whites, firms owned by African-Americans are far more "revenue underrepresented" with respect to their firm share.

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Table 52: Firm Ownership Type and Revenue Characteristics For Nashville-Davidson-Murfreesboro TN Market Area:

2012 Survey Of Business Owners

Ownership Structure	Number of Firms	Percentage of all Firms (approximate)	Market Area Total Revenue (\$1,000)	Percentage of Market Area Total Revenue (approximate)
All	176,330	100	215,066,306	100
Women	58,377	.3311	10,565,995	.0488
Caucasian	151,357	.8584	69,682,792	.3265
African-American	13,471	.0764	787,666	.0037
American Indian & Alaskan Native	1,324	.0075	441,563	.0019
Asian	5,369	.0304	1,828,743	.0084
Asian Indian	1,385	.0078	863,442	.0042
Chinese	663	.0038	270,257	.0014
Filipino	266	.0015	34,905	.0001
Japanese	235	.0013	155,936	.0028
Korean	725	.0041	295,522	.0014
Vietnamese	1,255	.0071	71,891	.0003
Other Asian	951	.0054	133,539	.0005
Native Hawaiian & Other Pacific Islander	90	.0005	19,907	.0001
Hispanic	6,383	.0362	1,424,535	.0065
Some Other Race	2,831	.0160	226,753	.0009
Publicly Held and not classifiable by race, gender, ethnicity	3,721	.0211	142,019,372	.6602

Source: US Census Bureau 2013 Survey of Business Owners.

Given that publicly held firms are not usually classifiable by Minority and Women Business Enterprise (“MWBE”) status, and account for a disproportionate share of revenues, a simple comparison of a MWBE firm and revenue share may not inform the existence of any private sector disparities with precision. In this context, the ratio of a MWBE market share to revenue share may be more informative of disparities. For example, in the case of firms owned by African Americans, this ratio is (.0764)/(.0037) or approximately 20.65, suggesting that the revenue share of firms owned by African Americans would have to increase by a factor of approximately 21 to achieve firm share parity in the Nashville-Davidson-Murfreesboro Market Area.

Table 53 replicates Table 52, to the extent the SBO data enable, for the Nashville-Davidson-Murfreesboro Market Area construction sector—a sector which is a significant venue for public sector contracting.⁸³ As in the case of the private sector overall in Table 52, in general, all minority owned construction firms have revenue shares below their firm representation shares, consistent with and suggestive of—but not necessarily causal

⁸³ For the construction sector, 2013 SBO data do not provide detailed disaggregated race/ethnicity detail to the same extent as for all sectors. ^aValue suppressed to preserve confidentiality as a result of very few firms or there are one or two large firms that dominate the statistic.

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evidence for—MWBEs facing discriminatory barriers in the private construction sector of the Nashville-Davidson-Murfreesboro Market Area. For five of the MWBE construction firms in the Nashville-Davidson-Murfreesboro Market Area, the revenues were suppressed due to confidentiality issues. However, the firm parity for firms owned by African-Americans is perhaps instructive of disparities in the construction market. In this case the firm revenue share disparity ratio is $(.0267)/(.0026)$ or approximately 10.27, suggesting that the revenue share of construction firms owned by African-Americans would have to increase by a least a factor of approximately 10 to achieve firm share parity in the Nashville-Davidson-Murfreesboro Market Area.

Table 53: Firm Ownership Type and Revenue Characteristics

**For Nashville-Davidson-Murfreesboro TN Market Area Construction Sector:
2012 Survey Of Business Owners**

Ownership Structure	Number of Firms	Percentage of all Firms (approximate)	Market Area Total Revenue (\$1,000)	Percentage of Market Area Total Revenue (approximate)
All	21,775	100	11,384,651	100
Women	1,820	.0836	588,698	.0526
Caucasian	19,269	.8849	8,765,939	.7788
African-American	581	.0267	35,602	.0026
American Indian & Alaskan Native	89	.0041	105,420	.0088
Asian	199	.0091	Suppressed ^a	Suppressed ^a
Other Asian	65	.0029	Suppressed ^a	Suppressed ^a
Chinese	39	.0018	Suppressed ^a	Suppressed ^a
Some Other Race	1,117	.0513	72,441	.0061
Japanese	32	.0015	Suppressed ^a	Suppressed ^a
Korean	60	.0027	Suppressed ^a	Suppressed ^a
Publicly Held and not classifiable by race, gender, ethnicity	101	.0046	2,372,979	.2105

Source: US Census Bureau 2013 Survey of Business Owners. ^aValue suppressed to preserve confidentiality as a result of very few firms or there are one or two large firms that dominate the statistic.

Overall, the descriptive summary in Tables 52 and 53 suggests that in the Nashville-Davidson-Murfreesboro Market Area private sector, MWBEs face barriers that translate into lower firm revenues in general, and in the construction sector. In general, if being an MWBE in the Nashville-Davidson-Murfreesboro Market Area private sector is associated with lower firm revenue, this lends some support to the “but-for” justification for affirmative action in public procurement. Lower revenues for MWBEs in the Nashville-Davidson-Murfreesboro Market Area is suggestive of private discrimination that undermines their capacity to compete with non-minority owned firms for public contracting opportunities. This could motivate a private discrimination justification for Affirmative Action in Metro Nashville procurement policies, otherwise Metro Nashville is potentially a *passive participant* in private discrimination against MWBEs with respect to its procurement practices.

To explicitly examine potential disparities in the rates of business ownership in the Nashville- Davidson-Murfreesboro Market Area, GSPC estimated the parameters of a Logit model using 2016 American Community

Survey (ACS) data.⁸⁴ The ACS is a project of the U.S. Census Bureau that has replaced the decennial census as the key source of information about American population and housing characteristics. The 2016 ACS is an approximately 1-in-100 weighted public use sample consisting of U.S households with the smallest identifiable unit being the Public Use Microdata Unit (PUMA), which is a geography containing at least 100,000 individuals. The specification of each model controls for those variables in customary in the literature that are utilized to explain self-employment, to estimate the effects of MWBE status on self-employment while minimizing and/or eliminating confounding factors.⁸⁵ GSPC determines statistical significance on the basis of the estimated coefficient's probability value—or P-value. The P-value is the probability of obtaining an estimate of the coefficient by chance alone, assuming that the null hypothesis of the variable having a zero effect is true. As a convention, GSPC rejects the null hypothesis of no effect, and concludes the estimated coefficient is statistically significant as long as $P\text{-value} \leq .10$, which we highlight in bold for all parameter estimates

In the GSPC Logit model of self-employment, the estimated parameters are odds ratios, and when greater (less) than unity indicate that having a particular characteristics increases (decreases) the likelihood of being self-employed. In the case of the MWBE status indicators (e.g. African American, Female), the excluded category is Caucasian Males, and a positive (negative) odds ratio indicates that relative to Caucasian Males, having that MWBE characteristic increases (decreases) the likelihood of being self-employed in the Nashville-Davidson-Murfreesboro Market Area.

Table 54 reports parameter estimates across all business sectors in the Nashville-Davidson-Murfreesboro Market Area. The estimated odds ratios with statistical significance suggest that relative to Caucasian Males, Females, African Americans, Hispanic Americans, and Pacific Islander Americans are less likely to be self-employed in the Nashville-Davidson-Murfreesboro Market Area. Other Race Americans on the otherhand, are relatively more likely to be self-employed. In the case of Females, African Americans, Hispanic Americans, and Pacific Islander Americans, these odds ratios estimates are suggestive of barriers to self-employment for these type of MWBEs in the Nashville-Davidson-Murfreesboro Market Area, that could be ameliorated through successful MWBE public contracting programs that induce MWBE firm entry as Chatterji, Chay, and Fairlie (2014) find that the self-employment rate of black Americans is increasing with respect to the provisioning and establishment of MWBE set-aside public procurement programs.⁸⁶

Table 55 reports parameter estimates for the construction sector in the Nashville-Davidson-Murfreesboro Market Area—a important sector in the market for public procurement. The estimated odds ratios with statistical significance suggest that relative to Caucasian Males, Females, African Americans, Hispanic Americans, and Asian Americans are less likely to be self-employed in the Nashville-Davidson-Murfreesboro Market Area. The estimated odds ratios estimates are suggestive of barriers to self-employment in the construction sector for these type of MWBEs in the Nashville-Davidson-Murfreesboro Market Area that could be ameliorated through successful MWBE public contracting programs that induce MWBE firm entry, as Marion (2009) finds that the self-employment rate of black Americans in construction is increasing with respect to the provisioning and

⁸⁴ ACS data are publicly available at <https://usa.ipums.org/usa/>. See: Steven Ruggles, Katie Genadek, Ronald Goeken, Josiah Grover, and Matthew Sobek. 2017. *Integrated Public Use Microdata Series: Version 7.0* [dataset]. Minneapolis: University of Minnesota. <https://doi.org/10.18128/Do10.V7.0>.

⁸⁵ See: Grilo, Isabel, and Roy Thurik. 2008. "Determinants of Entrepreneurial Engagement Levels in Europe and the US." *Industrial and Corporate Change* 17: pp. 1113-1145, and Van der Sluis, Justin, Mirjam Van Praag, and Wim Vijverberg. 2008. "Education and Entrepreneurship Selection and Performance: A Review of the Empirical Literature." *Journal of economic surveys* 22: pp. 795-841.

⁸⁶ Chatterji, Aaron K., Kenneth Y. Chay, and Robert W. Fairlie. 2014. "The Impact of City Contracting Set-asides on Black Self-employment and Employment." *Journal of Labor Economics* 32: pp. 507-561

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establishment of MWBE set-aside public construction procurement programs.⁸⁷ In this context, the existence of a proportionality between MWBE entry and set-asides in the public sector construction sector (Marion, 2009) suggests that the Logit parameter estimates in Table 55 could be informing, at least in part, disparities in the awarding of public sector construction projects in the Nashville-Davidson-Murfreesboro Market Area.

Table 54: Self-Employment/Business Ownership Model:

Logit Parameter Odds Ratio Estimates From The 2011 American Community Survey

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Self Employment in The Nashville-Davidson-Murfreesboro Metropolitan Area (Binary)			
<i>Regressors:</i>			
Constant	.0312	.0021	.0000
Age	1.24	.0063	.0000
Age-Squared	.7013	.0042	.2301
Married	.9612	.0359	.1273
Female	.9003	.0381	.0045
African American	.7628	.1283	.0427
Hispanic American	.9385	.1071	.0758
Native American	.9112	.1819	.6349
Pacific Islander American	.8542	.1057	.0634
Asian American	.2315	.0439	.1262
Other Race American	1.39	.6962	.0023
College Degree	.8950	.0974	.5391
Speaks English Only	.8357	.0914	.0168
Disabled	1.24	.5287	.2356
Value of Home (\$)	1.38	.0016	.0000
Interest, Dividend, and Rental Income (\$)	1.17	.0023	.0000
Mortgage Payment (\$)	1.39	.0031	.0000
Number of Observations	8,526		
<i>Pseudo-R²</i>	.073		

Bold P-value indicates statistical significance level of .10 or lower.

Source of Data: American Community Survey 2017, IPUMs USA

⁸⁷ Marion, Justin. 2009. "Firm Racial Segregation and Affirmative Action in the Highway Construction Industry." *Small Business Economics* 33: Article 441.

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**Table 55: Construction Sector Self-Employment/Business Ownership Model:
Logit Parameter Odds Ratio Estimates From The 2011 American Community Survey**

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Self Employment in The Nashville-Davidson-Murfreesboro Metropolitan Area (Binary)			
<i>Regressors:</i>			
Constant	.0017	.0021	.0000
Age	1.12	.0139	.0269
Age-Squared	.9195	.0381	.1728
Married	1.18	.0572	.1243
Female	.1724	.0182	.0329
African American	.0931	.0205	.0483
Hispanic American	.8345	.0217	.0526
Native American	3.62	1.36	.1273
Pacific Islander American	.3673	.1715	.1382
Asian American	.0649	.0382	.0174
Other Race American	1.74	1.38	.1462
College Degree	.8315	.0948	.0317
Speaks English Only	1.14	.1925	.1368
Disabled	1.84	1.35	.1785
Value of Home (\$)	1.62	1.13	.0426
Interest, Dividend, and Rental Income (\$)	1.21	1.16	.1328
Mortgage Payment (\$)	1.18	.0023	.1926
Number of Observations	7,394		
<i>Pseudo-R²</i>	.143		

Bold P-value indicates statistical significance level of .10 or lower.

Source of Data: American Community Survey 2017, IPUMs USA

B. Building Permit Analysis

As data from both aggregate census and customized surveys such as that of GSPC may not capture all the relevant business dynamics in the Nashville market area—particularly of business firms not certified as MWSDs and/or mismeasured in both aggregate census data and the GSPC survey—of the relevant market area of a political jurisdiction such as Metro Nashville, GSPC also analyzed building permit data for Metro Nashville over the 2013 – 2017 time period. The GSPC building permit sample contains 37,309 building approved building permit applications between 2013 – 2017 for the Metro Nashville. It consists of all firms with identifiable names, based upon those identified in the GSPC survey as certified MWSDs, MBEs, WBEs, SBEs, or DBEs. In this context, the building permit data could also be biased, as GSPC can only identify a certified MWSD, MBE, WBE, SBE, or DBE based upon it being identified as such in the GSPC survey, relative to the actual universe and population of certified firms in the relevant market area.

GSPC randomly selected 100 firms from its building permit sample, rendering each firm equally likely to be selected. In this context, estimates of building permit shares by certified MWSDs, MBEs, WBEs, SBEs, and DBEs assume that all firms are equally likely to compete in the business sector for which securing building permits are a part of business. In the sample of 100, none of the building permits were held by firms identified as MWSD, MBE, WBE, SBE or DBE. In contrast to the market and revenue shares of MWSDs suggested by the aggregate census data revealed in the SBO and ACS, the building permit shares of MWSDs suggest that their underrepresentation among firms in the Metro Nashville is far more severe than for the Nashville-Davidson-Murfreesboro market area in general.

C. GSPC Data

Our Metro Nashville disparity analysis is based on survey data compiled by GSPC, and constitutes a sample of firms from the bidder and vendor lists provided by Metro Nashville. The GSPC survey was a questionnaire that captured data on firm and individual owner characteristics. The GSPC research interest is in the extent to which Minority, Woman, Small or Disadvantaged (“MWSDBE”) ownership status conditions success/failure with Metro Nashville in public contracting opportunities. In this analysis, our use of the data in the GSPC survey is limited to the measured covariates that in our view are best suited for evaluating the extent to which MWSDBEs status is a possible cause of public contracting disparities in Metro Nashville. Table 56 reports, for the 325 survey responses available, a summary on the description, mean and standard deviation of the covariates from the GSPC survey that were relevant to the analysis, and utilized as regressors and regressands in our econometric specifications.

The main firm types identified are whether or not the firm is owned by a certified Minority, Woman, Small or Disadvantaged Business Enterprise (“MWSDBE”), a certified Minority Business Enterprise (“MBE”), a certified Woman Business Enterprise (“WBE”), a certified Small Business Enterprise (“SBE”), and a certified Disadvantaged Business Enterprise (“DBE”). Each of these measured characteristics inform the basis of our disparity analysis below. In particular, the GSPC analysis considers the extent to which each of these firm ownership status indicators matters in the Nashville Market Area for success in public contracting.

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Table 56: Covariate Summary

Covariate	Description	Mean	Standard Deviation	Number of Observations
Number of Prime Contractor Bids Submitted to City Of Nashville: 2013 - 2017	<i>Categorical Variable:</i> 1 = Zero bids 2 = 1 - 10 bids 3 = 11 - 25 bids 4 = 26 - 50 bids 5 = 51 - 100 bids 6 = More than 100 bids	.662	1.10	325
Firm Entered Market Between 2013 - 2017	<i>Binary Variable:</i> 1 = Yes	.135	.343	325
Did not Serve as a Prime Contractor On a Metro Nashville Project: 2013 - 2017	<i>Binary Variable:</i> 1 = Yes	.545	.498	325
Number of times served as a subcontractor on Metro Nashville Projects 2013- 2017	1 = Zero bids 2 = 1 - 10 bids 3 = 11 - 25 bids 4 = 26 - 50 bids 5 = 51 - 100 bids 6 = More than 100 bids	.163	.762	325
Applied but never approved for a start-up, operating, or equipment loan	<i>Binary Variable:</i> 1 = Yes	.043	.196	325
Gross Revenue of at Least \$1,000,000	<i>Binary Variable:</i> 1 = Yes	.412	.493	325
Bonding Limit at Least \$1, 000, 000	<i>Binary Variable:</i> 1 = Yes	.135	.343	325
Denied a Start-up loan from bank	<i>Binary:</i> 1 = Yes	.046	.210	325
Certified minority, woman, small, or disadvantaged business enterprise	<i>Binary Variable:</i> 1 = Yes	.517	.500	325
Certified minority business enterprise	<i>Binary Variable:</i> 1 = Yes	.175	.381	325
Certified woman business enterprise	<i>Binary Variable:</i> 1 = Yes	.201	.401	325
Certified small business enterprise	<i>Binary Variable:</i> 1 = Yes	.360	.481	325
Firm Owner Has More Than Twenty Years of Experience	<i>Binary Variable:</i> 1 = Yes	.631	.483	325
Firm Has More Than Ten Employees	<i>Binary Variable:</i> 1 = Yes	.221	.416	325
Firm Owner has a Baccalaureate Degree	<i>Binary Variable:</i> 1 = Yes	.418	.494	325
Firm is in the construction sector	<i>Binary Variable:</i> 1 = Yes	.175	.381	325

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D. Statistical and Econometric Framework

Methodologically, the GSPC statistical and econometric analysis of possible public contracting disparities with Metro Nashville utilizes a Categorical Regression Model (CRM) framework.⁸⁸ As the covariates measuring public contracting activity/outcomes and other respondent characteristics in Table 56 are categorical responses to questionnaire items (e.g. public contracting bid ranges, yes, no), a CRM views the categories as latent variables with likelihood thresholds that are conditioned on other covariates. In the case where there are more than two categories and the succession of categories have a natural ranking, a CRM permits a determination as to how particular covariates condition the likelihood/probability of being in the highest valued category relative to the lower-valued categories. In the case of just two categorical but not naturally ordered categories, the CRM reduces to a Binary Regression Model (BRM).⁸⁹

For all the CRM/BRM parameter estimates below, we report them as “odds ratios”, which measure the ratio of the probability of success and the probability of failure relative to the omitted group in all our specifications—non-minority owned firms.⁹⁰ When the odds ratio is greater (less) than unity for a parameter, the measure characteristic has the effect of increasing (decreasing) the likelihood of the outcome under consideration relative to nonminority owned firms. We determine statistical significance on the basis of the estimated coefficient’s probability value—or P-value. The P-value is the probability of obtaining an estimate of the coefficient by chance alone, assuming that the null hypothesis of the variable having a zero effect is true. As a convention, GSPC rejects the null hypothesis of no effect, and concludes the estimated coefficient is statistically significant as long as P-value $\leq .10$, which we highlight in bold for all parameter estimates.

As nonresponse probabilities in the GSPC survey are unknown, we estimate all parameters from our CRM/BRM specifications with bootstrapped standard errors to minimize/eliminate the bias that can result from the sample being unrepresentative of the population of interest due to nonresponse.⁹¹ To the extent that bootstrapped standard errors enable consistent estimation of parameters given misspecification that could result from the omission of sampling and nonresponse weights, CRM/BRM parameter estimates with bootstrapped standard errors effects can mitigate/eliminate the bias caused by a sample that may not be fully representative of the population of interest.⁹² Standard errors are also clustered on firm business category, as outcomes in

⁸⁸ See: Richard D. McKelvey and William Zavoina. 1975. “A Statistical Model for the Analysis of Ordinal Level Dependent Variables,” *Journal of Mathematical Sociology*, 4: pp. 103 - 120.

⁸⁹ More formally, if the latent realization of an outcome is Y_i^* , ranging from $-\infty$ to ∞ , a structural and conditional specification for Y_i^* is $Y_i^* = \mathbf{X}_i \beta + \varepsilon_i$, where \mathbf{X} is a vector of exogenous covariates, β is a vector of coefficients measuring the effects of particular covariates on the realization of Y_i^* , and ε_i is a random error. For categorical and ordinal outcomes $m = 1 \dots J$, $Y_i = m$ if $\tau_{m-1} \leq Y_i^* < \tau_m$, where the τ_i are thresholds for the particular realizations of $Y_i^* = m$. Conditional on \mathbf{X} the likelihood/probability that Y_i takes on a particular realization is $Pr(Y_i = m | \mathbf{X}) = \Phi(\tau_m - \mathbf{X}\beta) - \Phi(\tau_{m-1} - \mathbf{X}\beta)$, where Φ is the cumulative density function of ε . The GSPC methodology utilizes covariates that control and/or proxy for the education level of the firm owner, the age of the firm, the size of the firm with respect to the number of employees and revenues, firm bonding capacity, and firm financial standing.

⁹⁰ An “odds-ratio” is also a measure of “effect size” in that in addition to the statistical significance of a parameter, the “odds-ratio” provides a measure of a parameter estimate’s “practical magnitude.” For an “odds-ratio” the practical magnitude is the absolute value of 1 minus the “odds-ratio”, measuring the percentage change in the likelihood of observing the dependent outcome.

⁹¹ See: Bradley Efron and Robert J. Tibshirani. 1993. *An Introduction to the Bootstrap*, Chapman and Hall, NY.

⁹² See: Silvia Goncalves and Halbert White. 2005. “Bootstrap Standard Error Estimates for Linear Regression,” *Journal of the American Statistical Association*, 100: pp. 970 -979., and Stanislav Kolenikov. 2010. “Resampling Variance Estimation for Complex Survey Data,” *Stata Journal*, 10: pp. 165 – 199.

particular sectors can be correlated (e.g. not independent), and if not accounted for, would lead to biased parameter estimates.⁹³

E. The Relative New Firm Entry Propensities of MWBE Firm Owners in Nashville Market Area

We first examine the effects of MWSDBE status on an individual's participation in the private sector as a relatively new business firm in the Nashville Market Area. To the extent that MWSDBEs have a lower likelihood of market entry relative to non-MWSDBEs, it would suggest that private discrimination against minority-owned businesses is sufficiently present to warrant consideration of public sector legal remedies such as affirmative action and minority goals contracting which would improve the prospects for the entry of new minority-owned firms in the market. Such a perspective on discrimination suggests that entry barriers impede the formation of minority-owned firms. The counterfactual is that in the absence of such entry barriers, manifested perhaps as discrimination against minority-owned firms in access to capital, credit, etc, MWSDBEs would be able to enter the market, and compete with non-MWSDBEs in bidding and securing public contracts from Metro Nashville.

To determine if MWSDBE status is a barrier to the formation of new businesses in the Nashville Market Area, Tables 57 - 62 report, for each of the distinct MWSDBE in the GSPC sample, the estimated parameters of a Logit BRM with a binary variable for a firm establishing itself between the years 2013 – 2017 as the dependent variable. As standard control covariates we include measures of, or proxies for, the firm's owner's experience, the size of the firm having, firm gross revenue, firm bonding status, firm financial standing, whether or not the firm is in the construction/construction services sector, and the education of the firm owner. As a goodness-of-fit measure, Pseudo- R^2 is reported.⁹⁴

The parameter estimates in Tables 57-62 suggest that overall, MWSDBEs, collectively, are less likely to be new firms, as the estimated odds ratio is less than unity and statistically significant. This is also true separately for WBEs, but not true for MBEs, SBEs, and DBEs, separately. As the excluded group is non-MWSDBEs, to the extent that market experience is an important determinant of, and correlated with, success in bidding and securing public contracts, that MWSDBEs in the Metro Nashville Market Area are no different than non-MWSDBEs in being recent entrants to the market suggests that the market experience of minority and non-minority-owned firms is similar. To the extent this also implies similar knowledge/experience about bidding and securing public contracts, any disparities in public contracting outcomes between MWSDBEs and non-MWSDBEs can't be explained by differential market experience.

⁹³ The business categories are: 1.) Construction Services, 2.) Construction Related Professional Services (Including Architecture and Engineering), 3.) Professional Services, 4.) Other Services, and 5.) Goods.

⁹⁴ Pseudo- R^2 is not to be interpreted as the R^2 in standard Ordinary Least Squares (OLS) estimation, as OLS proceeds by minimizing variance to get parameter estimates. Logit specifications are likelihood-based, and higher values of Pseudo- R^2 indicate that the specified model is an increasingly better alternative to a null model with only an intercept.

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Table 57: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Minority/Woman/Small/Disadvantaged-Owned New Firm Entry

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Entered Market within last 5 years (Binary)			
<i>Regressors:</i>			
Constant	.8028	.2362	.4553
Owner Has More Than 20 Years of Experience	.2312	.1014	.0019
Firm Has More Than 10 Employees	.8407	.6876	.8327
Firm Owner has a Baccalaureate Degree	.4812	.2015	.0814
Gross Revenue at Least \$1,000,000	.3040	.1781	.0421
Single Project Bonding Limit at Least \$1,000,000	.8308	1.94	.9375
Applied but never approved for a start-up, operating, or equipment loan	7.63	5.71	.0072
Firm is in the Construction Sector	.2791	1.71	.8358
Certified minority, woman, small, or disadvantaged business enterprise	.5174	.1997	.0881
Number of Observations	325		
<i>Pseudo-R</i> ²	.219		

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Table 58: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Minority-owned New Firm Entry

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Entered Market within last 5 years (Binary)			
<i>Regressors:</i>			
Constant	.6181	.1922	.1227
Owner Has More Than 20 Years of Experience	.2195	.0934	.0001
Firm Has More Than 10 Employees	.9303	.8609	.9382
Firm Owner has a Baccalaureate Degree	.4746	.1943	.0698
Gross Revenue at Least \$1,000,000	.2930	.1969	.0683
Single Project Bonding Limit at Least \$1,000,000	.7481	2.14	.9196
Applied but never approved for a start-up, operating, or equipment loan	5.84	5.48	.0602
Firm is in the construction sector	.2738	1.43	.8043
Certified minority business enterprise	.9896	.5064	.9841
Number of Observations	325		
<i>Pseudo-R²</i>	.207		

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Table 59: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Women-owned New Firm Entry

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Entered Market within last 5 years (Binary)			
<i>Regressors:</i>			
Constant	.7655	.2532	.4196
Owner Has More Than 20 Years of Experience	.2032	.0913	.0001
Firm Has More Than 10 Employees	.8936	.6836	.8837
Firm Owner has a Baccalaureate Degree	.4299	.2176	.0951
Gross Revenue at Least \$1,000,000	.3484	.2167	.0903
Single Project Bonding Limit at Least \$1,000,000	.7170	2.66	.9285
Applied but never approved for a start-up, operating, or equipment loan	9.41	7.62	.0063
Firm is in the construction sector	.2657	1.49	.8137
Certified woman business enterprise	.2620	.1460	.0162
Number of Observations	325		
<i>Pseudo-R²</i>	.231		

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Table 60: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Small Business New Firm Entry:

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Entered Market within last 5 years (Binary)			
<i>Regressors:</i>			
Constant	.6856	.1804	.1521
Owner Has More Than 20 Years of Experience	.2238	.0848	.0001
Firm Has More Than 10 Employees	.8603	.5678	.8204
Firm Owner has a Baccalaureate Degree	.4692	.1747	.0428
Gross Revenue at Least \$1,000,000	.3124	.1924	.0594
Single Project Bonding Limit at Least \$1,000,000	.7556	1.78	.9063
Applied but never approved for a start-up, operating, or equipment loan	6.84	6.14	.0327
Firm is in the construction sector	.2857	1.39	.7981
Certified small business enterprise	.6677	.2884	.3503
Number of Observations	325		
<i>Pseudo-R²</i>	.211		

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Table 61: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Disadvantaged Business New Firm Entry

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Entered Market within last 5 years (Binary)			
<i>Regressors:</i>			
Constant	.6160	.2318	.1982
Owner Has More Than 20 Years of Experience	.2194	.1027	.0014
Firm Has More Than 10 Employees	.9308	.8626	.9385
Firm Owner has a Baccalaureate Degree	.4749	.2332	.1293
Gross Revenue at Least \$1,000,000	.2937	.7169	.6163
Single Project Bonding Limit at Least \$1,000,000	.7479	2.76	.9374
Applied but never approved for a start-up, operating, or equipment loan	5.81	4.66	.0281
Firm is in the construction sector	.2735	1.11	.7493
Certified disadvantaged business enterprise	1.01	.5323	.9938
Number of Observations	325		
<i>Pseudo-R</i> ²	.207		

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F. MWSDBEs and Bank Loan Denials in The Metro Nashville Metropolitan Market Area

To the extent that MWBEs are credit-constrained as a result of facing discrimination in private lending markets, their capacity to compete for and execute public project could be compromised. In this context, a political jurisdiction that awards public contracts is potentially a *passive participant* in discrimination as MWBEs may only have recourse to higher cost financing due to facing discrimination in private credit markets, which compromises the competitiveness of their bids. Such a perspective on discrimination suggests that barriers faced by MWSDBEs in the private sector can rationalize targeted public contracting programs by political jurisdictions, and the capacity and growth of MWSDBEs could be enhanced with access to public contracting opportunities (Bates, 2009).⁹⁵

To determine if MWSDBEs status is a barrier to the financing of new businesses in the Metro Nashville Market Area, Tables 62 - 66 report, for each of the distinct certified firm types in the GSPC sample, the estimated parameters of a Logit BRM with the dependent variable being a binary variable for whether a firm was ever denied a private bank loan firm—in particular for a start-up loan. The estimated odds ratios reveal that for the distinct certified firm types in the GSPC sample, relative to non-MWSDBEs—the excluded group in the CRM specification—all of the certified firm types are more likely to be denied loans in the private credit market. This suggests that MWSDBEs (collectively), MBEs, WBEs, SBEs, and DBEs in the Nashville Market Area are likely to have their capacity to compete in the market for public procurement constrained as a result of private sector credit market discrimination.

⁹⁵ See: Bates, Timothy. 2009 "Utilizing Affirmative Action in Public Sector Procurement as a Local Economic Development Strategy." *Economic Development Quarterly*, 23: pp. 180 - 192., and Bates, Timothy, and Alicia Robb. 2013. "Greater Access to Capital is Needed to Unleash the Local Economic Development Potential of Minority-owned Businesses." *Economic Development Quarterly*, 27: pp.250 - 259.

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Table 62: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Bank Loan Denials

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Denied Start-up Loan from Bank (Binary)			
<i>Regressors:</i>			
Constant	5.78	1.34	.0001
Owner Has More Than 20 Years of Experience	.4261	.3168	.2513
Firm Has More Than 10 Employees	.1461	.2221	.2064
Firm Owner has a Baccalaureate Degree	1.74	1.35	.4751
Gross Revenue at Least \$1,000,000	1.07	.8665	.9335
Single Project Bonding Limit at Least \$1,000,000	.4821	.3911	.3692
Applied but never approved for a start-up, operating, or equipment loan	221.028	275.18	.0001
Firm is in the Construction Sector	.0002	.0001	.0001
Certified minority, woman, small, or disadvantaged business enterprise	22.37	24.99	.0053
Number of Observations	325		
<i>Pseudo-R²</i>	.519		

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Table 63: Logit Parameter Estimates (Odds Ratio): Minority Business Enterprise Ownership Status and Bank Loan Denials

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Denied Start-up Loan from Bank (Binary)			
<i>Regressors:</i>			
Constant	4.69	.7736	.0001
Owner Has More Than 20 Years of Experience	.3548	.2926	.2096
Firm Has More Than 10 Employees	.2008	.3070	.2947
Firm Owner has a Baccalaureate Degree	2.31	1.94	.3193
Gross Revenue at Least \$1,000,000	3.16	2.27	.1103
Single Project Bonding Limit at Least \$1,000,000	.5864	.5647	.5791
Applied but never approved for a start-up, operating, or equipment loan	195.83	219.28	.0001
Firm is in the construction sector	.0003	.0006	.0001
Certified minority business enterprise	11.55	9.51	.0001
Number of Observations	325		
<i>Pseudo-R²</i>	.516		

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Table 64: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Bank Loan Denials

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Denied Start-up Loan from Bank (Binary)			
<i>Regressors:</i>			
Constant	3.82	.7285	.0001
Owner Has More Than 20 Years of Experience	.5512	.3887	.3986
Firm Has More Than 10 Employees	.1636	.2051	.1493
Firm Owner has a Baccalaureate Degree	1.86	1.37	.4027
Gross Revenue at Least \$1,000,000	1.04	.7886	.9632
Single Project Bonding Limit at Least \$1,000,000	.6071	.4741	.5238
Applied but never approved for a start-up, operating, or equipment loan	151.83	141.18	.0001
Firm is in the construction sector	.0004	.0006	.0001
Certified woman business enterprise	3.11	2.07	.0873
Number of Observations	325		
<i>Pseudo-R²</i>	.463		

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Table 65: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Bank Loan Denials

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand: Firm Denied Start-up Loan from Bank (Binary)</i>			
<i>Regressors:</i>			
Constant	4.05	.7941	.0001
Owner Has More Than 20 Years of Experience	.5367	.3726	.3703
Firm Has More Than 10 Employees	.1999	.2490	.1962
Firm Owner has a Baccalaureate Degree	1.83	1.35	.4095
Gross Revenue at Least \$1,000,000	.9801	.7413	.9791
Single Project Bonding Limit at Least \$1,000,000	.5783	.4566	.4883
Applied but never approved for a start-up, operating, or equipment loan	148.56	135.08	.0001
Firm is in the construction sector	.0002	.0003	.0001
Certified small business enterprise	3.51	2.59	.0903
Number of Observations	325		
<i>Pseudo-R²</i>	.469		

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Table 66: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Bank Loan Denials

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Denied Start-up Loan from Bank (Binary)			
<i>Regressors:</i>			
Constant	3.98	.7418	.0001
Owner Has More Than 20 Years of Experience	.5613	.4127	.4328
Firm Has More Than 10 Employees	.1922	.2871	.2693
Firm Owner has a Baccalaureate Degree	1.46	1.12	.6198
Gross Revenue at Least \$1,000,000	1.56	1.32	.6021
Single Project Bonding Limit at Least \$1,000,000	.3815	.3765	.3294
Applied but never approved for a start-up, operating, or equipment loan	149.27	156.65	.0001
Firm is in the construction sector	.0004	.0008	.0001
Certified disadvantaged business enterprise	5.15	4.31	.0497
Number of Observations	325		
<i>Pseudo-R²</i>	.483		

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G. Are MWSDBEs Less Likely To Compete for Contracts in Metro Nashville Market Area?

One reason disparities in public contracting outcomes between MWBEs and non-MWBEs could exist is that relative to non-MWBEs, MWBEs may be less likely to submit bids for public contracts. To determine if this is the case in the Metro Nashville Market Area, Tables 67 – 71 report Ordinal Logit parameter estimates of a CRM with the number of prime contracting bids submitted by a firm to the City of Nashville between 2013 - 2017 as the dependent variable, for each of the distinct MWSDBEs in the GSPC sample. The parameter estimates in Tables 67-71 suggest that relative to non-MWSDBEs, MWSDBEs status is associated with higher prime bid submission to Metro Nashville, as the estimated odds ratio is positive and statistically significant. For firm types classified as MBE, WBE, SBE and DBE, the estimated odd ratio is insignificant, suggesting that for these firm classification types, there is no difference in the bid submission behavior between them and non-MWSDBEs.

To the extent that public contracting success is proportional to the number of submissions, the parameter estimates in Tables 67-71 suggests that, with the exception of MWSDBEs overall, and firms classified as MBE, WBE, SBE, and DBE, any public contracting disparities in Metro Nashville between MWSDBEs and non-MWSDBEs cannot be explained by a lower likelihood of public bid submission rates on Metro Nashville contracts. Indeed, in the case of MWSDBEs overall, their relatively high prime bid submission rate would suggest, all things being equal, a higher success rate relative to non- MWSDBEs in securing public contracts to the extent that public contracting success is proportional to the number of submissions.

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Table 67: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Prime Bid Submissions to Metro Nashville 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	1.32	.3254	.2663
Firm Has More Than 10 Employees	.8813	.3303	.0315
Firm Owner has a Baccalaureate Degree	.9606	.2514	.0138
Gross Revenue at Least \$1,000,000	.8052	.2242	.4375
Single Project Bonding Limit at Least \$1,000,000	.6959	.2798	.3672
Applied but never approved for a start-up, operating, or equipment loan	1.63	.9118	.1238
Firm is in the Construction Sector	.6645	.1937	.1613
Certified minority, woman, small, or disadvantaged business enterprise	1.57	.3574	.0492
Number of Observations	325		
<i>Pseudo-R²</i>	.021		

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Table 68: Ordinal Logit Parameter Estimates (Odds Ratio): Minority Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Prime Bid Submissions to Metro Nashville 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	1.32	.2501	.1487
Firm Has More Than 10 Employees	.7986	.3293	.0782
Firm Owner has a Baccalaureate Degree	.9905	.2729	.0892
Gross Revenue at Least \$1,000,000	.8694	.2517	.6294
Single Project Bonding Limit at Least \$1,000,000	.7339	.3027	.4536
Applied but never approved for a start-up, operating, or equipment loan	1.71	.7681	.2328
Firm is in the construction sector	.6196	.2324	.2731
Certified minority business enterprise	1.44	.3667	.1493
Number of Observations	325		
<i>Pseudo-R²</i>	.017		

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Table 69: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Prime Bid Submissions to Metro Nashville 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	1.33	.3048	.2115
Firm Has More Than 10 Employees	.7912	.2967	.0753
Firm Owner has a Baccalaureate Degree	.9652	.2419	.0927
Gross Revenue at Least \$1,000,000	.8199	.2521	.5183
Single Project Bonding Limit at Least \$1,000,000	.7165	.3257	.4622
Applied but never approved for a start-up, operating, or equipment loan	1.95	.9661	.1012
Firm is in the construction sector	.6808	.2066	.2057
Certified woman business enterprise	.9533	.3067	.8824
Number of Observations	325		
<i>Pseudo-R²</i>	.014		

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Table 70: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Prime Bid Submissions to Metro Nashville 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	1.33	.3032	.2137
Firm Has More Than 10 Employees	.8717	.3019	.0912
Firm Owner has a Baccalaureate Degree	.9718	.2234	.0861
Gross Revenue at Least \$1,000,000	.7859	.2077	.3628
Single Project Bonding Limit at Least \$1,000,000	.7071	.3317	.4614
Applied but never approved for a start-up, operating, or equipment loan	1.67	.7814	.2749
Firm is in the construction sector	.6435	.2441	.2453
Certified small business enterprise	1.41	.4057	.2331
Number of Observations	325		
<i>Pseudo-R²</i>	.018		

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Table 71: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Prime Bid Submissions to Metro Nashville 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	1.37	.3316	.1993
Firm Has More Than 10 Employees	.8048	.3515	.0697
Firm Owner has a Baccalaureate Degree	.9636	.2549	.0967
Gross Revenue at Least \$1,000,000	.8407	.2545	.5671
Single Project Bonding Limit at Least \$1,000,000	.7055	.2393	.3047
Applied but never approved for a start-up, operating, or equipment loan	1.71	.8065	.2528
Firm is in the construction sector	.6595	.2078	.1864
Certified disadvantaged business enterprise	1.41	.3845	.2031
Number of Observations	325		
<i>Pseudo-R²</i>	.016		

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H. MWSDBEs And Prime Contracting in Metro Nashville Market Area

To the extent that frequency of public contract bids reflects past success as a prime contract bidder, MWBEs can potentially become frequent prime contract bidders by actually gaining experience as successful prime contractors. As such, the frequency of prime bids by MWSDBEs firms need not be a concern if they are actually gaining valuable experience as prime contractors that will translate into frequent contract bids and success later. To explore if this is the case in the Metro Nashville Market Area, Tables 72 - 76 report Logit BRM parameter estimates where the dependent variable is whether or not a firm never served as a prime contractor for Metro Nashville between 2013 – 2017.

The parameter estimates in Tables 72-76 suggest that relative to non-MWSDBEs, with the exception of WBEs; MWSDBEs, collectively, and MBEs, SBEs, and DBEs, separately were more likely to have never served as prime contractors in Metro Nashville, as the estimated odds ratio is greater than one and statistically significant in these instances. To the extent that public contract success is proportional to prior experience as a prime contractor, the parameter estimates in Tables 72-76 suggest that any public contracting success disparities between non-MWSDBEs and MWSDBEs (collectively), MBEs, SBEs, and DBEs may reflect past constraints on public contract success if current public contracting success is correlated with the experience gained from past public contracting success.

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Table 72: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Awards

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Never had a Prime contract with Metro Nashville: 2013 – 2017 (Binary)			
<i>Regressors:</i>			
Constant	.7852	.2041	.3525
Owner Has More Than 20 Years of Experience	1.21	.3012	.4531
Firm Has More Than 10 Employees	.6259	.2594	.2583
Firm Owner has a Baccalaureate Degree	1.15	.2549	.5212
Gross Revenue at Least \$1,000,000	.7420	.2205	.3157
Single Project Bonding Limit at Least \$1,000,000	1.08	.4387	.8431
Applied but never approved for a start-up, operating, or equipment loan	2.12	1.49	.2864
Firm is in the Construction Sector	.8865	.2894	.7081
Certified minority, woman, small, or disadvantaged business enterprise	2.46	.6442	.0013
Number of Observations	325		
<i>Pseudo-R</i> ²	.061		

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Table 73: Logit Parameter Estimates (Odds Ratio): Minority Business Enterprise Ownership Status and Prime Awards

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Never had a Prime contract with Metro Nashville: 2013 – 2017 (Binary)			
<i>Regressors:</i>			
Constant	.9247	.2375	.7614
Owner Has More Than 20 Years of Experience	1.21	.2737	.4227
Firm Has More Than 10 Employees	.5035	.1497	.0492
Firm Owner has a Baccalaureate Degree	1.27	.3134	.3412
Gross Revenue at Least \$1,000,000	.9359	.2694	.8186
Single Project Bonding Limit at Least \$1,000,000	1.22	.6116	.6964
Applied but never approved for a start-up, operating, or equipment loan	2.17	1.51	.2623
Firm is in the construction sector	.9677	.3335	.9247
Certified minority business enterprise	3.09	1.17	.0031
Number of Observations	325		
<i>Pseudo-R²</i>	.053		

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Table 74: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Awards

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Never had a Prime contract with Metro Nashville: 2013 – 2017 (Binary)			
<i>Regressors:</i>			
Constant	1.14	.3017	.6215
Owner Has More Than 20 Years of Experience	1.25	.3384	.4023
Firm Has More Than 10 Employees	.5233	.1833	.0651
Firm Owner has a Baccalaureate Degree	1.17	.2834	.5046
Gross Revenue at Least \$1,000,000	.7832	.2032	.3469
Single Project Bonding Limit at Least \$1,000,000	1.14	.4103	.7093
Applied but never approved for a start-up, operating, or equipment loan	2.78	2.05	.1658
Firm is in the construction sector	.9287	.2853	.8113
Certified woman business enterprise	1.24	.3484	.4391
Number of Observations	325		
<i>Pseudo-R²</i>	.029		

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Table 75: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Awards

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Never had a Prime contract with Metro Nashville: 2013 – 2017 (Binary)			
<i>Regressors:</i>			
Constant	1.02	.2296	.9247
Owner Has More Than 20 Years of Experience	1.23	.3074	.4173
Firm Has More Than 10 Employees	.5914	.1828	.0895
Firm Owner has a Baccalaureate Degree	1.17	.3084	.5437
Gross Revenue at Least \$1,000,000	.7346	.2066	.2731
Single Project Bonding Limit at Least \$1,000,000	1.11	.4916	.8149
Applied but never approved for a start-up, operating, or equipment loan	2.37	1.29	.1163
Firm is in the construction sector	.8542	.2733	.6225
Certified small business enterprise	1.72	.3914	.0174
Number of Observations	325		
<i>Pseudo-R²</i>	.038		

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Table 76: Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Awards

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Never had a Prime contract with Metro Nashville: 2013 – 2017 (Binary)			
<i>Regressors:</i>			
Constant	1.03	.2576	.9013
Owner Has More Than 20 Years of Experience	1.29	.3186	.2957
Firm Has More Than 10 Employees	.5217	.1742	.0514
Firm Owner has a Baccalaureate Degree	1.17	.3454	.5903
Gross Revenue at Least \$1,000,000	.8348	.2093	.4715
Single Project Bonding Limit at Least \$1,000,000	1.11	.3932	.7651
Applied but never approved for a start-up, operating, or equipment loan	2.34	1.65	.2326
Firm is in the construction sector	.8764	.3313	.7274
Certified disadvantage business enterprise	2.05	.6891	.0328
Number of Observations	325		
<i>Pseudo-R²</i>	.039		

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I. MWSDBEs And SubContracting in the Metro Nashville Metropolitan Market Area

To the extent that frequency of public contract bids reflects past experience as a subcontractor, MWBEs can potentially become frequent prime contract bidders by actually gaining experience as successful subcontractors. As such, the frequency of prime bids by MWSDBEs firms need not be a concern if they are actually gaining valuable experience as subcontractors that will translate into frequent contract bids and success later as prime contractors. To explore if this is the case in the Metro Nashville Market Area, Tables 77-81 report Ordinal Logit CRM parameter estimates where the dependent variable is number of times served as a subcontractor on Metro Nashville Projects 2013- 2017.

The parameter estimates in Tables 77-81 suggest that relative to non-MWSDBEs, an owner's MBE and DBE status reduces the frequency of successful subcontracting in Metro Nashville, as the estimated odds ratio is less than one and statistically significant in these instances. To the extent that public contract success is proportional to prior experience as a subcontractor, this suggests that any public contracting success disparities between non-MWSDBEs and firms owned by MBEs and DBEs may reflect past constraints on public contract success if current public contracting success is correlated with the experience gained from past subcontracting success.

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Table 77: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Subcontract Awards on Metro Nashville Projects 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	5.55	39.68	.8104
Firm Has More Than 10 Employees	1.31	.6255	.5708
Firm Owner has a Baccalaureate Degree	1.09	.5928	.8663
Gross Revenue at Least \$1,000,000	12.28	88.21	.7275
Single Project Bonding Limit at Least \$1,000,000	2.76	1.74	.1002
Applied but never approved for a start-up, operating, or equipment loan	.0002	.0001	.0001
Firm is in the Construction Sector	.9442	2.86	.9853
Certified minority, woman, small, or disadvantaged business enterprise	1.29	.8579	.7002
Number of Observations	325		
<i>Pseudo-R²</i>	.191		

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Table 78: Ordinal Logit Parameter Estimates (Odds Ratio): Minority Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Subcontract Awards on Metro Nashville Projects 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	5.51	44.18	.8316
Firm Has More Than 10 Employees	1.19	.8091	.7973
Firm Owner has a Baccalaureate Degree	1.11	.6004	.8451
Gross Revenue at Least \$1,000,000	10.28	76.93	.7568
Single Project Bonding Limit at Least \$1,000,000	2.58	1.62	.1325
Applied but never approved for a start-up, operating, or equipment loan	.0008	.0006	.0672
Firm is in the construction sector	.9374	4.42	.9894
Certified minority business enterprise	.0004	.0003	.0001
Number of Observations	325		
<i>Pseudo-R²</i>	.205		

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Table 79: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Subcontract Awards on Metro Nashville Projects 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	5.47	41.46	.8227
Firm Has More Than 10 Employees	1.22	.7526	.7482
Firm Owner has a Baccalaureate Degree	1.12	.6456	.8385
Gross Revenue at Least \$1,000,000	12.31	88.26	.7262
Single Project Bonding Limit at Least \$1,000,000	2.76	2.17	.1964
Applied but never approved for a start-up, operating, or equipment loan	.0003	.0001	.0001
Firm is in the construction sector	.9918	4.33	.9984
Certified woman business enterprise	1.13	7.53	.9852
Number of Observations	325		
<i>Pseudo-R²</i>	.190		

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Table 80: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Subcontract Awards on Metro Nashville Projects 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	5.62	44.08	.8264
Firm Has More Than 10 Employees	1.43	.9590	.5981
Firm Owner has a Baccalaureate Degree	1.08	.5723	.0913
Gross Revenue at Least \$1,000,000	11.94	90.31	.7437
Single Project Bonding Limit at Least \$1,000,000	2.72	2.12	.2006
Applied but never approved for a start-up, operating, or equipment loan	.0002	.0008	.0001
Firm is in the construction sector	.8757	.6836	.8652
Certified small business enterprise	1.67	1.41	.5418
Number of Observations	325		
<i>Pseudo-R²</i>	.194		

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Table 81: Ordinal Logit Parameter Estimates (Odds Ratio): Business Enterprise Ownership Status and Prime Bid Submissions

In Metro Nashville Market Area

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Number of Subcontract Awards on Metro Nashville Projects 2013 – 2017 (Ordinal)			
<i>Regressors:</i>			
Owner Has More Than 20 Years of Experience	5.04	40.09	.8394
Firm Has More Than 10 Employees	1.14	.6868	.8223
Firm Owner has a Baccalaureate Degree	1.17	.6098	.7661
Gross Revenue at Least \$1,000,000	11.63	88.79	.7485
Single Project Bonding Limit at Least \$1,000,000	2.55	1.17	.0413
Applied but never approved for a start-up, operating, or equipment loan	.0001	.0007	.0001
Firm is in the construction sector	.9985	4.71	.9903
Certified disadvantage business enterprise	.0003	.0002	.0001
Number of Observations	325		
<i>Pseudo-R²</i>	.210		

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J. Conclusion

GSPC’s analysis of disparities in public contracting and subcontracting outcomes in Metro Nashville aimed to provide some policy relevant insight to observed unconditional disparity indexes. A descriptive private sector analysis of the Nashville Market Area private sector revealed that in general, being an MWSDBEs in the Metro Nashville Market Area is associated with, lower market entry and self-employment likelihoods, higher likelihoods of being denied business start-up loans, higher likelihoods of having never served as a prime contractor with Metro Nashville, lower likelihoods of having served as subcontractors of Metro Nashville project, and lower gross revenue relative to non-MWSDBEs. These findings lend some support to the “but-for” justification for affirmative action in public procurement. Lower revenues for MWBEs in the Nashville Market Area are suggestive of private sector discrimination that undermines their capacity to compete with non-minority owned firms for public contracting opportunities. In this context, Table 82 provides specific detail on which particular MWBEs in the broad Nashville-Davidson-Murfreesboro Market Area are constrained by private sector discrimination that translates into lower revenue. The parameters estimates from the GSPC sample suggest that MBEs are particularly harmed by private sector discrimination as the odds ratio is significant and less than unity relative to firms owned by non-MWBEs. The positive and significant sign for SBEs suggests that this class of firms is not harmed by private sector discrimination that undermines their capacity to compete with non-MWBEs in Metro Nashville public procurement market.

Table 82: Firm Revenue And MWBE Status in The Nashville-Davidson-Murfreesboro Market Area:

Logit Parameter Odds Ratio Estimates

	Coefficient	Standard Error	P-value
<i>Regressand:</i> Firm Gross Revenue (Categorical)			
<i>Regressors:</i>			
<i>Constant</i>	.1717	.0645	.0001
Owner Has More Than 20 years of Experience	2.04	.7299	.0473
Firm Has More Than 10 Employees	19.21	8.58	.0000
Firm Owner has A Baccalaureate Degree	1.20	.3771	.5537
Single Project Bonding Limit at Least \$1,000,000	4.42	2.17	.0035
Applied but never approved for a start-up, operating, or equipment loan	-.3779	.4531	.4173
Firm is in the Construction Sector	1.22	.9902	.0025
Firm is Certified as a minority, woman, small, or disadvantaged business enterprise	1.04	.5648	.9463
Firm is Certified as minority business enterprise	.2204	.1316	.0117
Firm is Certified as a woman business enterprise	1.22	.5362	.6552
Firm is Certified as small business enterprise	2.23	1.05	.0906
Firm is Certified as a disadvantaged business enterprise	.8855	.5089	.8332
Number of Observations	325		
<i>Pseudo-R²</i>	.296		

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The results of the GSPC disparity analysis provide a framework to rationalize observed disparities in public contracting outcomes/success with Metro Nashville between MWSDBEs and non-MWSDBEs in the Metro Nashville Market Area. Indeed, our results suggest that there are disparities in public contracting outcomes, as relative to non-MWSDBEs, the likelihood of MWSDBEs winning bids for prime contracts with Metro Nashville is lower. Our analysis suggests that any disparities that exist cannot be explained by differential MWSDBE/non-MWSDBE prime contract submissions, but can possibly be explained, at least in part, by MWSDBEs being less likely to have served as prime contractors in the past. As our regression model controls and/or proxies for the education level of the firm owner, the age and market tenure of the firm, the size of the firm with respect to the number of employees and revenues, firm bonding capacity, and firm financial standing; none of these factors are driving the disparities between MWSDBEs and non-MWSDBEs in the likelihood of winning prime contracts from Metro Nashville. In this context, our results are also consistent with disparities in winning prime contracts with Metro Nashville being driven by discrimination against MWBEs.

Lastly, the results of the GSPC disparity analysis suggest that any observed disparities in public contracting outcomes between MWBEs and non-MWBEs are not explained by differential capacities for public contracting with Metro Nashville. Our regression results control for firm public contracting capacity by including measures for the education level of the firm owner, the age and market tenure of the firm, the size of the firm with respect to the number of employees and revenues, firm bonding capacity, and firm financial standing. This inclusion of these control covariates in our regression specifications permit an assessment of public contracting success/failure conditional on MWBE and non-MWBE public contracting capacity. The existence of public contracting success disparities between MWBEs and non-MWBEs even after controlling for capacity suggests that relative to non-MWBEs, MWBEs face barriers independent of their capacity—or their ability—in securing public contracts with Metro Nashville.

VI. ANECDOTAL EVIDENCE

A. Introduction

The anecdotal evidence chapter in this Disparity Study (“Study”) is designed to present the perspectives of business owners from across the marketplace of the Metropolitan Government of Nashville and Davidson County (“Metro Nashville”) with regards to contracting in both the public and private sectors. The various methods of data collection were designed to gather the broadest array of participants across the Study period and allow multiple opportunities for entrepreneurs to share their accounts of business ownership in the marketplace. Griffin & Strong, P.C. (“GSPC”) solicited participation from firms, regardless of their M/WBE status, in an attempt to paint a representative picture of the Metro Nashville marketplace. through ongoing email commentary, multiple public hearings, community organization meetings, an online survey of business owners, a focus group, and individual anecdotal interviews.

Participants in the anecdotal interviews were selected from a randomized database of firms, and were asked to provide demographic information, as well as to engage in a conversation regarding their views on the Metro Nashville marketplace. A separate group of business owners was also selected at random for participation in a focus group, whose discussion centered around opportunities in Nashville and the perceived fairness of the business environment. Open to everyone and widely advertised, three (3) public hearings and a Web survey gave firm owners and community members the opportunity to present their experiences in an open forum or to contribute to the statistical data. In addition, firms were given the opportunity to email the study team at any time at (NashvilleStudy@gspclaw.com), an email account monitored by a member of the Study team. Finally, the Study team reached out to thirty-two (32) community organizations that provide services to, or advocate for, various sectors of the Nashville business community, to receive their impressions of the Metro Nashville marketplace.

B. Anecdotal Interviews

The Study team conducted thirty (30) anecdotal evidence interviews with business owners from across the Metro Nashville marketplace, selected at random and representative of various demographics. Interviewees were asked questions pertaining to their experiences in business and their perspectives on the climate for business ownership in Nashville.

1. *Barriers to Participation*

When asked about barriers to participating on contracts with Metro Nashville, interviewees provided various responses, but most frequently referred to logistical or administrative issues, and the difficulties of proposing to do work with Nashville as small businesses with limited resources. AI-7 and AI-9 stated that there is quite a bit of paperwork involved with Requests for Proposals (“RFP”), and AI-16 has had difficulty navigating the Metro Website to find business opportunities. Of the Metro bidding process, AI-21 says that “there is too much going on and a lot of red tape” and AI-30 believes that there is not enough time given to respond to proposals. Conversely, while AI-20 feels that the bidding process is “tedious,” they do not see it as a major barrier to participation.

Firm owners AI-16 and AI-11 also experienced difficulty competing with large firms, with AI-16 saying that her firm has been “blocked” from some markets due to pricing. AI-6 identified his business’s primary barriers: the

lack of feedback from prime contractors and what he believes is a preference for out-of-state contractors on the part of the City. AI-7 indicated that a lack of visibility to prime contractors is sometimes a hindrance to her business. AI-22 feels that perceptions of small businesses as “mom and pop shops” that lack capability to perform are a barrier to his success.

2. *Prompt Pay*

In addition to the issues of visibility and stereotypes that small firms face, several firms indicated that the payment process at Metro Nashville is somewhat slow (AI-5, AI-9, AI-21), which can be a major difficulty for smaller firms’ cash flow. AI-9 recalled having a 14-month delay in payment after completion of a project with Metro.

3. *Capital and Bonding*

Another issue that frequently emerged in interviews were those of bonding and access to capital. AI-19 identified access to capital and financial resources as his greatest barriers to success, noting that staffing, equipment, and inventory are all contingent on the level of capital to which his firm has access. AI-7 notes that she operates as a second-tier subcontractor largely because of the cost of bonding which, as a small business owner, she has difficulty obtaining at the level required. AI-15 feels that bonding is “superfluous” to her line of work, but noted that the insurance requirements are often too high for governments, which limit the level at which her firm is able to perform. AI-8 would prefer to work directly for Metro Nashville as a prime contractor, but feels that there are better opportunities in the private sector for small businesses, where the cost of doing business and bidding is not as high. AI-30 feels that proposals themselves create a financial barrier, stating that her firm is “undercapitalized” and that with large contract sizing she cannot afford to bid and meet the requirements. AI-20 feels “small businesses...do not typically have capital at their disposal” and that high bond limit requirements can prevent engagement on projects if a firm does not have enough immediate revenue.

4. *Informal Networks*

Several interviewees felt that there is some form of informal network of contractors at play in Metro Nashville’s procurements. Others recounted receiving the majority of their business through word of mouth or connections, seeming to corroborate this view. Of those who expressed the belief in this network of preferred vendors and officials, whose relationships make them privy to advantageous information, the perceived lack of transparency around the initial stages of the bidding process and notifications of upcoming procurements was the biggest influence.

AI-18 has resigned himself to the belief that there are “always” going to be those who have knowledge of upcoming bids and opportunities before minority owned firms, stating that “opportunities exist for other individuals that they are familiar with... that look like them, run in the same circles as them” AI-18 feels that a simple solution is providing timely and transparent notification on opportunities to bid so that firms can “participate in the game” despite the belief that “there is always going to be a level of insider trading” (AI-18). AI-2 feels that “access” to decision-makers in government is crucial, noting that his firm has not yet “made it into the room.” For, AI-4, janitorial contracts in Nashville are a “monopoly” held by one large firm. AI-4 also expressed frustration with the lack of opportunities which result from Metro’s Procurement Non-Discrimination Program’s (“PNP”) GFE requirements, stating that “they ask you to come and participate, but they don’t follow up with it.” AI-19 feels that larger businesses receive more opportunities, and expressed that he wants “to sit at the same table that everyone else sits down at when contracts become available.”

On the other hand, AI-25's owners have maintained a long-standing relationship with Metro-Nashville and procurements are regularly received and distributed to the appropriate department within their firm to determine whether to bid. AI-12 cites the lack of competition in his industry as a factor of his firm's success, and notes that he often works as a subcontractor through prime contractors, rarely going through a "bidding process," but more of a price comparison. AI-26 recalls that most of their firm's work was through subcontracting whose opportunities arose through business relationships that are no longer fruitful; they are no longer working with Metro. AI-27 highlighted the importance of maintaining relationships in Nashville, due to the sheer level of competition.

5. *Discrimination*

Interviewees identified difficulties as small contractors and issues with the GFE requirements in Metro Nashville's PNP, designed to encourage the utilization of MWBE owned firms. AI-9 stated that he has rarely received opportunities from prime contractors and felt that he was once randomly chosen to work on one contract because of his DBE status. AI-9 also indicated, as did AI-7, that some prime contractors simply "go through the motions" to contact minority owned firms and then do not follow through. However, AI-13 recalled stories from other contractors related to contracts being promised and bid on using a minority owned firm's name, and then being let to another subcontractor instead. She feels that there is a racial animus to this misuse of GFE and that there are sometimes double standards in the requirements to bid.

AI-20 feels that being a minority contractor in Nashville is the biggest barrier to participation, and, like AI-13, is unsure if every vendor is being subjected to the same bidding requirements. AI-20 also noted a lack of communication about upcoming opportunities, stating that he hears about most through other contractors or network connections. In addition, AI-20 feels that speaking out about discrimination may lead to retaliation and a decrease in opportunities. Notably, AI-22 also feels that he has experienced discrimination as a minority contractor but declined to elaborate to the Study team, possibly for fear of the retaliation AI-20 described. AI-27 believes that some of their business has been due to minority participation goals, that the firm was "resented" as a result and therefore was excluded from competition.

6. *Views on Certification*

While some interviewees found certification to be helpful for their business (AI-4, AI-8, AI-18), and the process to be simple and easy to navigate (AI-10, AI-7), other firm owners expressed a view that the process is complicated and involves difficult paperwork (AI-9, AI-11). AI-13, a certified DBE with the Nashville Airport and the State of Tennessee, allowed her certification with Metro Nashville to lapse, as it was not as beneficial as she had hoped. AI-3, a certified DBE that has not completed the process with Metro Nashville, feels that her firm is not the only one that has chosen to complete other certifications and bypassed Metro's, stating that "Metro should take this as a marker that the process is difficult" and suggested that Nashville adopt reciprocal certifications.⁹⁶

Beyond the ease or difficulty of the process, many of those interviewed viewed certification as simply necessary for MWBE owned firms to participate. AI-22, a certified minority business owner, feels that it has been very beneficial to him in winning contracts and this separates him from other vendors. AI-20 believes that certification is important to ensure that "people are doing the right thing." AI-27 identified that certification has

⁹⁶ It should be noted that Metro Nashville already has reciprocal certifications.

been “critically important” for his business in the past, because “diversity was the hot button” and there was pressure to ensure that minority owned firms were engaged. AI-28 understands the utility of certification, stating that it has been beneficial for his firm “because jobs require a certain percentage of DBEs to participate,” while AI-7 feels that without certification, minority contractors would not be included at all. Supporting this, AI-19, an uncertified African American owned business feels that if given the opportunity to perform, his skills would be more important than his certification as a minority owned business, but that he does not “get the opportunity to sit down at the table with everyone else because I am not certified” (AI-19). He also feels that being certified as a minority “labels” firms and may limit opportunities and exclude them from the “large pool” (AI-19).

7. *Outreach*

Frequently, firms expressed concerns with a lack of outreach from the Metro Nashville Government, with several expressing that they do not receive communications from the entity regarding opportunities to bid, or that many of the opportunities they were notified about were inapplicable. (AI-1, AI-23, AI-11, AI-15, AI-13). Some, like AI-13, believe that the lack of outreach in their fields is a result of relationships that Metro holds with the aforementioned informal networks, stating that “if the threshold is at a certain amount, the contract does not have to be put out for bid” (AI-13). AI-5 asserted that non-local prime contractors seem to receive the majority of communications, and that those prime contractors rarely contact him about the opportunities. When he has received requests for bids from those large, out-of-state firms, AI-5 says that he did not receive feedback from Metro Nashville after bidding.

AI-5 is not the only interviewee who was disillusioned with the perceived lack of communication. AI-3 stated that smaller firms do not have the time or resources to constantly search for bid opportunities and asked, “How do we get information?” stating that, “We are not asking for contracts, we are asking for information” (AI-3). AI-17 expressed that her firm does not “have time” to search for opportunities and that she has not been recently contacted about any opportunities. In addition, AI-3 claims that it takes “weeks” to get emails back from Metro staff. To AI-13, if “you submit information and you don’t hear anything, that’s a broken process.” Similarly, AI-9’s issue is receiving responses to his inquiries about the opportunities of which he is made aware. On the other hand, some interviewees stated that they are aware of opportunities, and they do receive notices both through local advertising and email correspondence (AI-18, AI-28).

8. *Suggestions for Metro Nashville Government*

Interviewees provided several recommendations regarding how to improve Metro Nashville’s processes regarding small, minority, and woman owned businesses, including fervent requests for “access to information” and “transparency” through more efficient communication. Providing trainings and networking opportunities for bidders in their industries was also suggested (AI-3). Firms also advocated for small businesses to have the opportunity to bid as prime contractors (AI-5), provide a list of minority subcontractors to prime contractors (AI-16), and provide feedback to unsuccessful vendors (AI-9). It was also suggested that Metro Nashville provide Spanish-language translations of proposal materials and hire bilingual staff (AI-7) to help reduce any potential language barriers. AI-20 suggested that Metro develop a mailing list to notify vendors of upcoming bids. Both AI-20 and AI-22 felt that Metro Nashville should provide more “clarity” in communications about upcoming bids, suggesting that any mailing list be tailored by work category so that vendors are not flooded with irrelevant information (AI-22).

C. *Organizational Meetings*

Over the course of the Study, members of the team at GSPC met with several community and business

organizations in the Metro Nashville area to discuss their perspectives—and those they have gleaned from the constituencies they represent—on public contracting with the Metro Nashville Government, and in the City of Nashville more generally. A prevailing theme in the meetings with various organizations was the need for coordinated efforts in a saturated market for supportive services. Despite many organization leaders describing the search for funding and resources as “competitive,” there have been attempts by the Metro Business Assistance Office (“BAO”) and the Mayor’s office to corral the various groups to ensure that they are reaching the constituencies that need their services. The community organizations interviewed in this chapter are not exhaustive. GSPC worked alongside Metro personnel to identify active community organizations and conduct outreach. In all, thirty (30) organizations received direct contact from GSPC inviting them to participate in the Study process. A comprehensive list of all organizations contacted is contained in Appendix E.

1. *Nashville Entrepreneur Center*

In February 2018, the Study team spoke to representatives from the Nashville Entrepreneur Center (“EC”), which has been the primary recipient of grant funding from the Metro Nashville government since 2011 and works with Metro on entrepreneurial development. Their services include curriculums geared toward pre-startup to early operation of businesses, as well as an advisor program to support entrepreneurs and foster mentorship.

Depending on the tier of membership, business owners may have access to desk space in the center and other resources. The lowest membership tier starts at \$15. Though the Center does not often interface with BAO, they work closely with other community partners. One representative identified the Center’s mission as an effort to create jobs and encourage economic growth. The Center provides no specific programming for minority and woman business owners, but has some scholarship programs specific to such businesses.

A second representative from the Center clarified that the grant the organization receives is not specific to any diversity goals established by Metro, but that they have internal metrics for examining their own established diversity and inclusion goals, along with a staff member responsible for diversity and inclusion. They track “non-white” business owners that are members and woman owned businesses, classing non-white woman business owners in both categories. The Center also tracks its advisors and board members in this way to ensure that they are reflective of the community.

2. *SCORE Nashville*

A second organization, SCORE Nashville, does not receive funding from Metro and, in fact, stated that they had never heard of BAO before. SCORE provides businesses with assistance in mentoring and business development at no cost and is a national organization with over 300 chapters. The organization offers several workshops on the topics of formulating business plans and financial modeling; they charge a small fee for workshops, which is usually just enough to cover the cost of materials. Contrary to some other organizations, the representative from SCORE feels that there is “no competition” between supportive services organizations in Nashville but felt strongly about the lack of funding and support from Metro, going as far as to openly question the fiduciary relationship between Metro and the Entrepreneur Center.

The SCORE representative also believes that the EC is “trying to be the conduit” to connect organizations and vendors (for instance, by referring businesses to SCORE), but that it might not be an appropriate role for them. While the representative for SCORE was unsure exactly who would be appropriate for that role, they state that SCORE is not the appropriate party for that conversation, either. While SCORE proudly noted that they assisted over 300 businesses get off the ground in 2016, they bemoaned the fact that, despite their positive impact on the business community, their funding through the Small Business Administration (“SBA”) has been limited,

currently amounting to only \$6,500 for the entire 2018 Fiscal Year. Outreach attempts have been made to connect to the local Black, Hispanic, and Chinese Chambers, but SCORE has received varying responses to their willingness to partner.

In January 2017, the Mayor's Office of Small Business and Entrepreneurship ("OSBE") hosted a meeting that convened nine (9) local organizations to discuss collaboration and streamlining their resources. While there was a suggestion to develop a software system to track members and ensure they are receiving help and follow-up, "after (the meeting) nothing happened," partially, in SCORE's opinion, due to scheduling being an issue and "the guy who runs the EC is always unavailable." Within the community, the biggest need is seen as "basic business knowledge." Business owners need an opportunity to discuss their ideas and receive feedback, which is why SCORE receives "at least" thirty (30) mentor requests a week. They believe that while many people want to be entrepreneurs, they just are not sure how to get started.

3. *Pathways Women's Business Center*

The Pathways Women's Business Center ("Pathways"), a member of Metro Nashville's referral network, is a Community Development Financial Institution ("CDFI") which receives some funding from the Metro Development and Housing Agency. They provide courses and seminars on certification and building capacity. They identified the relationship with Metro Nashville as "informal", stating that they receive referrals from the Mayor's office but that the process is relationship-driven, and individuals may decide whether to refer to Pathways or not. The organization has an "open door" policy that attempts to provide resources to anyone who contacts them and offers financial education services and loans to business owners. They usually require that entrepreneurs pay a fee, because contributing to the costs helps to ensure that they value the service and "if they don't (pay) people don't show up."

The representative from Pathways feels that businesses in the public sector, who have a demonstrated capacity to perform on government contracts, are at a distinct advantage. They argue that the difficulty in leveling the playing field is ensuring that firms are able to build capacity, create relationships, and ultimately deliver on their contracts. "If you are under-resourced to begin with, it takes longer to get into place (to perform). If you do have a chance to bid and be a vendor, you need capital or access to capital. "Where does that come from? Are you ready for it? Can you use it to your businesses advantage?" She says this is especially true for first generation entrepreneurs, and she highlights the importance of advisory and technical assistance.

The Pathways representative is aware of BAO and supports the meetings of which they are aware, but feels that there are "a lot of people trying to do the same thing" in the supportive services arena. "It gets overwhelming for people to participate" with so many organizations, they argue, and "there is not a systematic way to go about it." Though, as the representative from SCORE stated, BAO does attempt to streamline the resources available to assist in their mission of ensuring that small and diverse businesses have more access, the process is not strategic, and she feels that people get lost in the turnover of government officials and employees.

4. *Tennessee Small Business Development Center*

Tennessee Small Business Development Center ("TSBDC") at Tennessee State University hosts an "incubation center" (since 1986), as a center for small business development designed for local and on-campus entrepreneurs. Most of the center's participants are minority owned businesses and some woman-owned businesses. The center focuses on providing information on how to do business but does not have close

connections with either Metro Nashville Government or BAO. The representative from TSBDC stated that she does not know anyone from the BAO, but would like to forge a partnership there. The Mayor's office, however, has created a relationship with TSBDC, and she cited a financial literacy conference that the Center would be co-hosting with the Mayor's office. Like the other organization leaders, she recalled the meeting of various business support organizations, but said that nothing came of it by way of follow-up on any of the plans.

"There is no place to know what's going on," the representative from TSBDC said, echoing many organization leaders and business owners with whom the Study team spoke. Their suggestion was for the Mayor's office and BAO to coordinate resources; she sees a need for coordination of the various organizations that serve the community to avoid duplicating services. "We are bopping heads on the things we try to do for small businesses", she said; "I can't figure out who is doing what."

5. *Nashville Small Business Association*

GSPC also met with several members of the Nashville Small Business Association ("SBA"), which is focused on "3 Cs and a D: Capital, Contracting, Counseling and Disaster." In the state of Tennessee, they provide thirteen (13) small business development centers (partially funded by the SBA; SBA backed loans; contracting programs; 8(a), HUB zone; woman owned service disabled veteran owned, and small disadvantaged owned business programs/certification). In times of disaster SBA provides loans to both homeowners and business owners alongside FEMA. They also have a lending specialist who reaches out to banks to encourage them to become SBA lenders or provides specialized training to lenders. The biggest need has been government contracting. The representatives present had not heard complaints from members about the public sector in Nashville, but they had heard that businesses often ask about the program goals and whether they will lead to actual contracts. The organization also works with BAO to identify and connect small businesses.

The Nashville SBA, too, identified the supportive services arena as "competitive." One representative stated that "there are so many people moving to Nashville; every other day a new organization pops up and says 'hey, we're helping entrepreneurs,' and they may or may not be." They did recall a BAO event designed to bring organizations together and ensure that they are not duplicating services, though they noted that the Entrepreneur Center "kind of does its own thing." The representatives present felt that minority owned firms get "lost in the shuffle" trying to determine where to go for help, and services seem geared toward "young tech companies, which you typically find to be young, millennial, white males. Everyone else is kind of fishing around to find some help." The representative feels that, besides a lack of diversity in the supportive services market, there is a "reluctance to come together" among the organizations due to competition for funding. They have attempted to work with the various minority chambers (Black, Hispanic, Asian, etc.) but found that it is difficult to gain attendance or partner with those organizations.

The representatives from the SBA seemed to echo the sentiments of some of the business owners interviewed, saying that many larger firms "just use the same firms over and over to meet their goals." In addition, when asked about the GFE requirements, a representative stated that "larger companies are always going to be used by the City, but there has to be oversight for their subcontracting to ensure they are giving them some of the work and actually subbing [sub-contracting] to them and not just using them to meet a quota."

6. *Bordeaux Business Coalition*

The Bordeaux Business Coalition, made up of long-time business owners in the Nashville area, focuses on providing technical training and educational services for business owners. When they met with the GSPC team, representatives from the Coalition were concerned that disparity studies are providing information but are not

changing “the culture” in Nashville. This is due in part, one representative believes, to the fact that the political climate has not shifted, citing the contrast with Atlanta, where he recalled that Mayor Maynard Jackson stopped construction on what is now Hartsfield-Jackson airport due to a lack of minority owned businesses’ participation. Conversely, he argued, an airport expansion was done in Nashville, and a minority joint venture was created to bid on some of the work and pool their resources, but the venture was subsequently sued under the Sherman Antitrust Act. This, to him, is indicative of Nashville’s attitude, both politically and culturally, to minority owned businesses’ advancement.

Another representative stated that the bidding process is “arduous,” “unfair,” and “disheartening,” saying that firms do not win even when they are the lowest bidder. In addition, he stated, there is a “classist” system in Nashville whereby African American owned businesses who are connected are repeatedly awarded contracts. “They can say ‘we are reaching out’ because they have their five (5) or six (6) [MWBES] that they use all the time.” In response to what they believe is an unfair and inhospitable climate for African American business owners, the Coalition is planning to organize business communities and monitor the activities of government entities such as TDOT and Metro Nashville. They did speak highly of the head of procurement, stating that she “made it clear that the system is going to change” and has attempted to curtail favoritism in the process. They also spoke about “pass-through” firms and “fronts,” saying that the resources need to be put in place to effectively monitor firms and penalize offenders.

7. *Nashville NAACP*

The Nashville NAACP has taken on a sort of “watchdog” role in relation to Metro Nashville’s purchasing, conscious of no-bid contracts and the ways in which prime contractors might attempt to avoid engaging minority businesses. The discussion with GSPC centered around the structuring of the BAO program, which in one representative’s opinion does not require enough of prime contractors by simply asking that they reach out to three (3) minority owned businesses. In his own business, he stated that prime contractors often contact his firm and then reject him if he does not perform the portion of the scope of work that they want to assign, rather than working with him to include work that his firm does do. “Whether I can do 95 percent of the rest of the project, it makes no difference,” the NAACP representative said.

In addition, they feel that BAO needs to shore up their outreach efforts to identify more minority owned businesses, which allows prime contractors to bypass the GFE process altogether. According to another representative, prime contractors often have their own subcontractors in mind when they bid and view the requirements of the program as a hindrance. The representatives claimed that the terms of awarded subcontracts are often not favorable, saying that subcontractors have been replaced when they have demanded more favorable payment terms, describing it as a “bait and switch.” Pass-through firms and reference contracts that do not go out to bid were also a topic of conversation and a source of great concern. In the representatives’ opinion there was never any intent for the program to be effective, and they view the greatest evidence of this in the recommendations from previous studies which have gone unimplemented.

The NAACP utilizes the Freedom of Information Act as a tool in combating the tactics that they have identified. “We don’t just do it because we like reading the fine print. It exposes what these other businesses are doing.” For instance, one information request for the last three years of purchase orders from Metro revealed 151,000 purchase orders, with very few African American owned firms included. The NAACP representatives feel free to keep an eye on activity at the city, noting that “most businesses don’t have any idea... because they think on an individual level.” They also want to become more active in building capacity in helping businesses grow in Nashville by creating community groups to support businesses as they scale.

8. *Nashville LGBT Chamber*

GSPC met with the Nashville LGBT Chamber, whose organization is now attempting to get Metro Nashville to identify and count LGBT firms for diverse participation. Because business owners can belong to many groups, she attempts to partner with the other chambers in the area, though there are limitations due to time and resources as a volunteer organization. The president identified several organizations that are helping to build capacity and provide supportive services to African American business owners, but she was not aware of any coordinated effort by Metro to corral all of these service providers to help maneuver minority businesses through the process.

As far as counting LGBT businesses, the chamber has run into a number of issues, and she feels that Nashville is “really slow” to embrace LGBT firms. Though there have been discussions at Metro Nashville about allowing firms to register or identify as LGBT for purposes of tracking, they feel that there has been “push back” because of a perception that there are not enough of such firms to make the endeavor worthwhile. Furthermore, they note that Tennessee state law somewhat restricts the actions that Nashville can take as a local entity, as LGBT firms and workers are not protected by law, identifying as LGBT might be detrimental for businesses.

She currently knows of two LGBT businesses who have contracts with Metro but acknowledges that she is unsure if given the opportunity they would choose to be certified with Metro or do measurement. She says the lack of a champion makes her role as an advocate harder, “locally, that’s just not where they are” because vendors are afraid of losing business with Metro, and Metro is not open to the process. Ultimately, she feels that other Metro departments, like Nashville Electric Service and the Airport, will “follow what Metro does, Metro needs to know they are looked at as a leader, and other people will emulate what they do.”

9. *Mayor’s Office of Small Business and Entrepreneurship*

As previously detailed in the Purchasing Policies chapter of this Study, there has been considerable discussion surrounding the role of the Mayor’s Office of Small Business and Entrepreneurship. Most notably, it is unique that a municipal agent would operate two separate and distinct programs designed for business development. Despite similar missions, there appears to exist a considerable divide between the two offices, reflecting most substantially in operations, networks, and resource allocation, which sometimes appearing to come into conflict.

Metro staff voiced confusion as the purpose of this office, and its role, particularly in relation to the initiatives for small and minority business development housed in BAO. This confusion has also been witnessed in the community, with several organizations who were interviewed noting the disconnect and its contribution to the confusion over services from the vendor community. It was often stated that their organization(s) were unfamiliar, either with personnel from BAO or with OSBE. Several also noted that they only worked with one organization, or the other, but few simultaneously.

A representative from OSBE identified that the purpose of the office being to connect the various support organizations to streamline delivery of services and act as the primary point of contact for all of the Chambers, both ethnic and geographic. While there is limited overlap in operation, they note that their office directs minority businesses to BAO to register as a Metro vendor. Their primary focus otherwise is on way to link small businesses to capital resources. There are also incentive programs and grants emergent from the office, providing financing for regeneration in certain sectors of the Metro area. “Most of my time is spent with businesses who will never work with Metro,” the representative claimed, describing the businesses they service as “Main Street businesses,” stating that she helps them to understand how to partner for growth. They are also focusing on creating a Small Business portal to consolidate business permits and provide information on the paperwork

required to operate.

The representative agreed that there should be more clarity regarding BAO's role interfacing with their efforts. To them, the responsibility of BAO is to support MWBE firms, versus the Mayor's office, which, in their estimation, rarely works with government contractors. Though the office is responsible for oversight and reporting on DBE participation for grants and incentives that are applicable outside of Metro procurement and BAO (discussed more in the Purchasing Practices chapter), the majority of the role is not in compliance; and acknowledges that BAO is better-equipped to execute these functions of her responsibility. To them, this as an area of overlap where the office may work with BAO in the future. Still, they consider regular business assistance for firms that may never contract with the government to be a strength, focusing on events that promote buying locally from small businesses.

D. Public Hearings

GSPC held three (3) public hearings on February 6, 2018, February 7, 2018 and February 27, 2018. Each hearing was widely advertised, and an email notification was sent to over 6,300 business owners in and around the Metro Nashville area. Each hearing was moderated by a member of the Study team, and testimonies recorded by a court reporter. Several participants in the public hearings rose to discuss issues related to contracting with Metro Nashville, asserting purposeful and discriminatory exclusion, informal networks, a difficult proposal process colored by a lack of feedback, trouble with bonding, dissatisfaction with the GFE requirement. In addition, several participants took the floor to share concerns regarding the implementation of the previous Study's recommendations.

1. BAO Program Effectiveness

PH-6 feels strongly that he has not been treated fairly and that the program is "a lot of words and no action," resulting in what he feels is discrimination in the Nashville area. "I am excluded," Ph-6 stated. PH-23 stated that their firm "gave up trying to do business with Metro many years ago" and felt that it was a "nightmare." Still, PH-23 feels that the problem is not just the Metro Nashville Government, but "the private community" that does not "have the will to do business with black folks or women," but wants to keep contracts "for themselves." In PH-23's view, the "law is on the books" regarding minority participation and it is simply up to Metro Nashville to choose to enforce it. However, for some hearing participants the problems stem from a lack of access to exclusionary networks. PH-20 says that "if you're not from here, then you're not a part (of the networks)" and not being included "makes it difficult if you are a small business, if you are a minority, and if you are a woman." PH-22 stated that the same firms repeatedly work with Metro and it is difficult to "break that circle." PH-17 has worked often with Metro, but they have also seen a lack of minority utilization "on a lot of projects," and state that this is evidenced through the monthly reports posted on the Metro Website. Though PH-12 has seen "slow progress" in the utilization of minority firms, still, she credits Metro Nashville with requiring firms to include minority owned businesses on their contracts, stating that the requirement "made it possible for me to be able to submit."

2. Proposal Process

PH-5 identified several issues in bidding with Metro Nashville, including the fact that simply bidding costs her a significant amount of money and that she must "weigh the chance of winning against how much it's going to cost me to do the work," which limits her profits on smaller contracts as a result. PH-5 suggested adjusting the proposal format to not include so much "written content" by incorporating "a form or a table," arguing that it

will also help small firms to compete because they “usually don't have the ability to write proposals that will compete with written proposals by larger companies,” that can hire professional writers. PH-17 feels that some of the selection criteria are unreasonable, stating that “you have proposals...reviewed and weighted based on how they're presented, the cover, the color” and that minority owned firms don't have the resources and “manpower” to meet those stringent standards. PH-11 believes that the proposal process is “incredibly cumbersome,” “very laborious,” and “very expensive” and feels that the bureaucratic process could be improved. However, he (PH-11) says his experience working with Metro government was “actually wonderful,” but that the “process of getting there was so hard” that he finds himself passing up opportunities to work with Metro Nashville.

Firm owners also discussed bidding and failing to receive appropriate feedback when unsuccessful. PH-26 recounted an experience of proposing with a team that was “50 percent minority” and “finished four [4] out of five [5] in minority participation” despite having a plan for diverse participation. When they protested the decision, PH-26 says he was told by BAO that “the minority status of the principal does not matter to us” and the sole consideration was the diversity package; however, they never received feedback on what was wrong with their package. Similarly, PH-5 finds selection criteria to be “very vague,” citing RFQ's that ask for “examples of similar work” but do not specify what types of work qualify as “similar,” leaving it to the discretion of the purchasing officer. This, she said, has lost her a contract in the past, but she did not receive feedback to enable her to avoid the mistake in the future. On the subject of feedback, PH-5 stated that the comments are often the same for each proposal, but that it would be helpful if they identified what put one proposal over another in the selection.

3. *Good Faith Efforts*

Several public hearing attendees expressed the concern that the GFE requirements in Metro Nashville's program are not stringent enough to protect MWBE firms, and that the program is not monitored sufficiently. PH-6 asserted that the “infrastructure and monitoring” has not been “fully implemented,” and recounted his experience with prime contractors dictating the portion of the work available for him, rather than negotiating. “No good faith discussion takes place,” he argued, and “nothing keeps them from...reaching out to another firm” if he is not amenable to their terms. PH-6 stated that when he notified Metro Nashville that a prime contractor who put them in their bid had dropped his firm as a subcontractor, he was instructed that the prime contractor could still continue on their contract, “so there's no penalty.” In addition, he says that firms will often reach out to him to meet the GFE requirement, submit his firm's name, and not pursue working with his firm further.

Similarly, PH-22 states that her issue is that firms often do not follow up after utilizing MWBE's names to meet the GFE requirements. “They just write your name and that they did contact you, so they can get the contract;” but firms do not often contact her after that. She echoed PH-6's concerns, saying that “if they give you the job...they give you the worst job that they don't want, the one that is a nightmare. And what do you do as a small business? You are set to fail. They know you're going to fail.” PH-6 and PH-22 also expressed that they will often receive late notifications of contracts from prime contractors, putting them at a disadvantage in the bidding process. PH-17 stated that “Metro is not watching what's going on” in terms of monitoring the activities of prime contractors and needs to add personnel for this purpose. “I've been on proposals, and proposals have been awarded, never called to do the work,” PH-17 stated. In contrast, PH-5 said that BAO “goes to great lengths” to ensure that she is used on a project if a prime contractor proposes to use her firm as a small business subcontractor; “they head them off at the pass if they try to dump me off at the end or replace me with somebody else. PH-5 continued, “The BAO does a really good job of doing that, and I appreciate the fact that they do try to make sure that everybody does the right thing.”

4. *Capital and Bonding*

Prompt payment from both prime contractors and Metro Nashville Government was also an issue that was raised at the hearings. PH-6 recounted that “they want to pay me whenever they want to pay me,” rather than upon submission of his work. PH-12 noted that, as a small business, “we don’t have the time to wait around to get paid” and that payment through prime contractors is sometimes inefficient. PH-3 expressed that Metro Nashville places a “heavy burden” on contractors with the time it takes to process payments. “the workers want their money and deserve their money,” PH-3 said of small firms’ employees. However, PH-7 stated that “one good thing” is that Metro Nashville has mechanisms to ensure that contractors receive payment “within days,” and that this is highly beneficial since “cash flow is everything” for a small business.

In addition, hearing participants gave testimony on insurance and bonding requirements, which PH-21 referred to as “another gatekeeper” that restricts firms’ growth. Ultimately, he said, that growth is “dependent on how much money you have in the bank” and “what level of bonding they’ll give you.” PH-1 had difficulty finding a loan that did not require a high deposit amount, even those geared toward small, minority owned, and veteran owned businesses, and had to work several jobs to keep the business afloat as a result. PH-4 stated that, though they have been successful in bidding on Metro Nashville projects and find the insurance requirements “fairly standard and not too bad to handle as a subcontractor,” the prime contractors may have more stringent insurance requirements that are “very difficult” for small businesses. PH-5 states that she carries “more insurance than the value of the work I can actually perform in order to meet the requirements of Metro’s contracts,” and that this places a financial burden on her firm.

PH-6 spoke of several possible remedies for the financial issues that small firms face in attempting to do business with governments, then suggested that Metro and other local government entities allow firms to utilize “third-party financing tools” to bid on larger contract opportunities or provide supportive services in conjunction with financial institutions. PH-21 also suggested breaking down large projects so that smaller firms with lower bonding capacity can attempt to bid.

5. *Implementation of Recommendations*

A number of participants at the public hearings were concerned about the possibility that the recommendations from this Study would not be implemented, and they expressed concern about recommendations from the previous disparity study that they felt were left out of the program or were insufficiently implemented. “It’s mandated that they (the Study team) do the Study,” said PH-7, “but...when you guys do the Study, nothing is implemented and then you look and there’s another (political) regime coming in, and they do the same Study...it’s kind of like a hamster on the wheel,” (PH-7). PH-16 noted that there is an “entire department in Metro that is supposed to monitor this,” regarding MWBE contracting, and requested increased oversight of the program. “I think that it needs to be some type of a monthly or at least, at least a quarterly initiative where we are actually looking at the numbers and we are tracking who is -- who is giving out contracts, who’s been awarded contracts, who has not been awarded, and why they weren’t awarded contracts. I would like to see the actual data and be involved in the process” (PH-16). PH-16 suggested a committee of small business owners that could oversee the program, and PH-10 asked if there “need(s) to be a watchdog agency that’s put in place” to ensure that the recommendations from the Study are “given fair consideration.”

PH-9, having reviewed the previous disparity studies, noted that there was a recommendation for a “penalty or oversight committee,” but felt that there was “no political will to implement these things.” He stated that “this city is too large and there’s too much money being made, to not feel like it can be shared among these small

businesses” (PH-9). However, Ph-9 also noted that the BAO may require further staffing, as they are “short-staffed and short-handed” and expressed a hope that it would be addressed in the next budget cycle. The issue of prime contractors “ducking out” on GFE, he argued, was partially because BAO lacks personnel to follow up on monitoring. PH-6 stated that there were a number of recommendations from the previous study “supposed to be implemented by the city, but the city chose not to implement them.” PH-10 also felt that a “watchdog agency” would be helpful, especially to monitor the misuse of the program such as minority contractors being used as “pass-throughs.”

At one hearing, a Councilwoman representing the Metro Counsel Minority Caucus raised her concerns about the lack of implementation of recommendations from the previous disparity study and stated that she is “concerned about the accountability and enforcement” of the contract-letting process. In addition, PH-24 was concerned about the eventuality of a race-neutral program emerging from the results of the Study, stating that any changes implemented need to include the ability to penalize wrongdoers in the program, because “games get played;” he does not bid as a subcontractor any longer as a result.

E. Focus Group

The focus group, held at the Nashville Public Library, Bordeaux Branch, on February 6, 2018 from 12-2PM, consisted of business owners who were selected at random from a database of firms. Each of the participants volunteered for the dialogue on business ownership in Metro Nashville and provided input as to their experiences and perspectives. FG-3 feels that the outreach from the government is nonexistent in recent years, and the process of bidding is “too lawyer-ish” and “cumbersome,” making it difficult to compete with larger firms. FG-4 also noted that large firms are difficult to compete with and, though he has been successful in bidding, that prime contractors “already know” what they are looking for when they include his firm.

“Like any other business, you give the work to who you know,” FG-4 stated. He feels that knowing the right people has been crucial to his success, and advocates forming mentoring relationships. Larger firms not only have discretion about who to add to their team and notify about opportunities, but they also have more resources, such as personnel to monitor Websites and look out for upcoming bids. He feels that the program at the airport provides more supportive services than BAO at Metro Nashville, and notes that they follow up with him about whether or not he has been paid by the prime contractor in a prompt manner.

FG-1 feels that the government’s commitment to diversity is “lip service” and that there is very little follow-through, while FG-2 felt strongly that Metro must revise their policy on GFE, because “all they (prime contractors) do is make phone calls.” FG-2 feels that the requirement is for firms to turn in an “activity log” of who they contacted by phone or email,” with no further requirements. He also notes the difference between a requirement to work with diverse firms and a requirement to work with local diverse firms.

Those present felt that BAO had worked well until some turnover at the office, and now there was confusion about what the function of the office is. FG-2 feels, as does FG-4, that the supportive services are lacking in recent years. Of the needed supportive services, FG-2 identified that the surety bond requirement on construction contracts prevents many minority firms from participating and suggested a bond guarantee program for contractors that are capable of performing but may have difficulty getting bonded.

1. Survey of Business Owners

To provide further insights into the attitudes of business owners toward the Metro Nashville Government in particular and the marketplace for public and private contracting more generally, a survey canvassing 310

businesses was conducted. The survey revealed that a number of firms, minority and non-minority, believe that there are issues of discrimination and disparate treatment among firms in the Metro Nashville marketplace. In addition, the responses to financial questions showed higher reporting among African American owned firms of difficulty in obtaining capital and start-up loans, an issue that will be further explored in the Private Sector Analysis and Findings and Recommendations chapters of this Study. Across the board, firms were asked to identify the areas in which they would like to see Metro Nashville government assist, and identify issues that they believe prevent them from bidding successfully with Metro Nashville. The full results from the survey may be found in Appendix F of this Study.

2. *Barriers to Working with Metro Nashville*

Respondents to the survey were asked to identify the greatest barriers to obtaining work on projects with Metro Nashville by selecting from several possible answers. The five responses with the highest selection frequency among all respondents are listed below:

- 31 percent: “Smaller firms unfairly compete with large firms for bid”
- 25 percent: “Excessive Paperwork”
- 19 percent: “Selection Process”
- 16 percent: “Limited knowledge of purchasing policies and procedures”
- 14 percent: “Limited time to prepare bid package or quote”

Of the thirteen percent of total respondents not registered to do business with the Metro Nashville Government, 17 percent did not know how to register, 30 percent did not know there was a registry, 20 percent do not believe their firm would be awarded the contract, and 14 percent do not see opportunities in their line of work.

A notable 50 percent of woman owned businesses, African American owned firms, Asian American owned businesses, and Native American owned firms “agree” or “strongly agree” that “excessive experience” is required to win bids with Metro Nashville Government.

3. *Capital, Loans, and Credit*

African American owned firms reported a higher denial rate than other populations for business start-up loans, at 11 percent of respondents. Other groups, such as non MWBE owned firms, woman owned firms, Asian American owned firms, and Hispanic American owned firms, did not report ever having been denied. However, the clear majority of respondents (94 percent from all demographics) had not applied for such a loan within the Study period. A higher percentage of respondents received operating capital loans in the last five (5) years, with all the non-MWBE owned firms that applied having been approved. Of the MWBE respondents, 5 percent of woman owned firms were not approved, 20 percent of woman owned firms were approved, and 11.5 percent of African American owned businesses never have been approved---again, the highest percentage of any demographic.

Though the majority of respondents never applied for a commercial bank loan, African American owned firms who did apply reported having been denied a commercial or bank loan between 1 and 25 times at a rate of 93 percent, compared to 50 percent of non MWBEs and 80 percent of women owned firms. In addition, 22 percent of African American owned businesses and 17 percent of Hispanic owned firms selected “credit history” when asked why they have never applied for a loan, compared to 4 percent and 2 percent of non-minority male and non-minority woman owned firms respectively. 70 percent of African American respondents and 83 percent of

Hispanic American business owners selected that the loan was “not needed,” compared to higher percentages (94 percent and 96 percent, respectively) of non MWBE owned businesses and woman owned firms. Notably, when asked to select areas they would like education and assistance in, 30 percent of African American respondents selected “identifying sources of operating capital or access, compared to 6 percent of Non MWBE owned firms and 9 percent of woman owned firms. In addition, 41 percent of African Americans chose “access to capital/financing” as well as 29 percent of Hispanic American business owners, compared to 7 percent of Non MWBE owned firms and 10 percent of woman owned firms.

4. *Discrimination and Disparate Treatment*

When asked if they believe they have experienced discriminatory behavior from the private sector, 38 percent of African American owned business respondents and 67 percent of Native American owned business respondents, compared with 4 percent Non-MWBE owned firms and 8 percent of woman owned firms, answered that they had. When asked the same question about Metro Nashville government, 10 percent of Non MWBE, 3 percent of woman owned firms, and 12 percent of African American owned firms stated that they had “often” or “very often” experienced discriminatory behavior. High percentages, 53 percent of respondents from all demographics “believe there is an informal network of prime contractors and subcontractors doing business with the Metro Nashville government that monopolize the public contracting process,” including 40 percent of Non MWBEs, 53 percent of woman owned firms, 80 percent African American owned businesses, 33 percent of Asian American owned firms, 43 percent of Hispanic American business owners, and 67 percent of Native American owned firms.

When asked if, in general, MWBEs are viewed by non-minority businesses as “less competent,” 24 percent of Non MWBEs, 45 percent of woman owned firms, 80 percent of African American owned businesses, 50 percent of Asian American owned firms, 33 percent of Hispanic American owned businesses, and 50 percent of Native American owned firms selected that they “agree or strongly agree.” The survey also saw high percentages of respondents in all demographics concur with the statement: “I believe that some non-minority prime contractors only utilize MWBE companies when required to do so by the Metro Nashville government.” 50 percent of Native American owned businesses and Hispanic American owned firms, 82 percent of African American business owners, 74 percent of woman owned businesses, and 42 percent of non MWBE respondents selected that they “agree” or “strongly agree.”

F. Email Commentary

Throughout the process, the Study team maintained an email inbox for any interested business owners or community members to provide their input and experiences. Several business owners wrote to confirm their attendance at events, but a couple provided vehement commentary. EC-1 expressed the view that “the city still does not hire African Americans in any responsible positions” and that there seem to be many reports and studies, but that little has changed for minorities. EC-4 commented that bids with Metro Nashville are awarded to “friends on the board with kickbacks” and that the “lowest or best qualified” businesses do not win.

G. Conclusion

The collection of anecdotal evidence for this Study revealed several consistent attitudes across various types of data collection among business owners, stakeholders and advocates in the Metro Nashville marketplace. Not least among these is a belief that Metro’s communications could be improved, both in the bidding and feedback process. A primary concern in the anecdotal interviews conducted was confusion about getting bid information.

This contributes to an overall sense of a lack of transparency from Metro Nashville, and a belief that some firms are notified while others are left out of the loop. At the public hearings, several expressed concerns that they have bid and lost, but not received adequate debriefing regarding their bid. The proposal process was raised several times also, with a number of small firms stating that it is difficult, expensive, and time-consuming. This makes it harder for small firms to compete against large firms, because the large firms have resources for detailed proposals that smaller businesses cannot expend. In addition, when asked to choose their greatest barriers to participation in a survey, the selection “smaller firms unfairly compete with larger firms” received the highest response at 31 percent.

Clearly, officials in the BAO are held in high esteem, but the point was raised multiple times that they cannot appropriately monitor the behavior of contractors in the program without additional personnel and resources. A recurrent theme in interviews, public hearings, and the focus group was the misuse of the GFE requirement, whereby firms are contacted to fulfill the requirements, but are never actually given a chance to compete. In addition, assertions were made that subcontractors sometimes operate as “pass-through” firms, allowing prime contractors to utilize their business’ certification to win a contract but executing on it in name only. These are red flags that must be further examined, and recommendations regarding them will be presented in the Findings and Recommendations portion of this Study.

The organizational meetings revealed that there are plenty of resources for entrepreneurs in the Nashville area, but moving forward, the challenge seems to be keeping these organizations in contact with one another and BAO regarding the services they offer, so that the business community is able to identify where to go for the assistance that they need. With regard to the business marketplace and culture in Metro Nashville, many of those interviewed believe that there is quite a bit of opportunity, but some did not feel that the opportunities are being made available to all. Advocates for the minority business community and the LGBT community spoke at length about their challenges, and the view was repeatedly expressed that progress in policy must be accompanied by progress in cultural attitudes and political action. The minority business community in Nashville appears to be highly informed regarding the previous disparity studies and the current data provided by the Metro Nashville Government, and is visibly concerned about the implementation of recommendations from both this and previous studies.

VII. EXECUTIVE SUMMARY

This chapter presents the findings and conclusions resulting from the disparity study conducted for Metro Nashville related to its procurement of Construction, Construction Related Professional Services (“A/E”), Other Professional Services, Non-Professional Services, and Goods for FY 2013-FY 2017. GSPC has carefully aligned the methods in conducting this Study with those requirements of the U.S. Supreme Court in Croson.

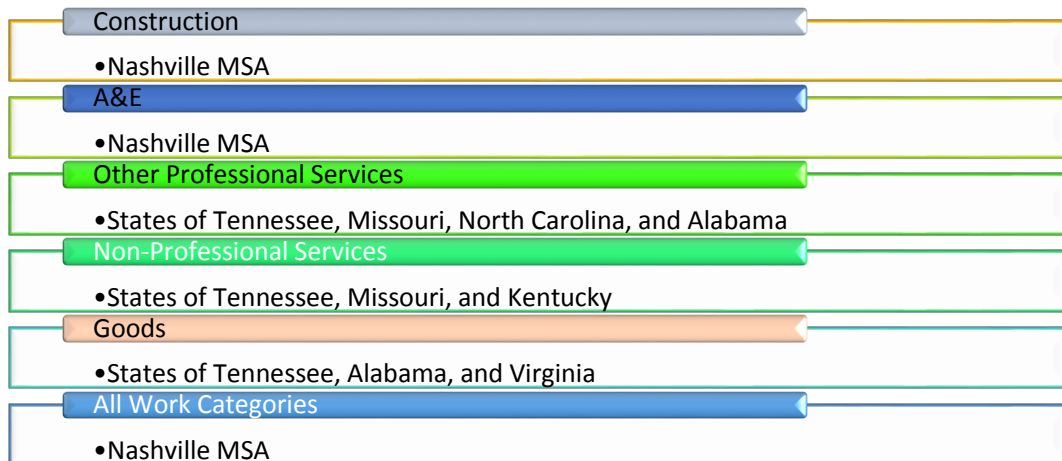
Overall, this Study found statistically significant disparities in Metro Nashville’s contracting efforts with firms owned by certain race and gender groups, both for prime and subcontracting. Further, GSPC found that such disparities were likely caused by the race and gender status of such firms. The findings of the Study establish a compelling governmental interest to remediate the disparities found and the recommendations will aid the City in narrow tailoring its remedial program to such findings.

A. FINDINGS

FINDING 1: GEOGRAPHIC MARKETS

The figure below summarizes the geographical area where at least 75% of prime awardees were located in each industry. In analyzing the Relevant Market data, GSPC tabulated the percentage of dollars awarded, beginning with Metro Nashville of Nashville (by zip codes). GSPC continued counting in radius surrounding Metro Nashville (by counties and established geographic divisions) until the cumulative percentage was equal to or greater than 75%. The availability and utilization analyses were conducted only on firms with offices within the geographical markets. The results were as follows:

Figure 3: Summary of Relevant Geographic Market (by Contracts and Purchase Orders)
Metro Nashville Disparity Study



Griffin & Strong, P.C. 2017

FINDING 2: AVAILABILITY

Availability is defined as the percentage of all qualified firms that are MWBE's willing and able to provide goods or services to Metro Nashville in each of the work categories. Availability is the foundation of any MWBE program because any goals or attainments set by Metro Nashville would be formulated based upon the Availability percentages.

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The measures of availability utilized in this disparity study incorporate all of the criteria of availability required by Crosen:

- The firm does business within an industry group from which Metro Nashville makes certain purchases.
- The firm's owner has taken steps to demonstrate interest in doing business with government.
- The firm is located within a relevant geographical area such that it can do business with Metro Nashville.

The firms used to calculate Availability came from the Master Vendor File (which is a conglomeration of firms that were on government lists) and are only firms located in the Relevant Market. GSPC found that firms were available to provide goods and services to Metro Nashville as reflected in the following percentages by each race, ethnicity, and gender group.

Table 83 below shows the relative availability of each MWBE (minority or women-owned business) group in each major work category. In Construction, MBEs (minority-owned businesses) make up 13.38% of all firms and WBEs (women-owned businesses) are 12.43% for a total MWBE percentage of 29.55. This includes Unidentified MWBEs which are firms that were identified as minority or women owned, but whose specific ethnic group (e.g. African American, Asian American, etc.) could not be identified.

In A&E, MBEs are 13.11% and WBEs are 14.93% for a total of 30.71% MWBEs (including Unidentified MWBEs).

Other Professional Services had the largest percentage of MWBEs at 51.21%. MBEs were 23.58% and WBEs were 16.41% in this category.

In Non-Professional Services, MBEs were 23.33% and WBEs were 15.90% for a total of 14.74% MWBE (including Unidentified MWBEs).

Goods were 23.74% MWBE (including Unidentified MWBEs) with 9.84% MBE and 10.96% WBE.

Table 83: Summary of Availability Estimates by Work Category

In the Relevant Market
(Based upon the Master Vendor File)
Metro Nashville Disparity Study

Ethnicity	Construction	A&E	Other Professional Services	Non-Professional Services	Goods
African American	10.10%	10.19%	20.61%	19.33%	7.14%
Asian American	0.87%	1.70%	0.99%	1.35%	1.11%
Hispanic American	1.66%	0.73%	1.22%	1.89%	0.94%
Native American	0.75%	0.49%	0.76%	0.76%	0.65%
Total Minority	13.38%	13.11%	23.58%	23.33%	9.84%
Caucasian Women	12.43%	14.93%	16.41%	15.90%	10.96%
Unidentified MWBE	3.74%	2.67%	11.22%	6.51%	2.94%
Total M/WBE	29.55%	30.71%	51.21%	45.74%	23.74%
Non-M/WBE	70.45%	69.30%	48.78%	54.25%	76.25%
Total	100%	100%	100%	100%	100%

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FINDING 3: MWBE UTILIZATION

MWBE prime utilization was calculated using both contract and purchase order data, which are full data sets, whereas subcontractor data was calculated from responses to a questionnaire sent to prime vendors about their subcontractors. As the table below shows, Metro Nashville awarded a total of \$2,901,334,359.10 in prime spending in the Relevant Market during the study period and \$479,930,176 of this amount, or 16.54% of this amount was awarded with MWBE firms as prime contractors.

Table 84: Summary of Prime Utilization by Work Category
In the Relevant Markets
Using Contracts and Purchase Orders

	Construction		A&E		Other Professional Services		Non-Professional Services		Goods		Total	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
African American	\$ 74,892,016	5.54%	\$ 1,258,994	0.30%	\$ 89,127	0.49%	\$ 19,488,428	8.17%	\$ 5,418,432	0.62%	\$ 101,146,997	3.49%
Asian American	\$ 3,018,829	0.22%	\$ 1,280,108	0.30%	\$ 286,608	1.57%	\$ 159,768	0.07%	\$ 530,057	0.06%	\$ 5,275,370	0.18%
Hispanic American	\$ 276,531	0.02%	\$ 1,439,795	0.34%	\$ 9,635	0.05%	\$ 8,419	0.00%	\$ 324,375	0.04%	\$ 2,058,755	0.07%
Native American	\$ 9,534,616	0.71%	\$ 21,467,995	5.06%	\$ -	0.00%	\$ 43,900	0.02%	\$ 99,288,794	11.43%	\$ 130,335,305	4.49%
Total MBE	\$ 87,721,992	6.49%	\$ 25,446,891	6.00%	\$ 385,370	2.11%	\$ 19,700,515	8.25%	\$ 105,561,658	12.16%	\$ 238,816,427	8.23%
Caucasian Women	\$ 126,972,945	9.39%	\$ 48,969,575	11.55%	\$ 746,609	4.10%	\$ 6,946,839	2.91%	\$ 51,613,058	5.94%	\$ 235,249,026	8.11%
Unidentified MWBE	\$ 49,579	0.00%	\$ -	0.00%	\$ 377,300	2.07%	\$ 149,031	0.06%	\$ 5,288,813	0.61%	\$ 5,864,723	0.20%
Total MWBE	\$ 214,744,516	15.88%	\$ 74,416,466	17.55%	\$ 1,509,279	8.28%	\$ 26,796,385	11.23%	\$ 162,463,529	18.71%	\$ 479,930,176	16.54%
Non- MWBE	\$ 1,137,428,412	84.12%	\$ 349,533,176	82.45%	\$ 16,712,068	91.72%	\$ 211,882,267	88.77%	\$ 705,858,260	81.29%	\$ 2,421,414,184	83.46%
Total	\$ 1,352,172,929	100.00%	\$ 423,949,643	100.00%	\$ 18,221,347	100.00%	\$ 238,678,652	100.00%	\$ 868,321,790	100.00%	\$ 2,901,344,360	100.00%

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FINDING 4: MWBE SUBCONTRACTOR UTILIZATION

During the study period, Metro Nashville tracked MWBE subcontractor data as required by ordinance.⁹⁷ However they did not also track the non-MWBE subcontractors necessary for creating a full universe of subcontracting data. GSPC could not therefore obtain a comprehensive comparison of all MWBE subcontracting, compared to Non-MWBE subcontracting using Metro Nashville data.⁹⁸ Since the Procurement Nondiscrimination Program is designed to encourage subcontractor utilization, there was no way for Metro Nashville to effectively gauge the impact of the program with this data missing.

As an alternative method, GSPC sent a Prime Vendor Questionnaire to all firms that received awards or purchase orders during the study period, except for goods (which typically do not have subcontractors) and asked them to identify the awards made to their subcontractors. GSPC sent out 1734 questionnaires and received 161 responses or 9.28%. Of those firms that responded, 37 had subcontractors or 22.98%. Those that had subcontractors were primarily in Construction and A&E.

⁹⁷ Metro Nashville was not required by either code or regulation to track non-MWBE subcontractors.

⁹⁸ To prevent this issue in the future and improve Metro Nashville's data infrastructure, the 2017 Benchmark Report recommended that all subcontractors—MWBE and non-MWBE—be tracked by Metro Nashville. Legislation was passed by the Metro Council which fully implemented this recommendation in early 2018.

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Table 85: Summary of Subcontractor Utilization Survey
In the Relevant Market
(Based upon Awards FY2013-FY2017)

	Construction		A&E		Total	
	\$	%	\$	%	\$	%
African American	\$ 6,163,376	5.76%	\$ 451,173	9.32%	\$ 6,614,549	5.91%
Asian American	\$ 446,806	0.42%	\$ 354,476	7.32%	\$ 801,282	0.72%
Hispanic American	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%
Native American	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%
Total MBE	\$ 6,610,182	6.17%	\$ 805,649	16.64%	\$ 7,415,831	6.63%
Caucasian Women	\$ 5,361,425	5.01%	\$ 681,449	14.08%	\$ 6,042,874	5.40%
Unidentified MWBE	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%
Total MWBE	\$ 11,971,607	11.18%	\$ 1,487,098	30.72%	\$ 13,458,705	12.03%
Non- MWBE	\$ 95,077,486	88.82%	\$ 3,353,536	69.28%	\$ 98,431,022	87.97%
Total	\$ 107,049,093	100.00%	\$ 4,840,634	100.00%	\$ 111,889,727	100.00%

Griffin & Strong, P.C. 2017

FINDING 5: SUMMARY OF DISPARITY ANALYSIS FOR FY2013-FY2017

Table 86 below indicates the MWBE groups and work categories where statistically significant underutilization was found in prime contracting. In other words, the groups indicated were not utilized by Metro Nashville to the extent that would be expected based upon their Availability in the Relevant Market.

Table 87 provides what groups were statistically significantly underutilized in subcontracting. Groups identified may be qualified for inclusion in race or gender based remedial programming in accordance with narrow tailoring.

Table 86: MWBE Groups Significantly Underutilized in Prime Contracting
Metro Nashville Disparity Study

	Construction	A&E	Other Professional Services	Non-Professional Services	Goods
African American	X	X	X	X	X
Asian American	X	X		X	X
Hispanic American	X	X	X	X	X
Native American			X	X	
Caucasian Woman	X	X	X	X	X
Unidentified MWBEs	X	X	X	X	X

Griffin & Strong, P.C. 2017

Note: Native American owned firms were underutilized in Construction as prime contractors but it was not statistically significant.

Table 87: MWBE Groups Significantly Underutilized in Subcontracting

Metro Nashville Disparity Study

	Construction	A&E
African American	X	
Asian American	X	
Hispanic American	X	X
Native American	X	X
Non-minority Female	X	
Unidentified MWBEs	X	X

Griffin & Strong, P.C. 2017

Note: African American and Caucasian Women owned firms were underutilized in A&E, but they were not statistically significant

FINDING 6: POLICY FINDINGS

GSPC conducted a comprehensive policy review from the framework of three major questions. First, by determining if any policies, as written, present barriers for MWBEs in contracting with Metro Nashville. Second, through interviews with staff to determine whether the policies, as written are understood, and third a determination of whether there are discrepancies in policies from what is written, to what is practiced. Below are findings made from GSPC’s policy review.

1. MWBE Certification, Master Lists & Prequalification

Under its Procurement Code, Metro Nashville has the option to either certify MWBEs or accept MWBE certification from other government or private agencies. Metro Nashville has opted for the latter and accepts certifications from other agencies, provided they conduct site visits for verification. Metro neither recognizes self-certification, nor accepts self-certification from third parties. Staff reports that Metro Nashville decided against conducting its own certification to minimize the administrative burden on business owners who would have to certify with multiple agencies.

The Metro Nashville MWBE list is part of the overall Metro Nashville iSupplier vendor list.

Vendors who wish to do business as a prime contractor are required to register in the iSupplier list, however subcontractors are not required to register as a supplier in iSupplier. A list of either MWBEs or DBEs may only be accessed through the iSupplier online portal. There were 938 certified MWBEs in the Metro Nashville vendor list in 2017, 51.4 percent of which were MBEs.

The Metro Nashville Code allows for prequalification of suppliers, but Metro Nashville staff reports that it does not, and did not during the Study Period, use or maintain any prequalification list for solicitations and awards and it does not prequalify firms despite the fact that it could do so. This is reportedly limited by the Metro law department.

The Metro Code also provides for master lists of architecture and engineering firms to be maintained. Firms on this list, per policy, are available for inclusion on professional services contracts under recommendation of the capital improvements architectural/engineering review board. Firms are added to this list by resolution (per Metro Nashville Code of Ordinances § 2.08.040.A, B. Metro Nashville Procurement Regulation § 4.08.080). Similar to the prequalification lists, Metro Nashville staff reports that these master lists are not maintained or utilized, and are considered “defunct”. While there was no data available on MWBE utilization in relation to the Master List, staff feel that it is unlikely that MWBE firms were negatively impacted by the lack of attention to this provision.

While this provision had largely gone ignored and unutilized, it appears that some attention is being given to resurrecting this tool. Currently, staff are in the process of updating the Metro master lists for future use.

2. *Procurement Nondiscrimination Program*

Metro Nashville Council passed the Procurement Nondiscrimination Program (PNP) in 2008 after the 2004 disparity study. The PNP covers construction, professional services and nonprofessional services. The Metro Nashville policy does not currently set annual aspirational MWBE goals or race conscious MWBE project goals.

The PNP model, as passed, is predicated on the good faith efforts system. In practice this system requires that firms document outreach to at least three MWBEs to satisfy good faith efforts. Various Metro Nashville staff reported that almost no firms fail to satisfy the PNP good faith efforts requirements. It is generally felt that the current code regarding PNP good faith effort “lacks teeth.”

The Metro Nashville Code stipulates that race and gender conscious goals “shall only be considered in the event the Metropolitan Government has exhausted all race/gender neutral remedies and continues to fall below identified Benchmarks in contracting.” In the PNP program, benchmarking is a key intermediate step before implementing race and gender conscious project goals. Initial benchmarks for Metro Nashville were based on the 2008 disparity study, with updates completed for 2011, 2013, 2015, and 2017.

Additionally, Metro Nashville code § 4.08.080 provides for a 20 percent goal for “diversified business enterprises (small, minority and women owned firms) for public-private projects receiving tax incentives in the form of tax increment financing (TIF) or payments-in-lieu-of-tax (PILOT) agreements.” However, this element of the Metro Nashville code has not been

consistently implemented. Staff reports that this is because the code is not clear how this should be administered and it does not state that the PNP is charged with its administration.

3. *Metro Nashville DBE Program*

Metro Nashville does not have a written DBE plan, or DBE Liaison Officer, and Metro Nashville is not a part of the Tennessee Unified Certification Plan for DBEs. For federally funded projects the BAO sets and monitors the DBE project goal on a solicitation-by solicitation basis using the project work items and the availability of certified DBEs. The Metro Nashville PNP program does not apply to projects with DBE goals.

Metro Nashville produces a monthly report tracking total DBE spending, but does not have a separate DBE plan apart from its tracking of MWBE dollars. DBEs received \$15.8 million in FY 2016-2017, 1.59 percent of Metro Nashville spending during the period.

4. *Small Business Enterprise (SBE) Programs*

The Metro Nashville SBE program started in 1989. Since the completion of the last disparity study in 2008, the SBE program has been the focus of Metro Nashville's race and gender-neutral efforts to increase MWBE participation. Metro Nashville had 609 approved SBEs in September 2017.

The Metro Nashville Procurement Regulations allow for setting annual SBE and Service Disabled Veteran ("SDV") subcontracting goals. From fiscal year 1992-93, until 2012, Metro Nashville used an SBE and SDV goal of 15%. The goal has not been utilized since 2012. Staff report that was because the basis for the 15% was stale and that number could be viewed as arbitrary. Since that time, no new goal has been set. Instead, Metro Nashville opted to set SBE or SDV project requirements on a solicitation-by-solicitation basis. For example, on a request for proposal (RFP) Metro Nashville may score a firm higher if they maximize SBE utilization, while points are prorated for those bidders with lower levels of SBE utilization.

Metro Nashville Procurement Regulations also allow for SBE and SDV bid discounts in price to help them compete for prime contracts. The Metro Nashville Procurement regulations also allow for SBE set-asides, or sheltered market bidding, however, the Metro Nashville SBE Program rarely employs this tool, except for some small roofing, demolition, painting projects.

There were ten (10) certified SDVs in Nashville and 57 in the entire state of Tennessee as of November 2017. Metro Nashville does report total SDV utilization in its KPI reports, but Metro Nashville staff reported there have been only two utilized SDVs.

5. *Management, Financial and Bonding Assistance*

The BAO has one staff member specifically focused on business development efforts. Each fiscal year, that office provides six to eight training sessions on topics that have included cost estimating, the PNP, S/MWBE certification, contract compliance and doing business with Metro Nashville.

One of the primary networking events put on by BAO is the annual Business Symposium. Attendance ranges from 70 to 200 participants, including 20 to 30 prime contractors, S/MWBEs, local resource organizations, Metro Departments and BAO/Procurement staff.

Metro Nashville does not operate a loan or bonding program, but BAO does, via what is termed the Collaboration for Excellence, refer businesses to programs that provide those services. The effectiveness of this collaboration has been done with conflicting success, as many organizations reported either a lack of consistency or an unfamiliarity with this effort. This is discussed in more detail, below.

6. *BAO Staffing and Budget*

The BAO budget lists six staff, a manager, three procurement officers, a business development officer and a procurement resource specialist.

The BAO is part of the Procurement Division which is then part of the Finance Department. While this an organizational placement is not unusual, such a reporting distance from the mayor tends to limit the effectiveness of most MWBE programs. Further complicating this matter is that there is an additional small business development initiative directly within the Mayor's office that operates independently of BAO. However, it is worth observing that the former Director of the BAO is now Metro Nashville's Purchasing Agent, which provides the program with a higher platform.

7. *Reporting MWBE, SBE, and SDV Utilization*

Metro Nashville released a previous disparity study in 2004 covering the FY 1999 to FY 2003. The 2004 Study showed statistically significant underutilization for the study period in the following procurement categories: 1) Construction Prime contracting 2) Professional Services Prime contracting, 3) Goods and Services Prime contracting 4) Professional Services subconsulting. In other words, Metro Nashville dollars awarded to MWBEs did not meet the percentage that would be expected given their percentage of available firm in the marketplace.

BAO issues regular KPI reports that are posted monthly on the web. The KPI reports give data on MBE, WBE, SBE certification counts, by certification status and gender; and MBE, WBE, SBE prime and subcontractor utilization by certification status and by gender and as a percentage of total spending for the period.

This BAO KPI report also includes subcontractor information, although that data is reportedly not complete due to prime contractors only regularly reporting MWBE subcontractors. Metro Nashville began tracking all subcontractors (MWBE and non-MWBE) with their iProcurement system in 2018.

FINDING 7: PRIVATE SECTOR DISCRIMINATION

The GSPC conducts a regression analysis to determine whether there are differences between MWBEs and Non-MWBEs in certain procurement activities and supports and whether those differences are likely caused by race and/or gender status. This is done by equalizing various other possible causes of disparities that would lead to

a reasonable assumption that all that is left to cause the disparity is race and or gender. For example, disparities could reflect, either in part or in whole, outcomes driven by differences in business owner characteristics that matter fundamentally for success/failure in new business creation or contracting success. However, if a business owner's race, ethnicity, or gender status lowers the likelihood of success, this would suggest that these characteristics cause the disparities. The result of this analysis explicitly links a business owner's race/ethnicity/gender to public contracting outcomes in the Nashville relevant market area.

In particular, GSPC found that:

- MWSDBE firms (collectively), and WBEs are less likely to be new firms. This is not true for MBEs, SBEs, and DBEs, independently. To the extent this also presumes similar knowledge/experience about bidding and securing public contracts, any disparities in public contracting outcomes between MWSDBEs (collectively) and non-MWSDBEs can't be explained by differences in experience.
- All of the certified minority firm types were more likely to be denied loans in the private credit market. This suggests that MWSDBEs, MBEs, WBEs, SBEs, and DBEs in the Metro Nashville Market Area are likely to have their capacity to compete in the market for public procurement constrained as a result of private sector credit market discrimination.
- For MWSDBEs (collectively) and MBE, WBE, SBE and DBE firms (independently), there is no difference in the likelihood of prime bid submission. This suggests that any public contracting disparities in Metro Nashville between MWSDBEs, MBEs, WBEs, SBEs, and DBEs and non-MWSDBEs, cannot be explained by differences in bid submission rates on Metro Nashville contracts.
- MWSDBEs (collectively) and MBEs, SBEs, and DBEs (independently) were more likely to have never served as prime contractor in Metro Nashville than non-MWSDBEs. WBEs and non-MWSDBE firms were more likely to have served as a prime contractor. This suggests that if past success as a prime contractor has an impact on future contracting opportunities, current disparities in public contracting may be impacted by past bid failures.
- MBE and DBE status reduces the number of subcontracting opportunities in Metro Nashville relative to non-MWSDBEs, with the lack of experience from past contracting success also impacting future opportunities.
- But for their status as MBEs, WBEs, SBEs, and DBEs, these firms would secure more prime public contracts in the Metro Nashville market area.

FINDING 8: ANECDOTAL FINDINGS

GSPC sought to engage to Metro Nashville business community through several methods, including, community meetings, public hearings, one on one anecdotal interviews with business owners, interviews with organizations, email comments and an online survey. GSPC sought the input of all businesses, regardless of race or ethnic status. These are the most prevalent issues determined through the analysis. This chapter may be explored in depth in Chapter VI.

1. Small Firms Have Difficulty Competing

Several firm owners indicated that they have difficulty competing with larger firms, and feel that it is an unfair playing field. Pricing, the difficulty of the proposal process, access to capital, bonding, and visibility all play a role in this determination. In addition, some firms indicated that they feel that small firms are unfairly stereotyped as unable to do the work and lacking capability. Small firm owners expressed a desire to compete on larger contracts, and at a prime level, but felt held back by the resources needed just to win a job.

2. *Good Faith Efforts (“GFE”) Requirements*

In a number of anecdotal forums, it was repeatedly stated that minority and women-owned firms are often contacted to fill the “good faith efforts” requirements, but are not actually considered or utilized. During the public hearings, good faith efforts were a major topic of conversation, and it was proposed that Metro Nashville more closely monitor activity in the GFE process to ensure that firms are not just contacting MWBE’s as a formality and leaving them unutilized.

Some firms claimed that they had gotten all the way through the proposal process with prime contractors but were never utilized on the job, and others claimed to know of “pass-through” MWBE firms who agreed to team with prime contractors to meet the goal and receive payment for not performing on any portion of the work.

3. *Proposal Process*

The proposal process was described frequently as lengthy and expensive, with firms saying that excessive amounts of paperwork are required to bid. In addition, a broad perception of a lack of transparency within Metro Nashville procurement seems to be in response to inconsistent communications regarding upcoming bids and debriefing firms that have lost bids. The perceived difficulties of the proposing and winning also exacerbate the feeling that small firms have a more difficult time because they lack the resources to bid in an expensive and time-consuming process.

Of note, Metro Procurement has instituted changes intended to address these deficiencies. These have included a quarterly newsletter for Metro Departments, debriefing conferences on request for firms that have lost bids, the formation of a Procurement Resources Groups (PRG) and a forecasting report anticipated out in the second quarter of FY 2019.

4. *Financial Concerns—Capital, Bonding and Credit*

In addition to the other concerns of small, minority, and women-owned businesses in Nashville, it was clear in both survey data and verbal testimony that bonding and credit were sometimes difficult to obtain. Based on the survey data, this issue seemed to affect the African-American community disproportionately.

At the public hearings, small business loans requiring high deposit amounts, limited bonding capacity, and high insurance requirements on projects were all cited as barriers to participation.

Metro should be commended for taking steps in the past to address issues around bonding capacity, including changing their local bonding requirements for contracts to match the more lenient requirements permitted by the State of Tennessee.

5. *Lack of Coordination of Resources*

Griffin & Strong PC’s interviews with organizations in the Metro Nashville community revealed that, while the resources for small businesses are plentiful and there are several organizations dedicated to incubating firms, those organizations are not well coordinated, have varying levels of quality and impact, and are in fierce competition for funding. Minority businesses, in particular, were reported as being “lost” in the shuffle for services, with most of the business development organizations being tailored in response to young technology firms who are dominated by Non-minority males. Some organizations who receive funding specifically for support of diverse entrepreneurs, report few stipulations placed on them by Metro and do very little reporting

regarding their initiatives and effectiveness of the services provided. This restricts the ability (or willingness) of organizations to direct firms to other organizations that can potentially be of more assistance, and assurance that firms know where to go for what resources.

Furthermore, significant confusion existed regarding the Mayor's Office for Small Business and Entrepreneurship and Metro Business Assistance Office ("BAO") both internal to Metro staff and externally within the community. Several organizations spoke to the disconnect between these two offices, with some being unaware completely of the mission, function, and purpose of the alternative office. Others spoke regarding past separate efforts by both Metro offices to bring organizations together that went were not conclusive. Metro staff admit having a lack of clarity to the purpose and activity of the other office.

FINDING 9: EFFECTIVENESS OF RACE-NEUTRAL MEASURES

Metro Nashville's current program is predominantly race and gender neutral. However, the participation of minority and women owned firms as both prime and subcontractors still demonstrates statistically significant underutilization of the groups indicated in Finding 5 above. This would indicate that, for reasons stated throughout these findings, a race and gender neutral program alone will not resolve the disparities.

B. RECOMMENDATIONS

The 2018 Metro Nashville Disparity Study is the second Disparity Study conducted for the Metro Nashville government by Griffin & Strong, P.C. GSPC also conducted the 2005 study, in which it made a number of recommendations that were not legislatively implemented during the intervening period. As demonstrated by the findings above, GSPC has determined that Metro Nashville has a compelling governmental interest in not only the continuation, but expansion of its PNP Program. GSPC reiterates the need to implement all of the recommendations made in the 2005 Study and have included a copy of those recommendations in Appendix I (Executive Summary to the 2005 Disparity Study).

In addition, GSPC make the following additional recommendations to ameliorate the disparities found in this Study that reflect what GSPC believes to be the critical areas which must be addressed in order for the program to achieve its objectives.

It should be noted that GSPC commends Metro Nashville for recent progress to make operational, administrative, and programmatic changes, including some of the ones recommended by GSPC below. These areas are highlighted as commendations below.

RECOMMENDATION 1: REFINEMENT OF PROCUREMENT NONDISCRIMINATION PROGRAM (PNP)

Through review of the current PNP ordinance, the resulting program has been insufficient in remedying ongoing contracting disparities, both through the policy as written and in its administration. It was repeatedly noted both by the community and some staff during the study process that the current PNP program "lacked teeth".

When the PNP legislation was passed in 2008, it did so with the stated objective:

NASHVILLE 2018 DISPARITY STUDY
For Study Period 2013-2017

To promote and encourage full and open competition in all Metropolitan Government procurement and purchasing; encourage all Metropolitan Government personnel involved in procurement and contracting activities to utilize appropriate purchasing procedures; to prevent the Metropolitan Government from becoming a passive participant in any unlawful discrimination; to spur economic development in the public and private sectors of the local economy; and, to rectify that participation in such unlawful discrimination.

Since then, there have been significant influences which prevented the PNP from reaching its full effectiveness, including insufficient tools, resources, and clear and proper administrative direction and regulation to support implementation. Many areas of the current policy appear vague, allowing for subjective interpretation and little guidance on how tools should be properly applied. Under this framework, there are many areas where tools within the current policy may have been employed to the benefit of the Metro Nashville diverse contracting community if staff possessed clear guidelines on how and when to utilize them or were given appropriate tools to properly administer.

For example, despite ongoing disparities demonstrated by the Metro benchmark report series, and permissions within the existing PNP ordinance which would have allowed Metro Government to pursue race and gender conscious remedies to address ongoing underutilization if disparities persisted 24 months past passage of the legislation as evidenced by the benchmark reports.

After using Benchmarks and Good Faith Efforts of the Program for 24 months, if the BAO semiannual review shows continuing underutilization of MWBEs and can demonstrate a compelling interest to support imposition of goals in specific subcategories, upon concurrence of the Purchasing Agent, the BAO shall recommend to the Finance Director and the Director of Law the implementation of goals for selected contracts in the identified subcategories. (Metro Nashville Code of Ordinances § 4.46.110.B – Procedure for Adopting Goals.)

For a variety of reported reasons Metro chose to not administer this goals process, feeling they lacked administrative support, did not have the required bureaucratic approval from specified bodies, and ongoing constraints—both technological and fiscal—in its data collection processes.

Additionally, despite the presence of these ongoing disparities, it was reported that it was rare for firms to fail in satisfying GFE requirements. Non-discrimination reviews, a component of the current PNP program designed to protect Metro from becoming a passive participant in a discriminatory action, were not utilized. This component was interpreted as needing a written complaint to trigger and it is unlikely that a subcontractor would have obtained all necessary knowledge, including bidder information, subcontractors utilized, pricing, and explicit knowledge of a discriminatory action to make a complaint. Even when bid protests claimed discriminatory behavior, there was no procedural trigger to launch an investigation.

In the future, Metro may explore amending this language to state clear parameters on when this should be employed, and explicitly state when investigations should be triggered, i.e. when prime bidders substantially fail to utilize MWBEs in accordance with at least a percentage (e.g. 50%) of the availability identified by this study.

RECOMMENDATION 2: RECONCILIATION OF THE METRO CODE OF ORDINANCES

As reported in the Study, there are several inconsistencies between written ordinances and administration of Metro policies related to procurement and diverse businesses. Metro is encouraged to evaluate its Code of ordinances, Procurement Regulations, and policies related to diverse procurement to reconcile differences

between program operation and written legislative intent which negatively impact the ability for BAO to engage in impactful supplier diversity initiatives.

RECOMMENDATION 3: INSTITUTE MWBE SUBCONTRACTING GOALS

Metro Nashville should institute both an MWBE annual aspirational and an MWBE contract goal program in order to address the disparity outlined in Finding 5. The annual goals should be calculated using the availability percentages for each MWBE group as the baseline.

GSPC further recommends separate MBE and WBE goals to separate the issues of race and gender discrimination.

Firms that do not meet the goal would be required to demonstrate that they used good faith efforts to achieve the goal. The goal program must have a “sunset date” in accordance with Croson. GSPC recommends a 5-year sunset date.

While the current PNP allows for this type of race and/or gender based program, as outlined previously this has not been invoked. There are several administrative issues that would make immediate implementation of this type of program difficult. In order to set project goals, you must have a clear identification of what type of work your registered vendors do so you can set specific trade goals.

Currently, Metro Nashville’s use of the UNSPSC commodity codes is only to four-digits which only provides generalized area of work and not specific trades. In addition, there has not been careful attention to how codes are assigned and GSPC found numerous instances where assignments of codes were either mis-assigned or assigned to “catch all” miscellaneous categories.

While Metro Nashville will need to undertake an overhaul of its vendor registration system to have firms to update their UNSPS codes to six-digits, identify primary work codes and contact information, this does not preclude Metro from beginning the goal setting process as the basis for M/WBE goal setting is not the Metro vendor list, but the M/WBE availability identified in this study, which is the basis of all goals programs. As an interim step, this is sufficient for aspirational goal setting.

RECOMMENDATION 4: EXPANSION AND REALIGNMENT OF DIVERSE BUSINESS GOAL SETTING ON PUBLIC-PRIVATE PROJECTS AND ECONOMIC DEVELOPMENT PROJECTS.

While it is currently codified that a 20% diverse participation goal should also be applied to projects receiving Tax Increment Financing (TIFs) and Payment In-Lieu of Taxes (PILOTs), GSPC recommends first revising this codified statute to be in line with identified availability. Secondly, GSPC recommends expansion of this policy to include all economic development projects or projects receiving tax and economic development incentives. Expansion and realignment of this tool is critical for the benefit of Metro Nashville’s diverse communities, as negotiated MWBE utilization on private developments, or Public-Private partnerships, ensures that local diverse firms have the opportunity to engage in the economic growth of the region where they otherwise would not.

To accomplish this goal, Metro Nashville BAO should evaluate different policy mechanisms to encourage MWBE utilization in the private sector outside of Metro Nashville procurements, such as the use of economic incentives. It is necessary that the BAO be a part of front-end discussion and negotiation processes involving the use of tax or economic incentive mechanisms to advocate for the use of Metro MWBEs, and wherever possible be incorporated into the decision-making process.

Most importantly, Metro Nashville will need to revisit the current ordinance governing TIF and PILOT funding, as currently codified, to specify what Metro Nashville body is responsible for administration and oversight of this policy. While the current ordinance fails to specify who is responsible for administration and compliance of the 20% goal, BAO is currently best equipped with the professional skills to manage this process. Oversight of this responsibility currently falls within the Mayor's Office of Small Business and Entrepreneurship. However, no individual within this office is equipped with the skillset to manage supplier diversity, nor has knowledge of how to conduct effective contract compliance for diverse firms. Conversely, Metro Nashville BAO possesses the tools and skillset to properly oversee this process, but this goal's process falls outside of the scope of the PNP program and ordinance. Furthermore, Metro staff report that projects receiving this funding are often disengaged from active reporting, Metro should explore codifying requirements on timely reporting on projects with tax and economic development tools for transparency.

Further complicating matters is that while most of these incentives within Economic Development, Metro Nashville has aligned TIF funding separately under the Metro Nashville Development Housing Authority ("MDHA"), a separately chartered body with no obligation to submit itself to Metro Nashville government, the Mayor's office or BAO.

Lastly, Metro Nashville should revision the 20% goal to align it more in accordance with availability identified in this Study and avoid it being an arbitrary determination. This goal should be segmented to specify a portion MWBE participation in accordance with any future goals program, versus the SBE participation which is currently permitted in the Metro "DBE" definition. This will help ensure that minority and women owned firms are receiving equal opportunity to participate in Metro's private sector growth.

Some examples of programs employed by other cities to encourage MWBE participation on private development or public private processes are the City of Atlanta's use of negotiated MWBE participation through requiring its EBO program be employed on public-private partnerships. In Chicago, the City operates a private sector "Diversity Credit" bid incentive program which incentivizes utilization of MWBE firms in non-public procurement. In this program, the City provides a \$3 to \$1 bid incentive, that for every three dollars spent with MWBE firms in the private sector prime vendors are eligible for a dollar credit on future public procurement towards MWBE participation.

RECOMMENDATION 5: COMMUNICATIONS, OUTREACH, AND FORECASTING

Metro Nashville should develop an enhanced communications plan for how it will better assist the MWBE business community in understanding its programs, implementations, and how to prepare for future procurements.

- **Consolidate the Mayor's Office of Small Business functions within BAO.** While the mission of these two offices appears at first glance to serve two different purposes, it creates unnecessary confusion for the Nashville business community. With most MWBE firms also being small businesses, to have the Mayor's Office operate a separate business development entity within Metro government for small business development separate from BAO creates the appearance and perception of "separate and unequal" services. As currently constructed, the belief is that BAO operates for minority firms and businesses seeking to be engaged with Metro as a vendor, creating a false dichotomy of "public sector" and "main street" businesses which does not truly exist. All firms exist in the private sector. The only delineation, then, is willingness and opportunity to work in the public sector, which, when operating two separate processes creates an unnecessary barrier in both functionality and communication.

Functioning in two separate offices creates an unnecessary separation. Instead of working in concert for the good of all of Nashville's Small and Diverse businesses, this segmenting leads to disjointed efforts. There is not currently a working relationship between the two offices and the general perception in the community is that the small business office serves what were termed the "creative class" and which represent the non-minority business community while MWBEs are directed to BAO. Each maintains their own support networks, relationships, resource agencies and partners designed to help grow small businesses, but there is very little overlap. This perception is further convoluted when some organizations receive funding from the Mayor's office for diverse business initiatives yet engage very little with Metro BAO, other stakeholders and have very little accountability as to what is being done with the funding.

- **Codifying the Relationship between BAO, Purchasing, the Office of Small Business, and the Mayor's Chief Diversity Officer** is an essential next step in Nashville's economic growth. While some would argue that the current distance between the MWBE program and the Mayor's office is a benefit, we would argue the inverse. With the former head of BAO now serving as the head of procurement, it elevates this program informally, both in urgency within daily function and with the Mayor's Office, but this elevation is circumstantial and driven by relationship, which, if not codified, will dissolve over the course of future inevitable staff changes.

In many cities nationally, the rise of the Chief Diversity Officer has come out of procurement and MWBE programming. While this role regularly maintains responsibilities expanding past procurement, in Nashville's case, the interest in procurement is loosely defined, and again, circumstantial. While strong working relationships between the head of Purchasing and the Mayor's Chief Diversity Officer creates synergy, the Chief Diversity and Inclusion Officer has no formal obligation to be engaged in procurement diversity, again aligning the City for future shifts in the event of changes in personnel.

Metro should strongly evaluate codifying these relationships, first to clarify, or should Metro choose, consolidate the functions of the Mayor's Office for Small Business within BAO to create unity and synergy.

Secondly, the Chief Diversity Office should hold some codified relationship over both procurement, small business development, workforce, and Economic Development creating a unified relationship by which to effectively advocate for diversity at every opportunity.

- **Building Network of Local Organizations and Exploring Anchor Partnership Strategies.** Beyond electronic databases, there should be an open line of communication to local organizations that can then pass information to their membership. This network should work together to make sure that all Metro small businesses and MWBE firms are aware of upcoming opportunities. Metro should coordinate this "ecosystem" approach—an emerging national best practice, that permits the municipal agent to serve as the central convener of community resources. Streamlining the point of entry will be to the benefit of the small and diverse community, laying out exactly what external agencies can partner with Metro BAO for delivery of supportive services and technical assistance programming. This would also involve some sort of formalistic partnership or consolidated approach between the Mayor's Office of Economic Development and Purchasing.

While Metro should be commended for past work through the "Collaboration for Excellence," it has been done to varying levels of success and consistency. Marshaling the collective efforts of assist agencies, ethnic chambers of commerce, state & federal government resources and local business development and trade

groups, positions Metro to build a one-stop hub for the diverse business community, providing them with a mixture of technical assistance resources, supportive services,

Should Metro choose to explore it further, with a strong base of local universities, sports franchises, and otherwise termed “anchor institutions”, Metro should explore building a platform for each institution to share information on certified and diverse vendors, contract opportunities and resources for business development as a means of maximizing collective impact for local, small and diverse businesses.

- **Forecasting.** Anticipated expenditures should be made public as a forecast which would allow MWBE firms to understand early on what projects are anticipated in the coming fiscal year and to prepare to compete for them. Planning plays an important role in establishing and maintaining effective remedial programs. This begins with understanding what services and goods Metro Nashville will be buying in the year to come. GSPC applauds Metro for beginning this process, with their initial contract forecasting slated to be released in the second quarter of FY19.

- **Targeted Outreach-** Annual forecasting will enable the contract compliance personnel to recruit and target firms that are capable of doing the work;

- **Encourage Teaming-** Knowing ahead of time what work will be presented will give room for contract compliance to schedule networking events and encourage firms to team. It also gives more time for mandatory pre-bid conferences where potential prime contractors can meet potential subcontractors;

- **Supportive Services -** Annual forecasting will allow Metro Nashville to provide supportive services well in advance of the bid issuance, if needed. Supportive services may be offered internally in coordination with other agencies, including the Small Business Administration bonding program, and the Small Business Development Centers. This is particularly important on Metro Nashville’s large capital projects to insure diverse supplier participation.

Additionally, GSPC commends Metro Nashville for the development of the new Metro Minority Business Advisory Council, made of prominent voices from Metro government, community, civic and trade organizations, private sector and financial partners. This is a positive step in creating a unified front to advocate for equity in Nashville.

RECOMMENDATION 6: ROBUST SUPPORTIVE SERVICES PROVISIONS

Concurrent to the 2018 Disparity Study, GSPC also conducted the 2018 Minority Enterprise Growth and Needs Assessment, which gives additional detail to the experiences and barriers to growth for minority firms located within Nashville and Davidson County. This report details the specific experiences, demographics and needs for Nashville’s minority business community to help them grow to scale. This report is detailed in Appendix J.

RECOMMENDATION 7: INCREASED RESOURCES AND TRAINING IN CONTRACT COMPLIANCE

GSPC is recommending substantial changes to the current PNP program. With that come additional job responsibilities in contract compliance in order to aggressively administer to program. In addition to putting an

MWBE goals program in place and consolidating the functions of Mayor's Office of Small Business within BAO, the focus of the contract compliance staff should be to ramp up responsibilities for:

- Forecasting
- Identification of potential subcontractor opportunities within work scopes
- Outreach and effective communication with the MWBE business community
- Certification review
- Maintaining detailed knowledge of availability lists in order to set contract goals
- Coordinating supportive services and coordinating with other agencies

GSPC commends Metro Nashville for consistently investing in staff training through the American Contract Compliance Association and recommends expanded use of this training platform for all staff relating to compliance functions

GSPC also commends Metro Nashville for the renewed energy devoted to the Chief Diversity Office role, and the appointment and expansion of the role. The Chief Diversity, Equity and Inclusion Officer, will include a focus on both diverse workforce and diverse contracting, including leading efforts for legislative and policy changes designed for increasing opportunities for minority firms.

RECOMMENDATION 8: BONDING AND INSURANCE REVIEW

While Metro Nashville has given previous consideration to ways to lower and alleviate burdens caused by bonding thresholds, Metro Nashville should offer bonding and insurance assistance to small businesses through the SBA or in partnership with local banking institutions.

Metro Nashville should also review its bonding and insurance requirements in an effort to reduce the burden on small, minority and woman-owned businesses. A comprehensive effort should be undertaken to ensure that Metro Nashville is not requiring limits which are higher than necessary to protect Metro Nashville's interests.

GSPC commends Metro Nashville for authorizing the Purchasing Agent in 2011 to look at bonding on a project by project basis in construction to make sure that the limits are necessary and for decreasing the need for bonding on projects from \$25,000 to \$100,000.

RECOMMENDATION 9: SMALL BUSINESS RESERVE PRIME PROGRAM

Despite significant disparities in prime utilization for MWBE groups, the Croson framework cautions against both benevolent (with positive intent) and malevolent (with harmful intent) discrimination, GSPC cautions against the use of MWBE prime preference goals, as they become easily applied as quota programs, which are disallowed by Croson, and would place Metro Nashville at risk of legal challenge.

However, race and gender neutral small business prime contractor programs are an excellent best practice to ensure that small businesses are not competing against very large firms. When coupled with the MWBE subcontractor goals, Metro Nashville can increase their participation levels through a small business reserve prime program. The current policy permits these race neutral set-asides for small businesses, but there are no guidelines for when they should be instituted, causing this tool to have been rarely used.

The Threshold Analysis demonstrates that Metro Nashville's average contracts are small enough for small businesses to perform as prime contracts on the majority of contracts. Since most MWBE firms are also small businesses, this means that they have a better chance to be successful at winning prime awards when competing only against other small businesses.

The first step is to institute a race and gender neutral program and establishes a contract threshold, under which certain contracts, particularly in Construction, A&E and Professional Services, become eligible for designation to only be bid on by small businesses in accordance with the SBA guidelines or other race neutral guidelines that Metro Nashville might set.

This program, in concert with supportive services will also assist MWBE firms to increase their capacity.

RECOMMENDATION 10: REFORM DATA INFRASTRUCTURE

GSPC had numerous challenges as it relates to collecting the data for this Study:

- Metro Nashville does not accurately track or maintain subcontracting data. Since the MWBE program is a subcontracting program, it is imperative that Metro Nashville track the firms, addresses, work descriptions and race/ethnicity and gender of all subcontractors. GSPC commends Metro Nashville for putting this recommendation from the 2017 Benchmark Report into effect during the process of this Disparity Study.
- Although Metro Nashville uses the UNSPS Commodity Codes, those codes were very often mis-assigned. More care must be taken to assign these Commodity Codes if they are to be useful in analysis.
- Furthermore, many firms reported anecdotally being contacted for subcontracting opportunities in work areas where they did not perform and believing that prime vendors were using these contacts to satisfy GFE requirements. Metro should explore adding more descriptors to its commodity code system to adequately identify the primary work category for potential subcontractors.
- Addresses and contact information were often times incorrect. GSPC utilized the emails contained in the vendor data files and a substantial number of them bounced back as no good. This means that firms who can potentially perform work for Metro Nashville are not being notified of bid opportunities.

VIII. CONCLUSION

In conclusion, while Metro Nashville has made progress in some areas in addressing the inclusion of minority and women owned businesses in its procurement process, the race and gender neutral methods, alone, have not been fully effective in addressing these disparities, which have persisted since the 2005 Disparity Study. It is clear, given these ongoing disparities that race neutral measures are not sufficient.

The MWBE business community is frustrated over the lack of adequate growth in MWBE participation. Exacerbating this frustration is the economic growth being experienced in Metro Nashville, which has only further isolated many MWBE businesses and diverse communities by excluding them from new economic opportunity. Despite the underutilization identified, there is significant opportunity presented by this study, and the future legislation which can result from it. With proper legislative and administrative attention, Metro can equalize the playing field for Nashville's diverse communities and provide an equal opportunity to compete and build new wealth.

The influence offered by government procurement is limitless, as governments can be the catalyst of economic development. Inclusive procurement contains with it the key to increased tax revenue, increases in workforce diversity, and neighborhood revitalization and stabilization. We are confident that if Metro Nashville proceeds with implementing the recommendations provided that they will have a significant impact on increasing the inclusion of MWBEs in all areas of procurement and creating a culture of equity within Nashville.

APPENDIX A

Detail Legal Analysis

Appendix A Metro Nashville Disparity Study

Expanded Legal Analysis

Having provided an overview of the de facto genesis of diversity studies, the following underscores the legal benefit to such studies should an MBE/WBE program or initiative be challenged in a court of law.

I. Overview of Legal Challenges to MBE/WBE Programs and Legislation

There are several important legal standards and considerations which arise when a constitutional challenge to an MBE/WBE program is initiated. Matters such as standing, the burden(s) of proof, the level of judicial scrutiny to be applied, and the types of evidence necessary for the court's evaluation, must all be addressed. Each of these concepts is addressed in turn.

A. The Standing Requirement

Legal "standing" to bring suit is an absolute requirement for one seeking relief in any federal court of the United States or any state court called upon to decide a matter upon federal law. U.S. Const. Art. III, § 2, Cl 1; Lujan v. Defenders of Wildlife, 504 U.S. 555, 560 (1992). Though "some of its elements express merely prudential considerations that are part of judicial self-government, the core component of standing is an essential and unchanging part of the case-or-controversy requirement of Article III." Lujan, 504 U.S. at 560.

[S]tanding contains three elements. First, the plaintiff must have suffered an injury in fact -- an invasion of a legally protected interest which is . . . concrete and particularized . . . [; s]econd, there must be a causal connection between the injury and the conduct complained of . . . [; and t]hird, it must be likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision [of the Court wherewith the matter is brought].

Lujan, 504 U.S. at 560-61 (internal punctuation and citations omitted).

Under the traditional standing analysis, in order to satisfy the "injury in fact" requirement, plaintiffs must establish a causal connection between the injury, the ordinance, and the likelihood that the injury will be redressed by a favorable decision. Moreover, the courts may not tolerate a lawsuit unless the plaintiff shows some "concrete and particularized" injury that is in fact imminent and which amounts to something more than "conjectural or hypothetical" injury. Price v. City of Charlotte, 93 F.3d 1241, 1247 (4th Circuit 1996) (citing Lujan).

In the federal judicial circuit covering Metropolitan Nashville, the "injury in fact" element for standing was analyzed in Associated General Contractors of America v. City of Columbus, 172 F.3d 411 (6th Cir. 1999). In that case, a contractors' association brought an action challenging the constitutionality of the City of Columbus' minority business set-aside ordinance. After a decision by the district court striking down the ordinance, the City sought relief from the judgment citing a revised, recently-enacted set-aside ordinance.

On appeal, the Sixth Circuit held that the contractors' association could not demonstrate the injury-in-fact required to establish standing to challenge the constitutionality of the second minority business set-aside ordinance, as the ordinance had not yet been put into effect:

Once the [first] set-aside program was gone, the constitutional violation was gone, and no condition requiring repair remained. The remedy was complete. The agreed order, however...enjoined the City from enacting any new set-aside legislation without first obtaining District Court approval--thus, the decree aimed at eliminating a condition that

did not yet exist, a condition that, at most, might violate the Constitution, if that condition should in fact materialize.

Associated General Contractors, 172 F.3d at 418.

The goal, of course, is to design and implement an MBE/WBE program in such a manner that no legitimate claims of “reverse discrimination” by majority contractors will result, and thus, no constitutional challenge will ensue. Absent achievement of such a program, standing issues will need to be addressed at the outset of any litigation.

B. Burdens of Production/Proof

As noted above, the Croson court struck down the City of Richmond's minority set-aside program because the City failed to provide an adequate evidentiary showing of past and present discrimination as was its initial burden. Croson, 488 U.S. at 498-506. Since the Fourteenth Amendment only allows race-conscious programs that narrowly seek to remedy particularized discrimination, the Court held that state and local governments “must identify that discrimination . . . with some specificity before they may use race-conscious relief.” The Court's rationale for judging the sufficiency of the City's factual predicate for affirmative action legislation was whether there existed a “strong basis in evidence for its [government's] conclusion that remedial action was necessary.” Croson, 488 U.S. at 500 (quoting Wygant v. Jackson Bd. of Educ., 476 U.S. 267, 277, 106 S.Ct. 1842, 1849 (1986)).

The initial burden of production on the state or local governmental entity is to demonstrate a “strong basis in evidence” that its race- and gender-conscious contract program is aimed at remedying identified past or present discrimination. See West Tennessee Chapter of Associated Builders v. City of Memphis, 302 F.Supp.2d 860, 863 (W.D. Tenn. 2004) (citing Croson; Adarand). Merely stating a “benign” or “remedial” purpose does not constitute a “strong basis in evidence” that the remedial plan is necessary, nor does it establish a prima facie case of discrimination. Thus, the local government must identify the discrimination it seeks to redress, (Croson, 488 U.S. at 500-01), and produce particularized findings of discrimination.

A governmental entity may, for example, establish an inference of discrimination by using empirical evidence that proves a significant statistical disparity between the number of qualified MBE/WBEs, the number of MBE/WBE contractors actually awarded a contract by the governmental entity, or MBE/WBEs brought in as subcontractors by prime contractors to which a contract is awarded.

The courts maintain that the quantum of evidence required for the governmental entity is to be determined on a case-by-case basis, and in the context and breadth of the MBE/WBE program it purports to advance. See Concrete Works, 36 F.3d 1513 (10th Cir. 1994). If the local government is able to do this, then the burden shifts to the challenging party to rebut the municipality's showing. Id.

Once the governmental entity has shown acceptable proof of a compelling interest in remedying past discrimination and illustrated that its plan is narrowly tailored to achieve this goal, the party challenging the affirmative action plan bears the ultimate burden of proving that the plan is unconstitutional. Sherbrooke Turf, Inc. v. Minnesota D.O.T., 345 F.3d 964, 971 (8th Cir. 2003) (“Sherbrooke and Gross Seed have the ultimate burden of establishing that the DBE program is not narrowly tailored.”); Geyer Signal, Inc. v. Minnesota D.O.T., 2014 WL 1309092, *26 (D. Minn. 2014) (“The party challenging the constitutionality of the DBE program bears the burden of demonstrating that the government's evidence did not support an inference of prior discrimination.”), citing Adarand III, 228 F.3d at 1166.

II. Equal Protection and Levels of Judicial Scrutiny

The Fourteenth Amendment provides that “No state shall . . . deny to any person within its jurisdiction the equal protection of the laws”. U.S. Const. amend. XIV, § 1. Courts determine the appropriate

standard of equal protection review by “[f]irst. . . [determining] whether a state or local government has developed the program, or whether Congress has authorized the program’s creation”, then by examining the protected classes embodied in the statute. S. J. Groves & Sons Company v. Fulton County et al, 920 F.2d 752, 767 (11th Cir. 1991).

Because the program instituted by Metropolitan Nashville makes classifications based both on race/ethnicity and on gender, each is addressed in this analysis with respect to the applicable standard of review (e.g., strict or intermediate scrutiny).

A. Strict Scrutiny for Race-Based Classifications

“We have held that all racial classifications imposed by government must be analyzed by a reviewing court under strict scrutiny.” Grutter v. Bollinger, 539 U.S. 306, 326 (2003); see also Adarand II, 515 U.S. at 212 (same). The Fourth Circuit previously put into sharp relief its view of the rationale for this level of judicial review:

Racial and ethnic distinctions of any sort are inherently suspect and thus call for the most exacting judicial examination. Wygant v. Jackson Board of Education, 476 U.S. 267, 273, 106 S.Ct. 1842 1846, 90 L.Ed.2d 260 (1986) (plurality opinion) (quoting Regents of the University of California v. Bakke, 438 U.S. 265, 291, 98 S.Ct. 2733 2748, 57 L.Ed.2d 750 (1978) (Powell, J.)). The rationale for this stringent standard of review is plain. Of all the criteria by which men and women can be judged, the most pernicious is that of race. The injustice of judging human beings by the color of their skin is so apparent that racial classifications cannot be rationalized by the casual invocation of benign remedial aims. City of Richmond v. J.A. Croson Co., 488 U.S. 469, 500, 109 S.Ct. 706, 724, 102 L.Ed.2d 854 (1989). While the inequities and indignities visited by past discrimination are undeniable, the use of race as a reparational device risks perpetuating the very race-consciousness such a remedy purports to overcome.... It thus remains our constitutional premise that race is an impermissible arbiter of human fortunes.

Podberesky v. Kirwin, 38 F.3d 147, 152 (4th Cir. 1994) (quoting Maryland Troopers Ass'n v. Evans, 993 F.2d 1072, 1076 (4th Cir.1993).

“Under strict scrutiny, a racial classification must (1) serve a **compelling state interest** and (2) be **narrowly tailored** to achieve that interest.” Tuttle v. Arlington County School Board, 195 F.3d 698, 704 (4th Cir. 1999) (emphasis added) (citing Ararand II).¹

B. Strict or Intermediate Scrutiny for Gender-Based Classifications

Though still a live debate in some federal Circuits, it appears settled in the Sixth Circuit that programs with gender-based classifications are evaluated for constitutionality under the same strict scrutiny standard applied to race-based classifications, and not a more relaxed level of scrutiny (such as intermediate scrutiny). See Brunet v. City of Columbus, 1 F.3d 390, 403-04 (6th Cir. 1993); Conlin v. Blanchard, 890 F.2d 811, 816 (6th Cir. 1989).

¹ See also Michigan Road Builders Ass'n v. Milliken, 834 F.2d 583, 589-90 (6th Cir. 1987) (setting forth two-part analysis); Associated General Contractors v. Drabik, 214 F.3d (6th Circuit 2000); Cleveland Firefighters for Fair Housing v. City of Cleveland, 917 F.Supp.2d 668, 6679-80 (N.D. Ohio 2013). The strict scrutiny test further requires a “searching judicial inquiry into the justification” for the race-conscious remedy to determine whether the classifications are remedial or “in fact, motivated by the illegitimate notions of social inferiority or simple social politics.” Doe v. Sundquist, 943 F. Supp. 886 (M.D. Tenn. 1996).

III. “Compelling Public Interest” Considerations

In order for a local government to enact a constitutionally valid MBE/WBE program or ordinance which applies to awards of its contracts, it must show a compelling governmental interest. H.B. Rowe Company, Incorporated v. W. Lyndo Tippett, 615 F.3d 233 (4th Cir. 2010):

Although imposing a substantial burden, strict scrutiny is not automatically “fatal in fact.” Adarand, 515 U.S. at 237, 115 S.Ct. 2097. After all, “[t]he unhappy persistence of both the practice and the lingering effects of racial discrimination against minority groups in this country is an unfortunate reality, and government is not disqualified from acting in response to it.” Id.; Alexander, 95 F.3d at 315. In so acting, a governmental entity must demonstrate it had a compelling interest in “remedying the effects of past or present racial discrimination.” Shaw v. Hunt, 517 U.S. 899, 909, 116 S.Ct. 1894, 135 L.Ed.2d 207 (1996).

Thus, to justify a race-conscious measure, a state must “identify that discrimination, public or private, with some specificity,” Croson, 488 U.S. at 504, 109 S.Ct. 706, and must have a “‘strong basis in evidence for its conclusion that remedial action [is] necessary,’ ” id. at 500, 109 S.Ct. 706 (quoting Wygant v. Jackson Bd. of Educ., 476 U.S. 267, 277, 106 S.Ct. 1842, 90 L.Ed.2d 260 (1986) (plurality opinion)); see also Podberesky v. Kirwan, 38 F.3d 147, 153 (4th Cir.1994). As courts have noted, “there is no ‘precise mathematical formula to assess the quantum of evidence that rises to the Croson ‘strong basis in evidence’ benchmark.’ ” Rothe Dev. Corp. v. Dep’t of Def., 545 F.3d 1023, 1049 (Fed.Cir.2008) (Rothe II) (quoting W.H. Scott Constr. Co. v. City of Jackson, 199 F.3d 206, 218 n. 11 (5th Cir.1999)).

Id. at 241.

This compelling interest must be proven by particularized findings of discrimination. The strict scrutiny test ensures that the means used to address the compelling goal of remedying discrimination “fit” so closely that there is little likelihood that the motive for the racial classification is illegitimate racial prejudice or stereotype. Croson; Engineering Contractors Ass’n v. Metropolitan Dade County, 122 F.3d 895, 906 (11th Cir. 1997). See also, Adarand II, 515 U.S. at 235.

The relevant case law establishes that the compelling state interests of remedying past discrimination and of avoiding discrimination in the context of governmental procurement programs are well-accepted, and not controversial at this point. See W.H. Scott Const. Co. v. City of Jackson, 199 F.3d 206, 217 (5th Cir. 1999) (“Combating racial discrimination is a compelling government interest.”); Croson, 488 U.S. at 492 (“It is beyond dispute that any public entity, state or federal, has a compelling interest in assuring that public dollars, drawn from the tax contributions of all citizens, do not serve to finance the evils of private prejudice.”); Adarand III, 515 U.S. at 237 (“The unhappy persistence of both the practice and the lingering effects of racial discrimination against minority groups in this country is an unfortunate reality, and government is not disqualified from acting in response to it.”).

A. The Level of Governmental Participation/Involvement in Discrimination

The courts have uniformly held that general societal discrimination is insufficient to justify the use of race-based measures to satisfy a compelling governmental interest. Adarand II, 515 U.S. at 227; Croson, 488 U.S. at 496-97. Rather, there must be some showing of prior discrimination by the governmental actor involved, either as an “active” or “passive” participant. Croson, 488 U.S. at 498. See also Ashton v. City of Memphis, 49 F. Supp.2d 1051, 1057 (W. D. Tenn. 1999) (citing Croson).²

² As the court in Tennessee Asphalt clarified, “[g]overnmental entities are not restricted to eradicating the effects only of their own discriminatory acts.” 942 F.2d at 974. Thus, even if the governmental unit did not directly discriminate, it can take corrective action. Engineering Contractors, 122 F.3d at 907 (“[I]f the County could show that it had essentially become a ‘passive participant’ in a system of racial exclusion practiced by elements of the local

The upshot of this dual-faceted evaluation of the enacting governmental entity is that, even if the entity did not directly discriminate, it can take corrective action. Engineering Contractors, 122 F.3d at 907 (“[I]f the County could show that it had essentially become a ‘passive participant’ in a system of racial exclusion practiced by elements of the local construction industry, the Supreme Court has made it clear that the [County] could take affirmative steps to dismantle such a system.”); Croson, 488 U.S. at 492 (“Thus, if the city could show that it had essentially become a ‘passive participant’ in a system of racial exclusion practiced by elements of the local construction industry, we think it clear that the city could take affirmative steps to dismantle such a system.”).

Subsequent lower court rulings have provided more guidance on passive participation by local governments. In Concrete Works, 36 F.3d 1513, the Tenth Circuit held that it was sufficient for the local government to demonstrate that it engaged in passive participation in discrimination rather than showing that it actively participated in the discrimination:

Neither Croson nor its progeny clearly state whether private discrimination that is in no way funded with public tax dollars can, by itself, provide the requisite strong basis in evidence necessary to justify a municipality's affirmative action program. Although we do not read Croson as requiring the municipality to identify an exact linkage between its award of public contracts and private discrimination, such evidence would at least enhance the municipality's factual predicate for a race/gender-conscious program.

Concrete Works, 36 F.3d at 1529.

Thus, the desire for a government entity to prevent the infusion of public funds into a discriminatory industry is enough to satisfy the requirement.

The next question, however, is whether a public entity has the requisite factual support for its MBE/WBE program in order to satisfy the particularized showing of discrimination required by Croson. This factual support can be developed from anecdotal and statistical evidence, as discussed hereafter.

B. Types of Evidence Available to Meet the Applicable Standard

The types of evidence routinely presented to show the existence of a compelling interest include statistical and anecdotal evidence. Croson, 488 U.S. at 501. Where gross statistical disparities exist, they alone may constitute prima facie proof of a pattern or practice of discrimination. Anecdotal evidence, such as testimony from minority contractors, is most useful as a supplement to strong statistical evidence, as it cannot carry the burden for the entity by itself.

The majority decision in Croson implicitly endorsed the inclusion of personal accounts of discrimination, but Croson and subsequent decisions also make clear that selective anecdotal evidence about MBE/WBE experiences alone would not provide an ample basis in evidence to demonstrate public or private discrimination in a municipality's construction industry. Croson, 488 U.S. at 480 (noting as a weakness in the City's case that the Richmond City Council heard "no direct evidence of race-conscious discrimination on the part of the city in letting contracts or any evidence that the City's prime contractors had discriminated against minority-owned subcontractors"); See also Engineering Contractors Ass'n, 122 F. 3d at 925 (“[W]e have found that kind of evidence [anecdotal] to be helpful in the past, but only when it was combined with and reinforced by sufficiently probative statistical evidence.”).

In sum, personal accounts of actual discrimination or the effects of discriminatory practices are admissible and effective, and anecdotal evidence of a governmental entity's institutional practices that provoke discriminatory market conditions is particularly probative. In order to carry the day, however, such evidence must be supplemented with strong statistical proof:

construction industry,” the Supreme Court has made it "clear that the [County] could take affirmative steps to dismantle such a system.”).

A state need not conclusively prove the existence of past or present racial discrimination to establish a strong basis in evidence for concluding that remedial action is necessary. *See, e.g., Concrete Works*, 321 F.3d at 958. Instead, a state may meet its burden by relying on “a significant statistical disparity” between the availability of qualified, willing, and able minority subcontractors and the utilization of such subcontractors by the governmental entity or its prime contractors. *Croson*, 488 U.S. at 509, 109 S.Ct. 706 (plurality opinion). We further require that such evidence be “corroborated by significant anecdotal evidence of racial discrimination.” *Md. Troopers Ass'n, Inc. v. Evans*, 993 F.2d 1072, 1077 (4th Cir.1993).

H.B. Rowe, 615 F.3d 241.

Accordingly, a combination of statistical disparities in the utilization of MBE/WBEs and particularized anecdotal accounts of discrimination by the MBE/WBEs (or others) are required to satisfy the factual predicate. *See Middleton et. al. v. City of Flint*, 92 F.3d 396, 405 (6th Cir. 1996) (“Anecdotal evidence is most useful as a supplement to strong statistical evidence[.]”)

1. The Use of Post-Enactment Evidence

Before looking at specific types of statistical and anecdotal evidence a governmental entity may utilize in order to meet its initial burden to show a “strong basis in evidence” that its race- and gender-conscious contract program is aimed at remedying identified past or present discrimination, we first note that the evidence offered need not pre-date the enactment of the program or legislation under challenge.

In *Croson*, the Court stated that a state or local government “must identify that discrimination . . . with some specificity before they may use race-conscious relief.” *Croson*, 488 U.S. at 504. However, the Court declined to require that all relevant evidence of such discrimination be gathered prior to the enactment of the program. This is important, as it allows a governmental entity to utilize a variety of evidentiary sources (as discussed below), but also to supplement such pre-enactment evidence with disparity evidence gathered after the program has been initiated.

Pre-enactment evidence refers to evidence developed prior to the enactment of an MBE/WBE program by a governmental entity. Such evidence is strong predicate for the decision to implement such a program in the first place, and a lack of relevant pre-enactment evidence of discrimination may make it difficult for a governmental entity to satisfy the standards established in *Croson*.

Post-enactment evidence is that which has been developed since the affirmative action program was enacted and therefore was not specifically relied upon as a rationale for the government’s race-conscious efforts. As such, post-enactment evidence can often be devalued when a constitutional challenge is made, though most courts applying *Croson*’s evidentiary requirement allow reliance on post-enactment evidence. *See, e.g., Contractors Assn.*, 6 F.3d, at 1003-04 (3rd Cir. 1993).

The federal courts in the Sixth Circuit have often wrestled with the relative value or significance to be placed on post-enactment evidence. In *West Tennessee Chapter of Associated Builders and Contractors v. Board of Education of the Memphis City Schools*, 64 F.Supp.2d 714 (W.D. Tenn. 1999), the district court faced the issue of whether post-enactment evidence was sufficient to establish a strong basis upon which a race-conscious program can be supported. The late Judge Jerome Turner opined that although the court in *Croson* was not faced with the issue of post-enactment evidence, much of the language in the opinion suggested that the Court meant to require the governmental entity to develop the evidence before enacting a plan.

At the appellate level, the Sixth Circuit addressed this issue in *In re: City of Memphis*, 293 F.3d 345 (6th Circuit 2002), though much of the discussion on post-enactment evidence is dicta; the court having denied interlocutory review. 293 F.3d 348.

In 1996, the City of Memphis adopted a Minority and Women Business Enterprise Procurement Program (“MWBE”), based upon findings from a disparity study covering the period from 1988 to 1992. The West Tennessee Chapter of Associated Builders and Contractors, Inc. and Zellner Construction Company, Inc. filed suit against the City of Memphis in January 1999, claiming that the City’s MBWE program violated the Equal Protection Clause of the Fourteenth Amendment.

In response to the lawsuit, Memphis proposed to commission a new disparity study, covering the period from 1993 to 1998. The City asserted that the post-enactment study could be used as evidence to demonstrate a compelling governmental interest. Six months after the initiation of the lawsuit, the district court ruled that Memphis could not introduce the post-enactment study as evidence of a compelling governmental interest and initially denied the City’s motion to certify an interlocutory appeal. In response to the City’s motion to reconsider, the district court certified an interlocutory appeal, though notice of this decision was not rendered to the parties in a timely fashion.

After deciding that it had jurisdiction to rule on the matter, the Sixth Circuit examined the issue of post-enactment evidence through its analysis of the three requirements for interlocutory appeal: 1) whether the order involves a controlling issue of law; 2) whether a substantial ground for difference of opinion exists regarding the correctness of the decision; and, 3) whether an immediate appeal may materially advance the ultimate termination of the litigation. Of the three requirements, the Sixth Circuit focused on the second. The appeals court observed that the district court had relied upon the City’s assertion that substantial ground for difference of opinion existed regarding the value of post-enactment evidence.

The Sixth Circuit rejected the City’s argument, stating that “[t]his issue...appears to have been resolved in this circuit.” The Court then cited the ruling in Drabik to imply that post-enactment evidence was inadmissible:

The City argues that the court in Drabik did not find that post enactment evidence was inadmissible...Although Drabik did not directly address the admissibility of postenactment evidence, it held that a governmental entity must have pre-enactment evidence sufficient to justify a racially conscious statute. It also indicates that this circuit would not favor using postenactment evidence to make that showing.

In re: City of Memphis, 293 F.3d at 351.

Ultimately, the appeals court denied the City’s application for permission to appeal because “[e]ven if we concluded that there is a substantial difference of opinion, the issue presented in this case is not a controlling legal issue.” 293 F.3d at 351. Because this discussion of the admissibility of post-enactment evidence occurred in the dicta of the opinion, the case does not represent a change in the Sixth Circuit at the present time. Therefore, a race- and gender-conscious program implemented by Metropolitan Nashville may be supported by post-enactment evidence of discrimination at this time.

2. Statistical Data Generally

The Court in Croson explained that an inference of discrimination may be made with empirical evidence that demonstrates “a significant statistical disparity between the number of qualified minority contractors . . . and the number of such contractors actually engaged by the locality or the locality’s prime contractors.” Croson, 488 U.S. at 509. A predicate to governmental action is a demonstration that gross statistical disparities exist between the proportion of MBEs awarded government contracts and the proportion of MBEs in the local industry “willing and able to do the work,” in order to justify its use of race-conscious contract measures. Ensley Branch, 31 F.3d at 1565.

In order to adequately assess statistical evidence, there must be information identifying the basic qualifications of minority contractors “willing and able to do the job” and the Court must determine, based upon these qualifications, the relevant statistical pool with which to make the appropriate statistical

comparisons. Engineering Contractors, 122 F. 3d. at 925. Although subsequent lower court decisions have provided considerable guidelines for statistical analyses sufficient for satisfying the Croson factual predicate, there are multiple methods that the courts have accepted for conducting statistical analyses. The most prevalent of these are outlined hereafter.

3. Availability

The attempted methods of calculating MBE/WBE availability have varied from case to case. In Contractors Association of Eastern Pennsylvania v. City of Philadelphia, 6 F.3d 990 (3rd Cir. 1993), the Third Circuit stated that available and qualified minority-owned businesses comprise the “relevant statistical pool” for purposes of determining availability. The Court permitted availability to be based on the metropolitan statistical area (MSA) and local list of the Office of Minority Opportunity for non-MBE/WBEs, which itself was based on census data.

In Associated General Contractors v. City of Columbus, the City’s consultants collected data on the number of MBE/WBE firms in the Columbus MSA in order to calculate the percentage of available MBE/WBE firms. Three sources were considered to determine the number of MBE/WBEs “ready, willing and able” to perform construction work for the city. Associated General Contractors of America v. City of Columbus, 936 F. Supp. 1363 (1996), reversed on related grounds, 172 F.3d 411 (6th Cir. 1999).

However, the Court found that none of the measures of availability purported to measure the number of MBE/WBEs who were qualified and willing to bid as a prime contractor on City construction projects, because neither City Auditor Vendor Payment History file, nor Subcontractor Participation Reports, nor Contract Document Database of the City were attentive to which firms were able to be responsible or provide either a bid bond or performance bond. The Court wrote, “[t]here is no basis in the evidence for an inference that qualified MBE/WBE firms exist in the same proportions as they do in relation to all construction firms in the market.” Associated General Contractors, 936 F. Supp. at 1389.³

The issue of availability also was examined by the Eleventh Circuit in Contractors Association of South Florida v. Metropolitan Dade County, 122 F.3d 895 (11th Cir. 1997). There, the Court opined that when reliance is made upon statistical disparity, and special qualifications are necessary to undertake a particular task, the relevant statistical pool must include only those minority-owned firms qualified to provide the requested services. Moreover, these minority firms must be qualified, willing and able to provide the requested services. If the statistical analysis includes the proper pool of eligible minorities, any resulting disparity, in a proper case, may constitute prima facie proof of a pattern or practice of discrimination.

As discussed above, the Sixth Circuit in Drabik ruled that the State of Ohio failed to satisfy the strict scrutiny standard to justify the state’s minority business enterprise act because it relied on statistical evidence that did not account for which firms were qualified, willing and able to perform on construction contracts. Drabik, 214 F.3d at 736.

4. Utilization

Utilization is a natural corollary of availability, in terms of statistical calculation. Different courts have applied utilization rates to different base measures, including percentage-based analyses regarding contract awards and dollars paid.

In Engineering Contractors, 122 F.3d at 914, the City’s consultants calculated the percentage of City contracting dollars that were paid to MBE/WBE construction firms. This is referred to as the rate of utilization. From this point, one can determine if a disparity exists and, if so, to what extent. A similar methodology was utilized in Associated General Contractors of America v. City of Columbus, 936 F. Supp.

³ The Court also questioned why the City did not simply use the records it already maintains “of all firms which have submitted bids on prime contracts” since it represents “a ready source of information regarding the identity of the firms which are qualified to provide contracting services as prime contractors.” Id.

1363 (City calculated the percentage of City contracting dollars that were paid to MBE/WBE construction firms).

In Cone Corp. v. Hillsborough County, 908 F.3d 908 (11th Cir. 1990), the following utilization statistics were developed and presented to justify an MBE program:

The County documented the disparity between the percentage of MBE contractors in the area and the percentage of contracts awarded to those MBE contractors. Hillsborough County determined that the percentage of County construction dollars going to MBE contractors compared to the total percentage of County construction dollars spent. . . . The data extracted from the studies indicates that while ten percent of the businesses and twelve percent of the contractors in the County were minorities, only 7.89% of the County purchase orders, 1.22% of the County purchase dollars, 6.3% of the awarded bids, and 6.5% of the awarded dollars went to minorities. The statistical disparities between the total percentage of minorities involved in construction and the work going to minorities, therefore, varied from approximately four to ten percent, with a glaring 10.78% disparity between the percentage of minority contractors in the County and the percentage of County construction dollars awarded to minorities. Such a disparity clearly constitutes a prima facie case of discrimination indicating that the racial classification in the County plan were necessary.

Id. at 915-16.

The Sixth Circuit signaled in Drabik, however, that statistical proof of underutilization would be insufficient in and of itself to supply the justification for the utilization of a non-race-neutral measure in public contracting practices. 214 F.3d at 735. The Drabik court, did not read Croson as permitting remedial action of a non-race-neutral type simply because of statistical findings of underutilization of those minority companies that were in the “ready, willing and able to perform a public contracting need” category, but rather required that “governments . . . identify discrimination with some specificity before they may use race-conscious relief; explicit findings of a constitutional or statutory violation must be made.” Drabik, 214 F.3d at 735.⁴

5. Disparity Indices

To demonstrate the underutilization of MBE/WBEs in a particular area, parties can employ a statistical device known as the “disparity index.” The use of such an index was explained, and cited approvingly, in H.B. Rowe, 615 F.3d at 243-44.

In H.B. Rowe, after noting the increasing use of disparity indices, the court explained that the State (through a consulting firm) calculated a disparity index for each relevant racial or gender group covered by the MBE/WBE (DBE) program, and further, conducted a standard deviation analysis on each of those indices using t-tests. Id. at 244.⁵ The resulting calculations “demonstrated marked underutilization of [] African American and Native American subcontractors,” according to the court. Id.

The utility of disparity indices or similar measures to examine the utilization of minorities or women in a particular industry has been recognized by a number of federal circuit courts. See Concrete Works, 36 F.3d at 1523 n. 10 (10th Cir.1994) (employing disparity index); Contractors Ass'n, 6 F.3d at 1005

⁴ Moreover, the Drabik Court also indicated that the government would need to present evidence demonstrating “pervasive, systematic, and obstinate discriminatory conduct” in order to satisfy Croson. 214 F.3d at 737.

⁵ The disparity index is calculated by dividing the percentage of available MBE/WBE participation (amount of contract dollars) by the percentage of MBE/WBEs in the relevant population of local firms. A disparity index of one (1) demonstrates full MBE/WBE participation, whereas the closer the index is to zero, the greater the MBE/WBE underutilization. Some courts multiply the disparity index by 100, thereby creating a scale between 0 and 100, with 100 representing full MBE/WBE utilization. Engineering Contractors, 122 F.3d at 914.

(3d Cir.1993) (employing disparity index); Associated Gen. Contractors v. Coalition for Economic Equity, 950 F.2d 1401, 1414 (9th Cir.1991) (employing similar statistical data).

Specifically, courts have used these MBE/WBE disparity indices to apply the “strong basis in evidence” standard in Croson. As noted, the disparity index in H.B. Rowe was 0.46 for African Americans, and was 0.48 for Native Americans. Id. at 245. Based on a disparity index of 0.22, the Ninth Circuit upheld the denial of a preliminary injunction to a challenger of the City of San Francisco's MBE plan based upon an equal protection claim. AGC v. Coal. for Economic Equity, 950 F.2d 1401, 1414 (9th Cir. 1991). Similarly, the Third Circuit held that a disparity of 0.04 was “probative of discrimination in City contracting in the Philadelphia construction industry.” Contractors Ass’n., 6 F.3d at 1005.

6. Standard Deviations

The number calculated via the disparity index (established above) is then tested for its validity through the application of a standard deviation analysis. Standard deviation analysis measures the probability that a result is a random deviation from the predicted result (the more standard deviations, the lower the probability the result is a random one). Social scientists consider a finding of two standard deviations significant, meaning that there is about one chance in 20 that the explanation for the deviation could be random, so the deviation must be accounted for by some factor.

As noted above, standard deviations were applied by the State of North Carolina in the statistical analysis utilized to defend its MBE/WBE program in H.B. Rowe. 615 F.3d at 244-45. The Fourth Circuit described the significance of the findings as follows:

For African Americans the t-value of 3.99 fell outside of two standard deviations from the mean and, therefore, was statistically significant at a 95 percent confidence level. In other words, there was at least a 95 percent probability that prime contractors’ underutilization of African American subcontractors was not the result of mere chance. For Native American subcontractors, the t-value of 1.41 was significant at a confidence level of approximately 85 percent.

Id. at 245.

Similarly, the Eleventh Circuit has directed that “where the difference between the expected value and the observed number is greater than two or three standard deviations,’ then the hypothesis that [employees] were hired without regard to race would be suspect.” Peightal v. Metropolitan Dade County, 26 F.3d 1545, 1556 (11th Cir. 1994) (quoting Hazelwood School District et al. v. United States, 433 U.S. 308, quoting Castaneda v. Partida, 430 U.S. 482, 497 n.17, 97 S.Ct. 1272, 1281 n.17, (1977)).

7. Regression Analyses

The statistical significance of certain quantitative analyses was further evaluated in H.B. Rowe, 615 F.3d at 244-46. The H.B. Rowe court indicated that the appropriate test should resemble the one employed in Engineering Contractors, wherein two standard deviations or any disparity ratio that was higher than .80 (which is insignificant), should be used. Id.; see also, infra, analysis using standard deviations.

In evaluating the disparity evidence offered, and the regression analysis conducted by the State, the court favorably noted:

To corroborate the disparity data, MGT conducted a regression analysis studying the influence of certain company and business characteristics - with a particular focus on owner race and gender - on a firm's gross revenues. MGT obtained the data from a telephone survey of firms that conducted or attempted to conduct business with the Department. The survey pool consisted of a random sample of 647 such firms; of this group, 627 participated in the survey.

MGT used the firms' gross revenues as the dependent variable in the regression analysis to test the effect of other variables, including company age and number of full-time employees, and the owners' years of experience, level of education, race, ethnicity, and gender. The analysis revealed that minority and women ownership universally had a negative effect on revenue. African American ownership of a firm had the largest negative effect on that firm's gross revenue of all the independent variables included in the regression model. These findings led MGT to conclude that "for African Americans, in particular, the disparity in firm revenue was not due to capacity-related or managerial characteristics alone."

Id. at 245-46; 250.

8. Geographic Scope of Data

The Croson Court also observed that because discrimination varies across market areas, state and local governments cannot rely on national statistics of discrimination in the disputed industry to draw conclusions about prevailing market conditions in their respective regions. Croson, 488 U.S. at 504. However, to confine the permissible data to a governmental entity's strict geographical borders would ignore the economic reality that contracts are awarded to firms located in adjacent areas. Thus, courts closely scrutinize pertinent data related to the jurisdictional area of the state or municipality.

Generally, the scope of the statistical analyses pertains to the geographic market area from which the governmental entity offerors come. In addition, disparities concerning utilization, firm size, and formation are also relevant in determining discrimination in a marketplace. It has been deemed appropriate to examine the existence of discrimination against MBE/WBEs even when these areas go beyond the geographical boundaries of the local jurisdictions. See Contractors Association of Eastern Pennsylvania v. City of Philadelphia, 91 F.3d 586, 604 (3rd Cir. 1996).

When utilizing evidence of discrimination from nearby public entities and from within the relevant private marketplace, however, extra-jurisdictional evidence must still pertain to the operation of an industry within geographic boundaries of the jurisdiction. As the court wrote in Tennessee Asphalt v. Farris, "[s]tates and lesser units of local government are limited to remedying sufficiently identified past and present discrimination within their own spheres of authority." 942 F.2d 969 974 (6th Cir. 1991).

III. Requirement for a Narrowly-Tailored Remedy

Under the Croson framework, any race-conscious plan must be narrowly tailored to ameliorate the effects of past discrimination. See Michigan Road Builders Ass'n v. Milliken, 834 F.2d 583, 589-90 (6th Cir. 1987). "Generally, while 'goals' are permissible, unyielding preferential 'quotas' will normally doom an affirmative action plan." Virdi v. DeKalb County School District, 135 Fed. Appx. 262 (2005); see also Sherbrooke Turf, 345 F.3d at 972 (citing Croson, 488 U.S. at 496).

The Fourth Circuit addressed the parameters of this requirement in Tuttle v. Arlington County, 195 F.3d 698:

When reviewing whether a state racial classification is narrowly tailored, we consider factors such as: (1) the efficacy of alternative race-neutral policies, (2) the planned duration of the policy, (3) the relationship between the numerical goal and the percentage of minority group members in the relevant population or work force, (4) the flexibility of the policy, including the provision of waivers if the goal cannot be met, and (5) the burden of the policy on innocent third parties.

Id. at 706 (citation omitted).

In Croson, the Court considered similar factors, including 1) whether the city has first considered race-neutral measures, but found them to be ineffective; 2) the basis offered for the goals selected; 3)

whether the program provides for waivers; and 4) whether the program applies only to MBEs who operate in the geographic jurisdiction covered by the program. 488 U.S. at 507-08.

More refined guideposts are provided in several post-Croson cases wrestling with efforts to meet the “narrowly tailored” prong – which we simply list for ease of reference:

- Relief is limited to minority groups for which there is identified discrimination;
- Remedies are limited to redressing the discrimination within the boundaries of the enacting jurisdiction;
- The goals of the programs should be flexible and provide waiver provisions;
- Race- and/or gender-neutral measures should be considered; and
- The program should include provisions or mechanisms for periodic review and sunset.

Recall that, as discussed in Section 1 of this analysis, the Sixth Circuit in Associated General Contractors v. Drabik affirmed that Ohio’s MBEA statute was not narrowly tailored to remedy past discrimination because: (1) the MBEA suffered from under inclusiveness and over inclusiveness, (lumping together racial and ethnic groups without identified discrimination); (2) the MBEA lacked a sunset date; and (3) the state failed to provide specific evidence that Ohio had considered race-neutral alternatives before adopting the plan to increase minority participation. 214 F.3d 739.

Again, Drabik underscores that MBE/WBE Programs must be designed so that the benefits of the programs are targeted specifically toward those firms that faced discrimination in the local marketplace; to withstand a challenge, relief must extend only to those minority groups for which there is evidence of discrimination. 214 F.3d at 735 (discussing the need for a “fit” between past/present harm and the proffered remedy).

Inherent in the above discussion is the notion that MBE/WBE programs and remedies must maintain flexibility with regard to local conditions in the public and private sectors. Courts have suggested project-by-project goal setting and waiver provisions as means of ensuring fairness to all vendors.

Finally, “review” or “sunset” provisions are strongly suggested components for an MBE/WBE program to guarantee that remedies do not out-live their intended remedial purpose. As an example, the Sixth Circuit specifically cited the lack of a “sunset” provision in criticizing the MBEA instituted by the State of Ohio. Drabik, 214 F.3d at 739.

CONCLUSION

The Croson decision, handed down more than 25 years ago, continues to cast a long shadow over MBE/WBE programs and legislation. Croson certainly changed the face of remedial programs, but it merely set the standards to be applied, leaving open questions regarding the acceptable or proper methodologies for achieving such standards. There is guidance in Croson itself, to be sure, and significant refinement by the Supreme Court and the federal Circuit Courts of Appeal in its aftermath, but there nonetheless remains significant uncertainty and fluidity in the law governing such programs to this day.

Section 3 – Appendix of Recent Noteworthy Cases

The Legal Analysis provided in the body of this Study discusses at length the key cases on MBE/WBE programs and legislation from the United States Supreme Court, subsequent decisions from federal Circuit Courts of Appeal, and significant decisions from the Sixth Circuit – which governs Metropolitan Nashville. For those seeking the most recent court decisions implicating MBE/WBE or DBE

programs, we include in this Appendix an overview of recent decisions which reiterate or expand upon the legal principles discussed in case authorities in the above Legal Analysis.

Kossman Contracting Co. v. City of Houston, Case No. H-14-1203 (S.D. Texas February 16, 2016) (municipal MBE/WBE program is reviewed with significant emphasis on the disparity study commissioned by the City of Houston, and the statistical analysis included therein).

This very recent decision by a federal District Court in Houston contains a thorough overview of the types of information and statistical analysis which best inform a disparity study; in this case, one conducted to evaluate the past and present status of MBE/WBEs in the geographic area covered by the City of Houston's remedial MBE/WBE program.

Consistent with the discussion in the Legal Analysis about statistical analyses, the Court in Kossman Contracting evaluated the disparity study as it related to the compelling state interest showing of the City, and to the narrow-tailoring requirement of a strict scrutiny review. The key feature of the supporting study was a regression analysis addressing availability and utilization. Id. at pp. 2-10. Using both statistical and anecdotal evidence, the study concluded that "business discrimination against M/WBEs existed in the geographic and industry markets for [the City's] awarding of construction contracts...."

[W]e conclude that there is strong evidence of large, adverse, and frequently statistically significant disparities between minority and female participation in business enterprise activity in [Defendant's] relevant market area and the actual current availability of those businesses. We further conclude that these disparities cannot be explained solely, or even primarily, by difference between M/WBE and non-M/WBE business populations in factors untainted by discrimination, and that these differences therefore give rise to a strong inference of the continued presence of discrimination in [Defendant's] market area. There is also strong anecdotal evidence of continuing barriers to the full and fair participation of M/WBEs on [Defendant] contracts and subcontracts, despite the implementation of the M/W/SBE Program, and in the wider Houston construction economy. Remedial efforts remain necessary to ensure that Houston does not function as a passive participant in discrimination.

Kossman, at p. 11.

As for the narrow-tailoring requirement, the Court noted that the company conducting the disparity study issued recommendations to the City regarding ways that the program could be adjusted to better achieve its goals within the constitutional framework. Id. at pp. 11-12.

Finally, the Court in Kossman conducted a lengthy legal overview of what it dubbed "Croson's Continuing Significance." In this section of the opinion, the Court opined about why a statistical analysis like that presented on behalf of the City of Houston in the present case is necessary and proper under the Equal Protection scheme established by Croson and refined by its (continuing) progeny. Id. at pp. 34-49, and 53-62. In many respects, this opinion provides a roadmap for success in implementing and defending a MBE/WBE program.

Midwest Fence Corp. v. U.S. DOT, Case No. 15-1827 (7th Cir., November 4, 2016) (finding federal and Illinois state DBE programs constitutional under facial and "as applied" challenges by non-DBE subcontractor, noting lack of success of race-neutral and gender-neutral initiatives, and finding programs to be narrowly tailored to achieve governmental interest)

In the most recent Circuit-level decision on the federal DBE program for the U.S. Department of Transportation, and state adjunct program(s), the Seventh Circuit in Midwest Fence v. U.S. DOT upheld

the federal and state programs in the face of a facial and as-applied challenge by an aggrieved non-DBE subcontractor.

Before addressing the programs themselves, the court first reasoned that Midwest Fence had the requisite standing to level its challenges:

The plaintiff need only demonstrate that it is able and ready to bid on contracts and that a discriminatory policy prevents it from doing so on an equal basis. Causation and redressability follow from this definition of injury: causation, because the theory is that the policy prevents equal competition; redressability, because invalidating the policy will again place the plaintiff on equal footing for competitive purposes.

The district court correctly found that Midwest Fence has standing[.] By alleging and then offering evidence of lost bids, decreased revenue, and difficulties keeping its business afloat as a result of the DBE program and its inability to compete for contracts on an equal footing with DBEs, Midwest Fence showed both causation and redressability.

Id. at 12 (citations omitted).

Addressing next the constitutionality of the DBE programs, the court reiterated the strict scrutiny standard, with the recognition that several courts (including the U.S. Supreme Court) have ruled that remedying past discrimination is a compelling government interest, thus satisfying the first prong of the analysis:

The federal DBE program authorizes and to some extent requires state governments to rely on racial classifications in awarding government contracts. Accordingly, the equal protection challenge requires the government to show that the program can survive strict scrutiny, meaning that the program serves a compelling government interest and is narrowly tailored to advance that interest. Adarand Constructors, 515 U.S. at 235; Northern Contracting, Inc. v. Illinois, 473 F.3d 715, 720 (7th Cir. 2007). Remedying the effects of past or present discrimination can be a compelling governmental interest. Shaw, 517 U.S. at 909. In this appeal, Midwest Fence does not challenge the national compelling interest in remedying past discrimination. We therefore focus on whether the federal program is narrowly tailored. . . . Narrow tailoring requires “a close match between the evil against which the remedy is directed and the terms of the remedy.”

Id. at 14, 16 (citation omitted).

Next, applying the standardized considerations for narrow tailoring discussed in Croson and Adarand II (among several others), the Seventh Circuit aligned itself with the Circuit Courts of Appeals for the Eighth, Ninth, and Tenth Circuits, concluding that the federal DOT program narrowly tailored to achieve its race- and gender-based governmental interests. Id. at 23.

Lastly, in its evaluation of the state DBE programs, the Midwest Fence court provided a detailed analysis of the various types of statistical evidence proffered, including availability and utilization data (with disparity indices or ratios), regression analysis, and anecdotal evidence. Id. at 29-34.

APPENDIX B

Data Assessment Report

METROPOLITAN NASHVILLE GOVERNMENT 2018 DISPARITY STUDY DATA ASSESSMENT REPORT

The data assessment meeting occurred on July 25, 2017. The Griffin & Strong, P.C. (“GSPC”) team of Project Manager, Michele Clark Jenkins; Deputy Project Manager, Sterling Johnson; Sr. Data Analyst, Tanesha Jones; and Data Analyst, Felicia Loetscher traveled to Nashville and met with Michelle Lane, Chief Procurement Officer; Melissa Day, Information Technology Services; Bryan Gleason, Contract Compliance Specialist; (“Meeting”) to establish:

1. How data maintenance has changed since the Benchmark;
2. What data is needed for the Disparity Study and Minority Enterprise Growth and Needs Study (“MEGAN”)
3. Whether the data is available electronically or must be entered manually;
4. What fields of data are needed and what fields are available;
5. Whether any obstacles to data collection or data entry exist;
6. Process for data to be provided to GSPC.

This report summarizes the meeting and sets forth action items and preliminary questions to be answered. It is necessary to issue a data assessment report prior to completing the data collection plan in order to confirm that GSPC has the correct understanding of how and where data is kept by MetroNashville.

I. Scope Statement

The purpose of this disparity study (“Study”) is to conduct a comprehensive review of the existing Procurement Nondiscrimination Program for update considerations. This shall include the factual predicate work necessary to determine if there is a disparity between the number of minority and woman owned businesses that are ready, willing, and able to perform on MetroNashville procurements and the dollars spent with these same business types.

The Study will not be performed on only the main categories of Construction, Professional Services, Non-professional Services, and Goods, or on only the UNSPSC Codes. However, the Study will also be broken down by business activity categories that will be determined by GSPC and MetroNashville .

The study period for the disparity study was determined as a five (5) year study period from July 1, 2012 through June 30, 2017 (FY2013-FY2017).

II. Preliminary Purchasing Practices

MetroNashville has a completely centralized procurement system. The procurement code requires a re-examination of delegated authority every year. Review the procurement code to understand procurement process.

III. MWBE Program

MetroNashville does not certify, but accepts national and statewide certifications and maintains a list of certified firms that have provided their certification status to MetroNashville. They do not accept local certifications.

IV. Data Assessment

A. Data Overview

GSPC just completed the 2017 Benchmark for MetroNashville. Therefore, GSPC has already gathered substantially all of the data needed to complete the Disparity and MEGAN studies except:

- FY2013 and FY2017 data for all sources
- FY2016 Contract and P.O. data was possibly incomplete, therefore GSPC is requesting that data again.
- In the case we are using Current lists, we will use the lists we received for the Benchmark, but also request the most current list to include added firms.

The specific data report below reflects the information received at the Benchmark data assessment meeting, GSPC's knowledge of the data files already collected for the Benchmark, and the July 25, 2017 Study data assessment meeting.

Historical Data Note: In May, 2012, Metro Nashville Government underwent a transition from the previous Ariba system to the new Oracle system. The new system is more accessible and useable, and the transition has, for the most part, been successful. The previous benchmarking done by GSPC in 2013 utilized data from both the Ariba system (FY2011 and FY2012) and the Oracle system (FY2013).

B. Specific Disparity Study Data files

To conduct the Disparity Study, GSPC will utilize the following files:

- iSupplier List (current)
 - Certified MWBE list (current)
 - Bidders list (during the Study Period)
 - Contracts (made during Study Period)
 - P. O's (made during the Study Period)
 - Payments (made during the study Period)
 - Subcontractor data (during the Study Period)
 - Work code keys and descriptions
- (i) For determining Availability: GSPC has determined that the firms found in the following files are deemed “available” to provide goods and services to MetroNashville because they have at least registered to do business with Metro Nashville or other governments. The firms on these lists will be compiled to create the Master Vendor File, which will then be used to develop availability estimates

(A) iSupplier List (current)

GSPC already has the iSupplier list from 9/13/2016 but is requesting the current August, 2017 iSupplier list and will include in availability any added firms from the previous list.

This data will be used, along with the Certified MWBE, Bidder, P.O. and Contract data to determine the number of available firms in each work category. iSupplier is the Oracle vendor database. We will have to match firms by firm names because, although iSupplier uses vendor ID numbers, other data files do not. For the Benchmark, this data came in three pieces all linked by vendor numbers:

- Vendors with addresses (Suppliers2)
- Vendors with UNSPSC numbers (SuppliersUNSPSC)
- Vendors with their contacts and emails (Vendorlistwithemails)

All bidders have to be registered as vendors, but not all subcontractors have to be

registered as vendors.

Issue/Resolution: Vendors can register under multiple work categories and there is no primary category.

Issue/Resolution: Suppliers may have a blank work category because they did not work on the prime level. Therefore, work description is non-applicable. GSPC will consider what to do with firms that do not have work categories based on how many of these there are.

The iSupplier list has ethnicities. They are self-identified. We received the “approved MWBE lists” that should be used to identify MWBEs instead of the iSuppliers’ list.

(B) Certified MWBE List (current)

MetroNashville does not certify, but accepts national and statewide certifications and maintains a list of certified firms that have provided their certification status to MetroNashville. They do not accept local certifications. This data will be used, along with iSupplier, Bidder, P.O. and Contract data to determine the number of available firms in each work category.

The list does not have commodity codes, but we should be able to pick most of them up from the iSupplier list.

(C) Prime Bidders from the Study Period)

Both prime contractors and subcontractors from the bidder data will be used in availability. This file only has prime bidders (including unsuccessful). All bidders must be registered as vendors.

(D) Outside lists (MetroNashville will assist us in obtaining some of these lists)

GSPC will make efforts to obtain updated versions of the following outside governmental lists for availability:

Tennessee Unified Certification Program (TNUCP)
TDOT
GoDBE
Nashville Airport

(ii) For determining Utilization:

It was determined that GSPC would use Contract and P.O. data, despite the fact that payment data is typically a more accurate measure of utilization, because the Contract and P.O. data would more accurately demonstrate which firms benefited by obtaining work during the Study Period. The payment file time line would include payments for contracts awarded before the Program and would not pick up awards that were not paid out during the Study Period. During the data assessment meeting for the Disparity Study it was agreed that we would continue to use award and P.O. data.

(A) Contract Files (from the Study Period)

This data, along with the P.O. data, will be used to determine which firms got awards for how much and the firms that will be counted in availability. MetroNashville will have to run a BI (Business Intelligence) Report which will connect the Requisition data, which contains a commodity code, to Negotiation & Contract data, in order to match commodity codes to awardees.

It should be noted that amended contracts will appear in the contract file as amended with the full amount of the contract with the amendment, not just the added amount.

IMPORTANT NOTE: The Contract data from FY2016 previously gathered seems to be incomplete. GSPC is requesting that MetroNashville re-send the Contract data for FY2016 along with FY2017 and FY2013.

(B) P.O. Files (from the Study Period)

This data, along with the contract data, will be used to determine which firms got awards for how much and these firms will be counted in availability. P.O.'s are issued both for contract payments and non-contract payments. The contract# field for P.O.'s is a free-hand field and is optional (but will mostly be captured). The contract number may also be identified in the free hand notes or description field.

Issue/Resolution - This will present a challenge in avoiding duplication between data which utilizes contract amounts and data that reports P.O. amounts. We may have to manually check any contracts that show up as

awarded during the Study Period, but do not show any P.O.'s. GSPC has already worked through this issue for the Benchmark and will complete the work on any new data.

Also, some payments are made by direct voucher that should have been done on a P.O. under a contract or as a stand-alone P.O. We will pick up the contract amounts because we are using awards instead of payments, but we will have to note in the report that any direct voucher payments that may have by-passed iProcurement are not included.

We will also have to note in the report that it is possible that a P.O. was issued, but not paid.

It should be noted that if a P.O. is cancelled, it will show up in a separate row, so GSPC will have to match those to P.O.'s to make sure they are not counted.

IT is the biggest spending area in P.O.'s. Sometimes they are goods and sometimes services. We will assume, for the report, that if a P.O. related to IT is for goods and services, we will count it under goods and assume that the service occurred because of the purchase of the good.

IMPORTANT NOTE: The P.O. file sent during the last benchmark had UNSPSC Codes that did not necessarily correlate with the given industry class/work category. It was determined in the data assessment meeting that GSPS should use the given UNSPSC Code as the determinant going forward.

IMPORTANT NOTE: The P.O. data from FY2016 previously gathered seems to be incomplete. GSPC is requesting that MetroNashville re-send the P.O. data for FY2016 along with FY2017 and FY2013.

(C) For subcontractors

Every subcontractor must be disclosed to MetroNashville whether MWBE or not when the prime bids. This data should be available in Excel spreadsheets at least for 2 years of the Study Period. The remaining years will at least be on subcontractor forms that GSPC can enter. They cannot change the subcontractor without Metro's permission. This data was incomplete, as received, for the Benchmark. GSPC will attempt again to get this data, but we will most likely rely on the Prime Vendor Questionnaire to determine subcontractor utilization.

The subcontractor forms do include commodity codes.

Subcontractors can be transactional and therefore included in the iSupplier list as registered vendors.

Issue/Resolution – In design/build contracts, subcontractors are identified and brought in at a various point during the project, which means we may not know all of them until the project is near completion. We will have to take the position that the subcontractors are a snapshot of the awards made during the Study Period, just like the prime contractors. Subcontractor awards made outside the Study Period will not be included.

Issue/Resolution –The subcontractor data provided from MetroNashville for the previous Benchmark was incomplete and will not be used for Utilization. GSPC will conduct a Prime Vendor Questionnaire to gather information on subcontractors for the study period.

Issue/Resolution: The SubReport file provided to GSPC has manual assignment of UNSPSC Codes and descriptions. Therefore, some may not be reliable. MetroNashville is working on a solution to prompt users of correct UNSPSC.

(D) Work Codes and Descriptions

GSPC will need the business activity codes database.

(ii) Additional Files for MEGAN

(A) MWBE Lists

The Disparity Study only uses certified lists accepted by MetroNashville but MEGAN is seeking out all minority firms whether certified or not. GSPC will collect all certification lists and local organizational lists. It will also accept firms that self-identify as minority from the survey.

Also, if firms self-identified as MBEs in the iSupplier file, GSPC will accept that self-identification for purposes of MEGAN.

APPENDIX C

Data Collection Plan

**CITY OF NASHVILLE, TENNESSEE
DATA COLLECTION PLAN**

The data collection plan utilizes the information gathered in the Data Assessment Report, and sets forth a preliminary plan for actual retrieval of the data. For this Study, GSPC has already collected a substantial amount of the data for the Benchmarking and only needs certain data to supplement what it already has.

A. Collect Electronic Data (for Minority Enterprise Growth and Needs & Disparity Study)

Assigned	Task	Start	Finish	Completed
MCJ/FL	Submit request for electronic data, including the following to Melissa Day in IT : 1. Contract Files- for contracts during 7/1/12-6/30/13 (FY2013), 7/1/15-6/30/16 (FY2016), and 7/1/16-6/3017 (FY2017) 2. P.O. Files- for P.O.'s during 7/1/12-6/30/13 (FY2013), 7/1/15-6/30/16 (FY2016), and 7/1/16-6/3017 (FY2017) 3. Bidders- for awards from (7/1/12-6/30/13 (FY2013), 7/1/15-6/30/16 (FY2016), and 7/1/16-6/3017 (FY2017) 4. iSupplier Vendor List (Current) 5. Subcontractors- for awards from (7/1/12-6/30/13 (FY2013), 7/1/15-6/30/16 (FY2016), and 7/1/16-6/3017 (FY2017) 6. Payment File- for awards from (7/1/12-6/30/13 (FY2013), 7/1/15-6/30/16 (FY2016), and 7/1/16-6/3017 (FY2017) 7. Certified MWBE List (current) ¹ 8. Work code keys and descriptions	8/10/2017	8/25/2017	
	ALL ELECTRONIC DATA COLLECTED		8/25/2017	

¹ Nashville does not certify itself, but maintains a list that includes MWBEs certified by third parties

B. Survey of Business Owners (for Minority Enterprise Growth and Needs & Disparity Study)

Assigned	Task	Start	Finish	Completed
StJ/GP	Prepare questions for Survey of Business Owners primary use is for Disparity Study Private Sector Analysis and Anecdotal Evidence	8/1/2017	8/25/2017	
MCJ	Obtain City of MetroNashville's current Vendor list from Melissa Day	8/10/2017	8/25/2017	
FL	Clean data files & provide email list to TSU	8/25/2017	8/30/2017	
StJ/MCJ	Send questions to Tennessee State University (TSU) to conduct the telephone survey to use reasonable effort to attempt to get 1,000 completed surveys total.	8/15/2017	8/15/2017	
StJ/MCJ	Launch survey	9/18/2017	11/3/2017	
TSU	Commence Canvassing	10/2/2017	11/3/2017	
TSU	Cross-Tabulated Tables & Raw Data	11/3/2017	12/1/2017	
	ALL SURVEYS RECEIVED BY GSPC		12/1/2017	

C. Purchasing Practices, Policies & Procedures Interviews (For Disparity Study)

Assigned	Task	Start	Finish	Completed
VE	Contact Purchasing buyers and departments to make appoints to be interviewed	8/1/2017	8/14/2017	
VE	Conduct approx. 60 minute interviews with each department or persons to ascertain their understanding of both policy and practices	8/21/2017	8/25/2017	
VE	Interviews will be written up as completed	8/21/2017	8/30/2017	
	PURCHASING PRACTICES INTERVIEWS COMPLETED		9/22/2017	

D. Anecdotal Evidence (For Disparity Study)

Assigned	Task	Start	Finish	Completed
MCJ/FL	Take random sample of Relevant Market Vendors	8/1/2017		
StJ	Set up in-person interviews	10/2/2017	10/13/2017	
StJ	Conduct interviews using a script but receiving information not on script as well (interviews are recorded) and write up summary of interviews, particularly documenting any accounts of marketplace discrimination	10/16/2017	12/1/2017	
RKS/StJ	Conduct public hearing	1/22/2018	1/26/2018	
	ANECDOTAL EVIDENCE COLLECTED		3/2/2018	

E. Private Sector Analysis (For Disparity Study)

Assigned	Task	Start	Finish	Completed
GP	Collect publicly available data e.g. census and economic data as useful	1/2/2018	3/23/2018	
	PRIVATE SECTOR DATA COLLECTED		3/23/2018	

F. External Data (For Minority Enterprise Growth and Needs & Disparity Study)

Assigned	Task	Start	Finish	Completed
MCJ	Request electronic vendor data from Nashville Airport, Tennessee Unified Certification Program (TNUCP), TDOT, GoDBE	8/4/2017	8/25/2017	
StJ	Research and request recent disparity studies (executive summaries) from nearby jurisdictions	8/4/2017	9/1/2017	
	EXTERNAL DATA COLLECTED		9/1/2017	

Personnel Assigned Key

RKS – Rodney Strong,

MCJ - Michele Clark Jenkins, Project Manager

StJ - Sterling Johnson, Deputy Project Manager

TJ - Tanesha Jones, Senior Data Analyst

FL - Felicia Loetscher, Data Analyst

SJ - Susan Johnson, Project Administrator

AMS - Andrea Stokes, Administration Support/Data Entry

GP - Dr. Gregory Price, Senior Economist

VE- Dr. Vince Eagan Policy Analyst

Respectfully submitted this 10th day of August, 2017

By Michele Clark Jenkins
Project Manager
Griffin & Strong, P.C.

APPENDIX D

Prime Vendor Questionnaire

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



MEGAN BARRY
MAYOR

OFFICE OF THE MAYOR
METROPOLITAN COURTHOUSE
NASHVILLE, TENNESSEE 37201
PHONE: (615) 862-6000
EMAIL: mayor@nashville.gov

Dear Friend,

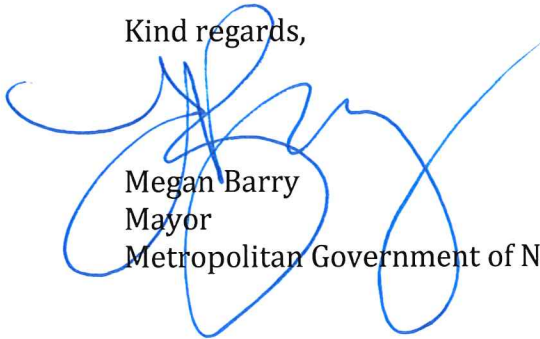
One of the ways we strive to be a more inclusive, equitable community is through the operation of Metro Nashville's *Procurement Non-discrimination Program*. As part of this effort, we are required by federal case law to regularly conduct a comprehensive disparity study that examines participation in Metro contracts by minority and women owned enterprises.

Over the coming weeks, a team of professionals from Griffin & Strong, P.C. will be undertaking such a study. They will soon begin reaching out to businesses to gather important data, as well as to interview local business owners and community members in regard to your experiences with Metro and in the broader Metro Nashville Area marketplace.

In order for this study to be successful, we need your participation. That is why I am personally asking that when contacted by Griffin & Strong, P.C. you engage to the fullest extent you are able. The more information this study gathers about your experiences, the better Metro will be able to serve all businesses in our community.

I am personally grateful for your support and cooperation in this important effort. Thank you for all you do to contribute to our community!

Kind regards,


Megan Barry
Mayor
Metropolitan Government of Nashville and Davidson County



235 PEACHTREE STREET, N.E.
SUITE 400
ATLANTA, GEORGIA 30303-1406
TELEPHONE 404.584.9777 FACSIMILE 404.584.9730

January 12, 2018

Dear Metro Nashville Vendor:

As part of the Metropolitan Government of Nashville and Davidson County's ("Metro Nashville") ongoing effort to evaluate its procurement process as it relates to minority and woman business enterprises (collectively MWBEs), Metro Nashville has contracted with the firm of Griffin & Strong P.C. ("GSPC") to conduct a disparity study ("Study"). The participation and feedback of firms that were awarded contracts with Metro Nashville is a very important part of this Study, and we have determined that you were a prime contractor, supplier or service provider on one or more Metro Nashville contracts awarded between July 1, 2012 and June 30, 2017, which is the Study period.

A questionnaire requesting information about your firm and the subcontractors that your firm utilized is attached. Please include all subcontractors in your responses. Your feedback will greatly assist our efforts to accurately calculate the spending patterns of Metro Nashville agencies/departments with businesses that have received contracts. For more details on how to fill out the questionnaire, as well as responses to frequently asked questions, please go to the study webpage at www.MetroNashvilleStudies.com.

Please note, it is important that the information provided is accurate and reliable and obtained from documentation, including but not limited to: accounts receivable/payable reports, invoices, canceled checks, etc. After the questionnaire has been reviewed, your firm may be contacted for additional documentation should any conflicts in information arise.

The completed form should be returned via regular mail, fax or e-mail no later than February 5, 2018, to the address on the questionnaire. **PLEASE DO NOT RETURN THE QUESTIONNAIRE TO METRO NASHVILLE** but to the address listed at the bottom of the questionnaire.

Thank you in advance for your participation and immediate attention to this matter. If you have any questions or would like more information, please contact: Griffin & Strong, P.C. by phone at (678) 364-2962 x101, or email us at metronashvillestudy@gspclaw.com.

Sincerely,

A handwritten signature in black ink that reads "Michele Clark Jenkins". The signature is written in a cursive style.

Michele Clark Jenkins
Project Manager

Prime Vendor Questionnaire
Metropolitan Government of Nashville and Davidson County Disparity Study

Prime Vendor Name _____ Metro Nashville Vendor ID# (if known) _____

Prime Vendor Address _____ City _____ ST _____ Zip _____

Prime Vendor Phone _____ Prime Vendor Email _____

Prime Vendor 51% or More Ownership: Caucasian Man Caucasian Woman African American Asian American Hispanic American Native American
Publicly Traded Not-for-Profit Governmental Entity If certified, list certification and one Certifying Agency _____

Project/Contract Number _____ Project/Contract Description _____ Project/Contract Date _____

Prime Vendor NIGP Code _____ Work Category: Construction A/E Other Professional Services Other Services Goods

Did you utilize any subcontractors under this contract? YES NO If you utilized any subcontractors, please list ALL subcontractors below.

Subcontractor/ Subconsultant Metro Nashville Vendor ID No.	Subcontractor/ Subconsultant Name	Subcontractor City, State, Zip	MWBE Status of Subcontractor (see list above) or if non-MWBE, leave blank	Scope of Work Performed (Description)	Subcontractor UNSPC Code or Work Category (Construction, A/E, Other Professional Services, Other Services, Goods)	Actual Subcontractor Award \$, including change orders	Actual Prime Contract Award \$, including change orders

Please return questionnaire by February 5, 2018 to: Metro Nashville Disparity Study, c/o Griffin & Strong, P.C., Box 368, Kennesaw, GA 30144 or email to MetroNashvilleStudy@gspclaw.com, or fax to 404-584-9730.

Question #1: How many years has your firm been in operation? _____

Question #2: How many employees do you have on staff? _____

Question #3: How many full-time employees do you have? _____

Question #4: How many of your full-time employees are African American _____ Asian American _____ Hispanic American _____
Native American _____ Caucasian Women _____ Caucasian Men _____

Question #5: How many part-time employees do you have? _____

Question #6: How many of your part-time employees are African American _____ Asian American _____ Hispanic American _____
Native American _____ Caucasian Women _____ Caucasian Men _____

For the following financial questions, please circle the appropriate response.

Question #7: What was the gross revenue of your company for 2016? Circle the correct range.

Under \$100,000	\$100,000- \$249,000	\$250,000- \$499,000	\$500,000- \$749,000	\$750,000- \$999,999	\$1,000,000- \$4,999,999	\$5,000,000- \$9,999,999	\$10,000,000 \$25,000,000	\$25,000,000 and above
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Question #8: What was the highest individual public or private contract/award received by your firm since 2012?

Under \$100,000	\$100,000- \$249,000	\$250,000- \$499,000	\$500,000- \$749,000	\$750,000- \$999,999	\$1,000,000- \$4,999,999	\$5,000,000- \$9,999,999	\$10,000,000 \$25,000,000	\$25,000,000 and above
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Question #9: Was the award referenced in Question #8 a prime contract or a subcontract? Prime Sub

NOTE: Your responses to this questionnaire will be calculated numerically with the responses of other firms. Neither your name nor the name of your firm will be mentioned in the Disparity Study Report.

APPENDIX E

List of Organizations Contacted

APPENDIX E

METRO NASHVILLE ORGANIZATIONS

CONTACTED OR ATTEMPTED TO CONTACT FOR INPUT INTO THE DISPARITY STUDY

Organization Name
Nashville NAACP
Nashville Chamber of Commerce
Nashville Black Chamber of Commerce
Nashville Area Hispanic Chamber
Tri State Minority Supplier Development Council
Tennessee Chinese Chamber of Commerce
Pathways Women's Business Center
Urban League of Middle Tennessee
Small Business Administration
Tennessee Department of Economic and Community Development
AGC of Tennessee
Tennessee Latin Chamber of Commerce
Associated Builders and Contractor
Nashville Minority Business Center
Business and Professional Women of TN
National Association for Women Business Owners (NAWBO)
Boardeaux Business Coaltition
WBEC South
Donelson Chamber
The Entrepreneur Center
SCORE
Nashville Business Incubation Center
Conexion Americas
LGBT Chamber
EO Nashville (for discussion?)
The Technology Council
The Mid-South Minority Business Continuum (Memphis)
Metro Nashville Airport Authority
TN Minority Pages

APPENDIX F

Results of the Survey of Business Owners

Appendix F

Metro Nashville Minority Firms

A brief note on how tables are calculated

Duplicate responses have been removed. Duplicate responses were removed businesses having either the same email address or same business name.

The total count of responses for each question includes only those participants who responded to that question. Participants who skipped or were not given a question are not included.

<i>Is your company a not for profit organization or a government entity?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Yes	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
No	126 100 %	88 100 %	70 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	310 100 %
<i>Total</i>	126 100 %	88 100 %	70 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	310 100 %

Which one of the following is your company's primary line of business?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Construction:Residential Building Construction	4 3.2 %	1 1.1 %	2 2.9 %	1 14.3 %	0 0 %	0 0 %	1 50 %	0 0 %	9 2.9 %
Construction:Commercial Building Construction	18 14.3 %	10 11.4 %	6 8.6 %	1 14.3 %	1 12.5 %	0 0 %	0 0 %	0 0 %	36 11.6 %
Construction:Bridges, Roadway, Airport Construction	4 3.2 %	2 2.3 %	0 0 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	7 2.3 %
Construction:Sewer, Waste, Utilities Construction	5 4 %	1 1.1 %	2 2.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.6 %
Construction Related Professional Services:Architecture & Engineering	17 13.5 %	7 8 %	7 10 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	31 10 %
Construction Related Professional Services:Surveying	1 0.8 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 0.6 %
Construction Related Professional Services:Other	14 11.1 %	6 6.8 %	4 5.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	24 7.7 %
Other Services:Computer/IT Service	5 4 %	2 2.3 %	1 1.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.6 %
Other Services:Agriculture/Livestock/Forestry Services/Mining Services	2 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	3 1 %
Other Services:Building Repair and Maintenance Services	3 2.4 %	2 2.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 33.3 %	7 2.3 %
Other Services:Educational Services	0 0 %	1 1.1 %	3 4.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.3 %
Other Services:Entertainment/Hospitality Services	3 2.4 %	1 1.1 %	1 1.4 %	0 0 %	3 37.5 %	0 0 %	0 0 %	0 0 %	8 2.6 %
Other Services:Environmental Services	6 4.8 %	4 4.5 %	2 2.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 3.9 %
Other Services:Finance/Insurance/Real Estate	3 2.4 %	2 2.3 %	4 5.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	10 3.2 %
Other Services:Health Services	2 1.6 %	2 2.3 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.6 %
Other Services:Janitorial Services	0 0 %	2 2.3 %	7 10 %	0 0 %	1 12.5 %	0 0 %	0 0 %	0 0 %	10 3.2 %

Other Services:Professional Services (Legal, Medical, Consulting)	10 7.9 %	17 19.3 %	20 28.6 %	1 14.3 %	2 25 %	0 0 %	1 50 %	1 16.7 %	52 16.8 %
Other Services:Transportation Services	4 3.2 %	1 1.1 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.6 %
Other Services:Weapons & Security Services	1 0.8 %	0 0 %	2 2.9 %	0 0 %	0 0 %	1 33.3 %	0 0 %	1 16.7 %	5 1.6 %
Goods:Chemicals & Cleaning Goods	1 0.8 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 0.6 %
Goods:Consumable Goods	1 0.8 %	4 4.5 %	2 2.9 %	1 14.3 %	1 12.5 %	0 0 %	0 0 %	0 0 %	9 2.9 %
Goods:Drug Goods	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Goods:Office Equipment & Supply Goods	5 4 %	1 1.1 %	3 4.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	9 2.9 %
Goods:Medical Equipment Goods	1 0.8 %	3 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.3 %
Goods:Software Goods	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Goods:Water & Waste Treatment Goods	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	1 0.3 %
Goods:Other Goods	16 12.7 %	19 21.6 %	2 2.9 %	1 14.3 %	0 0 %	0 0 %	0 0 %	1 16.7 %	39 12.6 %
<i>Total</i>	126 100 %	88 100 %	70 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	310 100 %

Do you aspire to work in a work sector that is different from the primary response identified in the previous question?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	14 11.2 %	18 20.5 %	26 37.7 %	3 42.9 %	3 37.5 %	1 33.3 %	1 50 %	1 16.7 %	67 21.8 %
No	111 88.8 %	70 79.5 %	43 62.3 %	4 57.1 %	5 62.5 %	2 66.7 %	1 50 %	5 83.3 %	241 78.2 %
Total	125 100 %	88 100 %	69 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	308 100 %

What are the prospective work categories you wish to operate in, in the future?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Computer/IT Service	7 6.3 %	3 3.8 %	2 2.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 4.3 %
Agriculture/Livestock/Forestry Services/Mining Services	0 0 %	1 1.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Building Repair and Maintenance Services	15 13.5 %	5 6.4 %	7 10.3 %	0 0 %	1 12.5 %	1 50 %	0 0 %	1 16.7 %	30 10.6 %
Educational Services	0 0 %	3 3.8 %	2 2.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.8 %
Architecture and Engineering Services	16 14.4 %	5 6.4 %	7 10.3 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	29 10.3 %
Entertainment/Hospitality Services	2 1.8 %	1 1.3 %	2 2.9 %	1 14.3 %	2 25 %	0 0 %	0 0 %	0 0 %	8 2.8 %
Environmental Services	4 3.6 %	1 1.3 %	3 4.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.8 %
Finance/Insurance/Real Estate	2 1.8 %	1 1.3 %	3 4.4 %	1 14.3 %	1 12.5 %	0 0 %	0 0 %	0 0 %	8 2.8 %
Health Services	2 1.8 %	2 2.6 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.8 %
Janitorial Services	0 0 %	1 1.3 %	2 2.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Other Services	10 9 %	14 17.9 %	8 11.8 %	0 0 %	0 0 %	0 0 %	1 50 %	1 16.7 %	34 12.1 %
Professional Services	8 7.2 %	14 17.9 %	18 26.5 %	1 14.3 %	3 37.5 %	1 50 %	1 50 %	1 16.7 %	47 16.7 %
Transportation Services	4 3.6 %	0 0 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.8 %
Weapons & Security Services	2 1.8 %	1 1.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
N/A	39 35.1 %	26 33.3 %	13 19.1 %	2 28.6 %	1 12.5 %	0 0 %	0 0 %	3 50 %	84 29.8 %
Total	111 100 %	78 100 %	68 100 %	7 100 %	8 100 %	2 100 %	2 100 %	6 100 %	282 100 %

<i>On average, how many employees and regular independent contractors does your company keep on the payroll, including full-time and part-time staff?</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
None	5 4 %	10 11.4 %	7 10 %	0 0 %	2 25 %	0 0 %	0 0 %	0 0 %	24 7.8 %
1-10	53 42.1 %	46 52.3 %	45 64.3 %	3 42.9 %	3 37.5 %	1 33.3 %	1 100 %	2 33.3 %	154 49.8 %
11-30	27 21.4 %	21 23.9 %	9 12.9 %	0 0 %	1 12.5 %	1 33.3 %	0 0 %	0 0 %	59 19.1 %
31-50	17 13.5 %	5 5.7 %	5 7.1 %	2 28.6 %	1 12.5 %	1 33.3 %	0 0 %	0 0 %	31 10 %
51-75	8 6.3 %	4 4.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 3.9 %
76-100	5 4 %	2 2.3 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	1 16.7 %	9 2.9 %
101-300	7 5.6 %	0 0 %	2 2.9 %	0 0 %	1 12.5 %	0 0 %	0 0 %	1 16.7 %	11 3.6 %
Over 300	4 3.2 %	0 0 %	2 2.9 %	1 14.3 %	0 0 %	0 0 %	0 0 %	2 33.3 %	9 2.9 %
Total	126 100 %	88 100 %	70 100 %	7 100 %	8 100 %	3 100 %	1 100 %	6 100 %	309 100 %

Is at least 51% of your company owned and controlled by a woman or women?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	88 100 %	35 50 %	2 28.6 %	7 87.5 %	0 0 %	1 50 %	0 0 %	133 42.9 %
No	126 100 %	0 0 %	34 48.6 %	5 71.4 %	1 12.5 %	3 100 %	1 50 %	4 66.7 %	174 56.1 %
Publicly Traded	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	0 0 %	2 33.3 %	3 1 %
Total	126 100 %	88 100 %	70 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	310 100 %

Which of the following categories would you consider to be the race or ethnic origin that the person or persons that own at least 51% of the company identify as? Would you say:	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Caucasian	121 96 %	82 93.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	203 65.5 %
African American	0 0 %	0 0 %	69 98.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	69 22.3 %
Asian American	0 0 %	0 0 %	0 0 %	5 71.4 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.6 %
Hispanic American	0 0 %	0 0 %	0 0 %	0 0 %	8 100 %	0 0 %	0 0 %	0 0 %	8 2.6 %
Native American	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 100 %	0 0 %	0 0 %	3 1 %
Bi-Racial or Multi-Racial	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	1 0.3 %
Other (specify in text box below)	5 4 %	6 6.8 %	1 1.4 %	2 28.6 %	0 0 %	0 0 %	1 50 %	6 100 %	21 6.8 %
Total	126 100 %	88 100 %	70 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	310 100 %

<i>What is the ownership structure of your business?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Sole proprietor	23 18.5 %	17 19.5 %	20 29 %	1 14.3 %	4 50 %	0 0 %	0 0 %	0 0 %	65 21.2 %
Privately Held Corporation	55 44.4 %	38 43.7 %	19 27.5 %	4 57.1 %	1 12.5 %	1 33.3 %	1 50 %	3 50 %	122 39.9 %
Publicly Traded Corporation	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	0 0 %	2 33.3 %	3 1 %
Limited Liability Corporation	35 28.2 %	25 28.7 %	24 34.8 %	2 28.6 %	2 25 %	0 0 %	1 50 %	1 16.7 %	90 29.4 %
Partnership	3 2.4 %	4 4.6 %	2 2.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	9 2.9 %
Limited Liability Partnership	8 6.5 %	3 3.4 %	3 4.3 %	0 0 %	1 12.5 %	2 66.7 %	0 0 %	0 0 %	17 5.6 %
Non-Profit Organization	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	124 100 %	87 100 %	69 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	306 100 %

<i>Do you feel your business is operating at full capacity?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	48 39 %	31 36 %	13 19.1 %	2 28.6 %	0 0 %	0 0 %	1 50 %	4 66.7 %	99 32.7 %
No	75 61 %	55 64 %	55 80.9 %	5 71.4 %	8 100 %	3 100 %	1 50 %	2 33.3 %	204 67.3 %
Total	123 100 %	86 100 %	68 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	303 100 %

<i>How would you identify the stage that your business is in?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Pre-venture	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Start Up	0 0 %	2 2.3 %	6 8.7 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	9 2.9 %
Operational	64 51.6 %	47 54 %	45 65.2 %	4 57.1 %	4 50 %	2 66.7 %	1 50 %	0 0 %	167 54.6 %
High Growth	41 33.1 %	17 19.5 %	8 11.6 %	1 14.3 %	2 25 %	0 0 %	0 0 %	4 66.7 %	73 23.9 %
Plateauing	14 11.3 %	15 17.2 %	4 5.8 %	1 14.3 %	2 25 %	0 0 %	0 0 %	1 16.7 %	37 12.1 %
Declining	5 4 %	6 6.9 %	6 8.7 %	1 14.3 %	0 0 %	1 33.3 %	0 0 %	1 16.7 %	20 6.5 %
Total	124 100 %	87 100 %	69 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	306 100 %

<i>Where does your business operate?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Home-based	23 18.7 %	26 30.2 %	17 24.6 %	2 28.6 %	4 50 %	0 0 %	2 100 %	1 16.7 %	75 24.7 %
Shared Space	10 8.1 %	6 7 %	16 23.2 %	0 0 %	2 25 %	0 0 %	0 0 %	1 16.7 %	35 11.5 %
Sole rental space	45 36.6 %	34 39.5 %	23 33.3 %	2 28.6 %	0 0 %	1 33.3 %	0 0 %	4 66.7 %	109 35.9 %
Owns property	45 36.6 %	20 23.3 %	13 18.8 %	3 42.9 %	2 25 %	2 66.7 %	0 0 %	0 0 %	85 28 %
Total	123 100 %	86 100 %	69 100 %	7 100 %	8 100 %	3 100 %	2 100 %	6 100 %	304 100 %

<i>What is the highest level of education completed by the owner of your company? Would you say:</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
Some High School	3 2.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1 %
High School Graduate	12 9.8 %	8 9.3 %	1 1.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	21 6.9 %
Some College	21 17.1 %	21 24.4 %	15 21.7 %	1 14.3 %	1 14.3 %	1 33.3 %	1 50 %	1 16.7 %	62 20.5 %
College Graduate	62 50.4 %	39 45.3 %	25 36.2 %	3 42.9 %	5 71.4 %	0 0 %	0 0 %	2 33.3 %	136 44.9 %
Post Graduate Degree	20 16.3 %	17 19.8 %	23 33.3 %	3 42.9 %	1 14.3 %	2 66.7 %	1 50 %	3 50 %	70 23.1 %
Trade or Technical Certificate	5 4.1 %	1 1.2 %	5 7.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	11 3.6 %
Total	123 100 %	86 100 %	69 100 %	7 100 %	7 100 %	3 100 %	2 100 %	6 100 %	303 100 %

<i>How many years of experience in your company's business line does the primary owner of your company have?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
None	0 0 %	0 0 %	0 0 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	1 0.3 %
1-5	2 1.6 %	0 0 %	3 4.3 %	2 28.6 %	1 14.3 %	0 0 %	0 0 %	0 0 %	8 2.6 %
6-10	5 4.1 %	13 15.1 %	9 13 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	28 9.2 %
11-15	9 7.3 %	5 5.8 %	6 8.7 %	0 0 %	3 42.9 %	1 33.3 %	0 0 %	0 0 %	24 7.9 %
16-20	10 8.1 %	16 18.6 %	9 13 %	1 14.3 %	0 0 %	0 0 %	1 50 %	0 0 %	37 12.2 %
More than 20	97 78.9 %	52 60.5 %	42 60.9 %	4 57.1 %	2 28.6 %	2 66.7 %	0 0 %	6 100 %	205 67.7 %
Total	123 100 %	86 100 %	69 100 %	7 100 %	7 100 %	3 100 %	2 100 %	6 100 %	303 100 %

Which of the following categories best approximates your company's gross revenues for calendar year 2016? Your best estimate will suffice.	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
\$100,000 or less	8 6.6 %	13 15.3 %	26 38.2 %	1 14.3 %	5 71.4 %	0 0 %	1 50 %	1 16.7 %	55 18.3 %
\$100,001 - \$250,000	5 4.1 %	14 16.5 %	11 16.2 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	31 10.3 %
\$250,001 - \$500,000	14 11.5 %	11 12.9 %	7 10.3 %	1 14.3 %	0 0 %	2 66.7 %	0 0 %	1 16.7 %	36 12 %
\$500,001 - \$750,000	6 4.9 %	6 7.1 %	7 10.3 %	1 14.3 %	1 14.3 %	0 0 %	0 0 %	0 0 %	21 7 %
\$750,001 - \$1,000,000	14 11.5 %	4 4.7 %	4 5.9 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	23 7.7 %
\$1,000,001 - \$1,320,000	5 4.1 %	8 9.4 %	1 1.5 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	15 5 %
\$1,320,001 - \$1,500,000	2 1.6 %	3 3.5 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2 %
\$1,500,001 - \$5,000,000	28 23 %	19 22.4 %	9 13.2 %	1 14.3 %	1 14.3 %	0 0 %	0 0 %	0 0 %	58 19.3 %
\$5,000,001 - \$10,000,000	23 18.9 %	5 5.9 %	1 1.5 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	30 10 %
Over \$10 million	17 13.9 %	2 2.4 %	1 1.5 %	1 14.3 %	0 0 %	0 0 %	0 0 %	4 66.7 %	25 8.3 %
Total	122 100 %	85 100 %	68 100 %	7 100 %	7 100 %	3 100 %	2 100 %	6 100 %	300 100 %

What is the highest single award made to your company over the last five (5) years? Your best estimate will suffice.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
\$100,000 or less	41 33.6 %	49 57.6 %	37 55.2 %	4 57.1 %	7 100 %	0 0 %	2 100 %	2 33.3 %	142 47.5 %
\$100,001 - \$250,000	9 7.4 %	9 10.6 %	7 10.4 %	0 0 %	0 0 %	2 66.7 %	0 0 %	0 0 %	27 9 %
\$250,001 - \$500,000	12 9.8 %	5 5.9 %	6 9 %	0 0 %	0 0 %	0 0 %	0 0 %	2 33.3 %	25 8.4 %
\$500,001 - \$750,000	5 4.1 %	4 4.7 %	1 1.5 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	11 3.7 %
\$750,001 - \$1,000,000	15 12.3 %	3 3.5 %	1 1.5 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	20 6.7 %
\$1,000,001 - \$1,250,000	5 4.1 %	4 4.7 %	3 4.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 4 %
\$1,250,001 - \$1,500,000	5 4.1 %	2 2.4 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	9 3 %
\$1,500,001 - \$5,000,000	19 15.6 %	7 8.2 %	7 10.4 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	34 11.4 %
\$5,000,001 - \$10,000,000	5 4.1 %	2 2.4 %	1 1.5 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	9 3 %
Over \$10 million	6 4.9 %	0 0 %	3 4.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	10 3.3 %
Total	122 100 %	85 100 %	67 100 %	7 100 %	7 100 %	3 100 %	2 100 %	6 100 %	299 100 %

What is your current single project bonding limit?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
\$100,000 or less	7 5.7 %	7 8.2 %	4 6.1 %	2 28.6 %	3 42.9 %	1 33.3 %	0 0 %	0 0 %	24 8.1 %
\$100,001 - \$250,000	2 1.6 %	0 0 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1 %
\$250,001 - \$500,000	5 4.1 %	1 1.2 %	3 4.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	9 3 %
\$500,001 - \$750,000	3 2.5 %	1 1.2 %	2 3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2 %
\$750,001 - \$1,000,000	2 1.6 %	5 5.9 %	6 9.1 %	1 14.3 %	0 0 %	0 0 %	0 0 %	1 16.7 %	15 5 %
\$1,000,001 - \$1,320,000	4 3.3 %	1 1.2 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2 %
\$1,320,001 - \$1,500,000	4 3.3 %	2 2.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	7 2.3 %
\$1,500,001 - \$5,000,000	12 9.8 %	6 7.1 %	3 4.5 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	22 7.4 %
\$5,000,001 - \$10,000,000	9 7.4 %	2 2.4 %	2 3 %	0 0 %	0 0 %	1 33.3 %	0 0 %	1 16.7 %	15 5 %
Over \$10 million	6 4.9 %	0 0 %	1 1.5 %	0 0 %	0 0 %	0 0 %	0 0 %	2 33.3 %	9 3 %
Don't know	12 9.8 %	16 18.8 %	8 12.1 %	2 28.6 %	0 0 %	0 0 %	1 50 %	0 0 %	39 13.1 %
Not Applicable	56 45.9 %	44 51.8 %	35 53 %	1 14.3 %	4 57.1 %	0 0 %	1 50 %	2 33.3 %	143 48 %
Total	122 100 %	85 100 %	66 100 %	7 100 %	7 100 %	3 100 %	2 100 %	6 100 %	298 100 %

<i>Is your company registered to do business with the Tennessee Secretary of State?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	102 85 %	68 80 %	51 79.7 %	5 83.3 %	5 71.4 %	3 100 %	2 100 %	5 83.3 %	241 82.3 %
No	18 15 %	17 20 %	13 20.3 %	1 16.7 %	2 28.6 %	0 0 %	0 0 %	1 16.7 %	52 17.7 %
Total	120 100 %	85 100 %	64 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	293 100 %

<i>Is your company registered to do business with the Metro Nashville Government?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	113 94.2 %	73 85.9 %	49 76.6 %	4 66.7 %	6 85.7 %	3 100 %	2 100 %	5 83.3 %	255 87 %
No	7 5.8 %	12 14.1 %	15 23.4 %	2 33.3 %	1 14.3 %	0 0 %	0 0 %	1 16.7 %	38 13 %
Total	120 100 %	85 100 %	64 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	293 100 %

<i>Is your company registered to do business with any other local government entity (TDOT, State of Tennessee, or Other)?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
Yes, as a Domestic (Tennessee) Entity	69 57.5 %	61 71.8 %	41 64.1 %	2 33.3 %	2 28.6 %	3 100 %	0 0 %	1 16.7 %	179 61.1 %
Yes, as a Foreign (From Outside Tennessee) Entity	3 2.5 %	1 1.2 %	2 3.1 %	1 16.7 %	0 0 %	0 0 %	0 0 %	1 16.7 %	8 2.7 %
No, I/we do not know how to register	7 5.8 %	7 8.2 %	6 9.4 %	1 16.7 %	2 28.6 %	0 0 %	2 100 %	0 0 %	25 8.5 %
No, I/we did not know there was a registry	19 15.8 %	8 9.4 %	7 10.9 %	1 16.7 %	2 28.6 %	0 0 %	0 0 %	3 50 %	40 13.7 %
No, I/we do not see any benefit in registering	9 7.5 %	4 4.7 %	4 6.2 %	0 0 %	1 14.3 %	0 0 %	0 0 %	1 16.7 %	19 6.5 %
No, I/we do not want to register	8 6.7 %	2 2.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	10 3.4 %
Other	5 4.2 %	2 2.4 %	4 6.2 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	12 4.1 %
Total	120 100 %	85 100 %	64 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	293 100 %

<i>[Do not know how to register.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	1 5.6 %	4 23.5 %	3 25 %	0 0 %	1 50 %	0 0 %	0 0 %	0 0 %	9 17.6 %
Not selected	17 94.4 %	13 76.5 %	9 75 %	1 100 %	1 50 %	0 0 %	0 0 %	1 100 %	42 82.4 %
Total	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

<i>[Did not know there was a registry.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	7 38.9 %	3 17.6 %	5 41.7 %	0 0 %	1 50 %	0 0 %	0 0 %	1 100 %	17 33.3 %
Not selected	11 61.1 %	14 82.4 %	7 58.3 %	1 100 %	1 50 %	0 0 %	0 0 %	0 0 %	34 66.7 %
Total	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

<i>[Do not see any benefit in registering.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	2 11.8 %	3 25 %	0 0 %	2 100 %	0 0 %	0 0 %	0 0 %	7 13.7 %
Not selected	18 100 %	15 88.2 %	9 75 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %	44 86.3 %
Total	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

<i>[Do not want to do business with government.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 5.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 2 %
Not selected	17 94.4 %	17 100 %	12 100 %	1 100 %	2 100 %	0 0 %	0 0 %	1 100 %	50 98 %
Total	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

[Do not want to do business with the Metro Nashville Government.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Not selected	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 0 %	0 0 %	1 100 %	51 100 %
Total	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

[Do not see opportunities in my field of work.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 5.6 %	1 5.9 %	4 33.3 %	0 0 %	1 50 %	0 0 %	0 0 %	0 0 %	7 13.7 %
Not selected	17 94.4 %	16 94.1 %	8 66.7 %	1 100 %	1 50 %	0 0 %	0 0 %	1 100 %	44 86.3 %
Total	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

<i>[Do not believe firm would be awarded contract.] Why is your company not registered to do business with the Metro Nashville Government? Indicate all the apply.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
	Yes	4 22.2 %	4 23.5 %	1 8.3 %	0 0 %	1 50 %	0 0 %		0 0 %
Not selected	14 77.8 %	13 76.5 %	11 91.7 %	1 100 %	1 50 %	0 0 %	0 0 %	1 100 %	41 80.4 %
<i>Total</i>	18 100 %	17 100 %	12 100 %	1 100 %	2 100 %	0 100 %	0 100 %	1 100 %	51 100 %

<i>[Metro Nashville Government Public Projects] From July 1, 2012 through June 30, 2017, how many times has your company submitted bids or proposals for projects as prime contractor on:</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
	None	52 44.4 %	38 45.2 %	37 58.7 %	3 50 %	5 71.4 %	1 33.3 %		1 50 %
1-10	38 32.5 %	30 35.7 %	18 28.6 %	1 16.7 %	2 28.6 %	2 66.7 %	1 50 %	1 16.7 %	93 32.3 %
11-25	10 8.5 %	4 4.8 %	6 9.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	21 7.3 %
26-50	4 3.4 %	1 1.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.7 %
51-100	1 0.9 %	1 1.2 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.4 %
Over 100	4 3.4 %	2 2.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2.1 %
Don't Know/NA	8 6.8 %	8 9.5 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	2 33.3 %	20 6.9 %
<i>Total</i>	117 100 %	84 100 %	63 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	288 100 %

[Private Sector Projects] From July 1, 2012 through June 30, 2017, how many times has your company submitted bids or proposals for projects as prime contractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	34 29.1 %	23 27.4 %	24 38.1 %	3 50 %	5 71.4 %	0 0 %	2 100 %	1 16.7 %	92 31.9 %
1-10	24 20.5 %	15 17.9 %	16 25.4 %	1 16.7 %	0 0 %	0 0 %	0 0 %	1 16.7 %	57 19.8 %
11-25	9 7.7 %	9 10.7 %	12 19 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	31 10.8 %
26-50	8 6.8 %	7 8.3 %	5 7.9 %	1 16.7 %	1 14.3 %	1 33.3 %	0 0 %	1 16.7 %	24 8.3 %
51-100	6 5.1 %	6 7.1 %	3 4.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	15 5.2 %
Over 100	26 22.2 %	13 15.5 %	2 3.2 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	1 16.7 %	44 15.3 %
Don't Know/NA	10 8.5 %	11 13.1 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	2 33.3 %	25 8.7 %
Total	117 100 %	84 100 %	63 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	288 100 %

[Other Public Sector (non-Metro Nashville Government Projects)] From July 1, 2012 through June 30, 2017, how many times has your company submitted bids or proposals for projects as prime contractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	39 33.3 %	26 31 %	31 49.2 %	4 66.7 %	6 85.7 %	0 0 %	0 0 %	1 16.7 %	107 37.2 %
1-10	28 23.9 %	25 29.8 %	17 27 %	0 0 %	0 0 %	1 33.3 %	1 50 %	0 0 %	72 25 %
11-25	6 5.1 %	7 8.3 %	6 9.5 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	1 16.7 %	22 7.6 %
26-50	11 9.4 %	2 2.4 %	4 6.3 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	18 6.2 %
51-100	6 5.1 %	2 2.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.8 %
Over 100	10 8.5 %	8 9.5 %	2 3.2 %	0 0 %	0 0 %	1 33.3 %	1 50 %	1 16.7 %	23 8 %
Don't Know/NA	17 14.5 %	14 16.7 %	3 4.8 %	1 16.7 %	0 0 %	0 0 %	0 0 %	3 50 %	38 13.2 %
Total	117 100 %	84 100 %	63 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	288 100 %

[Metro Nashville Government Public Projects] From July 1, 2012 through June 30, 2017, how many times has your company been awarded contracts to perform as a prime contractor:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
None	68 58.1 %	47 56.6 %	49 79 %	3 50 %	6 85.7 %	1 33.3 %	2 100 %	1 16.7 %	177 61.9 %
1-10	31 26.5 %	25 30.1 %	9 14.5 %	1 16.7 %	1 14.3 %	2 66.7 %	0 0 %	2 33.3 %	71 24.8 %
11-25	4 3.4 %	1 1.2 %	2 3.2 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.8 %
26-50	3 2.6 %	2 2.4 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2.1 %
51-100	0 0 %	1 1.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.3 %
Over 100	3 2.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1 %
Don't Know/NA	8 6.8 %	7 8.4 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	3 50 %	20 7 %
Total	117 100 %	83 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	286 100 %

[Private Sector Projects] From July 1, 2012 through June 30, 2017, how many times has your company been awarded contracts to perform as a prime contractor:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	42 35.9 %	24 29.3 %	28 45.2 %	3 50 %	5 71.4 %	0 0 %	2 100 %	1 16.7 %	105 36.8 %
1-10	19 16.2 %	17 20.7 %	22 35.5 %	1 16.7 %	0 0 %	1 33.3 %	0 0 %	0 0 %	60 21.1 %
11-25	10 8.5 %	6 7.3 %	7 11.3 %	1 16.7 %	0 0 %	1 33.3 %	0 0 %	1 16.7 %	26 9.1 %
26-50	7 6 %	8 9.8 %	1 1.6 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	0 0 %	18 6.3 %
51-100	3 2.6 %	4 4.9 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.8 %
Over 100	24 20.5 %	9 11 %	1 1.6 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	35 12.3 %
Don't Know/NA	12 10.3 %	14 17.1 %	2 3.2 %	1 16.7 %	0 0 %	0 0 %	0 0 %	4 66.7 %	33 11.6 %
Total	117 100 %	82 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	285 100 %

[Other Public Sector (non-Metro Nashville Government Projects)] From July 1, 2012 through June 30, 2017, how many times has your company been awarded contracts to perform as a prime contractor:	Owners' Minority Status							Total	
	Non- Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi- Racial	Other	
None	49 41.9 %	36 43.4 %	38 61.3 %	4 66.7 %	6 85.7 %	0 0 %	1 50 %	1 16.7 %	135 47.2 %
1-10	21 17.9 %	20 24.1 %	18 29 %	0 0 %	1 14.3 %	2 66.7 %	0 0 %	1 16.7 %	63 22 %
11-25	13 11.1 %	5 6 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	20 7 %
26-50	6 5.1 %	3 3.6 %	1 1.6 %	0 0 %	0 0 %	1 33.3 %	1 50 %	0 0 %	12 4.2 %
51-100	3 2.6 %	2 2.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.7 %
Over 100	9 7.7 %	5 6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	14 4.9 %
Don't Know/NA	16 13.7 %	12 14.5 %	4 6.5 %	1 16.7 %	0 0 %	0 0 %	0 0 %	4 66.7 %	37 12.9 %
Total	117 100 %	83 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	286 100 %

[Metro Nashville Government Public Projects] From July 1, 2012 through June 30, 2017, how many times has your company submitted bids or proposals for projects as a subcontractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	56 48.3 %	34 43 %	38 61.3 %	4 66.7 %	4 57.1 %	1 33.3 %	2 100 %	2 33.3 %	141 50.2 %
1-10	24 20.7 %	26 32.9 %	20 32.3 %	1 16.7 %	3 42.9 %	1 33.3 %	0 0 %	1 16.7 %	76 27 %
11-25	11 9.5 %	4 5.1 %	2 3.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	17 6 %
26-50	7 6 %	3 3.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	10 3.6 %
51-100	3 2.6 %	1 1.3 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.8 %
Over 100	4 3.4 %	1 1.3 %	0 0 %	0 0 %	0 0 %	1 33.3 %	0 0 %	1 16.7 %	7 2.5 %
Don't Know/NA	11 9.5 %	10 12.7 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	2 33.3 %	25 8.9 %
Total	116 100 %	79 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	281 100 %

[Private Sector Projects] From July 1, 2012 through June 30, 2017, how many times has your company submitted bids or proposals for projects as a subcontractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	43 37.1 %	30 38 %	32 51.6 %	3 50 %	4 57.1 %	0 0 %	2 100 %	2 33.3 %	116 41.3 %
1-10	14 12.1 %	16 20.3 %	15 24.2 %	2 33.3 %	2 28.6 %	0 0 %	0 0 %	0 0 %	49 17.4 %
11-25	7 6 %	4 5.1 %	8 12.9 %	0 0 %	0 0 %	2 66.7 %	0 0 %	0 0 %	21 7.5 %
26-50	4 3.4 %	3 3.8 %	2 3.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	9 3.2 %
51-100	10 8.6 %	5 6.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	15 5.3 %
Over 100	26 22.4 %	10 12.7 %	2 3.2 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	1 16.7 %	41 14.6 %
Don't Know/NA	12 10.3 %	11 13.9 %	3 4.8 %	1 16.7 %	0 0 %	0 0 %	0 0 %	3 50 %	30 10.7 %
Total	116 100 %	79 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	281 100 %

[Other Public Sector (non-Metro Nashville Government projects)] From July 1, 2012 through June 30, 2017, how many times has your company submitted bids or proposals for projects as a subcontractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	49 42.2 %	31 39.2 %	36 58.1 %	4 66.7 %	5 71.4 %	0 0 %	1 50 %	2 33.3 %	128 45.6 %
1-10	16 13.8 %	20 25.3 %	16 25.8 %	0 0 %	2 28.6 %	1 33.3 %	0 0 %	0 0 %	55 19.6 %
11-25	9 7.8 %	6 7.6 %	3 4.8 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	19 6.8 %
26-50	9 7.8 %	0 0 %	0 0 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	10 3.6 %
51-100	6 5.2 %	4 5.1 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	11 3.9 %
Over 100	11 9.5 %	6 7.6 %	2 3.2 %	0 0 %	0 0 %	1 33.3 %	1 50 %	1 16.7 %	22 7.8 %
Don't Know/NA	16 13.8 %	12 15.2 %	4 6.5 %	1 16.7 %	0 0 %	0 0 %	0 0 %	3 50 %	36 12.8 %
Total	116 100 %	79 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	281 100 %

[Metro Nashville Government Public Projects] From July 1, 2012 through June 30, 2017, how many times has your company been awarded contracts to perform as a subcontractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	69 59.5 %	44 55.7 %	46 74.2 %	5 83.3 %	6 85.7 %	1 33.3 %	2 100 %	2 33.3 %	175 62.3 %
1-10	17 14.7 %	21 26.6 %	14 22.6 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	1 16.7 %	55 19.6 %
11-25	7 6 %	2 2.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	9 3.2 %
26-50	9 7.8 %	1 1.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	10 3.6 %
51-100	0 0 %	1 1.3 %	0 0 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	2 0.7 %
Over 100	3 2.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Don't Know/NA	11 9.5 %	10 12.7 %	2 3.2 %	1 16.7 %	0 0 %	0 0 %	0 0 %	3 50 %	27 9.6 %
Total	116 100 %	79 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	281 100 %

[Private Sector Projects] From July 1, 2012 through June 30, 2017, how many times has your company been awarded contracts to perform as a subcontractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	45 38.8 %	33 41.8 %	35 56.5 %	4 66.7 %	5 71.4 %	0 0 %	2 100 %	2 33.3 %	126 44.8 %
1-10	15 12.9 %	15 19 %	19 30.6 %	1 16.7 %	1 14.3 %	1 33.3 %	0 0 %	0 0 %	52 18.5 %
11-25	6 5.2 %	3 3.8 %	4 6.5 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	14 5 %
26-50	3 2.6 %	2 2.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.8 %
51-100	11 9.5 %	5 6.3 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	17 6 %
Over 100	25 21.6 %	6 7.6 %	0 0 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	0 0 %	33 11.7 %
Don't Know/NA	11 9.5 %	15 19 %	3 4.8 %	1 16.7 %	0 0 %	0 0 %	0 0 %	4 66.7 %	34 12.1 %
Total	116 100 %	79 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	281 100 %

[Other Public Sector (non-Metro Nashville Government projects)] From July 1, 2012 through June 30, 2017, how many times has your company been awarded contracts to perform as a subcontractor on:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
None	58 50 %	43 54.4 %	36 58.1 %	4 66.7 %	5 71.4 %	0 0 %	1 50 %	2 33.3 %	149 53 %
1-10	13 11.2 %	10 12.7 %	18 29 %	0 0 %	2 28.6 %	2 66.7 %	0 0 %	0 0 %	45 16 %
11-25	10 8.6 %	2 2.5 %	2 3.2 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	15 5.3 %
26-50	10 8.6 %	3 3.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	13 4.6 %
51-100	2 1.7 %	3 3.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.8 %
Over 100	9 7.8 %	4 5.1 %	1 1.6 %	0 0 %	0 0 %	1 33.3 %	1 50 %	0 0 %	16 5.7 %
Don't Know/NA	14 12.1 %	14 17.7 %	5 8.1 %	1 16.7 %	0 0 %	0 0 %	0 0 %	4 66.7 %	38 13.5 %
Total	116 100 %	79 100 %	62 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	281 100 %

<i>[Pre-qualification requirements] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	12 10.7 %	9 11.7 %	13 21.3 %	0 0 %	2 28.6 %	0 0 %	1 50 %	0 0 %	37 13.5 %
Not selected	100 89.3 %	68 88.3 %	48 78.7 %	6 100 %	5 71.4 %	3 100 %	1 50 %	6 100 %	237 86.5 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Performance bond requirements] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	5 4.5 %	9 11.7 %	12 19.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	27 9.9 %
Not selected	107 95.5 %	68 88.3 %	49 80.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	6 100 %	247 90.1 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Excessive paperwork] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	31 27.7 %	16 20.8 %	16 26.2 %	2 33.3 %	2 28.6 %	2 66.7 %	0 0 %	1 16.7 %	70 25.5 %
Not selected	81 72.3 %	61 79.2 %	45 73.8 %	4 66.7 %	5 71.4 %	1 33.3 %	2 100 %	5 83.3 %	204 74.5 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Bid bond requirements] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	9 8 %	10 13 %	12 19.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	32 11.7 %
Not selected	103 92 %	67 87 %	49 80.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	6 100 %	242 88.3 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

[Financing] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 0.9 %	6 7.8 %	16 26.2 %	0 0 %	2 28.6 %	0 0 %	1 50 %	0 0 %	26 9.5 %
Not selected	111 99.1 %	71 92.2 %	45 73.8 %	6 100 %	5 71.4 %	3 100 %	1 50 %	6 100 %	248 90.5 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

[Insurance requirements] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.2 %	9 11.7 %	5 8.2 %	0 0 %	2 28.6 %	0 0 %	0 0 %	1 16.7 %	24 8.8 %
Not selected	105 93.8 %	68 88.3 %	56 91.8 %	6 100 %	5 71.4 %	3 100 %	2 100 %	5 83.3 %	250 91.2 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Bid specifications] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	9 8 %	15 19.5 %	10 16.4 %	0 0 %	2 28.6 %	0 0 %	0 0 %	
Not selected	103 92 %	62 80.5 %	51 83.6 %	6 100 %	5 71.4 %	3 100 %	2 100 %	4 66.7 %	236 86.1 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Lack of access to competitive supplier pricing] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	5 4.5 %	6 7.8 %	12 19.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	
Not selected	107 95.5 %	71 92.2 %	49 80.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	6 100 %	250 91.2 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Limited time given to prepare bid package or quote] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	12 10.7 %	10 13 %	12 19.7 %	0 0 %	2 28.6 %	1 33.3 %	0 0 %	
Not selected	100 89.3 %	67 87 %	49 80.3 %	6 100 %	5 71.4 %	2 66.7 %	2 100 %	4 66.7 %	235 85.8 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Limited knowledge of purchasing/contracting policies and procedures] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	16 14.3 %	12 15.6 %	12 19.7 %	0 0 %	3 42.9 %	0 0 %	0 0 %	
Not selected	96 85.7 %	65 84.4 %	49 80.3 %	6 100 %	4 57.1 %	3 100 %	2 100 %	5 83.3 %	230 83.9 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Lack of experience] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	6 5.4 %	2 2.6 %	8 13.1 %	0 0 %	1 14.3 %	0 0 %	0 0 %	
Not selected	106 94.6 %	75 97.4 %	53 86.9 %	6 100 %	6 85.7 %	3 100 %	2 100 %	6 100 %	257 93.8 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Lack of personnel] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	6 5.4 %	11 14.3 %	9 14.8 %	0 0 %	0 0 %	0 0 %	0 0 %	
Not selected	106 94.6 %	66 85.7 %	52 85.2 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	248 90.5 %
<i>Total</i>	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Contract too large] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.2 %	11 14.3 %	13 21.3 %	1 16.7 %	2 28.6 %	1 33.3 %	0 0 %	0 0 %	35 12.8 %
Not selected	105 93.8 %	66 85.7 %	48 78.7 %	5 83.3 %	5 71.4 %	2 66.7 %	2 100 %	6 100 %	239 87.2 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Contract too expensive to bid] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	6 5.4 %	6 7.8 %	10 16.4 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	24 8.8 %
Not selected	106 94.6 %	71 92.2 %	51 83.6 %	5 83.3 %	6 85.7 %	3 100 %	2 100 %	6 100 %	250 91.2 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Informal networks] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	8 7.1 %	9 11.7 %	13 21.3 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	31 11.3 %
Not selected	104 92.9 %	68 88.3 %	48 78.7 %	6 100 %	7 100 %	3 100 %	1 50 %	6 100 %	243 88.7 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Selection process] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	18 16.1 %	14 18.2 %	15 24.6 %	0 0 %	1 14.3 %	1 33.3 %	2 100 %	1 16.7 %	52 19 %
Not selected	94 83.9 %	63 81.8 %	46 75.4 %	6 100 %	6 85.7 %	2 66.7 %	0 0 %	5 83.3 %	222 81 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Not certified] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	1 0.9 %	3 3.9 %	4 6.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 2.9 %
Not selected	111 99.1 %	74 96.1 %	57 93.4 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	266 97.1 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>[Feels smaller firms unfairly compete with large firms for bid] The following is a list of things that may prevent companies from bidding or obtaining work on a project. In your experience, have any of the following been a barrier to your firm obtaining work on projects for the Metro Nashville? (check all that apply)</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	17 15.2 %	27 35.1 %	35 57.4 %	2 33.3 %	3 42.9 %	0 0 %	1 50 %	1 16.7 %	86 31.4 %
Not selected	95 84.8 %	50 64.9 %	26 42.6 %	4 66.7 %	4 57.1 %	3 100 %	1 50 %	5 83.3 %	188 68.6 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

<i>What is the amount of time that it typically takes to receive payment from the Metro Nashville Government for your services on Metro Nashville Government projects?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Less than 30 days	16 14.4 %	14 18.4 %	6 10 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	38 14 %
30-60 days	40 36 %	23 30.3 %	11 18.3 %	1 16.7 %	2 28.6 %	1 33.3 %	0 0 %	3 50 %	81 29.9 %
60-90 days	12 10.8 %	6 7.9 %	3 5 %	0 0 %	2 28.6 %	1 33.3 %	0 0 %	1 16.7 %	25 9.2 %
90-120 days	1 0.9 %	2 2.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Over 120 days	0 0 %	1 1.3 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 0.7 %
Don't Know/NA	42 37.8 %	30 39.5 %	39 65 %	4 66.7 %	2 28.6 %	1 33.3 %	2 100 %	2 33.3 %	122 45 %
Total	111 100 %	76 100 %	60 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	271 100 %

<i>Is your company a certified Minority, Woman, Small or Disadvantaged Business Enterprise?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Yes	46 41.1 %	59 76.6 %	54 88.5 %	3 50 %	3 42.9 %	2 66.7 %	0 0 %	1 16.7 %	168 61.3 %
No	66 58.9 %	18 23.4 %	7 11.5 %	3 50 %	4 57.1 %	1 33.3 %	2 100 %	5 83.3 %	106 38.7 %
Total	112 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	274 100 %

[MBE (Minority Business Enterprise)] What is your certification? (Check all that apply)	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 2.2 %	3 5.1 %	48 88.9 %	3 100 %	1 33.3 %	1 50 %	0 0 %	0 0 %	57 33.9 %
Not selected	45 97.8 %	56 94.9 %	6 11.1 %	0 0 %	2 66.7 %	1 50 %	0 0 %	1 100 %	111 66.1 %
Total	46 100 %	59 100 %	54 100 %	3 100 %	3 100 %	2 100 %	0 100 %	1 100 %	168 100 %

[WBE (Women Business Enterprise)] What is your certification? (Check all that apply)	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 2.2 %	48 81.4 %	14 25.9 %	1 33.3 %	1 33.3 %	0 0 %	0 0 %	0 0 %	65 38.7 %
Not selected	45 97.8 %	11 18.6 %	40 74.1 %	2 66.7 %	2 66.7 %	2 100 %	0 0 %	1 100 %	103 61.3 %
Total	46 100 %	59 100 %	54 100 %	3 100 %	3 100 %	2 100 %	0 100 %	1 100 %	168 100 %

[DBE (Disadvantaged Business Enterprise)] What is your certification? (Check all that apply)	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 2.2 %	17 28.8 %	35 64.8 %	1 33.3 %	1 33.3 %	2 100 %	0 0 %	0 0 %	57 33.9 %
Not selected	45 97.8 %	42 71.2 %	19 35.2 %	2 66.7 %	2 66.7 %	0 0 %	0 0 %	1 100 %	111 66.1 %
Total	46 100 %	59 100 %	54 100 %	3 100 %	3 100 %	2 100 %	0 100 %	1 100 %	168 100 %

[SBE (Small Business Enterprise)] What is your certification? (Check all that apply)	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	45 97.8 %	36 61 %	32 59.3 %	2 66.7 %	0 0 %	1 50 %	0 0 %	1 100 %	117 69.6 %
Not selected	1 2.2 %	23 39 %	22 40.7 %	1 33.3 %	3 100 %	1 50 %	0 0 %	0 0 %	51 30.4 %
Total	46 100 %	59 100 %	54 100 %	3 100 %	3 100 %	2 100 %	0 100 %	1 100 %	168 100 %

<i>[I do not understand the certification process] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 4.6 %	4 22.2 %	1 14.3 %	1 33.3 %	2 50 %	0 0 %	1 50 %	0 0 %	12 11.4 %
Not selected	62 95.4 %	14 77.8 %	6 85.7 %	2 66.7 %	2 50 %	1 100 %	1 50 %	5 100 %	93 88.6 %
Total	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

<i>[We do not meet one or more of the requirements for certification] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	47 72.3 %	0 0 %	1 14.3 %	0 0 %	0 0 %	1 100 %	0 0 %	5 100 %	54 51.4 %
Not selected	18 27.7 %	18 100 %	6 85.7 %	3 100 %	4 100 %	0 0 %	2 100 %	0 0 %	51 48.6 %
Total	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

[Certification is too expensive] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	1 5.6 %	0 0 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	2 1.9 %
Not selected	65 100 %	17 94.4 %	7 100 %	3 100 %	4 100 %	1 100 %	1 50 %	5 100 %	103 98.1 %
Total	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

[I do not want the Metro Nashville Government to have information about my company] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	2 11.1 %	0 0 %	0 0 %	1 25 %	0 0 %	0 0 %	0 0 %	3 2.9 %
Not selected	65 100 %	16 88.9 %	7 100 %	3 100 %	3 75 %	1 100 %	2 100 %	5 100 %	102 97.1 %
Total	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

<i>[I have not had time to get certified/the process is too time-consuming] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 3.1 %	8 44.4 %	3 42.9 %	0 0 %	2 50 %	0 0 %	1 50 %	0 0 %	16 15.2 %
Not selected	63 96.9 %	10 55.6 %	4 57.1 %	3 100 %	2 50 %	1 100 %	1 50 %	5 100 %	89 84.8 %
Total	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

<i>[Certification does not benefit and/or will negatively impact my company] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	5 7.7 %	2 11.1 %	1 14.3 %	0 0 %	0 0 %	0 0 %	0 0 %	1 20 %	9 8.6 %
Not selected	60 92.3 %	16 88.9 %	6 85.7 %	3 100 %	4 100 %	1 100 %	2 100 %	4 80 %	96 91.4 %
Total	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

<i>[Do not understand how certification can benefit my firm] Why is your company not certified as a Minority, Woman, Small or Disadvantaged Business Enterprise?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
<i>Yes</i>	12 18.5 %	6 33.3 %	1 14.3 %	2 66.7 %	2 50 %	0 0 %	0 0 %	1 20 %	24 22.9 %
<i>Not selected</i>	53 81.5 %	12 66.7 %	6 85.7 %	1 33.3 %	2 50 %	1 100 %	2 100 %	4 80 %	81 77.1 %
<i>Total</i>	65 100 %	18 100 %	7 100 %	3 100 %	4 100 %	1 100 %	2 100 %	5 100 %	105 100 %

<i>Do you believe that the local certification processes are effective in eliminating front and pass-through businesses?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
<i>Yes</i>	16 14.4 %	13 16.9 %	8 13.1 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	0 0 %	39 14.3 %
<i>No</i>	20 18 %	14 18.2 %	21 34.4 %	0 0 %	0 0 %	0 0 %	0 0 %	1 16.7 %	56 20.5 %
<i>Don't Know</i>	75 67.6 %	50 64.9 %	32 52.5 %	6 100 %	6 85.7 %	2 66.7 %	2 100 %	5 83.3 %	178 65.2 %
<i>Total</i>	111 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	273 100 %

<i>[Business start-up loan?] Between July 1, 2012 through June 30, 2017, did your company apply for and receive any of the following?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Never Applied	107 97.3 %	75 97.4 %	53 86.9 %	5 83.3 %	7 100 %	3 100 %	1 50 %	6 100 %	257 94.5 %
Applied, Never Approved	0 0 %	1 1.3 %	7 11.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 50 %	9 3.3 %
Applied, Some Approved	1 0.9 %	0 0 %	1 1.6 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Applied, All Approved	2 1.8 %	1 1.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Total	110 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	272 100 %

<i>[Operating capital loan?] Between July 1, 2012 through June 30, 2017, did your company apply for and receive any of the following?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Never Applied	80 72.7 %	56 72.7 %	40 65.6 %	5 83.3 %	6 85.7 %	3 100 %	1 50 %	6 100 %	197 72.4 %
Applied, Never Approved	0 0 %	4 5.2 %	7 11.5 %	0 0 %	0 0 %	0 0 %	0 0 %	1 50 %	12 4.4 %
Applied, Some Approved	2 1.8 %	1 1.3 %	7 11.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	10 3.7 %
Applied, All Approved	28 25.5 %	16 20.8 %	7 11.5 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	53 19.5 %
Total	110 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	272 100 %

<i>[Equipment loan?] Between July 1, 2012 through June 30, 2017, did your company apply for and receive any of the following?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non- Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi- Racial</i>	<i>Other</i>	
Never Applied	80 72.7 %	62 80.5 %	48 78.7 %	5 83.3 %	6 85.7 %	2 66.7 %	1 50 %	5 83.3 %	209 76.8 %
Applied, Never Approved	0 0 %	1 1.3 %	5 8.2 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	7 2.6 %
Applied, Some Approved	2 1.8 %	0 0 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Applied, All Approved	28 25.5 %	14 18.2 %	7 11.5 %	1 16.7 %	1 14.3 %	1 33.3 %	0 0 %	1 16.7 %	53 19.5 %
Total	110 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	272 100 %

<i>[Commercial/Professional liability insurance?] Between July 1, 2012 through June 30, 2017, did your company apply for and receive any of the following?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non- Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi- Racial</i>	<i>Other</i>	
Never Applied	28 25.5 %	15 19.5 %	21 34.4 %	3 50 %	5 71.4 %	1 33.3 %	1 50 %	3 50 %	77 28.3 %
Applied, Never Approved	0 0 %	0 0 %	1 1.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Applied, Some Approved	2 1.8 %	3 3.9 %	2 3.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	7 2.6 %
Applied, All Approved	80 72.7 %	59 76.6 %	37 60.7 %	3 50 %	2 28.6 %	2 66.7 %	1 50 %	3 50 %	187 68.8 %
Total	110 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	6 100 %	272 100 %

<i>How many times have you been denied a commercial (business) bank loan from July 1, 2012 through June 30, 2017?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
None	1 50 %	1 20 %	1 6.2 %	1 100 %	0 0 %	0 0 %	0 0 %	0 0 %	4 16 %
1-10	1 50 %	4 80 %	12 75 %	0 0 %	0 0 %	0 0 %	1 100 %	0 0 %	18 72 %
11-25	0 0 %	0 0 %	3 18.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 12 %
26-50	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
51-100	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Over 100	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Don't Know/NA	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	2 100 %	5 100 %	16 100 %	1 100 %	0 100 %	0 100 %	1 100 %	0 100 %	25 100 %

<i>[Sufficient working capital/Not Needed] Why have you never applied for a loan?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
Yes	65 94.2 %	44 95.7 %	25 69.4 %	3 75 %	5 83.3 %	1 50 %	0 0 %	3 60 %	146 86.4 %
Not selected	4 5.8 %	2 4.3 %	11 30.6 %	1 25 %	1 16.7 %	1 50 %	1 100 %	2 40 %	23 13.6 %
Total	69 100 %	46 100 %	36 100 %	4 100 %	6 100 %	2 100 %	1 100 %	5 100 %	169 100 %

<i>[Do not know how to apply for business loans] Why have you never applied for a loan?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Yes	1 1.4 %	0 0 %	4 11.1 %	0 0 %	3 50 %	0 0 %	1 100 %	1 20 %	10 5.9 %
Not selected	68 98.6 %	46 100 %	32 88.9 %	4 100 %	3 50 %	2 100 %	0 0 %	4 80 %	159 94.1 %
Total	69 100 %	46 100 %	36 100 %	4 100 %	6 100 %	2 100 %	1 100 %	5 100 %	169 100 %

<i>[Insurances not needed] Why have you never applied for a loan?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Yes	1 1.4 %	1 2.2 %	0 0 %	0 0 %	1 16.7 %	0 0 %	0 0 %	0 0 %	3 1.8 %
Not selected	68 98.6 %	45 97.8 %	36 100 %	4 100 %	5 83.3 %	2 100 %	1 100 %	5 100 %	166 98.2 %
Total	69 100 %	46 100 %	36 100 %	4 100 %	6 100 %	2 100 %	1 100 %	5 100 %	169 100 %

<i>[Credit History] Why have you never applied for a loan?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Yes	3 4.3 %	1 2.2 %	8 22.2 %	0 0 %	1 16.7 %	0 0 %	0 0 %	1 20 %	14 8.3 %
Not selected	66 95.7 %	45 97.8 %	28 77.8 %	4 100 %	5 83.3 %	2 100 %	1 100 %	4 80 %	155 91.7 %
Total	69 100 %	46 100 %	36 100 %	4 100 %	6 100 %	2 100 %	1 100 %	5 100 %	169 100 %

What was the largest commercial loan you received from July 1, 2012 through June 30, 2017?	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
\$50,000 or less	5 12.5 %	6 21.4 %	4 22.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	15 16.7 %
\$50,001 - \$100,000	2 5 %	7 25 %	3 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 13.3 %
\$100,001 - \$300,000	9 22.5 %	9 32.1 %	8 44.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	26 28.9 %
\$300,001 - \$500,000	5 12.5 %	2 7.1 %	1 5.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 8.9 %
\$500,001 - \$1,000,000	3 7.5 %	1 3.6 %	1 5.6 %	0 0 %	1 100 %	1 100 %	0 0 %	0 0 %	7 7.8 %
\$1,000,001 - \$3,000,000	3 7.5 %	2 7.1 %	0 0 %	1 50 %	0 0 %	0 0 %	0 0 %	0 0 %	6 6.7 %
\$3,000,001 - \$5,000,000	4 10 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 4.4 %
\$5,000,001 to \$10,000,000	1 2.5 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 1.1 %
Over \$10,000,000	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Don't Know/NA	8 20 %	1 3.6 %	1 5.6 %	1 50 %	0 0 %	0 0 %	0 0 %	0 0 %	11 12.2 %
Total	40 100 %	28 100 %	18 100 %	2 100 %	1 100 %	1 100 %	0 100 %	0 100 %	90 100 %

[Business start-up loan?] Of the loans your company was denied, what was the stated reason for denial?	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Insufficient Documentation	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 11.1 %
Insufficient Business History	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Confusion about Process	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Credit History	0 0 %	0 0 %	4 66.7 %	0 0 %	0 0 %	0 0 %	1 100 %	0 0 %	5 55.6 %
Don't Know	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
N/A	1 100 %	0 0 %	2 33.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 33.3 %
Total	1 100 %	1 100 %	6 100 %	0 100 %	0 100 %	0 100 %	1 100 %	0 100 %	9 100 %

<i>[Operating capital loan?] Of the loans your company was denied, what was the stated reason for denial?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
Insufficient Documentation	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Insufficient Business History	0 0 %	1 20 %	3 21.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 18.2 %
Confusion about Process	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Credit History	1 50 %	2 40 %	5 35.7 %	0 0 %	0 0 %	0 0 %	1 100 %	0 0 %	9 40.9 %
Don't Know	0 0 %	0 0 %	3 21.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 13.6 %
N/A	1 50 %	2 40 %	3 21.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 27.3 %
Total	2 100 %	5 100 %	14 100 %	0 100 %	0 100 %	0 100 %	1 100 %	0 100 %	22 100 %

<i>[Equipment loan?] Of the loans your company was denied, what was the stated reason for denial?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Insufficient Documentation	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Insufficient Business History	0 0 %	0 0 %	2 33.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 20 %
Confusion about Process	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Credit History	1 50 %	1 100 %	3 50 %	0 0 %	0 0 %	0 0 %	1 100 %	0 0 %	6 60 %
Don't Know	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
N/A	1 50 %	0 0 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 20 %
Total	2 100 %	1 100 %	6 100 %	0 100 %	0 100 %	0 100 %	1 100 %	0 100 %	10 100 %

<i>[Commercial/Professional liability insurance?] Of the loans your company was denied, what was the stated reason for denial?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Insufficient Documentation	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Insufficient Business History	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 12.5 %
Confusion about Process	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Credit History	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 12.5 %
Don't Know	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
N/A	2 100 %	3 100 %	1 33.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 75 %
Total	2 100 %	3 100 %	3 100 %	0 100 %	0 100 %	0 100 %	0 100 %	0 100 %	8 100 %

<i>Do you believe that the bonding requirements set by Metro Nashville or its primes are unnecessarily high for the projects that you are bidding?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Yes	13 11.8 %	17 22.1 %	14 23 %	0 0 %	1 14.3 %	0 0 %	1 50 %	0 0 %	46 17 %
No	36 32.7 %	13 16.9 %	11 18 %	1 16.7 %	1 14.3 %	1 33.3 %	0 0 %	2 40 %	65 24 %
N/A	61 55.5 %	47 61 %	36 59 %	5 83.3 %	5 71.4 %	2 66.7 %	1 50 %	3 60 %	160 59 %
Total	110 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	271 100 %

<i>Do you feel as though you experienced discriminatory behavior from the private sector (i.e., non-governmental entities) from July 1, 2012 through June 30, 2017?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
Yes	4 3.6 %	6 7.8 %	23 37.7 %	0 0 %	0 0 %	2 66.7 %	1 50 %	0 0 %	36 13.3 %
No	90 81.8 %	37 48.1 %	10 16.4 %	4 66.7 %	6 85.7 %	0 0 %	1 50 %	3 60 %	151 55.7 %
Don't Know	16 14.5 %	34 44.2 %	28 45.9 %	2 33.3 %	1 14.3 %	1 33.3 %	0 0 %	2 40 %	84 31 %
Total	110 100 %	77 100 %	61 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	271 100 %

<i>Do you feel as though you experienced discriminatory behavior from the Metro Nashville Government in the procurement process from July 1, 2012 through June 30, 2017?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>	<i>Other</i>	
Never	62 56.9 %	34 44.2 %	13 21.7 %	3 50 %	5 71.4 %	0 0 %	0 0 %	3 60 %	120 44.6 %
Seldom	4 3.7 %	3 3.9 %	9 15 %	0 0 %	1 14.3 %	1 33.3 %	1 50 %	0 0 %	19 7.1 %
Often	6 5.5 %	2 2.6 %	3 5 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	12 4.5 %
Very Often	4 3.7 %	0 0 %	4 6.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 3 %
Don't Know	33 30.3 %	38 49.4 %	31 51.7 %	3 50 %	1 14.3 %	2 66.7 %	0 0 %	2 40 %	110 40.9 %
Total	109 100 %	77 100 %	60 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	269 100 %

[Overview of Money Management] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	2 1.9 %	2 2.6 %	1 1.7 %	0 0 %	2 28.6 %	1 33.3 %	0 0 %	0 0 %	8 3.1 %
Not selected	102 98.1 %	75 97.4 %	57 98.3 %	6 100 %	5 71.4 %	2 66.7 %	2 100 %	5 100 %	254 96.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Identifying Sources of Operating Capital or access] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	6 5.8 %	7 9.1 %	18 31 %	1 16.7 %	1 14.3 %	1 33.3 %	2 100 %	0 0 %	36 13.7 %
Not selected	98 94.2 %	70 90.9 %	40 69 %	5 83.3 %	6 85.7 %	2 66.7 %	0 0 %	5 100 %	226 86.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Credit and Collections] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	6 5.8 %	3 3.9 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	12 4.6 %
Not selected	98 94.2 %	74 96.1 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	250 95.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Cash Flow Management] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	5 4.8 %	10 13 %	5 8.6 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	21 8 %
Not selected	99 95.2 %	67 87 %	53 91.4 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	241 92 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Bookkeeping/Financial Statements]</i> FINANCIAL ASSISTANCE <i>- Select up to two (2) areas that you would like assistance / education in.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.7 %	9 11.7 %	7 12.1 %	1 16.7 %	2 28.6 %	0 0 %	0 0 %	0 0 %	26 9.9 %
Not selected	97 93.3 %	68 88.3 %	51 87.9 %	5 83.3 %	5 71.4 %	3 100 %	2 100 %	5 100 %	236 90.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Writing a Business Plan] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	6 7.8 %	2 3.4 %	2 33.3 %	0 0 %	0 0 %	1 50 %	0 0 %	14 5.3 %
Not selected	101 97.1 %	71 92.2 %	56 96.6 %	4 66.7 %	7 100 %	3 100 %	1 50 %	5 100 %	248 94.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Budgeting] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	6 5.8 %	2 2.6 %	1 1.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	10 3.8 %
Not selected	98 94.2 %	75 97.4 %	57 98.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	252 96.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Access to Capital/Financing] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.7 %	8 10.4 %	24 41.4 %	0 0 %	2 28.6 %	0 0 %	1 50 %	1 20 %	43 16.4 %
Not selected	97 93.3 %	69 89.6 %	34 58.6 %	6 100 %	5 71.4 %	3 100 %	1 50 %	4 80 %	219 83.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Taxes] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	14 13.5 %	14 18.2 %	9 15.5 %	1 16.7 %	3 42.9 %	1 33.3 %	0 0 %	1 20 %	43 16.4 %
Not selected	90 86.5 %	63 81.8 %	49 84.5 %	5 83.3 %	4 57.1 %	2 66.7 %	2 100 %	4 80 %	219 83.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Insurances and Bonding] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.7 %	12 15.6 %	9 15.5 %	0 0 %	1 14.3 %	0 0 %	0 0 %	1 20 %	30 11.5 %
Not selected	97 93.3 %	65 84.4 %	49 84.5 %	6 100 %	6 85.7 %	3 100 %	2 100 %	4 80 %	232 88.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Purchasing/Cost Control] FINANCIAL ASSISTANCE - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	5 4.8 %	8 10.4 %	9 15.5 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	23 8.8 %
Not selected	99 95.2 %	69 89.6 %	49 84.5 %	5 83.3 %	7 100 %	3 100 %	2 100 %	5 100 %	239 91.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Marketing Overview] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.7 %	4 5.2 %	5 8.6 %	1 16.7 %	1 14.3 %	0 0 %	1 50 %	1 20 %	20 7.6 %
Not selected	97 93.3 %	73 94.8 %	53 91.4 %	5 83.3 %	6 85.7 %	3 100 %	1 50 %	4 80 %	242 92.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Selling to The Government] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	25 24 %	35 45.5 %	28 48.3 %	3 50 %	2 28.6 %	0 0 %	1 50 %	3 60 %	97 37 %
Not selected	79 76 %	42 54.5 %	30 51.7 %	3 50 %	5 71.4 %	3 100 %	1 50 %	2 40 %	165 63 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Advertising] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	5 4.8 %	1 1.3 %	4 6.9 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	11 4.2 %
Not selected	99 95.2 %	76 98.7 %	54 93.1 %	5 83.3 %	7 100 %	3 100 %	2 100 %	5 100 %	251 95.8 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Merchandising Techniques] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	0 0 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Not selected	104 100 %	77 100 %	57 98.3 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	261 99.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Market Research] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	8 10.4 %	6 10.3 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	18 6.9 %
Not selected	101 97.1 %	69 89.6 %	52 89.7 %	6 100 %	7 100 %	2 66.7 %	2 100 %	5 100 %	244 93.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Marketing Strategies]</i> MARKETING - <i>Select up to two (2) areas that you would like assistance / education in.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	14 13.5 %	6 7.8 %	11 19 %	0 0 %	2 28.6 %	0 0 %	2 100 %	1 20 %	36 13.7 %
Not selected	90 86.5 %	71 92.2 %	47 81 %	6 100 %	5 71.4 %	3 100 %	0 0 %	4 80 %	226 86.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Sales Techniques]</i> MARKETING - <i>Select up to two (2) areas that you would like assistance / education in.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	7 9.1 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 4.6 %
Not selected	101 97.1 %	70 90.9 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	250 95.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Networking] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	9 8.7 %	14 18.2 %	12 20.7 %	0 0 %	3 42.9 %	0 0 %	0 0 %	1 20 %	39 14.9 %
Not selected	95 91.3 %	63 81.8 %	46 79.3 %	6 100 %	4 57.1 %	3 100 %	2 100 %	4 80 %	223 85.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Public Relations] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	6 5.8 %	4 5.2 %	5 8.6 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	0 0 %	17 6.5 %
Not selected	98 94.2 %	73 94.8 %	53 91.4 %	6 100 %	6 85.7 %	2 66.7 %	2 100 %	5 100 %	245 93.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Franchising] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	1 1.3 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Not selected	104 100 %	76 98.7 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	259 98.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[E-commerce / Web Marketing] MARKETING - Select up to two (2) areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	13 12.5 %	15 19.5 %	15 25.9 %	3 50 %	4 57.1 %	0 0 %	0 0 %	0 0 %	50 19.1 %
Not selected	91 87.5 %	62 80.5 %	43 74.1 %	3 50 %	3 42.9 %	3 100 %	2 100 %	5 100 %	212 80.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Administrative Tools (word processing, spreadsheets, etc.)] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	3 3.9 %	8 13.8 %	1 16.7 %	1 14.3 %	1 33.3 %	1 50 %	0 0 %	18 6.9 %
Not selected	101 97.1 %	74 96.1 %	50 86.2 %	5 83.3 %	6 85.7 %	2 66.7 %	1 50 %	5 100 %	244 93.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Website Development] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	14 13.5 %	20 26 %	20 34.5 %	1 16.7 %	2 28.6 %	2 66.7 %	0 0 %	0 0 %	59 22.5 %
Not selected	90 86.5 %	57 74 %	38 65.5 %	5 83.3 %	5 71.4 %	1 33.3 %	2 100 %	5 100 %	203 77.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Accounting Software]</i> COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	11 10.6 %	9 11.7 %	10 17.2 %	0 0 %	2 28.6 %	0 0 %	1 50 %	0 0 %	33 12.6 %
Not selected	93 89.4 %	68 88.3 %	48 82.8 %	6 100 %	5 71.4 %	3 100 %	1 50 %	5 100 %	229 87.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[E-commerce]</i> COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	8 7.7 %	14 18.2 %	13 22.4 %	1 16.7 %	3 42.9 %	0 0 %	0 0 %	0 0 %	39 14.9 %
Not selected	96 92.3 %	63 81.8 %	45 77.6 %	5 83.3 %	4 57.1 %	3 100 %	2 100 %	5 100 %	223 85.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Computerizing a Business] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	5 4.8 %	3 3.9 %	7 12.1 %	1 16.7 %	2 28.6 %	0 0 %	0 0 %	0 0 %	18 6.9 %
Not selected	99 95.2 %	74 96.1 %	51 87.9 %	5 83.3 %	5 71.4 %	3 100 %	2 100 %	5 100 %	244 93.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Databases] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	5 4.8 %	5 6.5 %	6 10.3 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	18 6.9 %
Not selected	99 95.2 %	72 93.5 %	52 89.7 %	5 83.3 %	6 85.7 %	3 100 %	2 100 %	5 100 %	244 93.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Spreadsheets] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	7 9.1 %	2 3.4 %	0 0 %	0 0 %	1 33.3 %	0 0 %	0 0 %	11 4.2 %
Not selected	103 99 %	70 90.9 %	56 96.6 %	6 100 %	7 100 %	2 66.7 %	2 100 %	5 100 %	251 95.8 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Use of Internet] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	4 3.8 %	0 0 %	1 1.7 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	7 2.7 %
Not selected	100 96.2 %	77 100 %	57 98.3 %	5 83.3 %	6 85.7 %	3 100 %	2 100 %	5 100 %	255 97.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Email] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	1 1.3 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 0.8 %
Not selected	104 100 %	76 98.7 %	57 98.3 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	260 99.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[N/A] COMPUTER SYSTEMS - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	30 28.8 %	20 26 %	14 24.1 %	2 33.3 %	0 0 %	1 33.3 %	1 50 %	4 80 %	72 27.5 %
Not selected	74 71.2 %	57 74 %	44 75.9 %	4 66.7 %	7 100 %	2 66.7 %	1 50 %	1 20 %	190 72.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Insurance] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	3 3.9 %	6 10.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	12 4.6 %
Not selected	101 97.1 %	74 96.1 %	52 89.7 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	250 95.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Setting Goals] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	2 2.6 %	1 1.7 %	0 0 %	2 28.6 %	0 0 %	0 0 %	0 0 %	6 2.3 %
Not selected	103 99 %	75 97.4 %	57 98.3 %	6 100 %	5 71.4 %	3 100 %	2 100 %	5 100 %	256 97.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Pricing] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	7 9.1 %	6 10.3 %	1 16.7 %	1 14.3 %	0 0 %	1 50 %	0 0 %	19 7.3 %
Not selected	101 97.1 %	70 90.9 %	52 89.7 %	5 83.3 %	6 85.7 %	3 100 %	1 50 %	5 100 %	243 92.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Strategic Planning] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.7 %	11 14.3 %	8 13.8 %	1 16.7 %	3 42.9 %	1 33.3 %	0 0 %	0 0 %	31 11.8 %
Not selected	97 93.3 %	66 85.7 %	50 86.2 %	5 83.3 %	4 57.1 %	2 66.7 %	2 100 %	5 100 %	231 88.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Business Expansion] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	10 9.6 %	12 15.6 %	15 25.9 %	0 0 %	1 14.3 %	1 33.3 %	1 50 %	0 0 %	40 15.3 %
Not selected	94 90.4 %	65 84.4 %	43 74.1 %	6 100 %	6 85.7 %	2 66.7 %	1 50 %	5 100 %	222 84.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Production] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 1.9 %	1 1.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 1.1 %
Not selected	102 98.1 %	76 98.7 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	259 98.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Business Checkup / Evaluation] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	2 1.9 %	5 6.5 %	7 12.1 %	0 0 %	0 0 %	0 0 %	0 0 %	1 20 %	15 5.7 %
Not selected	102 98.1 %	72 93.5 %	51 87.9 %	6 100 %	7 100 %	3 100 %	2 100 %	4 80 %	247 94.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Quality Control] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	5 4.8 %	0 0 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	7 2.7 %
Not selected	99 95.2 %	77 100 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	255 97.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Retirement Planning] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	6 5.8 %	8 10.4 %	8 13.8 %	2 33.3 %	1 14.3 %	0 0 %	1 50 %	1 20 %	27 10.3 %
Not selected	98 94.2 %	69 89.6 %	50 86.2 %	4 66.7 %	6 85.7 %	3 100 %	1 50 %	4 80 %	235 89.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Patents/Trademarks/Copyrights] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	8 10.4 %	1 1.7 %	0 0 %	1 14.3 %	0 0 %	1 50 %	0 0 %	14 5.3 %
Not selected	101 97.1 %	69 89.6 %	57 98.3 %	6 100 %	6 85.7 %	3 100 %	1 50 %	5 100 %	248 94.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Policies and Procedures Manuals] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	2 1.9 %	3 3.9 %	3 5.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 3.1 %
Not selected	102 98.1 %	74 96.1 %	55 94.8 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	254 96.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Technology Transfer] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	1 1 %	2 2.6 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	103 99 %	75 97.4 %	57 98.3 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Business Research] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 1.9 %	2 2.6 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2.3 %
Not selected	102 98.1 %	75 97.4 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	256 97.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Inventory Control] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	1 1.3 %	1 1.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	103 99 %	76 98.7 %	57 98.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Effective Communication] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	5 4.8 %	2 2.6 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	10 3.8 %
Not selected	99 95.2 %	75 97.4 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	252 96.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Facility Planning and Management] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	1 1.3 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	104 100 %	76 98.7 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Disaster Contingency Planning] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	1 1 %	2 2.6 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.9 %
Not selected	103 99 %	75 97.4 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	257 98.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Legal Work] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	0 0 %	1 1.3 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	104 100 %	76 98.7 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Leasing Versus Buying] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 1.9 %	0 0 %	2 3.4 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	5 1.9 %
Not selected	102 98.1 %	77 100 %	56 96.6 %	5 83.3 %	7 100 %	3 100 %	2 100 %	5 100 %	257 98.1 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Diversification] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	4 3.8 %	1 1.3 %	4 6.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	9 3.4 %
Not selected	100 96.2 %	76 98.7 %	54 93.1 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	253 96.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Succession Planning] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	4 3.8 %	8 10.4 %	7 12.1 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	19 7.3 %
Not selected	100 96.2 %	69 89.6 %	51 87.9 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	243 92.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Conflict Management] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	0 0 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Not selected	104 100 %	77 100 %	57 98.3 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	261 99.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Security] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	1 1.3 %	0 0 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	2 0.8 %
Not selected	104 100 %	76 98.7 %	58 100 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	260 99.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[N/A] BUSINESS MANAGEMENT / OPERATIONS- Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	27 26 %	12 15.6 %	11 19 %	1 16.7 %	0 0 %	1 33.3 %	0 0 %	3 60 %	55 21 %
Not selected	77 74 %	65 84.4 %	47 81 %	5 83.3 %	7 100 %	2 66.7 %	2 100 %	2 40 %	207 79 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[International Trade Overview] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 1.9 %	3 3.9 %	13 22.4 %	0 0 %	1 14.3 %	0 0 %	1 50 %	0 0 %	20 7.6 %
Not selected	102 98.1 %	74 96.1 %	45 77.6 %	6 100 %	6 85.7 %	3 100 %	1 50 %	5 100 %	242 92.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Importing] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	2 2.6 %	2 3.4 %	0 0 %	2 28.6 %	0 0 %	0 0 %	0 0 %	7 2.7 %
Not selected	103 99 %	75 97.4 %	56 96.6 %	6 100 %	5 71.4 %	3 100 %	2 100 %	5 100 %	255 97.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Exporting] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 1.9 %	1 1.3 %	8 13.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	11 4.2 %
Not selected	102 98.1 %	76 98.7 %	50 86.2 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	251 95.8 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Export Working Capital] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	0 0 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	103 99 %	77 100 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[International Trade Credit] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	0 0 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 0.8 %
Not selected	104 100 %	77 100 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	260 99.2 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Export Credit Insurance] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	0 0 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Not selected	104 100 %	77 100 %	57 98.3 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	261 99.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Export Collections] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other		
Yes	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Not selected	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %	
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %	

[Locating Overseas Buyers and Agents] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	3 2.9 %	2 2.6 %	7 12.1 %	0 0 %	1 14.3 %	0 0 %	2 100 %	0 0 %	15 5.7 %
Not selected	101 97.1 %	75 97.4 %	51 87.9 %	6 100 %	6 85.7 %	3 100 %	0 0 %	5 100 %	247 94.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Cultural Aspects of Exporting] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	0 0 %	0 0 %	1 1.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Not selected	104 100 %	77 100 %	57 98.3 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	261 99.6 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Overseas Trade Shows] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	0 0 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	103 99 %	77 100 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Logistics and International Shipping]</i> INTERNATIONAL TRADE <i>- Select up to two areas that you would like assistance / education in.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	3 3.9 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2.3 %
Not selected	103 99 %	74 96.1 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	256 97.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Specialized Trade Topics]</i> INTERNATIONAL TRADE <i>- Select up to two areas that you would like assistance / education in.</i>	Owners' Minority Status								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	1 1.3 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	103 99 %	76 98.7 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Mentoring from Other Exporters] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	<i>Yes</i>	0 0 %	1 1.3 %	6 10.3 %	0 0 %	0 0 %	0 0 %	0 0 %	
<i>Not selected</i>	104 100 %	76 98.7 %	52 89.7 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	255 97.3 %
<i>Total</i>	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Trade Barriers] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	<i>Yes</i>	1 1 %	2 2.6 %	3 5.2 %	0 0 %	1 14.3 %	0 0 %	0 0 %	
<i>Not selected</i>	103 99 %	75 97.4 %	55 94.8 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	255 97.3 %
<i>Total</i>	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[N/A] INTERNATIONAL TRADE - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	57 54.8 %	46 59.7 %	28 48.3 %	4 66.7 %	3 42.9 %	2 66.7 %	0 0 %	4 80 %	144 55 %
Not selected	47 45.2 %	31 40.3 %	30 51.7 %	2 33.3 %	4 57.1 %	1 33.3 %	2 100 %	1 20 %	118 45 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Overview of Personnel Management] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	9 8.7 %	4 5.2 %	13 22.4 %	0 0 %	5 71.4 %	1 33.3 %	1 50 %	0 0 %	33 12.6 %
Not selected	95 91.3 %	73 94.8 %	45 77.6 %	6 100 %	2 28.6 %	2 66.7 %	1 50 %	5 100 %	229 87.4 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Hiring/Firing] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	7 6.7 %	11 14.3 %	11 19 %	1 16.7 %	0 0 %	0 0 %	0 0 %	0 0 %	30 11.5 %
Not selected	97 93.3 %	66 85.7 %	47 81 %	5 83.3 %	7 100 %	3 100 %	2 100 %	5 100 %	232 88.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Employee Evaluations] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	6 5.8 %	6 7.8 %	3 5.2 %	0 0 %	1 14.3 %	0 0 %	1 50 %	0 0 %	17 6.5 %
Not selected	98 94.2 %	71 92.2 %	55 94.8 %	6 100 %	6 85.7 %	3 100 %	1 50 %	5 100 %	245 93.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Workplace Ethics] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	1 1 %	1 1.3 %	6 10.3 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 3.1 %
Not selected	103 99 %	76 98.7 %	52 89.7 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	254 96.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Motivating Employees] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	13 12.5 %	15 19.5 %	6 10.3 %	1 16.7 %	2 28.6 %	0 0 %	0 0 %	0 0 %	37 14.1 %
Not selected	91 87.5 %	62 80.5 %	52 89.7 %	5 83.3 %	5 71.4 %	3 100 %	2 100 %	5 100 %	225 85.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Customer Service] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	2 1.9 %	8 10.4 %	4 6.9 %	1 16.7 %	1 14.3 %	0 0 %	0 0 %	0 0 %	16 6.1 %
Not selected	102 98.1 %	69 89.6 %	54 93.1 %	5 83.3 %	6 85.7 %	3 100 %	2 100 %	5 100 %	246 93.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Salary / Benefits] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	12 11.5 %	18 23.4 %	17 29.3 %	0 0 %	1 14.3 %	1 33.3 %	0 0 %	0 0 %	49 18.7 %
Not selected	92 88.5 %	59 76.6 %	41 70.7 %	6 100 %	6 85.7 %	2 66.7 %	2 100 %	5 100 %	213 81.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[N/A] PERSONNEL MANAGEMENT - Select up to two areas that you would like assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	37 35.6 %	22 28.6 %	21 36.2 %	3 50 %	2 28.6 %	1 33.3 %	1 50 %	4 80 %	91 34.7 %
Not selected	67 64.4 %	55 71.4 %	37 63.8 %	3 50 %	5 71.4 %	2 66.7 %	1 50 %	1 20 %	171 65.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Compliance with Federal Regulations] REGULATORY/COMPLIANCE - Select up to two areas that you would like to have assistance / education in.	Owners' Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Yes	11 10.6 %	13 16.9 %	13 22.4 %	1 16.7 %	0 0 %	1 33.3 %	0 0 %	1 20 %	40 15.3 %
Not selected	93 89.4 %	64 83.1 %	45 77.6 %	5 83.3 %	7 100 %	2 66.7 %	2 100 %	4 80 %	222 84.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Small Business Legislation]</i> REGULATORY/COMPLIANCE <i>- Select up to two areas that you would like to have assistance / education in.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	14 13.5 %	19 24.7 %	23 39.7 %	0 0 %	4 57.1 %	1 33.3 %	1 50 %	0 0 %	62 23.7 %
Not selected	90 86.5 %	58 75.3 %	35 60.3 %	6 100 %	3 42.9 %	2 66.7 %	1 50 %	5 100 %	200 76.3 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Energy Assessments]</i> REGULATORY/COMPLIANCE <i>- Select up to two areas that you would like to have assistance / education in.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	2 1.9 %	1 1.3 %	2 3.4 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	6 2.3 %
Not selected	102 98.1 %	76 98.7 %	56 96.6 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	256 97.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Drug-Free Workplace]</i> REGULATORY/COMPLIANCE <i>- Select up to two areas that you would like to have assistance / education in.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	0 0 %	3 3.9 %	1 1.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	1 20 %	6 2.3 %
Not selected	104 100 %	74 96.1 %	57 98.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	4 80 %	256 97.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>[Conservation/Recycling]</i> REGULATORY/COMPLIANCE <i>- Select up to two areas that you would like to have assistance / education in.</i>	Owners' Minority Status							<i>Total</i>	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	0 0 %	2 2.6 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.5 %
Not selected	104 100 %	75 97.4 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	258 98.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Government Services to Small Businesses] REGULATORY/COMPLIANCE - Select up to two areas that you would like to have assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	20 19.2 %	26 33.8 %	24 41.4 %	4 66.7 %	3 42.9 %	0 0 %	2 100 %	1 20 %	80 30.5 %
Not selected	84 80.8 %	51 66.2 %	34 58.6 %	2 33.3 %	4 57.1 %	3 100 %	0 0 %	4 80 %	182 69.5 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Environmental] REGULATORY/COMPLIANCE - Select up to two areas that you would like to have assistance / education in.	Owners' Minority Status							Other	Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		
Yes	1 1 %	3 3.9 %	2 3.4 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2.3 %
Not selected	103 99 %	74 96.1 %	56 96.6 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	256 97.7 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[Safety] REGULATORY/COMPLIANCE <i>- Select up to two areas that you would like to have assistance / education in.</i>	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	5 4.8 %	1 1.3 %	1 1.7 %	0 0 %	1 14.3 %	0 0 %	0 0 %	0 0 %	8 3.1 %
Not selected	99 95.2 %	76 98.7 %	57 98.3 %	6 100 %	6 85.7 %	3 100 %	2 100 %	5 100 %	254 96.9 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

[N/A] REGULATORY/COMPLIANCE <i>- Select up to two areas that you would like to have assistance / education in.</i>	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Yes	31 29.8 %	20 26 %	17 29.3 %	1 16.7 %	2 28.6 %	1 33.3 %	0 0 %	2 40 %	74 28.2 %
Not selected	73 70.2 %	57 74 %	41 70.7 %	5 83.3 %	5 71.4 %	2 66.7 %	2 100 %	3 60 %	188 71.8 %
Total	104 100 %	77 100 %	58 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	262 100 %

<i>Do you believe there is an informal network of prime and subcontractors doing business with the Metro Nashville Government that monopolize the public contracting process?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
	Yes	39 40.6 %	40 53.3 %	45 80.4 %	2 33.3 %	3 42.9 %	2 66.7 %	2 100 %	
No	57 59.4 %	35 46.7 %	11 19.6 %	4 66.7 %	4 57.1 %	1 33.3 %	0 0 %	5 100 %	117 46.8 %
Total	96 100 %	75 100 %	56 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	250 100 %

<i>How would you rate the quality of interaction with the Metro Nashville Government on contract opportunities?</i>	<i>Owners' Minority Status</i>								<i>Total</i>
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Extremely Satisfied	8 8.3 %	4 5.3 %	1 1.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	13 5.2 %
Satisfied	19 19.8 %	14 18.7 %	7 12.5 %	2 33.3 %	1 14.3 %	1 33.3 %	0 0 %	1 20 %	45 18 %
Somewhat Satisfied	6 6.2 %	5 6.7 %	9 16.1 %	0 0 %	3 42.9 %	1 33.3 %	0 0 %	1 20 %	25 10 %
Neutral	26 27.1 %	16 21.3 %	5 8.9 %	1 16.7 %	0 0 %	0 0 %	0 0 %	2 40 %	50 20 %
Somewhat Dissatisfied	7 7.3 %	12 16 %	5 8.9 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	25 10 %
Dissatisfied	6 6.2 %	8 10.7 %	7 12.5 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	22 8.8 %
Extremely Dissatisfied	4 4.2 %	2 2.7 %	5 8.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	11 4.4 %
Don't Know/NA	20 20.8 %	14 18.7 %	17 30.4 %	3 50 %	3 42.9 %	1 33.3 %	0 0 %	1 20 %	59 23.6 %
Total	96 100 %	75 100 %	56 100 %	6 100 %	7 100 %	3 100 %	2 100 %	5 100 %	250 100 %

[Double standards in qualifications and work performance make it more difficult for minority and women-owned businesses to win bids or contracts.] Please tell us if you strongly agree, agree, neither agree or disagree, disagree or strongly disagree with each of the following statements:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Strongly Disagree	3 7.9 %	0 0 %	4 8.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	7 5.4 %
Disagree	4 10.5 %	1 2.6 %	1 2.2 %	0 0 %	0 0 %	1 50 %	0 0 %	0 0 %	7 5.4 %
Neither Agree nor Disagree	23 60.5 %	18 47.4 %	9 20 %	1 50 %	2 66.7 %	1 50 %	1 50 %	0 0 %	55 42.3 %
Agree	7 18.4 %	16 42.1 %	20 44.4 %	1 50 %	1 33.3 %	0 0 %	0 0 %	0 0 %	45 34.6 %
Strongly Agree	1 2.6 %	3 7.9 %	11 24.4 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	16 12.3 %
Total	38 100 %	38 100 %	45 100 %	2 100 %	3 100 %	2 100 %	2 100 %	0 100 %	130 100 %

[The experience required to be awarded contracts with the Metro Nashville government is excessive and makes it more difficult for minority and women-owned businesses to win bids or contracts.] Please tell us if you strongly agree, agree, neither agree or disagree, disagree or strongly disagree with each of the following statements:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Strongly Disagree	4 10.5 %	0 0 %	4 8.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	8 6.2 %
Disagree	5 13.2 %	5 13.2 %	1 2.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	11 8.5 %
Neither Agree nor Disagree	20 52.6 %	14 36.8 %	16 35.6 %	1 50 %	2 66.7 %	1 50 %	1 50 %	0 0 %	55 42.3 %
Agree	6 15.8 %	16 42.1 %	18 40 %	1 50 %	0 0 %	1 50 %	0 0 %	0 0 %	42 32.3 %
Strongly Agree	3 7.9 %	3 7.9 %	6 13.3 %	0 0 %	1 33.3 %	0 0 %	1 50 %	0 0 %	14 10.8 %
Total	38 100 %	38 100 %	45 100 %	2 100 %	3 100 %	2 100 %	2 100 %	0 100 %	130 100 %

[Sometimes, a prime contractor will contact a minority, woman or disadvantaged business and ask for a quote just to meet the “good faith effort” requirement, but never give their proposal consideration.] Please tell us if you strongly agree, agree, neither agree or disagree, disagree or strongly disagree with each of the following statements:	Owners’ Minority Status								Total
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Strongly Disagree	0 0 %	0 0 %	5 11.1 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 3.8 %
Disagree	4 10.5 %	1 2.6 %	0 0 %	0 0 %	0 0 %	1 50 %	0 0 %	0 0 %	6 4.6 %
Neither Agree nor Disagree	19 50 %	11 28.9 %	7 15.6 %	1 50 %	1 33.3 %	0 0 %	0 0 %	0 0 %	39 30 %
Agree	8 21.1 %	12 31.6 %	12 26.7 %	1 50 %	0 0 %	1 50 %	1 50 %	0 0 %	35 26.9 %
Strongly Agree	7 18.4 %	14 36.8 %	21 46.7 %	0 0 %	2 66.7 %	0 0 %	1 50 %	0 0 %	45 34.6 %
Total	38 100 %	38 100 %	45 100 %	2 100 %	3 100 %	2 100 %	2 100 %	0 100 %	130 100 %

[Sometimes, a prime contractor will include a minority, woman, or disadvantaged subcontractor on a bid to meet the “good faith effort” requirement, then drop the company as a subcontractor after winning the award.] Please tell us if you strongly agree, agree, neither agree or disagree, disagree or strongly disagree with each of the following statements:	Owners’ Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Strongly Disagree	0 0 %	0 0 %	3 6.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	3 2.3 %
Disagree	3 7.9 %	1 2.6 %	1 2.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	5 3.8 %
Neither Agree nor Disagree	26 68.4 %	17 44.7 %	12 26.7 %	1 50 %	1 33.3 %	1 50 %	0 0 %	0 0 %	58 44.6 %
Agree	6 15.8 %	12 31.6 %	14 31.1 %	1 50 %	0 0 %	1 50 %	2 100 %	0 0 %	36 27.7 %
Strongly Agree	3 7.9 %	8 21.1 %	15 33.3 %	0 0 %	2 66.7 %	0 0 %	0 0 %	0 0 %	28 21.5 %
Total	38 100 %	38 100 %	45 100 %	2 100 %	3 100 %	2 100 %	2 100 %	0 100 %	130 100 %

[In general, M/WBE's tend to be viewed by non-minority businesses as less competent than non-minority male-owned businesses.] Please tell us if you strongly agree, agree, neither agree or disagree, disagree or strongly disagree with each of the following statements:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial		Other
Strongly Disagree	3 7.9 %	0 0 %	3 6.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 4.6 %
Disagree	3 7.9 %	3 7.9 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	6 4.6 %
Neither Agree nor Disagree	23 60.5 %	18 47.4 %	6 13.3 %	1 50 %	2 66.7 %	1 50 %	1 50 %	0 0 %	52 40 %
Agree	8 21.1 %	9 23.7 %	15 33.3 %	1 50 %	1 33.3 %	1 50 %	1 50 %	0 0 %	36 27.7 %
Strongly Agree	1 2.6 %	8 21.1 %	21 46.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	30 23.1 %
Total	38 100 %	38 100 %	45 100 %	2 100 %	3 100 %	2 100 %	2 100 %	0 100 %	130 100 %

[I believe that some non-minority prime contractors only utilize M/W/DBE companies when required to do so by the Metro Nashville government.] Please tell us if you strongly agree, agree, neither agree or disagree, disagree or strongly disagree with each of the following statements:	Owners' Minority Status							Total	
	Non-Minority	Woman	African American	Asian American	Hispanic American	Native American	Bi-Racial or Multi-Racial	Other	
Strongly Disagree	1 2.6 %	0 0 %	3 6.7 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 3.1 %
Disagree	2 5.3 %	1 2.6 %	1 2.2 %	0 0 %	0 0 %	1 50 %	0 0 %	0 0 %	5 3.8 %
Neither Agree nor Disagree	15 39.5 %	9 23.7 %	4 8.9 %	1 50 %	1 33.3 %	0 0 %	1 50 %	0 0 %	31 23.8 %
Agree	11 28.9 %	14 36.8 %	11 24.4 %	1 50 %	1 33.3 %	1 50 %	0 0 %	0 0 %	39 30 %
Strongly Agree	9 23.7 %	14 36.8 %	26 57.8 %	0 0 %	1 33.3 %	0 0 %	1 50 %	0 0 %	51 39.2 %
Total	38 100 %	38 100 %	45 100 %	2 100 %	3 100 %	2 100 %	2 100 %	0 100 %	130 100 %

<i>What is the best method to notify you of upcoming events?</i>	<i>Owners' Minority Status</i>							<i>Total</i>	
	<i>Non-Minority</i>	<i>Woman</i>	<i>African American</i>	<i>Asian American</i>	<i>Hispanic American</i>	<i>Native American</i>	<i>Bi-Racial or Multi-Racial</i>		<i>Other</i>
Mail	3 3.2 %	1 1.4 %	1 1.8 %	1 20 %	0 0 %	0 0 %	0 0 %	0 0 %	6 2.4 %
Newspaper	2 2.1 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	2 0.8 %
Website	1 1.1 %	1 1.4 %	2 3.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.6 %
Chamber of Commerce	0 0 %	0 0 %	1 1.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Civic Organizations	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Trade Magazines	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Phone	1 1.1 %	1 1.4 %	2 3.6 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	4 1.6 %
Email	87 92.6 %	71 95.9 %	49 87.5 %	4 80 %	7 100 %	3 100 %	2 100 %	4 100 %	227 92.7 %
Other	0 0 %	0 0 %	1 1.8 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.4 %
Total	94 100 %	74 100 %	56 100 %	5 100 %	7 100 %	3 100 %	2 100 %	4 100 %	245 100 %

APPENDIX G

Utilization and Disparity Indices
Under \$250,000 and
Over \$1,000,000

APPENDIX G
UTILIZATION AND DISPARITY INDICES
AWARDS UNDER \$250,000 AND OVER \$1,000,000

Table 1: MWBE Prime Utilization – Construction by Number of Firms
Construction Awards and P.O.s Under \$250,000
In the Relevant Market – Metro Nashville
Nashville Disparity Study

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	12	6.19%	9	4.69%	4	2.19%	8	3.70%	12	5.15%	23	5.01%
Asian American	3	1.55%	1	0.52%	2	1.09%	2	0.93%	2	0.86%	3	0.65%
Hispanic American	0	0.00%	2	1.04%	1	0.55%	1	0.46%	1	0.43%	2	0.44%
Native American	1	0.52%	2	1.04%	1	0.55%	3	1.39%	2	0.86%	4	0.87%
Unidentified MWBE/DBE	1	0.52%	4	2.08%	2	1.09%	1	0.46%	5	2.15%	7	1.53%
Total MBE	17	8.76%	18	9.38%	10	5.46%	15	6.94%	22	9.44%	39	8.50%
Caucasian Woman	29	14.95%	21	10.94%	20	10.93%	24	11.11%	27	11.59%	46	10.02%
Total MWBE/DBE	46	23.71%	39	20.31%	30	16.39%	39	18.06%	49	21.03%	85	18.52%
Non-MWBE	148	76.29%	153	79.69%	153	83.61%	177	81.94%	184	78.97%	374	81.48%
Total	194	42.27%	192	41.83%	183	39.87%	216	47.06%	233	50.76%	459	100%

*Total represents the number of unique firms during the Study Period

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Table 2: MWBE Prime Utilization – Construction by Dollars
Construction Awards and P.O.s Under \$250,000
In the Relevant Market – Metro Nashville
Nashville Disparity Study

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$978,841	6.94%	\$278,312	2.29%	\$87,332	0.87%	\$547,770	4.09%	\$722,501	3.35%	\$2,614,756	3.67%
Asian American	\$414,664	2.94%	\$68,630	0.56%	\$35,100	0.35%	\$9,770	0.07%	\$229,796	1.07%	\$757,960	1.06%
Hispanic American	\$0	0.00%	\$79,578	0.65%	\$153,369	1.54%	\$9,597	0.07%	\$25,211	0.12%	\$267,755	0.38%
Native American	\$300,111	2.13%	\$6,697	0.06%	\$62,961	0.63%	\$23,005	0.17%	\$141,842	0.66%	\$534,616	0.75%
Unidentified MWBE/DBE	\$14,715	0.10%	\$14,600	0.12%	\$4,733	0.05%	\$1,003	0.01%	\$14,527	0.07%	\$49,579	0.07%
Total MBE	\$1,708,331	12.11%	\$447,818	3.68%	\$343,495	3.44%	\$591,145	4.41%	\$1,133,877	5.26%	\$4,224,666	5.93%
Caucasian Woman	\$2,339,421	16.58%	\$2,313,279	19.00%	\$1,246,073	12.48%	\$1,142,556	8.53%	\$3,652,329	16.96%	\$10,693,657	15.02%
Total MWBE/DBE	\$4,047,752	28.68%	\$2,761,098	22.68%	\$1,589,568	15.92%	\$1,733,700	12.94%	\$4,786,206	22.22%	\$14,918,324	20.95%
Non-MWBE	\$10,064,154	71.32%	\$9,413,091	77.32%	\$8,394,695	84.08%	\$11,661,479	87.06%	\$16,752,557	77.78%	\$56,285,976	79.05%
Total	\$14,111,906	19.82%	\$12,174,188	17.10%	\$9,984,263	14.02%	\$13,395,179	18.81%	\$21,538,763	30.25%	\$71,204,299	100.00%

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**Table 3: MWBE Indices– Construction
Construction Awards and Pos Under \$250,000
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	6.94%	10.10%	0.69	Underutilized
ASIAN AMERICAN	2.94%	0.87%	3.37	Overutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	2.13%	0.75%	2.85	Overutilized
WOMEN	16.58%	12.43%	1.33	Overutilized
UNIDENTIFIED MWBE/DBE	0.10%	3.74%	0.03	Underutilized
TOTAL MWBE/DBE	28.69%	29.55%	0.97	Underutilized
NON-MWBE/DBE	71.32%	70.45%	1.01	Overutilized
FY 2014				
AFRICAN AMERICAN	2.29%	10.10%	0.23	Underutilized
ASIAN AMERICAN	0.56%	0.87%	0.64	Underutilized
HISPANIC AMERICAN	0.65%	1.66%	0.39	Underutilized
NATIVE AMERICAN	0.06%	0.75%	0.08	Underutilized
WOMEN	19.00%	12.43%	1.53	Overutilized
UNIDENTIFIED MWBE/DBE	0.12%	3.74%	0.03	Underutilized
TOTAL MWBE/DBE	22.68%	29.55%	0.77	Underutilized
NON-MWBE/DBE	77.32%	70.45%	1.10	Overutilized
FY 2015				
AFRICAN AMERICAN	0.87%	10.10%	0.09	Underutilized
ASIAN AMERICAN	0.35%	0.87%	0.40	Underutilized
HISPANIC AMERICAN	1.54%	1.66%	0.93	Underutilized
NATIVE AMERICAN	0.63%	0.75%	0.84	Underutilized
WOMEN	12.48%	12.43%	1.00	Parity
UNIDENTIFIED MWBE/DBE	0.05%	3.74%	0.01	Underutilized
TOTAL MWBE/DBE	15.92%	29.55%	0.54	Underutilized
NON-MWBE/DBE	84.08%	70.45%	1.19	Overutilized
FY 2016				
AFRICAN AMERICAN	4.09%	10.10%	0.40	Underutilized
ASIAN AMERICAN	0.07%	0.87%	0.08	Underutilized
HISPANIC AMERICAN	0.07%	1.66%	0.04	Underutilized
NATIVE AMERICAN	0.17%	0.75%	0.23	Underutilized
WOMEN	8.53%	12.43%	0.69	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	12.94%	29.55%	0.44	Underutilized
NON-MWBE/DBE	87.06%	70.45%	1.24	Overutilized
FY 2017				
AFRICAN AMERICAN	3.35%	10.10%	0.33	Underutilized
ASIAN AMERICAN	1.07%	0.87%	1.23	Overutilized
HISPANIC AMERICAN	0.12%	1.66%	0.07	Underutilized
NATIVE AMERICAN	6.60%	0.75%	8.82	Overutilized
WOMEN	16.96%	12.43%	1.36	Overutilized
UNIDENTIFIED MWBE/DBE	0.07%	3.74%	0.02	Underutilized
TOTAL MWBE/DBE	28.17%	29.55%	0.95	Underutilized
NON-MWBE/DBE	77.78%	70.45%	1.10	Overutilized
TOTALS				
AFRICAN AMERICAN	3.67%	10.10%	0.36	Underutilized
ASIAN AMERICAN	1.06%	0.87%	1.21	Overutilized
HISPANIC AMERICAN	0.38%	1.66%	0.23	Underutilized
NATIVE AMERICAN	0.75%	0.75%	1.00	Parity
WOMEN	15.02%	12.43%	1.21	Overutilized
UNIDENTIFIED MWBE/DBE	0.07%	3.74%	0.02	Underutilized
TOTAL MWBE/DBE	20.95%	29.55%	0.71	Underutilized
NON-MWBE/DBE	79.05%	70.45%	1.12	Overutilized

**Table 4: MWBE Prime Utilization – Construction by Number of Firms
Construction Awards and Pos Over 1 Million
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

	2013		2014		2015		2016		2017		Total*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	1	7.14%	1	6.67%	1	5.56%	1	7.14%	0	0.00%	1	2.94%
Asian 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%	1	6.67%	0	0.00%	0	0.00%	0	0.00%	1	2.94%
Unidentified MWBE/DBE	0	0.00%		0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total MBE	1	7.14%	2	13.33%	1	5.56%	1	7.14%	0	0.00%	2	5.88%
Caucasian Woman	2	14.29%	1	6.67%	1	5.56%	1	7.14%	2	15.38%	3	8.82%
Total MWBE/DBE	3	21.43%	3	20.00%	2	11.11%	2	14.29%	2	15.38%	5	14.71%
Non-MWBE	11	78.57%	12	80.00%	16	88.89%	12	85.71%	11	84.62%	29	85.29%
Total	14	41.18%	15	44.12%	18	52.94%	14	41.18%	13	38.24%	34	100%

*Total represents the number of unique firms during the Study Period

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**Table 5: MWBE Prime Utilization – Construction by Dollars
Construction Awards and Pos Over 1 Million
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

	2013		2014		2015		2016		2017		Total	
	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent	Dollar	Percent
African American	\$6,332,918	2.73%	\$36,214,059	19.70%	\$18,841,000	10.63%	\$5,658,695	3.38%	\$0	0.00%	\$67,046,672	7.39%
Asian 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%	\$9,000,000	4.90%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$9,000,000	0.99%
Unidentified MWBE/DBE	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Total MBE	\$6,332,918	2.73%	\$45,214,059	24.59%	\$18,841,000	10.63%	\$5,658,695	3.38%	\$0	0.00%	\$76,046,672	8.39%
Caucasian Woman	\$9,935,284	4.28%	\$8,830,248	4.80%	\$45,809,309	25.86%	\$11,121,375	6.65%	\$11,588,324	7.92%	\$87,284,541	9.63%
Total MWBE/DBE	\$16,268,202	7.01%	\$54,044,307	29.39%	\$64,650,309	36.49%	\$16,780,070	10.03%	\$11,588,324	7.92%	\$163,331,212	18.01%
Non-MWBE	\$215,888,504	92.99%	\$129,815,392	70.61%	\$112,525,861	63.51%	\$150,505,640	89.97%	\$134,645,371	92.08%	\$743,380,768	81.99%
Total	\$232,156,706	25.60%	\$183,859,699	20.28%	\$177,176,170	19.54%	\$167,285,710	18.45%	\$146,233,695	16.13%	\$906,711,980	100.00%

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**Table 6: MWBE Indices– Construction
Construction Awards and Pos Over \$1 Million
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	2.73%	10.10%	0.27	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	4.28%	12.43%	0.34	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	7.01%	29.55%	0.24	Underutilized
NON-MWBE/DBE	92.99%	70.45%	1.32	Overutilized
FY 2014				
AFRICAN AMERICAN	19.70%	10.10%	1.95	Overutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	4.90%	0.75%	6.55	Overutilized
WOMEN	4.80%	12.43%	0.39	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	29.40%	29.55%	0.99	Underutilized
NON-MWBE/DBE	70.61%	70.45%	1.00	Parity
FY 2015				
AFRICAN AMERICAN	10.63%	10.10%	1.05	Overutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	25.86%	12.43%	2.08	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	36.49%	29.55%	1.23	Overutilized
NON-MWBE/DBE	63.51%	70.45%	0.90	Underutilized
FY 2016				
AFRICAN AMERICAN	3.38%	10.10%	0.33	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	6.65%	12.43%	0.54	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	10.03%	29.55%	0.34	Underutilized
NON-MWBE/DBE	89.97%	70.45%	1.28	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	7.92%	12.43%	0.64	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	7.92%	29.55%	0.27	Underutilized
NON-MWBE/DBE	92.08%	70.45%	1.31	Overutilized
TOTALS				
AFRICAN AMERICAN	7.39%	10.10%	0.73	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.99%	0.75%	1.32	Overutilized
WOMEN	9.63%	12.43%	0.77	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	18.01%	29.55%	0.61	Underutilized
NON-MWBE/DBE	81.99%	70.45%	1.16	Overutilized

APPENDIX H

Disparity Study Definitions

APPENDIX H – STUDY DEFINITIONS

Anecdotal – A reported personal experience or encounter, retold through interview, testimony, email, or survey. Not necessarily verified or based on research.

Availability – A calculated percentage computed by dividing the number of businesses in each study group by the total number of businesses in the pool for that work category.

Awards – For Prime Contractors, the Awards were measured through contracts and purchase orders. For Subcontractors, the awards were measured through a prime vendor questionnaire that was sent to all prime contractors (except goods where there are typically no subcontractors).

City of Richmond v. J.A. Croson Company 488 U.S. 469 (1989) (“Croson”) – Laws that, on their face, favor one class of citizens over another, may run afoul of the Equal Protection Clause of the 14 Amendment of the U.S. Constitution even if those laws are meant to remedy discrimination. Such laws, including those that create race conscious programs, must withstand judicial “strict scrutiny” or they will be dismantled. In its Croson decision, the Supreme Court ruled that the City of Richmond’s Minority Business Enterprise (hereinafter “MBE”) program failed to satisfy the requirements of “strict scrutiny” review under the 14th Amendment “Strict scrutiny” review involves two co-equal considerations to determine whether a race conscious program can withstand the Strict Scrutiny: First, the need to demonstrate a compelling governmental interest (which may be established through periodic disparity studies); Second, implementation of a program or method narrowly-tailored to achieve/remedy the compelling interest. In Croson, the Supreme Court concluded that the City of Richmond failed to show that its minority set-aside program was “necessary” to remedy the effects of discrimination in the marketplace.

Disparity Index – A statistical measure demonstrated by the failure to meet parity between availability and Utilization. Disparity is calculated by comparing the utilization percentage to the availability percentage of each race/gender/ethnic group. Will result in either overutilization, underutilization or parity.

Disparity Study (“Study”) – A tool, identified by the Supreme Court as necessary for satisfying the strict scrutiny threshold for race conscious programs and demonstrating the compelling governmental interest by “factual predicate” that identifies discrimination and a narrowly tailored remedy to redress any finding of discrimination. Must adhere to the legal requirements of U.S Supreme Court decisions like City of Richmond v. J.A. Croson Company, and its progeny. Not designed to be an analysis of any current remedial programs but an analysis of race, ethnicity, and gender status and how it affects participation in the procurement process and in the marketplace.

Fiscal Year (“FY”) – The business year for Metro Nashville for purchasing and accounting purposes. Measured by Metro Nashville from July 1 – June 30th. The study period for this study is FY 2013-2017.

Good Faith Efforts (“GFE”) – The documentation and verification process to ensure that prime contractors are soliciting and negotiating with MWBEs in “good faith” for potential subcontracting opportunities.

Minority Business Enterprise (“MBE”) – any for-profit business owned and controlled by an individual or group of individuals who have at least 51% stake in ownership and identify with one of the following ethnic minority groups:

- African American
- Asian American
- Hispanic American
- Native American

MWBE – For profit businesses owned and controlled by a person or group of individuals who have at least 51% stake in ownership and identify as an MBE or Nonminority Woman.

PNP Program – Metro Nashville first established the Procurement Nondiscrimination Program (“PNP”) program in 2008 after the 2004 disparity study. The stated objective of the PNP is,

... to promote and encourage full and open competition in all Metropolitan Government procurement and purchasing; encourage all Metropolitan Government personnel involved in procurement and contracting activities to utilize appropriate purchasing procedures; to prevent the Metropolitan Government from becoming a passive participant in any unlawful discrimination; to spur economic development in the public and private sectors of the local economy; and, to rectify that participation in such unlawful discrimination.¹

Non-MWBE – Any for profit business owned and controlled by a person or group of individuals who have at least 51% stake in ownership and identify as either Caucasian Males or is Publicly Traded with no majority owner of which to attribute an ethnicity. Not-for-profit and governmental entities are not included as Non-MWBEs.

Nonminority Women – Any for profit business owned and controlled by an individual or group of individuals who have at least 51% stake in ownership and identify as Non-Hispanic Caucasian women.

Overutilization – The measure by which the utilization percentage is higher than the availability percentage and the Disparity Index is above 100. In order to be statistically significantly overutilized, the Disparity Index must be 110 or more.

Parity – The absence of disparity, demonstrated by the utilization percentage being equal to availability percentage and the Disparity Index equaling 100.

Prime Contractor – A business who has entered into direct contractual relationship with Metro Nashville, or other public or private entity to provide a good, service, or perform a scope of services.

Qualitative Analysis – Also known as anecdotal analysis. Referring to a measurement of quality (ex. how good over how much). Typified through collection and analysis of constituents’ anecdotal impressions, such as interviews, public hearings, focus groups, and other forms of commentary.

Quantitative Analysis – Commonly referred to as statistical analysis. Referring to a measurement of quantity over quality (ex. how much over how good). Typified by analysis of mathematical or statistical modeling.

Regression Analysis – Statistical measure used to determine whether the race, ethnicity or gender status of a business owner are an impediment in contracting in the Metro Nashville marketplace and whether but for these, they would have the capacity to provide services on a higher level than is currently utilized.

Relevant Market – A statistical measure, determined by where Metro Nashville has spent at least 75% of its prime awards dollars. All aspects of the availability, utilization, and disparity analysis will encompass only firms located within the relevant market, by work category, to ensure that any resulting program is “narrowly tailored” per Croson standards.

Strict Scrutiny – The highest level of judicial scrutiny used in determining the constitutionality of laws.

Study Period – The period between which all City contract awards are subject to study analysis. For this study it has been defined as July 1, 2012 – June 30, 2017 (FY13-FY17)

¹ Metro Nashville Code of Ordinances § 4.46.010.C – Program Objectives.

Subcontractor – A business who has entered into a direct contractual relationship with a Prime Contractor to either provide a good or service or perform a full scope, or portion of a scope of services.

Threshold Analysis – A measure of all awards (contracts and purchase orders) made by Metro Nashville during in the study period, disaggregated by contract size to determine the level of contracting done by Metro Nashville. Used to determine if a separate availability measure is necessary for Prime and Subcontractors.

Utilization – A review of Metro Nashville’s Awards to determine where and with whom Prime Contractor and Subcontractor were made. The analysis is conducted both with regard to the number of firms and the dollars in each race, ethnicity, gender group during each year of the Study.

Work Categories – The work categories for services which are purchased by Metro Nashville and are utilized by Metro Nashville (for primes) and Metro Nashville primes (for subcontractors). For the purpose of this study, contract data was collected and analyzed in the following business sectors.

- Construction
- Architecture & Engineering (“A&E”)
- Professional Services
- Other Services
- Goods

Underutilization – The measure by which the utilization percentage is less than the availability percentage and the Disparity Index is below 100. In order to be statistically significantly underutilized, the Disparity Index must be 80 or less.

APPENDIX I

2005 Disparity Study
Executive Summary
Griffin & Strong, P.C.

CONCLUSION AND RECOMMENDATIONS

Since commencing this study in October 2003, Griffin and Strong, P.C. has conducted an exhaustive analysis of the condition of minority and women-owned businesses in the Nashville Metropolitan Area. A thorough review has also been conducted of the external legal decisions that impact any effort that the Metropolitan Government of Nashville and Davidson County (Metro) has taken, or may take in the future, to assist minority and women-owned businesses in Nashville. The results of an exhaustive quantitative analysis have also been detailed in the preceding pages, along with information obtained from review of procurement regulations and processes and from a substantial number of interviews conducted with Metro officials, minority and women business owners, and supplier development organizations. As a result of this exhaustive analysis, the conclusions set forth below are hereby offered for consideration.

A. DISPARITY STUDY CONCLUSIONS

1. This study produced significant data that suggest that disparities in purchasing and contracting, as between white male owned firms and minority and women owned firms, continue to exist in each of the agencies analyzed.
2. Consistent with current legal trends, a narrow approach to measuring availability of minority and women owned businesses was utilized in this study. Despite this conservative approach to measuring availability, which almost certainly understates the actual marketplace availability, this study showed underutilization of minority and women owned firms for all of the Metro agencies, in most business categories, for the study period.
3. The study showed statistically significant underutilization for the study period as follows:
 - a. Metro Purchasing
 - 1) Construction Prime Contracting
 - 2) Professional Services Prime Contracting
 - 3) Goods and Services Prime Contracting
 - 4) Professional Services Subconsulting

- b. Metro Nashville Public Schools
 - 1) Construction Prime Contracting
 - 2) Professional Services Prime Contracting
 - 3) Goods and Services Prime Contracting
 - 4) Professional Services Subconsulting
 - 5) Construction Subcontracting
- c. Metropolitan Nashville Airport Authority
 - 1) Professional Services Prime Contracting
 - 2) Construction Subcontracting
- d. Metropolitan Transit Agency
 - 1) Goods and Services Prime Contracting
- e. Nashville Electric Service
 - 1) Construction Prime Contracting
 - 2) Goods and Services Prime Contracting
- f. Metropolitan Development and Housing Authority
 - 1) Construction Prime Contracting

- 4. There are substantial disparities between availability and utilization in most categories with respect to most ethnic groups in most years. There are also very wide swings and occasionally peaks of over-utilization of some ethnic groups in some years, with some of the six Metro agencies, based on the data that we have reviewed. Because of the relatively low level of availability as determined by bidding activity and the relatively small amount of utilization as determined by a review of the actual procurement dollars spent, it can well be concluded that even in those instances in which there is seemingly over-utilization, minority and women-owned businesses received substantially less business than one would expect by viewing the overall census availability of minority and women-owned firms.
- 5. During the purchasing practices and policies review, substantial institutional barriers were observed, which inhibit the ability of minority

and women-owned businesses to compete effectively for business with Metro. The very existence of those barriers could possibly explain the lack of bidding activity on the part of minority and women-owned firms. During the qualitative evidence gathering in anecdotal interviews and surveys, we determined that many minority and women-owned businesses have a negative impression of their ability to do business with Metro.

6. In addition to the primary statistical research, this study contains a regression analysis, which indicates that the underutilization of minority and women owned firms could be correlated to ethnicity and gender.

Based on the totality of the findings of this study, the Griffin and Strong, P.C. research team concludes that this study demonstrates evidence of discriminatory barriers to participation by minority and women-owned firms in the Nashville Metropolitan Area. Therefore, it is recommended that Metro address the documented barriers to minority and women-owned business participation in its procurement and contracting activities.

There appear to be four barriers that inhibit the growth of minority and women-owned businesses; they are as follows:

- Access to Government Contracts
- Access to Capital
- Access to Bonding
- Business Development and Training

B. DISPARITY STUDY RECOMMENDATIONS

It is our recommendation that the current programs to ensure equal business opportunity at the six Metro agencies studied be coordinated through the Metro Division of Minority and Small Business Assistance. Central coordination should be designed to ensure the following:

- That outreach efforts are comprehensive on all solicitations for all agencies
- That there is a uniform coordinated certification process

- That there is an integrated list of certified firms
- That there is a uniform contract administration procedure
- That data are maintained in a uniform manner and reported routinely to the Metro Division of Minority and Small Business Assistance
- That the Metro Division of Minority and Small Business Assistance be provided with adequate staff resources to perform the functions of the recommended nondiscrimination program and coordinate the efforts of the other agencies, since the programmatic success of the collective six agencies requires a strong central administrative staff.

Set forth below is the comprehensive program that is being recommended for Metro as a result of this Disparity Study. This program should be adopted by, or integrated into, all of the agencies along with the measures that are specifically recommended for each agency.

1. Metro Purchasing

- a. It is recommended that Metro adopt a comprehensive nondiscrimination in purchasing and contracting policy. This policy would require firms working with Metro Government to agree not to discriminate against subcontractors, vendors, or suppliers, and to cooperate in the investigation of any complaints.
- b. It is recommended that the aforementioned policy be effectuated by the development of a comprehensive nondiscrimination in purchasing and contracting program to be administered by the Division of Minority and Small Business Assistance. The program should contain, at a minimum, the following elements:

1) Mandatory Covenant of Nondiscrimination

As a mandatory element, each bid, offer, or proposal must describe, in a separate section and in detail, the Offeror's Covenant of

Nondiscrimination, through which the Offeror has managed its commitment to nondiscrimination in the bidding or proposal process and through which it will manage its nondiscrimination covenant in the performance of the contract. Demonstrating compliance with the nondiscrimination covenant in the bidding process will be a precondition to selection.

2) Good Faith Efforts

In its bid or proposal, and subsequently in performing under its resulting contract, an Offeror shall provide evidence of good faith, including a detailed description showing the techniques that it has used and will use to encourage and obtain the maximum practical participation of minority and women owned businesses. Such techniques shall include, but not be limited to segmenting the totality of the work into two or more smaller portions where feasible and can be accomplished in accordance with common and accepted industry practices relating to the utilization of subcontractors; attendance at pre-solicitation, pre-bid and other conferences and forums that allow interested minority and women owned firms to market their goods and services; letters and other direct personal contacts; advertising in publications in general circulation, as well as those directed to specific trades or marketed to small businesses, and those owned by racial minorities and women; reasonable solicitation follow-ups; reasonable assistance with supplies, bonding, insurance, or technical matters; adherence to equal opportunity provisions when replacing or adding subcontractors and suppliers; providing a nondiscriminatory work site; reporting improper conduct; and cooperating with Metro Government in administration and monitoring of compliance with its nondiscrimination policies.

3) Acceptable Methods of Utilization

(a) Joint Venture Participation, which must be real and legitimate, and clearly demonstrate the initial capital investment of each venture partner; proportional allocation of profits and losses; sharing of control over ownership and management; actual participation of each venture partner in the work on the project or contract; and defined methods of accounting, dispute resolution, and other factors deemed pertinent to Metro Government.

(b) Subcontractor Participation, where it can be clearly demonstrated that the minority and women owned subcontractors will perform commercially useful functions in the work of the project or contract.

(c) Supplier Participation, where an Offeror contracts with minority and women owned suppliers who will perform commercially useful functions as to the nature and amount of supplies to be furnished, their management of the work involved in furnishing the supplies, and

who do not act as pass-throughs or resellers for non-minority or large businesses.

(d) Mentor Protégé Agreement, which is acceptable to the extent that an Offeror has a pre-existing, written mentor/protégé agreement that has previously resulted in the Offeror working with a particular minority or woman owned business enterprise, and the Offeror is able to submit evidence of the existence of such agreement, documentation to support the protégé's inclusion on previous contracts, and a covenant for inclusion of the same protégé on work under the current RFP. The work assigned the protégé must be for commercially useful functions.

4) Evidence of Compliance

Without limitation of other evidence of compliance or noncompliance with the commitment to nondiscrimination, disparity between utilization of minority business enterprises and women business enterprises and their availability in the relevant supply market will justify further inquiry by Metro Government. Such disparity will impose on Offeror a burden of further explanation, in both the bid/proposal process and in the performance of the resultant contract.

5) Cures and Remedies for Noncompliance

In connection with the best and final offer phase of the RFP, an Offeror whose mandatory plan of compliance and related responses merit concern, shall be afforded an opportunity to revise its plan to address identified deficiencies, and resubmit the plan before final selection is made. Metro Government may conditionally approve any Program, which is otherwise in substantial compliance by imposing requirements for cure that will then be carried out during contract performance.

6) Monitoring

An Offeror must, when requested by Metro Government, during the evaluation phase of the solicitation and during contract performance, allow interviews with specified officers and employees and provide specified records and other information relevant to the implementation of its Covenant and its compliance with its nondiscrimination covenant.

7) Investigatory Authority

Metro Government shall be authorized to investigate apparent discriminatory practices of an Offeror, successful Offeror or subcontractor, or supplier to either. Such investigation may be initiated by the Division of Minority and Small Business Assistance, on its own initiative, or by complaint from another, when information available to it provides a reasonable basis to believe that an individual

contractor who seeks to contract with Metro may be engaging in private discriminatory conduct. Procedures shall be established for due process, including but not limited to, notice of the investigation, conduct of hearing, and sanctions, penalties, and appeals.

8) Sanctions and Penalties for Noncompliance

The Division of Minority and Small Business Assistance shall have the authority and power to enforce these provisions. Failure by an offeror or bidder to comply with the requirements of these nondiscrimination provisions shall subject the non-complying party to administrative sanctions. In addition, a violation of these provisions shall constitute a material breach of contract, enforceable at law, or in equity, as with all other contract provisions, including the imposition of penalties. Sanctions and penalties may include declaration of non-responsiveness, cancellation of contract, rejection of future bids, limited partial withholding of progress payments, partial withholding of payments commensurate with the portion of the contract not in compliance, total withholding of payments, limited suspension and debarment, or permanent debarment.

9) Appeal Process

Any bidder or offeror or other party aggrieved by the provisions of this Article may appeal said grievance to Metro Government whereby it is the intent of this provision to ensure all parties the basic guarantees of due process and the right to be heard by an impartial trier of fact, and the same are hereby so guaranteed.

10) Assistance to Minority and Women Owned Businesses

The Division of Small and Minority Business Assistance should work in cooperation with designated economic development agencies and the private sector, to develop or identity bonding, financial and technical assistance programs for small, minority, and women owned businesses, and maintain a database containing the full array of incentives that are available.

11) Certification Process

To ensure that the Nondiscrimination Program achieves its purpose, Metro Government must verify the minority or women owned business enterprise certification status of each firm claiming such designation. Only certified minority and women business enterprises and joint venture partners should be designated in reports as MBEs or WBEs, as defined within the Nondiscrimination Program. In addition to the basic information that would be required of all vendors, whether certified or not, the certification process should, at minimum, include an examination of the following for each applicant:

- (a) Type of ownership, such as corporation, limited liability company, partnership, etc.
- (b) For each individual owner, the name, race or ethnicity, gender, years of ownership, and percentage of ownership.
- (c) Information as to the level of control exercised by each owner over the entity's affairs, including but not limited to voting percentages, contributions of capital, real or personal property, expertise, work assignments, day-to-day operations, financial and other management decisions, etc.
- (d) Information as to each owner's background, experience, length of time with the company, responsibilities, etc.
- (e) Copies of agreements or other documentation concerning stock options, restrictions on ownership or control of the minority or female owners, changes in ownership prior to certification, relationships between other individuals or firms that hold an ownership interest in the company, including financing or loans, sharing of space, employees or other resources, etc.
- (f) Documentation of income or gross receipts for at least two years preceding the application, personal financial statements, credit and bonding references, job references, trade references, and proof of other certifications.
- (g) The certification application should be signed or acknowledged in the presence of a notary public, and include appropriate warnings against falsification of data, misrepresentations, or other fraudulent statements.
- (h) The application should contain language that clearly reserves Metro Government's right to request additional information in support of the claims made on the application, to conduct site visits, and to request third party confirmation of the information provided.
- (h) The management and staff involved in the certification process should be trained extensively on the procedures involved in certification, and on how to detect indicators that ownership and/or control by the minority or female owners may be subject to challenge.

Recommendations, cont'd

c. It is recommended that Metro Government take steps to ensure that all changes to procurement processes be consistently brought before the Procurement Standards Board, to the extent required by the Procurement Code.

d. It is recommended that Metro Government modify its prompt payment procedures to ensure conformity to guidelines by all employees and using departments, and to create a corresponding procedure to ensure timely payments by prime contractors to subcontractors.

e. It is recommended that Metro Government maintain an accurate and reliable small business database, which should be maintained by the Division of Minority and Small Business Assistance.

f. It is recommended that procedures be put in place to ensure that the Division of Minority and Small Business Assistance shall be provided with no less than two days' advance notice of upcoming solicitations in order to prepare a qualified list of small, minority and women businesses to be attached to outgoing solicitations, and that the Division of Purchases provide the Division of Minority and Small Business Assistance no less than five days' advance notice of upcoming pre-bid meetings and pre-proposal conferences.

g. It is recommended that adherence to the nondiscrimination policy be established as a required evaluation factor in Requests for Proposals.

h. It is recommended that Requests for Proposals and Invitations to Bid include a standard provision requiring that contractors adhere to their committed levels of small and minority business participation when their contract amounts are increased due to change orders or other changes.

i. It is recommended that the current tier contracting system be modified to establish specific criteria for inclusion in the program at various levels, to establish an annual schedule for the letting of contracts, and to include provisions for small business utilization across contract terms whenever possible.

2. Metropolitan Nashville Airport Authority

The Metropolitan Nashville Airport Authority has an effective Disadvantaged Business Enterprise Program that appears to be staffed adequately. It is recommended that MNAA adopt

the nondiscrimination program developed by Metro and coordinate with Metro on its local program.

3. Metropolitan Nashville Public Schools

We recommend that the Metropolitan Nashville Public Schools adopt the nondiscrimination program which has been recommended for Metro. Coordination with Metro should bolster the MNPS program in key areas where underutilization was noted in this report.

4. Metropolitan Development and Housing Authority

As with MNAA, the Metropolitan Development and Housing Authority has a federal DBE program requirement which appears to be effective. For all other purchasing and contracting requirements, it is recommended that MDHA adopt the nondiscrimination program that has been recommended for Metro.

5. Nashville Electric Service

The current Nashville Electric Service program is aggressively administered, but the low staffing level and programmatic support are troublesome. It is, therefore, recommended that NES adopt the program which has been recommended for Metro and develop it in close coordination with the Metro Division of Minority and Small Business Assistance.

6. Metropolitan Transit Authority

MTA has responsibility for a federal DBE program and a local program. Staffing appears to be inadequate for the work that is required to be done, particularly with the addition of purchasing responsibilities to outreach and compliance activities. It is recommended that MTA adopt the nondiscrimination program which has been recommended for Metro. It is also recommended that MTA conduct an assessment of staff resources and consider bolstering those resources. For MTA, greater coordination with Metro is a necessity, but even with that coordination, there will likely be a need for MTA to increase staff.

The information provided in this study suggests that sufficient barriers to the utilization of minority and women business enterprises remain in the Metro Nashville marketplace, and in the procurement processes of the six organizations which were part of this study, to warrant the remedial measures suggested above. Nevertheless, despite the need for remedial measures, Metro Nashville has a number of favorable attributes, including dedicated government officials and strong advocacy groups, which suggest that the future for minority and women owned businesses will be one of equal access to purchasing and contracting opportunities.

APPENDIX J

Metro Nashville Minority Enterprise Growth and Needs Study



METRO NASHVILLE
MINORITY ENTERPRISE
GROWTH AND NEEDS
STUDY

June 13, 2018

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I. INTRODUCTION

Metro Government of Nashville & Davidson County, TN (“Metro Nashville”) engaged Griffin & Strong, P.C. (“GSPC”) to conduct a growth and needs assessment of minority owned businesses in Davidson County (“MBE”) as part of its Public Investment Plan. As part of the Study, GSPC undertook to determine the following information about MBEs:

- Demographic
- Geographic
- Barriers to Growth

The outcome of the Study is to assist Metro Nashville in determining:

- What practical steps can Metro Nashville take, both within and without its own procurement process, to eliminate the identified barriers; and
- Are the current services that Metro Nashville provides to MBEs achieving their goals, or is there a more accessible or efficient way to operate these programs?¹

II. IDENTIFYING MBES

The first step of the Study was to identify the MBEs in Davidson County. GSPC first gathered all of the certified MBE and DBE lists from governmental entities in the Davidson County market place. This included:

- A. Metro Nashville’s internal data
 - 1. Purchase Orders
 - 2. Contracts
 - 3. Suppliers
 - 4. Subcontractors
 - 5. Bidders

- B. Other Certified Lists
 - 1. GoDBE (State of Tennessee)
 - 2. Nashville Airport
 - 3. Tennessee Unified Certification

In addition, GSPC wanted to be able to identify MBE firms that were not certified and that Metro Nashville may not be aware of, so it also included MBE firms from the following sources:

- A. Hoover (Dun & Bradstreet)
- B. SAM.com (Federal registry, but not certified)
- C. GSPC Survey and Canvassing (see V. below)

¹ GSPC’s recommendations are primarily based upon interactions with MBE firms. The Metro Nashville Disparity Study will answer these questions from the vantage point of an in-depth policy and procurement statistical review.

III. MINORITY OWNED FIRMS IN DAVIDSON COUNTY, TN

From all of the above-referenced sources, GSPC analyzed the number of MBE firms in Davidson County and the type of work they do. In the table below GSPC was able to identify 1787 unique MBE firms in Davison County that do work in the five (5) major work categories and 30 industry classes listed. GSPC also totaled the number of firms in each ethnic group. 916 were African American, 95 were Hispanic American, 69 were Asian American, 44 were Native American, and 661 were unidentified MBEs (we were not able to determine the ethnicity, but know they are minority owned firms).

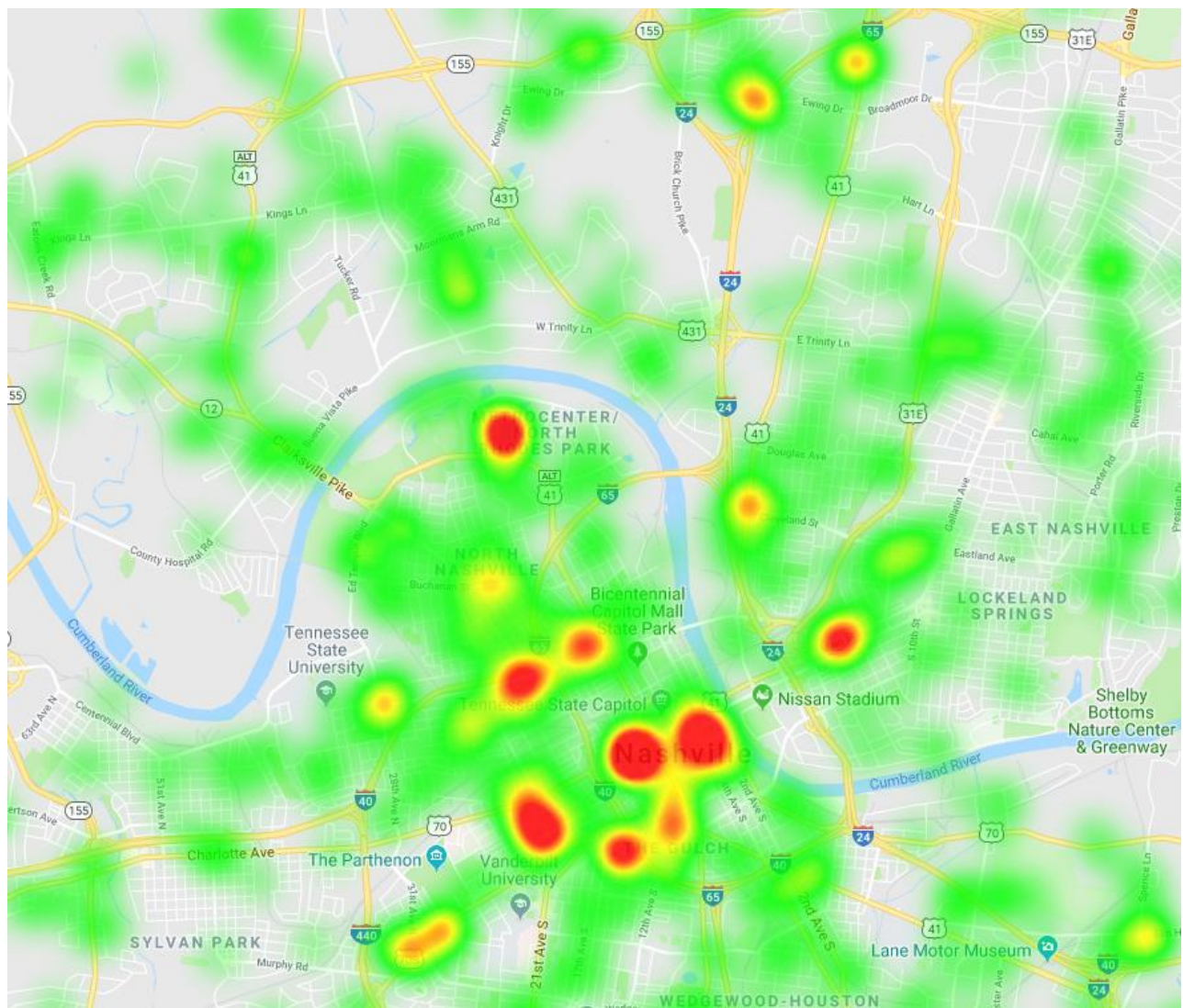
Industry Class	African American	Asian American	Hispanic American	Native American	Bi/Multi Racial	Unidentified MBE	Total MBE	# Uncertified	# Home-based
CONSTRUCTION									
Bridges, Roadway, Airport Construction	2	0	2	0	2	0	6	2	2
Building Construction	26	2	2	2	1	47	80	53	15
Sewer, Waste, Utilities Construction	2	1	0	0	0	0	3	1	0
Other Construction	132	12	21	10	0	9	184	15	3
CONSTRUCTION RELATED PROFESSIONAL SERVICES									
Architecture & Engineering	44	9	2	4	0	7	66	11	3
Construction Management	3	0	0	0	0	0	3	0	0
Surveying	1	1	0	0	0	0	2	0	0
Other	2	2	1	0	0	1	6	1	1
OTHER PROFESSIONAL SERVICES									
Finance/Insurance/Real Estate	51	1	1	2	0	43	98	15	2
Professional Services (Legal, Medical/Health Services, Consulting)	108	5	4	5	0	92	214	123	10
OTHER SERVICES									
Agriculture/Livestock/Forestry Services/Mining Services	8	2	1	0	0	1	12	1	0
Building Repair and Maintenance Services	2	0	0	0	0	2	4	4	2
Computer/IT Service	36	5	10	4	0	23	78	22	7
Educational Services	129	8	6	1	0	7	151	9	3
Entertainment/Hospitality Services	9	1	4	0	0	50	64	59	5
Environmental Services	2	0	1	0	0	0	3	1	0
Janitorial Services	25	1	2	1	1	36	66	38	13
Landscaping	15	0	0	0	0	0	21	15	6
Transportation Services	15	2	2	3	0	15	37	15	2
Weapons & Security Services	7	1	1	2	0	3	14	5	0
Other	423	19	42	15	0	173	672	180	35
GOODS									
Chemicals & Cleaning Goods	12	2	2	1	0	1	18	1	0
Consumable Goods	11	1	0	1	0	21	34	20	0
Drug Goods	2	0	0	0	0	3	5	3	1
Medical Equipment Goods	6	2	0	0	0	4	12	7	0
Office Equipment & Supply Goods	4	1	0	1	0	5	0	5	1
Software Goods	6	0	0	0	0	3	9	4	2
Water & Waste Treatment Goods	9	1	0	0	0	0	10	0	0
Other Goods	119	18	17	13	0	99	266	101	11
TOTALS	916	69	95	44	2	661	1787	744	131*

Griffin & Strong, P.C. 2018

IV. LOCATION OF MINORITY OWNED FIRMS IN DAVIDSON COUNTY, TN

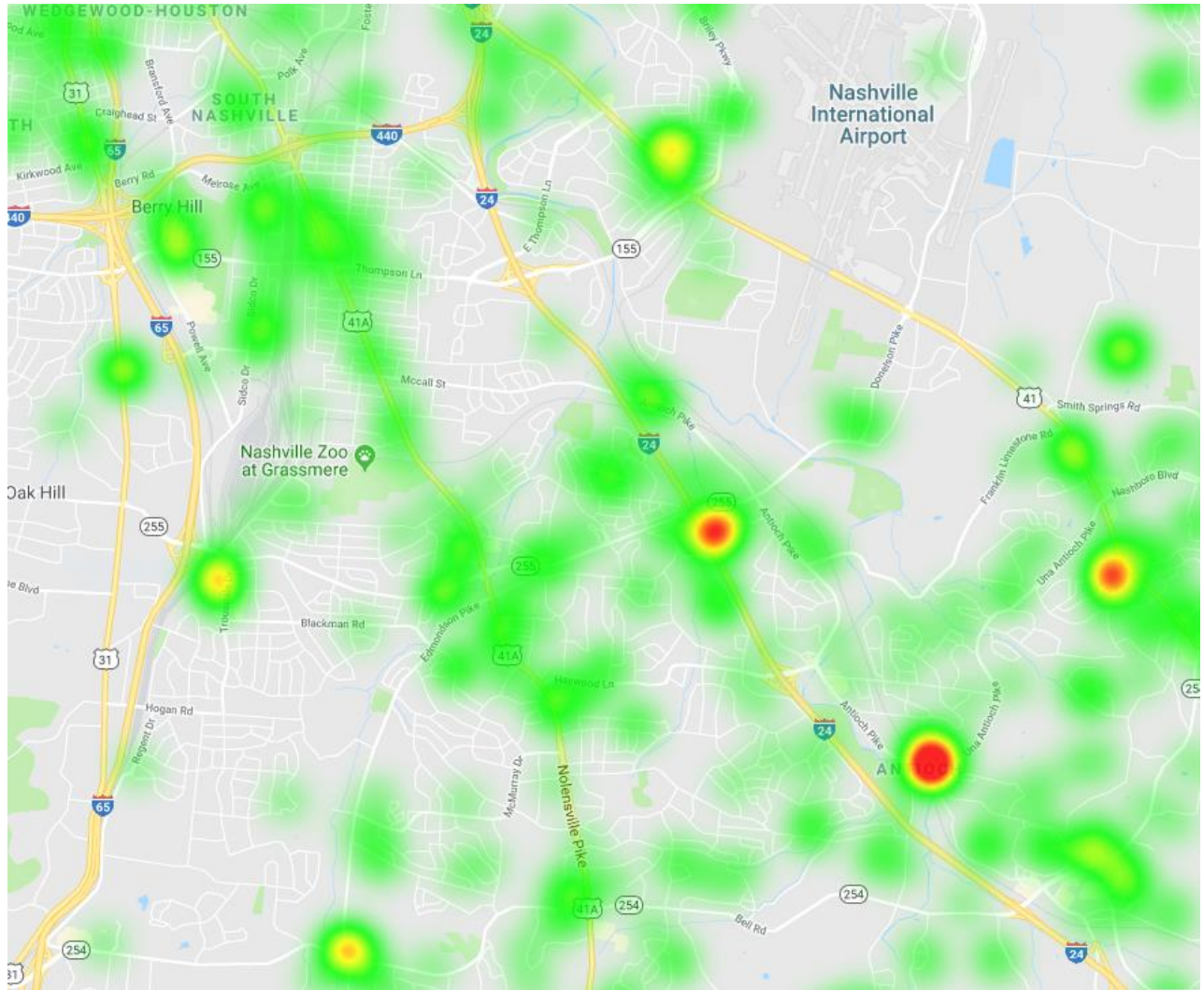
GSPC took the entire MVF and mapped it to determine where the largest concentrations of MBE firms are located in Davidson County. Figures 1 and 2 below are “hotspot” maps. Red indicates a high concentration of firms, yellow indicates a medium concentration of firms, and green indicates a more spread out location of MBE firms. In both the hotspot model and the cluster model maps below, the largest concentration of MBE firms in Davidson County is downtown Nashville, followed by North Nashville. The next highest concentration is in Antioch and then South Nashville.

Figure 1: MBE Hotspots – North of Wedgewood-Houston



Griffin & Strong, P.C. 2018 from Batchgeo

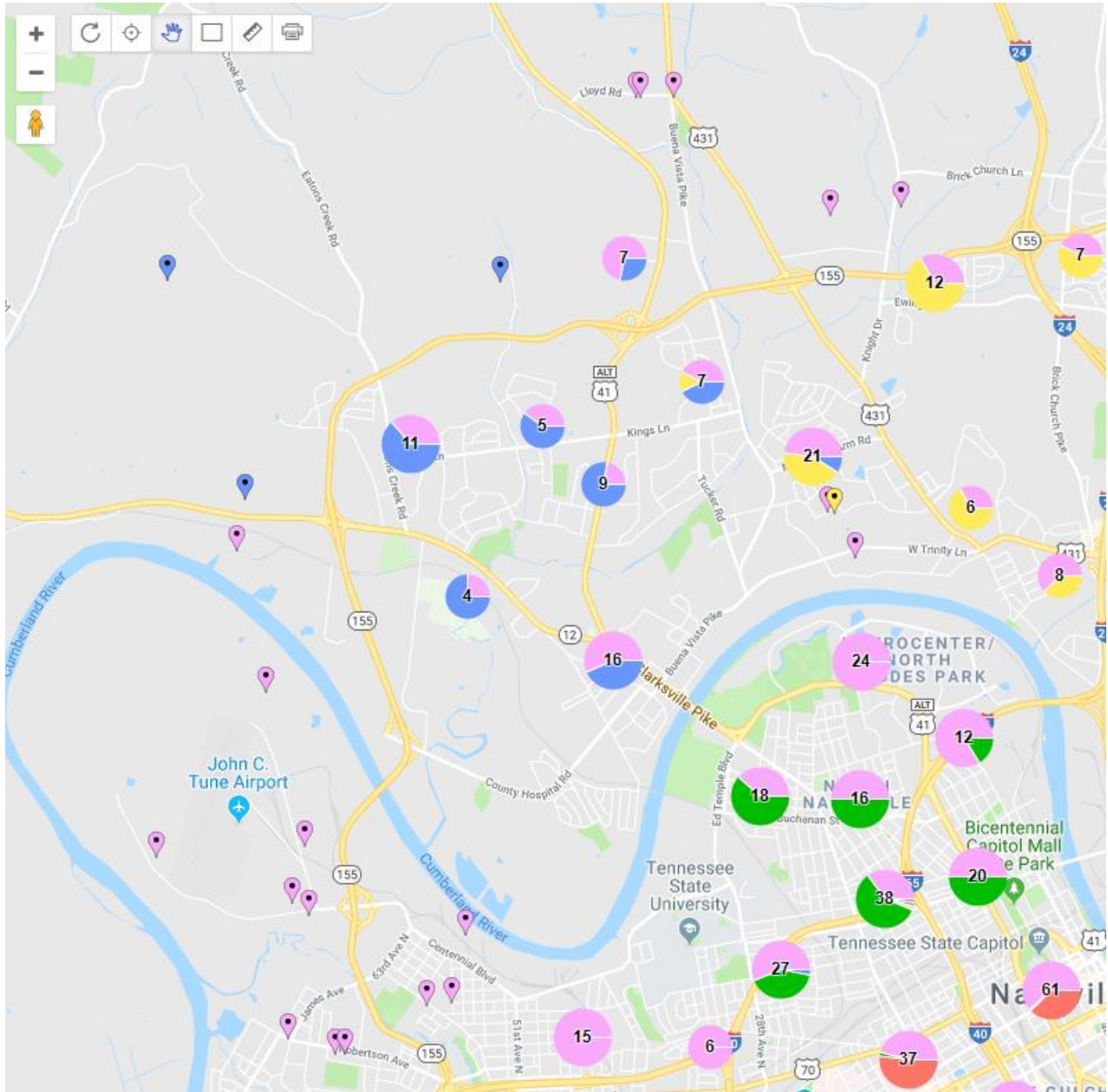
Figure 2: MBE Hotspots – South of Wedgewood Houston



Griffin & Strong, P.C. 2018 from Batchgeo

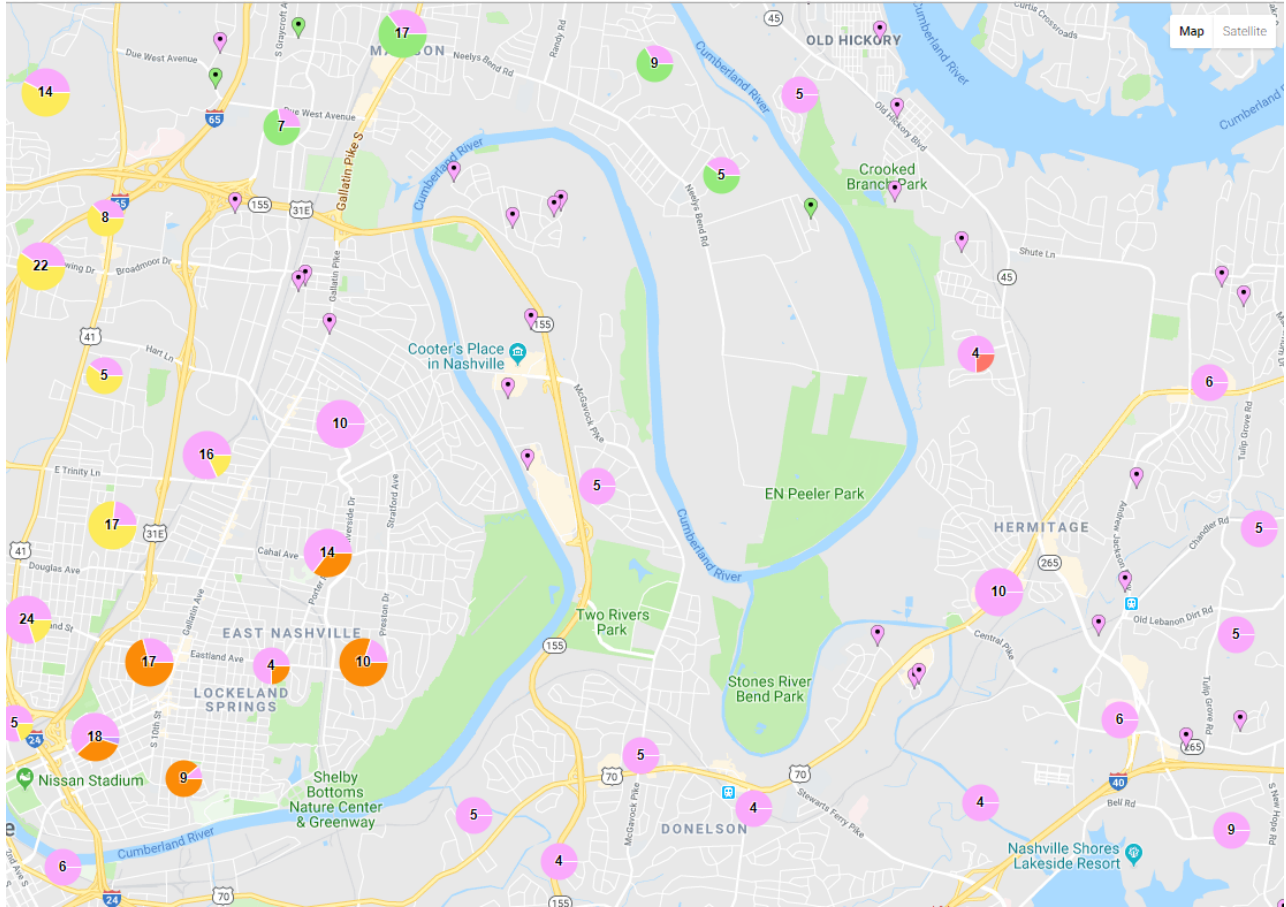
The figures below present a “cluster” view of the MBEs in Davidson County in quadrants: NE, NW, SE, and SW.

Figure 3: MBE Clusters – NW



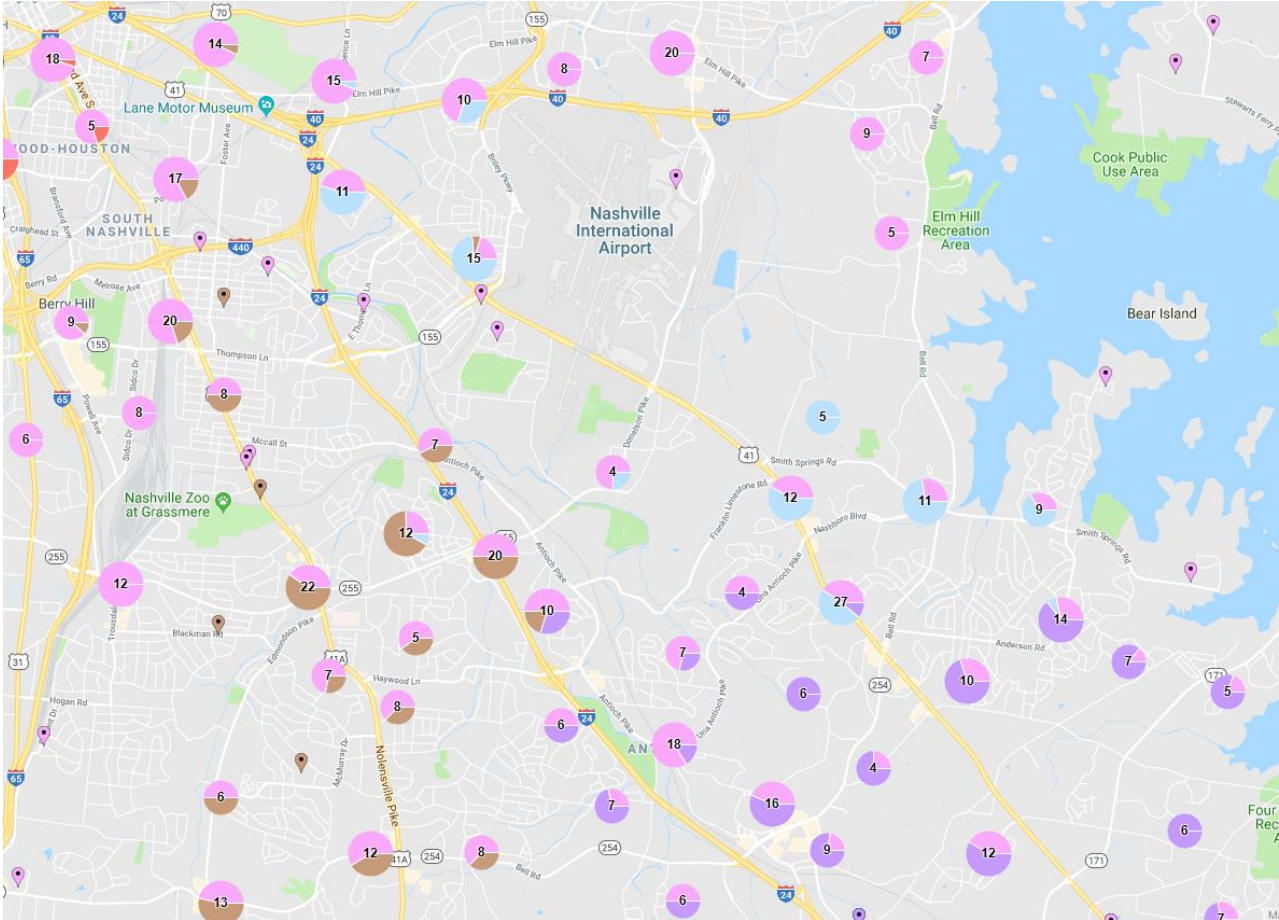
Griffin & Strong, P.C. 2018 from Batchgeo

Figure 4: MBE Clusters – NE



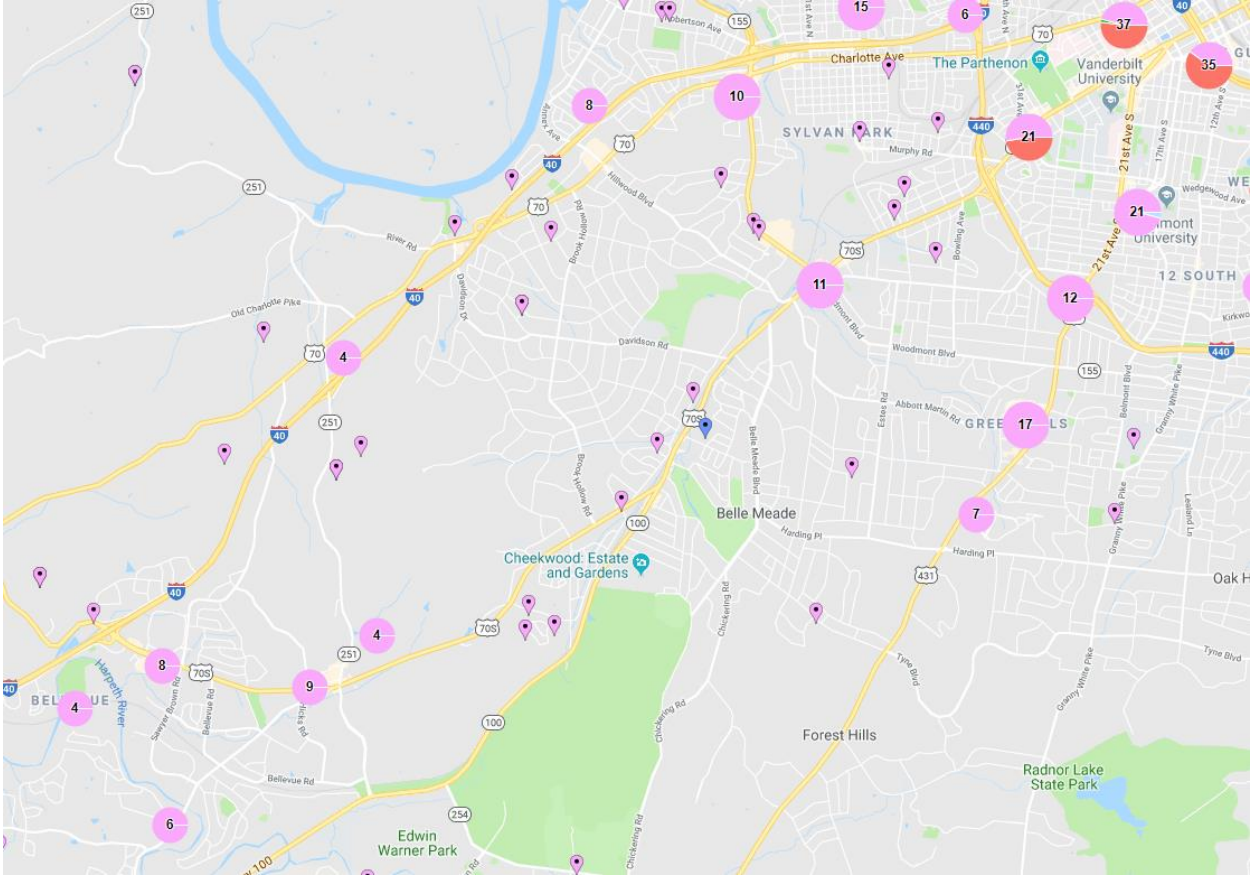
Griffin & Strong, P.C. 2018 from Batchgeo

Figure 5: MBE Clusters – SE



Griffin & Strong, P.C. 2018 from Batchgeo

Figure 6: MBE Clusters – SW



Griffin & Strong, P.C. 2018 from Batchgeo

V. SURVEY OUTCOMES FOR MINORITY GROWTH AND NEEDS

A. Methodology

Griffin & Strong, P.C. conducted a Survey of business owners (“Survey”) as part of the Study in order to gather information from Davidson County MBEs. The Survey was purposely designed with questions related to both the Minority Enterprise Growth and Needs Study and the Metro Nashville Disparity Study which is being conducted concurrently. Many of the questions asked for the Minority Enterprise Growth and Needs Study are also instructive for the Disparity Study so, there is overlap in both the content of the Survey and the prospective respondents. The Survey was designed to capture demographic, statistical and anecdotal information regarding Metro Nashville businesses, their individual and collective operating capacity, and past experiences working with the local government. It is intended that the results of the Survey will be used to help Davidson County MBEs and their barriers to growth.

1. Survey Design

The Survey was comprised of 54 questions (each respondent was not to answer all questions but be directed to questions based upon previous responses) and took about 15-20 minutes to complete. The Survey asked firms to identify themselves and the type of work they do, as well as information about their ownership, financial information, background, aspirations, and needs to grow. The Survey explores that experience the firms have had in both public and private contracting and their experiences related to Metro Nashville government specifically and generally in the Metro Nashville marketplace. A copy of the Survey questions is attached as Appendix A.

2. Survey Promotion

- a) The Survey was initially launched online, September 22, 2017 by GSPC’s Survey partner, Creative Research Solutions, a small minority-owned business. It was sent by email to over 7,000 firms (not just MBEs) from Metro Nashville’s supplier list¹. Every week for 4 weeks, the firms were reminded by email blast to fill out the Survey.
- b) On October 24, 2017, GSPC began focused effort to get responses from Davidson County MBEs which included not only email reminders, but also a door-to-door canvassing effort in order to encourage MBEs to participate in the online Survey. Canvassers spoke with firm representatives and handed out flyers with information about the Survey and where to go online to fill it out. The flyer was made available in both English and Spanish, as was the Survey.

Canvassing teams first visited businesses from its existing list of minority owned firms that came from the following directories²:

¹Since the Survey results will be used for both the Minority Enterprise Growth and Needs Study and the Disparity Study, all firms (minority, women, and non-minority firms) were contacted to fill out the Survey

²We canvassed these firms because only about 20% of the firms that had emails and were sent email invitations for the Survey actually opened the email.

Metro Nashville Data Files

- Purchase Orders (FY2013-2017)
- Suppliers
- Subcontractor Reports
- Subcontractor Payments
- Contracts
- Payments

Third Party Data Files:

- Hoover (Dun & Bradstreet)
- Nashville Airport
- SAM.gov (federal suppliers list)
- GoDBE
- Tennessee Unified Certification
- TDOT Prequalified

There were approximately 1752 minority owned firms on the list from the above-referenced sources. GSPC mapped all of the minority owned firms on the lists. Canvassers visited 742 firms that were in the top 10 zip codes in Davidson County with the largest concentration of minority firms. Those zip codes were:

- 37203
- 37207
- 37208
- 37210
- 37211
- 37212
- 37013
- 37214
- 37217
- 37208

Canvassers also visited firms that were not on the list, but that were situated in areas that GSPC identified as having a large number of minority owned firms, specifically, Harding Place and Donelson Pike. Canvassers visited 143 firms that were not already on GSPC's lists. GSPC will provide Metro Nashville with a list of these firms.

During all of the canvassing efforts, the canvassers collected as many business cards as possible from firms that were likely owned by minorities and the information from those cards was entered into databases. Canvassers collected 415 business cards, 222 of which were from businesses not already on GSPC's lists. GSPC will provide Metro Nashville with a list of these firms.

Teams were required to maintain a canvassing log to indicate information about the firms they attempted to contact. This information included the following:

- Name of Firm
- Corrected Name of Firm
- Who Did You Speak To?
- Home Based Business? (x)
- No Business at this Address (x)
- Not on List (x)
- Approximate Time of Visit

Of the 747 firms that were canvassed from GSPC's preexisting zip code lists, 285 were home based businesses, or 38.15%.

Of the 747 firms that were canvassed 117 were wrong addresses 63 of the wrong addresses came from Metro Nashville's files.

B. Minority Enterprise Growth and Needs Study Survey Impressions

1. Demographic Statistics

The Survey Our respondents represented a wide range of industries, with the three largest sectors represented being Professional Services (defined as Legal, Medical, Consulting) at 28.7% of all respondents, 9.2% in Other Services/Hospitality, and 8% in Construction related professional services. Several other sectors were represented in smaller quantities by Survey respondents.

As previously noted, while we anticipated discovering many small businesses, we could not foresee the large portion of home based businesses we would encounter. Through analysis of the Survey data, we begin to see the picture of the Davidson County minority business come into focus, with the Survey data illustrating that nearly 90% of all Survey respondents were either sole proprietors, privately held corporations or limited liability corporations, and 75% of all businesses who responded to the Survey (74.5%) reported having either no employees, or between 1-10 employees or independent contractors on payroll (including part time staff). Digging deeper in the Survey responses, an interesting juxtaposition arose. While traditionally we think of home based businesses being small startups, 27.9% of respondents identified their business as being home passed with over three quarters of respondents (77.9 %) reported their business as being either "Operational", "High Growth", or "Plateauing" with only 14% reporting being in Start Up phase.

Conversely, 77.9% of all businesses who respondents believed their business was not operating at full capacity, which is consistent with reported gross revenues. Nearly half, of all businesses who responded to the Minority Enterprise Growth and Needs Survey (44.2%) had gross revenues under \$100,000 in calendar year 2016 and 66% (65.9%) who reported their largest single project award of the past five years being under \$100,000. Confounding this data is that 47.7% of these same business owners have over twenty years of experience in the field, with 89.6% of all business owners having more than 6 years of experience within the field and more than three quarters having either a College degree or Post-Graduate Degree. Therefore, we can reasonably conclude that a lack of experience, whether on the job or by education, are not the primary barriers to growth.

2. Descriptive Statistics and Survey Analysis

While experience may not be the primary barrier to minority business growth, we often see that a lack of experience in business operations or lack of knowledge of resources designed to assist small business owners contributes to slow business growth. Additionally, many start-up or home-based businesses may be operating without license for official incorporation through the state, making the unknown to any jurisdiction who may be seeking to do business. This lack of knowledge can both impact vendors and governments, with limited awareness of opportunities that exist, firms to do outreach with, or identify a void in supportive services and outreach coordination designed to expose businesses to resources to help scale them for growth. The first sign of this is usually surveying the businesses understanding of the vendor registration process and in doing business with government. This does not appear to be an issue in Nashville, where the vendors appear to be both aware of the registration process and public contracting opportunity with 78% of respondents both registered with the Tennessee Secretary of State and registered to do business with the Metro Nashville Government. Interestingly, respondents expressed a hesitation to register as a vendor with other state of Tennessee public entities, with 44.4% responding that they either did not know how to register, did not know there was a registry, did not see benefit in registration or simply did not want to register. Of individual minority groups, African Americans and Hispanic Americans both reported high levels of registration with other public entities, at 47% and 44%, respectively.

In attempting to understand the gaps in vendor registration, we must then inquire of the reasons behind why vendors are not registered, with many of the responses reflecting a lack of connection from the jurisdiction to the vendor community. Overwhelmingly, 69.2% of African Americans and 62.5% of all vendors who were not registered stated that they did not know the registry existed. With 25% of all respondents saying they did not see benefit to registration and 18.8% stating they did not see opportunity in their field of work. Of all who were not registered, none did not register because of a lack of desire to do business with government. Furthermore, survey respondents affirmed their underrepresentation in the contracting space was not solely because of failed bid attempts, but because of lack of bid participation. More than half of all Survey respondents reporting having not bid for either a Metro Nashville public contract, a private sector contract, or non-Metro public sector contract in between the study period (July 1, 2012 – June 30, 2017). Of those who chose to bid, they seldom did so, with the majority bidding between 1-10 times on public contracts (27.8% with Metro, 20.3% non-Metro public contracts). In the private sector, minority firms bid with a bit more regularity, with 25.3% bidding between 1-10 times or 11-25 times and 20.3% bidding 26 times or more in the same stretch (versus 5.1% for Metro contracts and 8.9% for non-Metro contracts).

Mirroring the same context, while the firms who bid on contracts was small, those who secured opportunities was even smaller, with 77.2% of all Survey respondents during the same time period having never secured a bid as a prime contractor with the Metro Nashville government, 12.7% secured between one and ten contract awards. Interestingly, we see improvements within the private sector, with 22.8% of minority vendors having served as a prime contractor in the same time period and 39.2% of all respondents securing at least 1 contract award in the private sector (versus 17.8% for Metro Nashville contracts). For other public sector entities, 25.3% of respondents securing at least one prime contract award.

While goals-based contracting programs are often designed by public sector entities to help businesses owned by people of color secure more public contracting opportunities, these same programs are not mandated in the public sector. However, the Survey results show some consistency between higher levels of self-reported private sector participation compared to the public sector. In all three sectors (Public – Metro, Private, and Public – Non-Metro) we saw both higher rates of vendors choosing to not bid as a subcontractor, and bidding infrequently, which, according to reported revenues, might be more attainable work which would help vendors scale in size and experience. Astoundingly, despite the presence of the Metro Nashville Procurement Non-Discrimination Program for diverse subcontracting, 74% of minority vendors in the study period were not selected to perform as a subcontractor, with 20.8% performing between one and ten times as a subcontractor and none being selected more than

10 times over the same study period. For other public sector contracts, 27% performed between 1-10 times with 5.2% between 11 times to more than 100 times. In the private sector, nearly 25% of bidders were selected as a subcontractor between 1 – 10 times with 10.4% performing more than 11 times and as many as more than 100 times over the same period, showing the private sector to be outpacing the government sector despite not having minority contracting programs and nondiscrimination mandates.

Determining the inferential basis for the discrepancy in bid participation, award in the public and private sectors and its relation to discriminatory behavior will be further discussed in the 2018 disparity study. However, from the purely descriptive statistical perspective, respondents were able to self-report barriers they have encountered to participation in Metro bids and awards. Of the most prevalent issues, 42% of respondents report that having to unfairly compete with larger businesses precludes them from the Metro Nashville bid process. Additionally, 30% of respondents are discouraged from the contracting process by excessive and burdensome paperwork. Many of the issues of participation reported with higher regularity are related to project and program administration and implementation, with Limited knowledge of the contracting process (22.9%); Bias in the Selection Process (24%); Large Contract Sizes (21.1%); and Prequalification Requirements (22%) also reported as universal issues.

Within ethnic groups, we noted that Hispanic American business owners who responded to the Survey, reported at a higher frequency having barriers with insurance requirements and bid specifications, having limited time given to prepare bids and significantly higher percentages of having limited knowledge of the contracting process and difficulty with financing (44.4%). African American businesses reported selection process bias at a higher frequency than every other ethnic group, while Asian American businesses only affirmatively responded to barriers being created by unfairly competing with larger businesses and excessive bid paperwork. Interestingly, African American business owners and business owners who identified as Bi- or Multi- racial, were the only groups who felt that the presence of informal networks of vendors who do business with Metro prevented them from obtaining work on Metro contracts. However, 78.3% of all participants believe such a network exists. Notably, businesses did very little self-reporting regarding inexperience or resource shortages being the reason they believed they were not obtaining a higher portion of contracts.

While becoming aware of these barriers, whether actual or perceived, there is opportunity for Metro to fill these gaps. Many times, it becomes more difficult for governments to provide supportive services and outreach necessary to ensure that vendors are aware of their resource options because these firms are not certified or registered to do business with the entity. Of firms who responded to the Survey, more than a quarter (26.2%) of African American businesses and 32.9% of all minority businesses report not being certified as either a Minority, Woman, Small or Disadvantaged Business Enterprise. When probed about the discrepancy is certification, 50% of all who indicated they were not certified pointed to a lack of understanding of the certification process and 29.2% stated that the certification process is too time consuming. Twenty-five (25) percent of non-certified businesses also stated that they do not understand the benefit to the certification process. Of note, this is different than vendors who report feeling that the certification process with “negatively impact” their company, a response option which no ethnic group considered.

A robust certification process is essential to effective contract compliance by helping to ensure that the businesses who report being owned and operated by ethnic minorities are accurately recognized. By eliminating business “fronts” and “pass-throughs”, where non-minority businesses fraudulently report and take advantage of the minority business designation through mischaracterizing their own race/ethnic status or entering into agreements with minority businesses who allow for Non-minority businesses to capitalize off their minority status, Metro is then more adequately equipped to confidently track and report their minority spending. However, Davidson County firms, specifically African American’s, have very little confidence in the local certification process, with just under 32% of African American

businesses and just over 25% of business owners who responded reporting that the certification process is not effective in limiting front and pass-through firms.

As previously discussed, supportive services are helpful in guiding minority firms to resources designed to help with their growth. While very few businesses in the Survey pool reported having either financial difficulties or resource shortages (which seemingly conflicts with other demographic data showing that we are dealing with a large number of non-startup, home based, small businesses), this data continues to be corroborated by the Survey data. Astonishingly, nearly 90% of all respondents (89.3%) have never applied for a business startup loan and 73.3% have never applied for an Operating Capital loan. With a large portion of the Survey pool being in the professional services field, it makes sense that we see much higher rates of minority business participation in the Commercial/Professional liability insurance space, where over 60% of all participants having applied and been approved at some point for insurance coverage. As previously mentioned, businesses who have not applied for a loan primarily state that they have sufficient working capital which prevents the need for loans (76.9%). Conversely, 37.5% of Hispanic American firms and 15% of African American firms report that they do not know how to apply for business loans. Also problematic is where 17.3% of minority business owners, including 15% of African Americans and 25% of Hispanic Americans, have not applied for a loan because of their credit history. Insufficient credit history was also the reasoning behind 50% of denials for African American business start-up loans and 50% of Operating capital loan denials in Davidson County. For equipment loans, 7.5% of minority businesses who experienced a loan denial was due to credit history, while 28.6% of denials for African Americans in this category was attributed to Insufficient Business History.

While we previously noted a unique breakdown in higher levels of private sector contracting versus public sector contracting, the respondents do not attribute this to a lack of discrimination in the private sector, where 32% of all ethnic groups and 36.7% of African Americans affirmatively report experiencing discriminatory behavior. In the public sector, 20.4% of respondents report experiencing discriminatory behavior, with 10.9% reporting encountering it either “Often” or “Very Often.” Despite this reporting, the presence, or inference, of discrimination by either Metro Nashville or its private sector, will be determined with additional statistical analysis forthcoming in the disparity study.

3. Needs Assessment for Supportive Services

One of the unique perspectives of Minority Enterprise Growth and Needs is being able to report on the Needs of the minority business community for supportive services. GSPC inquired to a series of topic areas and asked for the respondent to select two subtopics topics from each of the series of following topics where they sought additional input and guidance:

- o Financial Assistance
- o Marketing
- o Computer Systems
- o Business Management and Operations
- o International Trade
- o Personnel Management
- o Regulatory Compliance

For this section, we will touch on each topic and discuss the most desired services selected from the sections subtopics. Percentages reported are of the total response population unless otherwise noted.

a) Financial Assistance

While most of the businesses are past start up stage and well into operations, more than three quarters of businesses who responded did not believe their business was operating at peak efficiency. Scaling and growing businesses takes significant expansion of resources, including working capital. With a large percentage of firms having never applied for business assistance financing, and others having difficulty accessing financing due to credit history or knowledge of the system and resources, it makes sense that financial assistance be an area for emphasis for Metro. Of note, Identifying Sources of Operating Capital was of interest to 27.8% of respondents, including 31.6% of African Americans along with 36.1% of vendors and 42.1% of African American who desired more courses regarding Access to Capital. Naturally, business taxes can be a treacherous topic for vendors looking to grow, and nearly 21% of respondents were interested in learning about business taxes. Other topics of note include:

Insurances and Bonding – 15.3% (of all respondents)

Writing a Business Plan – 13.9% Bookkeeping/Financial

Assistance – 11.1%

Cash Flow Management – 13.9%

b) Marketing

While most small businesses lack the resources to invest in influential, but costly, mass marketing campaigns, it is becoming even more important for small business to know how to market their services effectively. With the emergence of social media and internet accessibility, more and more small business owners are learning how to brand and market themselves to broader audiences. In the meantime, many small and minority businesses live on word of mouth referrals. Most telling regarding Metro Nashville outreach efforts to minority vendors and of most interest to Davidson County minority businesses is “Selling to the Government” which had 47.2% of respondents seeking additional training on how to do business in the public sphere. Nearly 28% of respondents sought additional training on marketing strategies and 22.2% of respondents, including 66% of Asian American businesses were interested in Web marketing strategies. Also pertinent were the following

Networking – 18.1%

Market Research – 12.5%

Advertising – 13.9%

Marketing Overview – 12.5%

c) Computer Systems

In a word which is becoming increasingly digital, diverse businesses must be technologically savvy to help streamline efficiency, manage back office and financial systems, locate opportunities as well as for networking and marketing. With websites becoming more streamlined via smartphones, etc. having skills to navigate the tech space will help to make them more agile and efficient as they grow. Additionally, with Davidson County minority businesses having a smaller workforce (with many having no employees outside of themselves) utilizing technology is critical with helping to keep up with the workload. Of topics of most interest to Minority Enterprise Growth and Needs participants, are Website Development (36.1% of all respondents, 35% of African Americans and 44.4% of Hispanic American business owners who responded); Accounting software (22.2%) and E-Commerce (22.2%). Other topics of note include:

Administrative Tools – 15.3%

Computerizing Your Business – 12.5%

Databases – 12.5%

d) Business Management and Operations

To the small business owner, a certain acumen is necessary to being successful running a business. For many small and diverse businesses, experience, education and skill are not the root causes their businesses are not scalable, but faulty business operations often cripple growth potential. Minority firms are specifically looking for assistance with Strategic Planning (20.8%); Business Expansion (20.8%); Retirement Planning (16.75) and Business Evaluation (13.9%). Also included are:

Pricing – 12.5%

Succession Planning – 11.1%

e) International Trade

Not surprisingly, given the demographic makeup of the respondents, and the fact that most of them are small to very small businesses, there was very little representation was given to International trade. Outside of an “Overview on International trade” at 22.2%, Exporting at around 15 percent, or “Locating Overseas Buyers and Agents” at 13.9%, no other response option other than “Not Applicable” (47.2%) garnered more than 10% of responses, with several failing to gather 5%.

f) Personnel Management

Conversely, with many small businesses possibly looking to expand, personnel management was sure to be an area of focus, which it was. With response options including Salary and Benefits, Customer Service and Motivating Employees, a broad range of response options were reflected.

Overview of Personnel Management – 25%

Hiring/Firing – 16.7%

Motivating Employees – 19.4%

Customer Service – 18.1%

Salary/Benefits – 19.4%

4. Regulatory/Compliance

An area of focus for the Metro BAO and procurement office should be a concerted look at ways to improve outreach and communication to the vendor community. Through anecdotal outreach related to the Disparity Study, and the Minority Enterprise Growth and Needs study, we have heard significant feedback regarding the lack of communication, outreach and training to the vendor community to make them aware of their resources, and nowhere is that more apparent than in taking a look at responses to Regulatory and Compliance functions. Over forty percent (43.1%) of respondents, including 55% of Asian American businesses and 42% of African American businesses, desire to learn more about Small Business Legislation. Nearly a quarter (22.2%) of all surveyed firms desire to learn more about compliance with federal regulations. Astoundingly, over 55% of all Survey responses indicate a willingness to learn more about “Government Services to Small Businesses”.

5. Anecdotal Implications

The final portion of the Minority Enterprise Growth and Needs Study Survey looks at anecdotal impressions of doing business in the Metro Nashville market and the current compliance environment. While many of these impressions will be explored in greater detail in the Disparity Study Private Sector Analysis and full anecdotal chapter, a preliminary look at Survey analysis is included for the Minority Enterprise Growth and Needs Study. While it was previously noted that there was a racial discrepancy in those who believed that informal networks were active in Nashville and prevented them from winning contracts, there is unequivocal belief that such an informal network exists, with over 78% of all Survey respondents verifying their belief in its existence.

Regarding direct experience in doing business with Metro Government, only 1.4% of respondents’ report being “Extremely Satisfied” with Metro government in the contracting process, versus 4.3% who report being extremely dissatisfied. Overall, 26% of vendors report some level of dissatisfaction with Metro, versus 36.1% who report a level of satisfaction; however, the largest portion of satisfied responses only indicated they were “somewhat satisfied”, which was the lowest level of satisfaction which could be indicated. By ethnicity, African Americans made up the largest portion of dissatisfied responses, with nearly thirty percent of all African American businesses indicating a level of dissatisfaction (versus 33.4% who indicated a level of satisfaction).

Minority vendors report complications in worker expectations, often seen through over inspection techniques, extreme subjectivity in work performance, increased scrutiny in experience, unnecessary or excessive qualification requirements, or otherwise unfair treatment compared to their non-minority counterparts. Over half of all respondents (57.4%) either ‘Agree’ or ‘Strongly Agree’ that double standards in work qualification and performance make it difficult for minority businesses to win contracts. Comparatively, just over ten percent of all respondents refuted this statement. Furthermore, vendors significantly report that experience requirements to win Metro contracts are excessive and prohibitive to

minority and women owned businesses (57.4% versus 9.3% who disagree).

Exploring vendor relations and Metro Compliance function in additional detail, minority vendors report that vendors will contact them for quotes for services just to meet “good faith efforts” requirements, but never feel their proposals get serious consideration (68.5% agree to 9.3% disagree). Similar percentages also report being included on bids by non-minority vendors just to win contracts and then being replaced on the contract after the contract is secured (53.7% agree to 9.3% disagree). Sixty-eight percent of vendors who responded to the Survey also report feeling that minority businesses are viewed as less competent than their counterparts owned by non-minority males, with over three quarters of Survey respondents stating that minority firms are only utilized by Non-Minority firms when “required” to do so by Metro.

VI. Findings and Recommendations

In conducting the Minority Enterprise Growth and Needs study, Metro Nashville can get a unique snapshot of the experiences of the minority business community in their barriers to grow and expansion. While many of these businesses often slip between the cracks because they are un-registered or not certified, this engagement permitted Metro to find and engage firms who otherwise would not have been heard.

Being an MBE comes with a unique set of challenges both due to the historical context of race in relation to systemic race factors, and negative perceptions and stereotypes of people of color. Minority Businesses, are often also small businesses, increasing the complexities of the issues faced in the growth and development of these firms due to their business size as a factor. The Minority Enterprise Growth and Needs Study sought to capture the direct feedback from these MBE firms, contained within this chapter are findings from the study process and survey, and best practice recommendations on how to best rectify these issues.

A. Findings

1. Davidson County MBEs are Adequately Qualified

While encountering many small businesses was anticipated, the number of home based businesses far exceeded expectations. While canvassing Davidson County for MBE firms, it was discovered that a large portion of these firms were home based.

Despite the large presence of home based businesses, these firms are not newly developed and have, in fact, been operational for quite some time. Of respondents, only 14% of businesses reported themselves as being Start Ups. Nearly 80% of all MBEs reported their business as being either “Operational”, “High Growth”, or “Plateauing”.

Over Forty-seven percent (47.7%) of these same business owners have over twenty years of experience in the field, with 89.6% of all business owners having more than 6 years of experience within the field and more than three quarters having either a College degree or Post-Graduate Degree

2. Technical Assistance and Supportive Services

The majority of Davidson County MBE firms report significant experience in their fields, educational attainment and being in business for several years. However, experience in public contracting may be an unfamiliar endeavor for many of these firms which is having an impact on their ability to compete. Because of this, it is difficult to say with specificity that their professional experience precludes them from an

opportunity to perform. Nearly half, of all businesses who responded to the Minority Enterprise Growth and Needs Survey (44.2%) had gross revenues under \$100,000 in previous calendar year and 66% (65.9%) reported their largest single project award of the past five years being under \$100,000.

The findings give the Minority Enterprise Growth and Needs Study a unique perspective. With a large population of potential MBEs available for government contracting, the question then becomes why are these businesses not engaged in services designed to help accelerate their growth or engaged in the contracting process. While it would be easy to categorize these businesses as lacking formal incorporation, nearly 80% of all firms who responded to the survey are both registered with the state of Tennessee as a formal business entity and registered as a vendor with the Metro government.

Despite high vendor registration, more than half of all survey respondents choose to not bid on either public or private contracts. Many also report either choosing to not bid in the public sector, or bidding with higher regularity in the private sector.

3. Outreach and Certification

Davidson County MBEs report gaps in their knowledge of the registration process, how to engage with other public agencies, how to identify potential opportunities, and where to go for resources to aid in their growth. There was no business who did not register because of a lack of desire to win business with the public sector and 23% of businesses stated that their limited knowledge of contracting played a role in preventing them from bidding. Businesses also overwhelmingly agreed that the presence of an “informal network” of vendors with relationships inside Metro exists, with several groups feeling that this informal network negatively impacts their ability to win contracts.

Gaps in certification is often a result of limited outreach process as well, and Davidson county is no exception. More than a quarter of African American firms and over a third of all MBE firms are uncertified. When probed about the discrepancy is certification, 50% of all who indicated they were not certified pointed to a lack of understanding of the certification process and 29.2% stated that the certification process is too time consuming. Twenty-five (25) percent of non-certified businesses also stated that they do not understand the benefit to the certification process. Others were more skeptical of the certification process, feeling that it was neither helpful or effective.

4. Contract Administration and Procurement Processes

Davidson County MBE firms feel that the procurement process is cumbersome and complex, with excessive paperwork. Prequalification and Contract Administration are issues which prevent their participation. Twenty-one percent (21.1%) of survey respondents also feel that large contract sizing was an issue that prevented them from doing more public contracting. This is a common issue faced by small businesses and would be consistent with the reported contracting history or the majority of survey respondents.

In contract administration, Metro should look more closely at contract scopes to identify opportunities to break apart large contracts to increase subcontracting opportunities for MBE firms.

5. Perception of Discrimination

Nearly a third of all businesses surveyed, regardless of ethnicity report experiencing discrimination in the Nashville private marketplace, peaking at 36.4% of African American business owners. Alternatively, 20.4% of all businesses also report experiencing discrimination in the public sector, with over half of those parties stating that they have encountered discrimination either “Often” or “Very Often”. While an inference of discrimination cannot be drawn from this study, it is still worth noting the perception of discrimination

experienced by Davidson County MBEs.

B. Recommendations

In lieu of the above stated findings, recommendations have been crafted using both the expertise of GSPC along with the Needs Assessment Results provided from the survey. This comprehensive approach will be able to provide Metro Nashville with the best mix of best practice approaches to be responsive to needs identified by the business community. While this list is not a comprehensive look at all of the response options from the needs assessment, the fully needs assessment survey may also be explored as a tool for planning supportive services.

1. Intensive Review of Outreach Strategies and Process

While there are several strategies for connecting and engaging with MBE firms, the process starts and ends with an effective outreach strategy. Vendors repeatedly reported difficulties in learning about potential opportunities, knowledge on the contracting process, and the benefits of certification, amongst other things. The presence of informal networks was also problematic and decreased the appearance of transparency by Metro in its contracting process.

Metro should evaluate its outreach process, including the administration of the Procurement Non-Discrimination Program (PNP), to ensure that the outreach process to MBE firms is thorough and effective. Of those who bid, several state that they often feel their bids never got serious consideration. Best practices in contract compliance involve using a contract forecasting for the upcoming fiscal year and using this as a basis for both outreach and vendor recruitment, and supportive services to prepare vendors for contract opportunities.

2. Comprehensive Coordinated Supportive Services Strategy

Because of the complexity of the Davidson County business community, specific focus should be given to supportive services strategies which will help them grow and scale and accentuate the strengths and experiences that several have reported. While there are a limited number of firms who report financing as an issue, 27.8% of respondents including 31.6 percent of African Americans desired information on identifying sources of operating capital. Over thirty-six percent (36%) of firms desired more information on accessing business capital.

Because of the relatively small size of their businesses and the level of contracting being done demonstrates some potential for growth, businesses with high growth potential may also desire to be further informed on ways to apply for business operating loans to help grow their firms or hire additional employees. Metro may want to explore partnering with a local Community Development Financial Institution (“CDFI”) or local bank for low interest business financing options for local small businesses who are doing work on government contracts. Other specific items for discussion may be business financing, bonding and insurances and business accounting.

3. Technical Assistance and Vendor Education Workshops

Now that Metro has identified these potential new MBE firms, a concerted effort must be given to connecting, engaging, and preparing them for future opportunities. The two most pertinent items for this strategy coming from the Needs Assessment are centered around educating the community on the government contracting process (47.2% of respondents seeking additional training on how to do business in the public sphere and 55% of all survey respondents indicating a willingness to learn more about “Government Services to Small Businesses”) a race neutral technical assistance strategy would permit Metro to educate these firms in a way which would directly impact its vendor recruitment and future opportunities.

Furthermore, while there are several local organizations actively seeking to train and engage with the small business community, Metro should take the position to coordinate organizational resources for the purpose of vendor recruitment and education. Because of the aforementioned “hot spots” for minority businesses and the high concentrations by Davidson County zip codes, Metro may want to explore setting up remote business resource centers in the communities where there is a significant business presence, or working together with community organizations to partner with and service community areas to build knowledge on contracting and resources for business growth.

Some other high focus areas for training include Business Financing workshops (including discussion on bonding and insurances), website development and web marketing, networking, strategic planning and business expansion.

4. Procurement Process Re-administration

There is significant dissatisfaction with the current Metro procurement process, with only 1.4% of survey respondents reporting being “Extremely Satisfied” with the Metro contracting process, versus 4.3% who report being “Extremely Dissatisfied” and another twenty-six (26%) percent who report some level of dissatisfaction. In addition to concerns about not being able to receive information on opportunities, the majority of all survey respondents communicated concerns about their treatment through double standards in work performance and qualifications which make it more difficult for MBE firms to win business. Most notably, over 57% of vendors feel Metro experience requirements are excessive and prohibitive to diverse businesses.

In order to best address these concerns, Metro should take a comprehensive look at its procurement, including policies and procedures which may appear to be restrictive to small and diverse firms

5. Corridor Redevelopment Strategy

One of the most unique concerns heard through this study was that of minority businesses who were skeptical of Metro’s intentions with studying their neighborhood due to the effects of aggressive gentrification. There were several who noted their dissatisfaction with the way the once vibrant minority business districts have now been largely ignored. One possible explanation for the large number of home based businesses could, in fact, be due to gentrification displacing firms from previously established brick and mortar dwellings.

One of the most innovative strategies to address the large concentration of home based businesses, Metro could identify a local partner to revitalize blighted minority business districts. As a part of this strategy, Metro could aggressively educate and service these firms while providing them with opportunities to move their home-based businesses into brick and mortar structures at a subsidized rate. Some other options for this strategy include rotating kiosks at community markets or other similar plans which would give small businesses needed exposure to aid in their growth and development.

APPENDIX K

Disparity Indices by Industry

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Construction: Bridges, Roadway, Airport
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	100.00%	70.45%	1.42	Overutilized
FY 2014				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	100.00%	70.45%	1.42	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	0.00%	70.45%	0.00	Underutilized
FY 2016				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	100.00%	12.43%	8.05	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	100.00%	29.55%	3.38	Overutilized
NON-MWBE/DBE	0.00%	70.45%	0.00	Underutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	0.00%	70.45%	0.00	Underutilized
TOTALS				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	44.49%	12.43%	3.58	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	44.49%	29.55%	1.51	Overutilized
NON-MWBE/DBE	55.51%	70.45%	0.79	Underutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Construction: Commercial Building Construction
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	1.47%	0.75%	1.96	Overutilized
WOMEN	16.14%	12.43%	1.30	Overutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	17.62%	29.55%	0.60	Underutilized
NON-MWBE/DBE	82.38%	70.45%	1.17	Overutilized
FY 2014				
AFRICAN AMERICAN	1.04%	10.10%	0.10	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	25.92%	0.75%	34.64	Overutilized
WOMEN	5.49%	12.43%	0.44	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	32.44%	29.55%	1.10	Overutilized
NON-MWBE/DBE	67.56%	70.45%	0.96	Underutilized
FY 2015				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	41.92%	12.43%	3.37	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	41.92%	29.55%	1.42	Overutilized
NON-MWBE/DBE	58.08%	70.45%	0.82	Underutilized
FY 2016				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	3.99%	12.43%	0.32	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	3.99%	29.55%	0.14	Underutilized
NON-MWBE/DBE	96.01%	70.45%	1.36	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.56%	0.75%	0.75	Underutilized
WOMEN	1.32%	12.43%	0.11	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	1.88%	29.55%	0.06	Underutilized
NON-MWBE/DBE	98.12%	70.45%	1.39	Overutilized
TOTALS				
AFRICAN AMERICAN	0.36%	10.10%	0.04	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	9.30%	0.75%	12.44	Overutilized
WOMEN	13.27%	12.43%	1.07	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	22.93%	29.55%	0.78	Underutilized
NON-MWBE/DBE	77.07%	70.45%	1.09	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Construction: Other Construction
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	3.04%	10.10%	0.30	Underutilized
ASIAN AMERICAN	0.26%	0.87%	0.30	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	6.49%	12.43%	0.52	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	9.80%	29.55%	0.33	Underutilized
NON-MWBE/DBE	90.21%	70.45%	1.28	Overutilized
FY 2014				
AFRICAN AMERICAN	17.97%	10.10%	1.78	Overutilized
ASIAN AMERICAN	0.31%	0.87%	0.35	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	8.72%	12.43%	0.70	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	27.01%	29.55%	0.91	Underutilized
NON-MWBE/DBE	72.99%	70.45%	1.04	Overutilized
FY 2015				
AFRICAN AMERICAN	9.26%	10.10%	0.92	Underutilized
ASIAN AMERICAN	0.18%	0.87%	0.20	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.03%	0.75%	0.04	Underutilized
WOMEN	21.34%	12.43%	1.72	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	30.81%	29.55%	1.04	Overutilized
NON-MWBE/DBE	69.19%	70.45%	0.98	Underutilized
FY 2016				
AFRICAN AMERICAN	1.89%	10.10%	0.19	Underutilized
ASIAN AMERICAN	0.20%	0.87%	0.23	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.01%	0.75%	0.01	Underutilized
WOMEN	3.70%	12.43%	0.30	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	5.79%	29.55%	0.20	Underutilized
NON-MWBE/DBE	94.21%	70.45%	1.34	Overutilized
FY 2017				
AFRICAN AMERICAN	5.11%	10.10%	0.51	Underutilized
ASIAN AMERICAN	2.52%	0.87%	2.89	Overutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.05%	0.75%	0.06	Underutilized
WOMEN	49.99%	12.43%	4.02	Overutilized
UNIDENTIFIED MWBE/DBE	0.04%	3.74%	0.01	Underutilized
TOTAL MWBE/DBE	57.71%	29.55%	1.95	Overutilized
NON-MWBE/DBE	42.29%	70.45%	0.60	Underutilized
TOTALS				
AFRICAN AMERICAN	6.91%	10.10%	0.68	Underutilized
ASIAN AMERICAN	0.31%	0.87%	0.35	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.01%	0.75%	0.01	Underutilized
WOMEN	10.42%	12.43%	0.84	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	17.65%	29.55%	0.60	Underutilized
NON-MWBE/DBE	82.34%	70.45%	1.17	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Construction: Sewer, Waste, Utilities Construction
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	100.00%	70.45%	1.42	Overutilized
FY 2014				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	0.00%	70.45%	0.00	Underutilized
FY 2015				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	0.00%	70.45%	0.00	Underutilized
FY 2016				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	0.00%	70.45%	0.00	Underutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	100.00%	70.45%	1.42	Overutilized
TOTALS				
AFRICAN AMERICAN	0.00%	10.10%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.87%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.66%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.75%	0.00	Underutilized
WOMEN	0.00%	12.43%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	3.74%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	29.55%	0.00	Underutilized
NON-MWBE/DBE	100.00%	70.45%	1.42	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Construction Related Professional Services: Architecture & Engineering Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
Y 2013				
AFRICAN AMERICAN	0.55%	10.19%	0.05	Underutilized
ASIAN AMERICAN	0.67%	1.70%	0.39	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	4.12%	0.49%	8.48	Overutilized
WOMEN	8.58%	14.93%	0.57	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	13.91%	30.70%	0.45	Underutilized
NON-MWBE/DBE	86.09%	69.30%	1.24	Overutilized
FY 2014				
AFRICAN AMERICAN	0.13%	10.19%	0.01	Underutilized
ASIAN AMERICAN	0.48%	1.70%	0.28	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	9.97%	0.49%	20.54	Overutilized
WOMEN	6.00%	14.93%	0.40	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	16.57%	30.70%	0.54	Underutilized
NON-MWBE/DBE	83.43%	69.30%	1.20	Overutilized
FY 2015				
AFRICAN AMERICAN	0.25%	10.19%	0.02	Underutilized
ASIAN AMERICAN	0.64%	1.70%	0.38	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	6.82%	0.49%	14.06	Overutilized
WOMEN	14.05%	14.93%	0.94	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	21.77%	30.70%	0.71	Underutilized
NON-MWBE/DBE	78.23%	69.30%	1.13	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	10.19%	0.00	Underutilized
ASIAN AMERICAN	0.44%	1.70%	0.26	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	4.26%	0.49%	8.77	Overutilized
WOMEN	10.88%	14.93%	0.73	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	15.57%	30.70%	0.51	Underutilized
NON-MWBE/DBE	84.42%	69.30%	1.22	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	10.19%	0.00	Underutilized
ASIAN AMERICAN	1.01%	1.70%	0.59	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	2.89%	0.49%	5.96	Overutilized
WOMEN	20.44%	14.93%	1.37	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	24.35%	30.70%	0.79	Underutilized
NON-MWBE/DBE	75.65%	69.30%	1.09	Overutilized
TOTALS				
AFRICAN AMERICAN	0.21%	10.19%	0.02	Underutilized
ASIAN AMERICAN	0.64%	1.70%	0.38	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	5.20%	0.49%	10.71	Overutilized
WOMEN	11.65%	14.93%	0.78	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	17.70%	30.70%	0.58	Underutilized
NON-MWBE/DBE	82.30%	69.30%	1.19	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Construction Related Professional Services: Other
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	2.70%	10.19%	0.26	Underutilized
ASIAN AMERICAN	0.00%	1.70%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	2.41%	14.93%	0.16	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	5.11%	30.70%	0.17	Underutilized
NON-MWBE/DBE	94.89%	69.30%	1.37	Overutilized
FY 2014				
AFRICAN AMERICAN	15.23%	10.19%	1.49	Overutilized
ASIAN AMERICAN	1.88%	1.70%	1.11	Overutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	7.10%	14.93%	0.48	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	24.20%	30.70%	0.79	Underutilized
NON-MWBE/DBE	75.80%	69.30%	1.09	Overutilized
FY 2015				
AFRICAN AMERICAN	7.18%	10.19%	0.70	Underutilized
ASIAN AMERICAN	0.19%	1.70%	0.11	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	17.24%	14.93%	1.15	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	24.61%	30.70%	0.80	Underutilized
NON-MWBE/DBE	75.39%	69.30%	1.09	Overutilized
FY 2016				
AFRICAN AMERICAN	0.09%	10.19%	0.01	Underutilized
ASIAN AMERICAN	0.00%	1.70%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	6.75%	14.93%	0.45	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	6.84%	30.70%	0.22	Underutilized
NON-MWBE/DBE	93.16%	69.30%	1.34	Overutilized
FY 2017				
AFRICAN AMERICAN	0.05%	10.19%	0.00	Underutilized
ASIAN AMERICAN	4.36%	1.70%	2.57	Overutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	7.71%	14.93%	0.52	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	12.12%	30.70%	0.39	Underutilized
NON-MWBE/DBE	87.88%	69.30%	1.27	Overutilized
TOTALS				
AFRICAN AMERICAN	3.62%	10.19%	0.35	Underutilized
ASIAN AMERICAN	0.69%	1.70%	0.40	Underutilized
HISPANIC AMERICAN	0.00%	0.73%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.49%	0.00	Underutilized
WOMEN	7.62%	14.93%	0.51	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.67%	0.00	Underutilized
TOTAL MWBE/DBE	11.92%	30.70%	0.39	Underutilized
NON-MWBE/DBE	88.08%	69.30%	1.27	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Professional Services: Finance/Insurance/Real Estate
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	20.61%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.99%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	10.62%	16.41%	0.65	Underutilized
UNIDENTIFIED MWBE/DBE	68.17%	11.22%	6.08	Overutilized
TOTAL MWBE/DBE	78.79%	51.22%	1.54	Overutilized
NON-MWBE/DBE	21.21%	48.78%	0.43	Underutilized
FY 2014				
AFRICAN AMERICAN	0.00%	20.61%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.99%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	8.24%	16.41%	0.50	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	8.24%	51.22%	0.16	Underutilized
NON-MWBE/DBE	91.76%	48.78%	1.88	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	20.61%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.99%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	55.67%	16.41%	3.39	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	55.67%	51.22%	1.09	Overutilized
NON-MWBE/DBE	44.33%	48.78%	0.91	Underutilized
FY 2016				
AFRICAN AMERICAN	0.00%	20.61%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.99%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.38%	16.41%	0.02	Underutilized
UNIDENTIFIED MWBE/DBE	5.52%	11.22%	0.49	Underutilized
TOTAL MWBE/DBE	5.90%	51.22%	0.12	Underutilized
NON-MWBE/DBE	94.09%	48.78%	1.93	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	20.61%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.99%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	3.52%	16.41%	0.21	Underutilized
UNIDENTIFIED MWBE/DBE	48.01%	11.22%	4.28	Overutilized
TOTAL MWBE/DBE	51.53%	51.22%	1.01	Overutilized
NON-MWBE/DBE	48.47%	48.78%	0.99	Underutilized
TOTALS				
AFRICAN AMERICAN	0.00%	20.61%	0.00	Underutilized
ASIAN AMERICAN	0.00%	0.99%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.32%	16.41%	0.14	Underutilized
UNIDENTIFIED MWBE/DBE	12.38%	11.22%	1.10	Overutilized
TOTAL MWBE/DBE	14.70%	51.22%	0.29	Underutilized
NON-MWBE/DBE	85.30%	48.78%	1.75	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Professional Services: Professional Services (Legal, Medical/Health Services, Consulting)
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	6.06%	20.61%	0.29	Underutilized
ASIAN AMERICAN	3.03%	0.99%	3.05	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	12.12%	16.41%	0.74	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	21.21%	51.22%	0.41	Underutilized
NON-MWBE/DBE	78.79%	48.78%	1.62	Overutilized
FY 2014				
AFRICAN AMERICAN	11.54%	20.61%	0.56	Underutilized
ASIAN AMERICAN	7.69%	0.99%	7.75	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	15.38%	16.41%	0.94	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	34.61%	51.22%	0.68	Underutilized
NON-MWBE/DBE	65.38%	48.78%	1.34	Overutilized
FY 2015				
AFRICAN AMERICAN	12.50%	20.61%	0.61	Underutilized
ASIAN AMERICAN	6.25%	0.99%	6.30	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	6.25%	16.41%	0.38	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	25.00%	51.22%	0.49	Underutilized
NON-MWBE/DBE	75.00%	48.78%	1.54	Overutilized
FY 2016				
AFRICAN AMERICAN	5.88%	20.61%	0.29	Underutilized
ASIAN AMERICAN	5.88%	0.99%	5.93	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	11.76%	16.41%	0.72	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	23.52%	51.22%	0.46	Underutilized
NON-MWBE/DBE	76.47%	48.78%	1.57	Overutilized
FY 2017				
AFRICAN AMERICAN	9.09%	20.61%	0.44	Underutilized
ASIAN AMERICAN	9.09%	0.99%	9.16	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	9.09%	16.41%	0.55	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	27.27%	51.22%	0.53	Underutilized
NON-MWBE/DBE	72.73%	48.78%	1.49	Overutilized
TOTALS				
AFRICAN AMERICAN	6.90%	20.61%	0.33	Underutilized
ASIAN AMERICAN	4.60%	0.99%	4.63	Overutilized
HISPANIC AMERICAN	0.00%	1.22%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	8.05%	16.41%	0.49	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	11.22%	0.00	Underutilized
TOTAL MWBE/DBE	19.54%	51.22%	0.38	Underutilized
NON-MWBE/DBE	80.46%	48.78%	1.65	Overutilized

APPENDIX K DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Agriculture/Livestock/Forestry Services/Mining Services
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	2.06%	19.33%	0.11	Underutilized
ASIAN AMERICAN	0.11%	1.35%	0.08	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	44.62%	15.90%	2.81	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	46.79%	45.75%	1.02	Overutilized
NON-MWBE/DBE	53.21%	54.25%	0.98	Underutilized
FY 2014				
AFRICAN AMERICAN	9.78%	19.33%	0.51	Underutilized
ASIAN AMERICAN	0.20%	1.35%	0.15	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	66.98%	15.90%	4.21	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	76.96%	45.75%	1.68	Overutilized
NON-MWBE/DBE	23.04%	54.25%	0.42	Underutilized
FY 2015				
AFRICAN AMERICAN	33.81%	19.33%	1.75	Overutilized
ASIAN AMERICAN	0.13%	1.35%	0.10	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	41.38%	15.90%	2.60	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	75.33%	45.75%	1.65	Overutilized
NON-MWBE/DBE	24.67%	54.25%	0.45	Underutilized
FY 2016				
AFRICAN AMERICAN	44.56%	19.33%	2.30	Overutilized
ASIAN AMERICAN	0.18%	1.35%	0.14	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	28.29%	15.90%	1.78	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	73.04%	45.75%	1.60	Overutilized
NON-MWBE/DBE	26.96%	54.25%	0.50	Underutilized
FY 2017				
AFRICAN AMERICAN	69.32%	19.33%	3.59	Overutilized
ASIAN AMERICAN	0.05%	1.35%	0.04	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.00%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	69.36%	45.75%	1.52	Overutilized
NON-MWBE/DBE	30.64%	54.25%	0.56	Underutilized
TOTALS				
AFRICAN AMERICAN	35.40%	19.33%	1.83	Overutilized
ASIAN AMERICAN	0.14%	1.35%	0.11	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	34.59%	15.90%	2.18	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	70.13%	45.75%	1.53	Overutilized
NON-MWBE/DBE	29.87%	54.25%	0.55	Underutilized

Griffin & Strong, P.C. 2018

Table 1: MWBE Prime Indices – Other Services: Computer/IT Service

APPENDIX K DISPARITY INDICES BY INDUSTRY

Awards and P.O.s In the Relevant Market – Metro Nashville Nashville Disparity Study

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	10.89%	19.33%	0.56	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	45.99%	15.90%	2.89	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	56.88%	45.75%	1.24	Overutilized
NON-MWBE/DBE	43.12%	54.25%	0.79	Underutilized
FY 2014				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	14.01%	15.90%	0.88	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	14.01%	45.75%	0.31	Underutilized
NON-MWBE/DBE	85.99%	54.25%	1.59	Overutilized
FY 2015				
AFRICAN AMERICAN	9.10%	19.33%	0.47	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	6.66%	15.90%	0.42	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	15.76%	45.75%	0.34	Underutilized
NON-MWBE/DBE	84.25%	54.25%	1.55	Overutilized
FY 2016				
AFRICAN AMERICAN	7.90%	19.33%	0.41	Underutilized
ASIAN AMERICAN	3.31%	1.35%	2.45	Overutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	4.68%	15.90%	0.29	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	15.89%	45.75%	0.35	Underutilized
NON-MWBE/DBE	84.11%	54.25%	1.55	Overutilized
FY 2017				
AFRICAN AMERICAN	5.81%	19.33%	0.30	Underutilized
ASIAN AMERICAN	0.55%	1.35%	0.41	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	3.08%	15.90%	0.19	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	9.44%	45.75%	0.21	Underutilized
NON-MWBE/DBE	95.56%	54.25%	1.76	Overutilized
TOTALS				
AFRICAN AMERICAN	7.09%	19.33%	0.37	Underutilized
ASIAN AMERICAN	1.41%	1.35%	1.05	Overutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	8.51%	15.90%	0.54	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	17.02%	45.75%	0.37	Underutilized
NON-MWBE/DBE	82.99%	54.25%	1.53	Overutilized

APPENDIX K DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Educational Services
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	16.58%	15.90%	1.04	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	16.58%	45.75%	0.36	Underutilized
NON-MWBE/DBE	83.42%	54.25%	1.54	Overutilized
FY 2014				
AFRICAN AMERICAN	25.68%	19.33%	1.33	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	5.77%	15.90%	0.36	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	31.45%	45.75%	0.69	Underutilized
NON-MWBE/DBE	68.55%	54.25%	1.26	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	7.02%	15.90%	0.44	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	7.02%	45.75%	0.15	Underutilized
NON-MWBE/DBE	92.98%	54.25%	1.71	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	38.10%	15.90%	2.40	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	38.10%	45.75%	0.83	Underutilized
NON-MWBE/DBE	61.90%	54.25%	1.14	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.00%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	45.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	54.25%	1.84	Overutilized
TOTALS				
AFRICAN AMERICAN	9.00%	19.33%	0.47	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	6.91%	15.90%	0.43	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	15.91%	45.75%	0.35	Underutilized
NON-MWBE/DBE	84.09%	54.25%	1.55	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Entertainment/Hospitality Services
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	1.49%	19.33%	0.08	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	13.61%	15.90%	0.86	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	15.10%	45.75%	0.33	Underutilized
NON-MWBE/DBE	84.91%	54.25%	1.57	Overutilized
FY 2014				
AFRICAN AMERICAN	10.23%	19.33%	0.53	Underutilized
ASIAN AMERICAN	15.32%	1.35%	11.32	Overutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	6.77%	15.90%	0.43	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	32.32%	45.75%	0.71	Underutilized
NON-MWBE/DBE	67.67%	54.25%	1.25	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.04%	15.90%	0.13	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	2.04%	45.75%	0.04	Underutilized
NON-MWBE/DBE	97.96%	54.25%	1.81	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	9.80%	15.90%	0.62	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	9.80%	45.75%	0.21	Underutilized
NON-MWBE/DBE	97.92%	54.25%	1.80	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.08%	15.90%	0.13	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	2.08%	45.75%	0.05	Underutilized
NON-MWBE/DBE	97.92%	54.25%	1.80	Overutilized
TOTALS				
AFRICAN AMERICAN	1.82%	19.33%	0.09	Underutilized
ASIAN AMERICAN	2.02%	1.35%	1.49	Overutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	6.92%	15.90%	0.44	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	10.76%	45.75%	0.24	Underutilized
NON-MWBE/DBE	89.24%	54.25%	1.64	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Janitorial Services
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	97.95%	19.33%	5.07	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.96%	15.90%	0.06	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	98.91%	45.75%	2.16	Overutilized
NON-MWBE/DBE	1.09%	54.25%	0.02	Underutilized
FY 2014				
AFRICAN AMERICAN	98.42%	19.33%	5.09	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.97%	15.90%	0.06	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	99.39%	45.75%	2.17	Overutilized
NON-MWBE/DBE	0.61%	54.25%	0.01	Underutilized
FY 2015				
AFRICAN AMERICAN	99.37%	19.33%	5.14	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.12%	15.90%	0.01	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	99.49%	45.75%	2.17	Overutilized
NON-MWBE/DBE	0.50%	54.25%	0.01	Underutilized
FY 2016				
AFRICAN AMERICAN	99.74%	19.33%	5.16	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.04%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	99.78%	45.75%	2.18	Overutilized
NON-MWBE/DBE	0.22%	54.25%	0.00	Underutilized
FY 2017				
AFRICAN AMERICAN	96.91%	19.33%	5.01	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.04%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	96.95%	45.75%	2.12	Overutilized
NON-MWBE/DBE	3.06%	54.25%	0.06	Underutilized
TOTALS				
AFRICAN AMERICAN	98.83%	19.33%	5.11	Overutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.47%	15.90%	0.03	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	99.30%	45.75%	2.17	Overutilized
NON-MWBE/DBE	0.69%	54.25%	0.01	Underutilized

APPENDIX K DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Other
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	3.82%	19.33%	0.20	Underutilized
ASIAN AMERICAN	0.09%	1.35%	0.07	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	10.04%	15.90%	0.63	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	13.95%	45.75%	0.30	Underutilized
NON-MWBE/DBE	86.04%	54.25%	1.59	Overutilized
FY 2014				
AFRICAN AMERICAN	0.05%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.01%	1.35%	0.01	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	3.94%	15.90%	0.25	Underutilized
UNIDENTIFIED MWBE/DBE	0.63%	6.51%	0.10	Underutilized
TOTAL MWBE/DBE	4.63%	45.75%	0.10	Underutilized
NON-MWBE/DBE	95.38%	54.25%	1.76	Overutilized
FY 2015				
AFRICAN AMERICAN	0.05%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.01%	1.35%	0.01	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	1.31%	15.90%	0.08	Underutilized
UNIDENTIFIED MWBE/DBE	5.00%	6.51%	0.77	Underutilized
TOTAL MWBE/DBE	6.37%	45.75%	0.14	Underutilized
NON-MWBE/DBE	98.64%	54.25%	1.82	Overutilized
FY 2016				
AFRICAN AMERICAN	0.06%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.94%	15.90%	0.18	Underutilized
UNIDENTIFIED MWBE/DBE	0.01%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	3.01%	45.75%	0.07	Underutilized
NON-MWBE/DBE	97.00%	54.25%	1.79	Overutilized
FY 2017				
AFRICAN AMERICAN	0.03%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.89%	15.90%	0.06	Underutilized
UNIDENTIFIED MWBE/DBE	0.02%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.94%	45.75%	0.02	Underutilized
NON-MWBE/DBE	99.06%	54.25%	1.83	Overutilized
TOTALS				
AFRICAN AMERICAN	0.22%	19.33%	0.01	Underutilized
ASIAN AMERICAN	0.01%	1.35%	0.01	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.20%	15.90%	0.14	Underutilized
UNIDENTIFIED MWBE/DBE	0.08%	6.51%	0.01	Underutilized
TOTAL MWBE/DBE	2.51%	45.75%	0.05	Underutilized
NON-MWBE/DBE	97.49%	54.25%	1.80	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Transportation Services
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	8.06%	0.76%	10.55	Overutilized
WOMEN	0.00%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	8.06%	45.75%	0.18	Underutilized
NON-MWBE/DBE	91.94%	54.25%	1.69	Overutilized
FY 2014				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.97%	15.90%	0.06	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.97%	45.75%	0.02	Underutilized
NON-MWBE/DBE	99.03%	54.25%	1.83	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.00%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	45.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	54.25%	1.84	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.00%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	45.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	54.25%	1.84	Overutilized
FY 2017				
AFRICAN AMERICAN	0.30%	19.33%	0.02	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.47%	0.76%	0.62	Underutilized
WOMEN	0.00%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.77%	45.75%	0.02	Underutilized
NON-MWBE/DBE	99.23%	54.25%	1.83	Overutilized
TOTALS				
AFRICAN AMERICAN	0.09%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.71%	0.76%	0.93	Underutilized
WOMEN	0.32%	15.90%	0.02	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	1.12%	45.75%	0.02	Underutilized
NON-MWBE/DBE	98.88%	54.25%	1.82	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Other Services: Weapons & Security Services
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.05%	15.90%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.05%	45.75%	0.00	Underutilized
NON-MWBE/DBE	99.95%	54.25%	1.84	Overutilized
FY 2014				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.53%	15.90%	0.03	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.53%	45.75%	0.01	Underutilized
NON-MWBE/DBE	99.47%	54.25%	1.83	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.14%	15.90%	0.01	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.14%	45.75%	0.00	Underutilized
NON-MWBE/DBE	99.86%	54.25%	1.84	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	2.62%	15.90%	0.16	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	2.62%	45.75%	0.06	Underutilized
NON-MWBE/DBE	97.38%	54.25%	1.79	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	1.07%	15.90%	0.07	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	1.07%	45.75%	0.02	Underutilized
NON-MWBE/DBE	98.93%	54.25%	1.82	Overutilized
TOTALS				
AFRICAN AMERICAN	0.00%	19.33%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.35%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	1.89%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.76%	0.00	Underutilized
WOMEN	0.44%	15.90%	0.03	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	6.51%	0.00	Underutilized
TOTAL MWBE/DBE	0.44%	45.75%	0.01	Underutilized
NON-MWBE/DBE	99.56%	54.25%	1.84	Overutilized

APPENDIX K DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Chemicals & Cleaning Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	3.88%	7.14%	0.54	Underutilized
ASIAN AMERICAN	0.03%	1.11%	0.03	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	3.35%	10.96%	0.31	Underutilized
UNIDENTIFIED MWBE/DBE	0.72%	2.94%	0.24	Underutilized
TOTAL MWBE/DBE	7.98%	23.75%	0.34	Underutilized
NON-MWBE/DBE	92.01%	76.25%	1.21	Overutilized
FY 2014				
AFRICAN AMERICAN	0.26%	7.14%	0.04	Underutilized
ASIAN AMERICAN	0.06%	1.11%	0.05	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	5.31%	10.96%	0.48	Underutilized
UNIDENTIFIED MWBE/DBE	0.05%	2.94%	0.02	Underutilized
TOTAL MWBE/DBE	5.68%	23.75%	0.24	Underutilized
NON-MWBE/DBE	94.32%	76.25%	1.24	Overutilized
FY 2015				
AFRICAN AMERICAN	0.30%	7.14%	0.04	Underutilized
ASIAN AMERICAN	0.05%	1.11%	0.04	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	27.23%	0.65%	41.86	Overutilized
WOMEN	5.09%	10.96%	0.46	Underutilized
UNIDENTIFIED MWBE/DBE	0.04%	2.94%	0.01	Underutilized
TOTAL MWBE/DBE	32.71%	23.75%	1.38	Overutilized
NON-MWBE/DBE	67.27%	76.25%	0.88	Underutilized
FY 2016				
AFRICAN AMERICAN	19.86%	7.14%	2.78	Overutilized
ASIAN AMERICAN	0.01%	1.11%	0.01	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	3.01%	10.96%	0.27	Underutilized
UNIDENTIFIED MWBE/DBE	0.73%	2.94%	0.25	Underutilized
TOTAL MWBE/DBE	23.61%	23.75%	0.99	Underutilized
NON-MWBE/DBE	76.38%	76.25%	1.00	Overutilized
FY 2017				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	1.99%	10.96%	0.18	Underutilized
UNIDENTIFIED MWBE/DBE	0.38%	2.94%	0.13	Underutilized
TOTAL MWBE/DBE	2.37%	23.75%	0.10	Underutilized
NON-MWBE/DBE	97.63%	76.25%	1.28	Overutilized
TOTALS				
AFRICAN AMERICAN	3.84%	7.14%	0.54	Underutilized
ASIAN AMERICAN	0.03%	1.11%	0.03	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	4.23%	10.96%	0.39	Underutilized
UNIDENTIFIED MWBE/DBE	0.36%	2.94%	0.12	Underutilized
TOTAL MWBE/DBE	8.46%	23.75%	0.36	Underutilized
NON-MWBE/DBE	90.70%	76.25%	1.19	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Consumable Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	2.60%	7.14%	0.36	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	2.60%	23.75%	0.11	Underutilized
NON-MWBE/DBE	97.40%	76.25%	1.28	Overutilized
FY 2014				
AFRICAN AMERICAN	42.69%	7.14%	5.98	Overutilized
ASIAN AMERICAN	5.48%	1.11%	4.92	Overutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	13.31%	10.96%	1.21	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	61.48%	23.75%	2.59	Overutilized
NON-MWBE/DBE	38.52%	76.25%	0.51	Underutilized
FY 2015				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	76.25%	1.31	Overutilized
FY 2016				
AFRICAN AMERICAN	15.14%	7.14%	2.12	Overutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	15.14%	23.75%	0.64	Underutilized
NON-MWBE/DBE	84.86%	76.25%	1.11	Overutilized
FY 2017				
AFRICAN AMERICAN	30.97%	7.14%	4.34	Overutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	1.94%	10.96%	0.18	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	32.91%	23.75%	1.39	Overutilized
NON-MWBE/DBE	67.09%	76.25%	0.88	Underutilized
TOTALS				
AFRICAN AMERICAN	3.98%	7.14%	0.56	Underutilized
ASIAN AMERICAN	0.12%	1.11%	0.11	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.36%	10.96%	0.03	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	4.46%	23.75%	0.19	Underutilized
NON-MWBE/DBE	95.54%	76.25%	1.25	Overutilized

APPENDIX K DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Drug Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	76.25%	1.31	Overutilized
FY 2014				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	0.00%	76.25%	0.00	Underutilized
FY 2015				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	76.25%	1.31	Overutilized
FY 2016				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	0.00%	76.25%	0.00	Underutilized
FY 2017				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	76.25%	1.31	Overutilized
TOTALS				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.00%	23.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	76.25%	1.31	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Medical Equipment Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.39%	7.14%	0.05	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	2.54%	10.96%	0.23	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	2.93%	23.75%	0.12	Underutilized
NON-MWBE/DBE	97.08%	76.25%	1.27	Overutilized
FY 2014				
AFRICAN AMERICAN	0.29%	7.14%	0.04	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.50%	10.96%	0.05	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.79%	23.75%	0.03	Underutilized
NON-MWBE/DBE	99.22%	76.25%	1.30	Overutilized
FY 2015				
AFRICAN AMERICAN	0.61%	7.14%	0.09	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	1.09%	10.96%	0.10	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	1.70%	23.75%	0.07	Underutilized
NON-MWBE/DBE	98.30%	76.25%	1.29	Overutilized
FY 2016				
AFRICAN AMERICAN	0.43%	7.14%	0.06	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.40%	10.96%	0.04	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.83%	23.75%	0.03	Underutilized
NON-MWBE/DBE	99.17%	76.25%	1.30	Overutilized
FY 2017				
AFRICAN AMERICAN	0.19%	7.14%	0.03	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.06%	10.96%	0.01	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.25%	23.75%	0.01	Underutilized
NON-MWBE/DBE	99.75%	76.25%	1.31	Overutilized
TOTALS				
AFRICAN AMERICAN	0.32%	7.14%	0.04	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.48%	10.96%	0.04	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.80%	23.75%	0.03	Underutilized
NON-MWBE/DBE	99.20%	76.25%	1.30	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Office Equipment & Supply Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	1.08%	7.14%	0.15	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.18%	0.65%	0.28	Underutilized
WOMEN	50.58%	10.96%	4.62	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	51.84%	23.75%	2.18	Overutilized
NON-MWBE/DBE	48.17%	76.25%	0.63	Underutilized
FY 2014				
AFRICAN AMERICAN	0.08%	7.14%	0.01	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.02%	0.65%	0.03	Underutilized
WOMEN	97.21%	10.96%	8.87	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	97.31%	23.75%	4.10	Overutilized
NON-MWBE/DBE	2.69%	76.25%	0.04	Underutilized
FY 2015				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	27.16%	10.96%	2.48	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	27.16%	23.75%	1.14	Overutilized
NON-MWBE/DBE	72.84%	76.25%	0.96	Underutilized
FY 2016				
AFRICAN AMERICAN	0.32%	7.14%	0.04	Underutilized
ASIAN AMERICAN	0.02%	1.11%	0.02	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.37%	0.65%	0.57	Underutilized
WOMEN	1.07%	10.96%	0.10	Underutilized
UNIDENTIFIED MWBE/DBE	0.17%	2.94%	0.06	Underutilized
TOTAL MWBE/DBE	1.95%	23.75%	0.08	Underutilized
NON-MWBE/DBE	98.05%	76.25%	1.29	Overutilized
FY 2017				
AFRICAN AMERICAN	0.83%	7.14%	0.12	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	3.31%	10.96%	0.30	Underutilized
UNIDENTIFIED MWBE/DBE	0.08%	2.94%	0.03	Underutilized
TOTAL MWBE/DBE	4.22%	23.75%	0.18	Underutilized
NON-MWBE/DBE	95.78%	76.25%	1.26	Overutilized
TOTALS				
AFRICAN AMERICAN	0.15%	7.14%	0.02	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.03%	0.65%	0.05	Underutilized
WOMEN	87.14%	10.96%	7.95	Overutilized
UNIDENTIFIED MWBE/DBE	0.01%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	87.33%	23.75%	3.68	Overutilized
NON-MWBE/DBE	12.67%	76.25%	0.17	Underutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Other Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.87%	7.14%	0.12	Underutilized
ASIAN AMERICAN	0.37%	1.11%	0.33	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	2.50%	0.65%	3.84	Overutilized
WOMEN	6.12%	10.96%	0.56	Underutilized
UNIDENTIFIED MWBE/DBE	0.25%	2.94%	0.08	Underutilized
TOTAL MWBE/DBE	10.11%	23.75%	0.43	Underutilized
NON-MWBE/DBE	89.89%	76.25%	1.18	Overutilized
FY 2014				
AFRICAN AMERICAN	1.16%	7.14%	0.16	Underutilized
ASIAN AMERICAN	0.10%	1.11%	0.09	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	5.11%	0.65%	7.85	Overutilized
WOMEN	0.40%	10.96%	0.04	Underutilized
UNIDENTIFIED MWBE/DBE	0.73%	2.94%	0.25	Underutilized
TOTAL MWBE/DBE	7.50%	23.75%	0.32	Underutilized
NON-MWBE/DBE	92.51%	76.25%	1.21	Overutilized
FY 2015				
AFRICAN AMERICAN	0.07%	7.14%	0.01	Underutilized
ASIAN AMERICAN	0.03%	1.11%	0.03	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	28.33%	0.65%	43.55	Overutilized
WOMEN	5.03%	10.96%	0.46	Underutilized
UNIDENTIFIED MWBE/DBE	0.04%	2.94%	0.01	Underutilized
TOTAL MWBE/DBE	33.50%	23.75%	1.41	Overutilized
NON-MWBE/DBE	66.51%	76.25%	0.87	Underutilized
FY 2016				
AFRICAN AMERICAN	0.50%	7.14%	0.07	Underutilized
ASIAN AMERICAN	0.14%	1.11%	0.13	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.56%	0.65%	0.86	Underutilized
WOMEN	1.67%	10.96%	0.15	Underutilized
UNIDENTIFIED MWBE/DBE	3.35%	2.94%	1.14	Overutilized
TOTAL MWBE/DBE	6.22%	23.75%	0.26	Underutilized
NON-MWBE/DBE	93.79%	76.25%	1.23	Overutilized
FY 2017				
AFRICAN AMERICAN	0.38%	7.14%	0.05	Underutilized
ASIAN AMERICAN	0.19%	1.11%	0.17	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.29%	0.65%	0.45	Underutilized
WOMEN	2.16%	10.96%	0.20	Underutilized
UNIDENTIFIED MWBE/DBE	0.06%	2.94%	0.02	Underutilized
TOTAL MWBE/DBE	3.08%	23.75%	0.13	Underutilized
NON-MWBE/DBE	96.92%	76.25%	1.27	Overutilized
TOTALS				
AFRICAN AMERICAN	0.42%	7.14%	0.06	Underutilized
ASIAN AMERICAN	0.12%	1.11%	0.11	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	13.75%	0.65%	21.14	Overutilized
WOMEN	3.60%	10.96%	0.33	Underutilized
UNIDENTIFIED MWBE/DBE	0.73%	2.94%	0.25	Underutilized
TOTAL MWBE/DBE	18.62%	23.75%	0.78	Underutilized
NON-MWBE/DBE	81.39%	76.25%	1.07	Overutilized

APPENDIX K DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Software Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.48%	7.14%	0.07	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	59.94%	10.96%	5.47	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	60.42%	23.75%	2.54	Overutilized
NON-MWBE/DBE	39.58%	76.25%	0.52	Underutilized
FY 2014				
AFRICAN AMERICAN	4.49%	7.14%	0.63	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	43.95%	10.96%	4.01	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	48.44%	23.75%	2.04	Overutilized
NON-MWBE/DBE	51.56%	76.25%	0.68	Underutilized
FY 2015				
AFRICAN AMERICAN	14.91%	7.14%	2.09	Overutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	5.79%	2.94%	1.97	Overutilized
TOTAL MWBE/DBE	20.70%	23.75%	0.87	Underutilized
NON-MWBE/DBE	79.30%	76.25%	1.04	Overutilized
FY 2016				
AFRICAN AMERICAN	1.77%	7.14%	0.25	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.66%	10.96%	0.06	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	2.43%	23.75%	0.10	Underutilized
NON-MWBE/DBE	97.57%	76.25%	1.28	Overutilized
FY 2017				
AFRICAN AMERICAN	3.29%	7.14%	0.46	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	3.29%	23.75%	0.14	Underutilized
NON-MWBE/DBE	96.71%	76.25%	1.27	Overutilized
TOTALS				
AFRICAN AMERICAN	5.02%	7.14%	0.70	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	15.88%	10.96%	1.45	Overutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	20.90%	23.75%	0.88	Underutilized
NON-MWBE/DBE	79.10%	76.25%	1.04	Overutilized

APPENDIX K

DISPARITY INDICES BY INDUSTRY

**Table 1: MWBE Prime Indices – Goods: Water & Waste Treatment Goods
Awards and P.O.s
In the Relevant Market – Metro Nashville
Nashville Disparity Study**

ETHNICITY/RACE AND GENDER GROUP	UTILIZATION PERCENT (U)	AVAILABILITY PERCENT BASED ON MASTER VENDOR FILE (AMV)	DISPARITY INDEX (U/AMV)	DISPARATE IMPACT OF UTILIZATION FOR (U/AMV)
FY 2013				
AFRICAN AMERICAN	0.11%	7.14%	0.02	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.73%	10.96%	0.07	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.84%	23.75%	0.04	Underutilized
NON-MWBE/DBE	99.15%	76.25%	1.30	Overutilized
FY 2014				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.01%	23.75%	0.00	Underutilized
NON-MWBE/DBE	99.99%	76.25%	1.31	Overutilized
FY 2015				
AFRICAN AMERICAN	0.00%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	1.23%	10.96%	0.11	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	1.23%	23.75%	0.05	Underutilized
NON-MWBE/DBE	98.77%	76.25%	1.30	Overutilized
FY 2016				
AFRICAN AMERICAN	0.16%	7.14%	0.02	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.42%	10.96%	0.04	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.58%	23.75%	0.02	Underutilized
NON-MWBE/DBE	99.42%	76.25%	1.30	Overutilized
FY 2017				
AFRICAN AMERICAN	0.01%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.00%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.01%	23.75%	0.00	Underutilized
NON-MWBE/DBE	100.00%	76.25%	1.31	Overutilized
TOTALS				
AFRICAN AMERICAN	0.01%	7.14%	0.00	Underutilized
ASIAN AMERICAN	0.00%	1.11%	0.00	Underutilized
HISPANIC AMERICAN	0.00%	0.94%	0.00	Underutilized
NATIVE AMERICAN	0.00%	0.65%	0.00	Underutilized
WOMEN	0.04%	10.96%	0.00	Underutilized
UNIDENTIFIED MWBE/DBE	0.00%	2.94%	0.00	Underutilized
TOTAL MWBE/DBE	0.05%	23.75%	0.00	Underutilized
NON-MWBE/DBE	99.95%	76.25%	1.31	Overutilized