

SCR

18

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**Office of Advocacy's**  
**6th ANNUAL CONFERENCE**

***for State and Local Officials on Small Business Initiatives***

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The Office of the Chief Counsel for Advocacy invites you to attend the 1984 Conference for State and Local Officials on Small Business Initiatives, on December 5-7, 1984, at the Hyatt Islandia Hotel on Mission Bay, in San Diego, California.

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**The Conference  
and Who It's For**

The conference will bring together approximately 500 state legislators and program officials, mayors, and other municipal executives to discuss current small business developments.

This two-day conference gives state and local leaders, who share an interest in small business issues, an opportunity to exchange ideas about innovative legislative and programmatic initiatives in their jurisdictions and to discuss how they are working to promote small business.

Workshop topics will range from general issues such as capital formation, taxation, procurement, and regulatory reform to more specific areas such as small business incubators, hospital cost containment, bad check legislation, and worker's right to know laws.

**Location and  
Reservations**

The San Diego Hyatt Islandia on Mission Bay offers conference attendees an attractive and convenient location, only minutes away by courtesy limousine from San Diego's Lindberg Field Airport.

Room rental rates for conference participants are \$69 (single) and \$90 (double). These rates will also apply for participants arriving up to three days before the conference and for those remaining three days after the conference.

Attendees are encouraged to mark their calendars for this important annual conference and make their reservations directly with the Hyatt, by calling toll free 1-800-228-9000.

**Further  
Information**

The Office of Advocacy of the U.S. Small Business Administration will supply further details on the conference in coming weeks. For general information call (202) 634-7600. More specific inquiries should be made to the Office of State and Local Affairs at (202) 634-7547.

Birch &  
Beaver Creeks  
(designation  
as wild  
rivers)

SENATE JOINT RESOLUTION NO. 25, by the Resources Committee. Requests the U.S. Congress to amend Sec. 603 of the Alaska National Interest Lands Conservation Act (ANILCA) by deleting Birch Creek and Beaver Creek from designation as wild rivers. States that both creeks are located in parts of Alaska with a long history of mining activity and mining exploration and development has traditionally been and presently is a vital part of the economy of Interior Alaska. The wild river designation may result in the curtailment of existing mining activity and prevent its future expansion and the designation as wild rivers is totally inappropriate.

Introduced April 18 and referred to Resources.

Small Business  
Development

SENATE CONCURRENT RESOLUTION NO. 18, by Senator V. Fischer. Requests the Governor to direct state agencies involved in contracting and subcontracting for government services to assure that "(1) the scope and size of state funded construction projects realistically reflect the ability of local businesses to successfully bid construction contracts; (2) all work associated with state funded construction projects be contracted out to be performed by the private sector as much as possible; and (3) a bidders preference adequate to assure a reasonable opportunity to successfully compete for state funded construction contracts and subcontracts is created for small Alaska-owned businesses, including those owned by women, minorities, and other economically disadvantaged groups."

Also requests the Governor to create a task force "to address state policy in contracting, local hire, and small business advocacy and to make recommendations to assure that state policy emphasizes and promotes small business development and maintenance in Alaska, and to recommend methods to provide a source of credit and bonding for small Alaska-based business and develop a definition of small Alaska-based business to realistically reflect the average assets and capabilities of existing contractors."

Requests the Governor to direct the Attorney General "to investigate and recommend measures available to the state to assure that a reasonable portion of state funded construction dollars be contracted through local, small Alaskan businesses."

Introduced April 19 and referred to Labor & Commerce.

Statewide  
Trail System  
(development  
of)

SENATE CONCURRENT RESOLUTION NO. 19, by Senator V. Fischer. Requests the Governor to direct appropriate state agencies "to develop a plan for a comprehensive statewide system of trails that will (1) provide for standards, procedures, and management guidelines for designating trails within a statewide trails system; (2) provide access to areas of historical, natural, or recreational interests; (3) protect and enhance the use and enjoyment of publicly owned land and resources by the public; (4) protect existing trails now in public ownership and access from loss to the public; (5) propose a state and local government capital improvement plan which includes inter-agency coordination

Mike Thomas, American Association of Insurers  
Box 1211  
Juneau, Alaska 99802  
586-3340  
Spoke in opposition to HB 7

Dan Motley  
9304 Turn  
Juneau, Alaska 99801  
789-3603  
Spoke in opposition to certain provisions of HB 7

PREVIOUS ACTION

No previous Senate Labor and Commerce Committee action on SS SCR 18, or on CS SSHB 7(Fin).

ACTION NARRATIVE

Tape #35  
007

Sen. Eliason called the meeting to order with Senators Mulcahy, Sackett, and Pettyjohn in attendance.

017

(SS SCR 18)

Sen. Vic Fischer, sponsor of SS SCR 18, testified on the resolution which is to support and promote small business development in Alaska. For the past few years he has been involved in an effort to help small and minority businesses in Alaska. The Senate State Affairs Committee (which he chairs) conducted interim study on the subject last year, and Sen. Fischer provided the interim report, entitled "Effects of State Contracting Procedures on Small and Minority-Owned Alaskan Businesses".

080

Sen. Sackett moved to pass SS SCR 18 out of committee with individual recommendations. There were no objections.

084

(Sen. Rodey arrived.)

100

(HB 7)

Sen. Joe Josephson, who sponsored mandatory auto insurance legislation in the Senate (SB 223), testified in support of HB 7. He has been coordinating his efforts with Rep. Joe Hayes, sponsor of HB 7 in

CR 18 TITLE & SPONSOR SUMMARY

16:50 6/04/84 PAGE 1 OF 3

RENDED TITLE: SSSCR 18AM

RELATING TO SMALL BUSINESS DEVELOPMENT IN THE STATE

GENERAL DOLLARS: \$0 (F. NOTE)

TIME SPONSOR: FISCHER, V. .

OTHER DOLLARS: \$0

CO-SPONSORS:

CURRENT STATUS: 6/04/84 IN (H) RULES

CR 18 SENATE ACTION

16:50 6/04/84 PAGE 2 OF 3

DATE SEQ PAGE

LEGISLATIVE ACTION

05/26/83 01 1126  
06/01/83 02 1158  
01/10/84 03 1775  
01/16/84 04 1775  
01/16/84 05 1775

FIRST READING -- COMMITTEE REPORTS  
L&C -- DP04, NR01  
SECOND READING  
AM01 ADOPTED BY UNAN CONSENT  
PASSED BY DIV 19-00-01

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CR 18 HOUSE ACTION

16:50 6/04/84 PAGE 3 OF 3

DATE SEQ PAGE

LEGISLATIVE ACTION

1/18/84 06 2280  
2/09/84 07 2869  
5/04/84 08 3645  
6/04/84 09 3645

FIRST READING -- COMMITTEE REPORTS  
L&C -- DP06  
FIN -- CC07  
FIN F/NOTE EQUALS ZERO  
RULES

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Bill Fact Sheet

Date Received \_\_\_\_\_

Bill Number <sup>SS</sup> SCR 18 Title \_\_\_\_\_

Fiscal Note - Date Requested \_\_\_\_\_ Date Received \_\_\_\_\_

- Of Whom \_\_\_\_\_

Dept. Position Paper - Date Requested \_\_\_\_\_ Date Received \_\_\_\_\_

- Of Whom \_\_\_\_\_

Resource People

Initial Hearing - Date 5-21-83  
People Contacted

Sen. Fischer  
Leg. { DCED  
Lizison { DoL  
DoTPF

Follow-up Hearing - Date \_\_\_\_\_

Final Action \_\_\_\_\_ Date \_\_\_\_\_

# ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



RAFT

## Senate State Affairs Committee 1982 interim report

### EFFECTS OF STATE CONTRACTING PROCEDURES ON SMALL AND MINORITY-OWNED ALASKAN BUSINESSES

#### TABLE OF CONTENTS

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Senate State Affairs Committee  
1982 Interim Report

EFFECTS OF STATE CONTRACTING PROCEDURES ON  
SMALL AND MINORITY-OWNED ALASKAN BUSINESSES

During the 1982 interim, the Senate State Affairs committee investigated the effects of state construction contracting procedures on small and minority-owned business in Alaska. This is a report on that effort.

Specifically, the committee examined an interagency agreement between the state Department of Transportation and Public Facilities (DOTPF) and the Alaska State Commission on Human Rights (ASCHR) affecting minority owned businesses contracting with the state.

The following report includes a review of that agreement, description of development and transmittal of a polling questionnaire, an analysis of the results, and recommendations based on suggestions and information received during the course of administering the questionnaire.

ASCHR/DOTPF AGREEMENT

In 1980 the ASCHR entered into an agreement with DOTPF to increase participation of minority owned businesses in contracting for state funded capital projects.

DOTPF agreed to take affirmative action in insuring minority owned business had an equitable chance to successfully bid state funded projects. Included in the agreement were provisions requiring that DOTPF:

- create the position of Minority Business Enterprise officer in DOTPF
- Prepare and distribute a policy and procedure memorandum outlining the scope and authority of the MBE officer
- charge the MBE officer with responsibility for developing and implementing an affirmative action plan
- identify and certify MBE's
- require successful prime contract bidders to submit proof of having contacted MBE's as subcontractors (when they intend to subcontract) for information and to solicit bids
- be responsible for notifying and informing minority owned businesses of contracting bids and procedures
- establish, print, maintain, update and distribute a MBE directory

DOTPF and ASCHR also agreed on goals for assuring a reasonable percent of total state construction dollars were contracted to minority owned businesses. Those goals required that 7.5% of total construction dollars for projects under \$100,000, not subject to competitive bid, to be contracted through MBE's in FY 1981 (the first year of the agreement), 11.5% in FY 1982, and 15% in FY 1983. Identical percentage goals were agreed upon for total subcontracting dollars on wholly state funded construction projects.

These goals were not considered quotas, and terms of the agreement provided that justified failure by DOTPF to meet these goals would not be considered to be a breach of the agreement.

The agreement further required that ASCHR actively monitor DOTPF's compliance and required DOTPF to provide adequate and accurate records to enable the Commission to document their compliance.

This agreement represented final resolution of a complaint originally filed with the Commission in December, 1978. After several months of negotiations between agencies, it was finalized and went into effect for the first time in 1980.

By June of 1982, a guest editorial in the Anchorage Times by E. Louis Overstreet, charged that DOTPF had not complied with the agreement. He based this charge on an "unreleased report" that "documents the failure of DOTPF to live up to the provision of an agreement it entered into with the Alaska Human Right commission in February 1980".

Shortly after that editorial appeared, a constituent delivered a copy of the ASHRC file charging DOTPF with non-compliance to the Senate State Affairs Committee. That constituent requested the committee to review the effectiveness of the agreement in increasing minority business participation and to find out why the ASCHR was "suppressing" a report of non-compliance under the "cover" of confidentiality.

The committee formally requested a compliance report from the ASCHR. ASCHR, however, was statutorily prevented from meeting the committee's request due to terms of the agreement with DOTPF\* and restrictions under state law (AS 18.80.115).

The ASCHR subsequently filed an action in superior court charging DOTPF with non-compliance on October 14, 1982. However, until they had exhausted conciliation efforts, and met the time provisions for filing and rebuttal laid out in the agreement, they were prevented from disclosing any information about DOTPF's compliance or non-compliance.

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\* Part III, paragraph 4, of the agreement states: "Whether or not a breach of this agreement has occurred shall be determined by the superior court. Prior to filing an action seeking any such determination by the superior court, the parties agree to maintain strict confidentiality regarding any alleged breach and any conciliation efforts".

Because of the confidentiality restrictions, the committee was unable to enlist the help of the Commission or the Department in determining compliance with and effectiveness of the agreement. At the time they were asked to investigate, it was impossible to predict whether there had been compliance, how long conciliation efforts may take or, indeed, if they were being pursued at all.

The Committee met the same restriction and frustration the minority business community faced when asking for swift and affirmative state action in increasing opportunities to participate in state funded construction projects. In addition, as the committee of oversight, Senate State Affairs was vitally interested in how seriously state agencies complied with agreements made with the Commission.

In order to independently determine the effectiveness of this agreement, the committee prepared and distributed a questionnaire to prime and subcontractors relating to state construction contract award procedures, specifically as they apply to minority owned businesses and the DOTPF/ASCHR agreement.

Following is a description of that questionnaire, an analysis of the results, and recommendations based on suggestions and information received during the course of administering the questionnaire.

#### QUESTIONNAIRE DESCRIPTION AND METHOD

Two questionnaires were prepared by Committee staff with help from minority businesses, DOTPF's Minority Business Enterprises officer, the Minority Business Assistance Center, and the ASCHR Systemic Discrimination Unit. One was directed to prime contractors, the other to minority owned businesses eligible to subcontract a DOTPF project. (Copies of questionnaire are attached).

Committee staff obtained a list of bid applicants for DOTPF construction projects from 1980 to 1982 and were able to compile a mailing list from that information. When it could be determined, only successful bidders for DOTPF contracts were sent prime contractor questionnaire.

A mailing list for minority owned business was compiled from a directory provided by DOTPF's Minority Business Enterprise officer, the Minority Business Assistance Center, and other constituent sources. Each was sent a Minority Business Enterprise questionnaire.

In addition to returned questionnaires, some recipients phoned or wrote to the committee to provide additional comments or suggestions regarding state contracting procedures and small or minority owned businesses. Copies of that correspondence is available on request.

The two questionnaires covered a time period from June of 1980 through June of 1982 (the same time period as ASCHR's affirmative action agreement with DOTPF), and limited themselves to state funded construction projects.

Besides specific contracting information, contractors were also asked to provide suggestions and recommendations for legislation (or no legislation), to address the philosophical and public policy considerations of minority business set aside programs, and, in some cases, to provide business and personal history (residency, years in business, etc.)

Each questionnaire was accompanied by a Senate State Affairs Committee cover letter explaining the purpose of oversight on the DOTPF/ASCHR agreement. The committee requested return of the questionnaires within two weeks of transmittal and enclosed a self-addressed, stamped envelope in an attempt to increase timely participation in the polling process.

### STATISTICAL ANALYSIS OF QUESTIONNAIRES

#### Prime Contractor Questionnaire:

- 436 questionnaires mailed, 49 returned = 11.2% return rate
- nearly half the respondents claimed to have been a successful DOTPF contractor during the time period covered.
- 20% claimed not to be aware of the MBE Directory, 25% didn't use the directory to locate sub-contractor, and nearly half said they "maintained their own list" for locating sub-contractors.
- significant number of respondents were not aware that a MBE contact form was required as part of a DOTPF bid package.
- 36% of respondents said they have never been contracted by DOTPF regarding minority owned businesses and state contracting.
- most prime contractors felt DOTPF was making a serious effort in assuring MBE's adequate opportunity to bid state construction contracts.
- 20% of prime contractors said they were philosophically opposed to minority owned set aside or advocacy programs and that current MBE programs should be eliminated.
- 18% of respondents felt no legislative action was necessary.

#### Subcontractor Questionnaire:

- 450 mailed out, 58 returned = 12.9% return rate
- 79% of the respondents were certified as MBE's (12 in 1982, 17 in 1981, 11 in 1980)

- Over half the respondents indicated no awareness of MBE officer services
- over half claimed never to have received bid information from DOTPF.
- 28% of respondents had subcontracted on DOTPF projects.
- 33% of respondents claimed to have been contacted by prime contractors
- 67% of respondents claimed never to have been contacted by prime contractors
- of the successfully bid contracts, most were less than \$100,000.
- less than half of the respondents knew about the MBE contact form requirement.
- a majority of likely construction project bidders said they had problems getting bonding and credit.
- over half the respondents businesses have been operating in Alaska for over 3 years with half of those over five years.
- over half the respondents have lived in Alaska over 10 years with over half of them having lived here more than 20 years.

The general questions in the minority business questionnaire addressed and identified problems preventing small Alaskan owned businesses from successfully bidding on state funded construction contracts. A discussion of those problems follows.

#### PROBLEMS IDENTIFIED

In the last ten years, billions of dollars have been allocated for state funded construction contracts. The sudden explosion of construction, coupled with the size and scope of many projects, has placed small and minority owned Alaskan businesses at a tremendous disadvantage in successfully bidding for contracts.

Besides the "normal" problems with Alaskan-based businesses (high cost of labor and transportation, vast distances, little infrastructure etc.), small and minority owned businesses face special problems.

Minority owned businesses are usually small businesses (under \$1 million dollars in gross revenues per fiscal year) and are often unable to get bonding, loans or credit, for large-scale contracts. In

addition, they are often unaware of bidding procedures or notices, and are out of the mainstream of the contracting "network".

A brief review of DOTPF construction contract awards from 1978 through 1982 illustrates the problem well. While nearly 50% of the awards are in amounts under \$1 million dollars, they represent less than a third of total contract dollars. The vast majority of total construction dollars go to a relative handful of contracts over \$1 million dollars.

Most large-scale construction projects are awarded to out-of-state contractors. Even the existing state statute giving a bidders preference to Alaskan-based business, is not sufficient to overcome the competitive edge large, national or international companies have in bidding state funded construction contracts.

Since most of these prime contractors tend to subcontract to other "outside" companies, small and minority owned Alaskan businesses are excluded from taking advantage of the massive input of state dollars into capital projects.

The executive branch has attempted to address this issue through the ASCHR/DOTPF agreement but, so far, has been unable to insure that a reasonable portion of state funded construction dollars remain in Alaska through contracting with small and minority owned businesses.

#### LEGISLATIVE RECOMMENDATIONS

Specific statutes need addressed by the legislature, to assure a reasonable opportunity for Alaskan owned small businesses to participate in the current flood of state funded construction projects.

Following are recommendation for legislation based on information obtained from the questionnaires:

1. Establish an Alaska Small Business Administration under the Department of Commerce and Economic Development (DCED), modeled after the federal program that would: a) define small businesses for the purpose of this administration, b) provide a source of credit and bonding for Alaska based small businesses, c) promote and advocate for small business development and maintenance in Alaska.
2. Create a statewide office of minority business enterprises in the Department of Commerce and Economic Development, to aide, advocate and support small, minority owned businesses in Alaska.
3. Define "small" Alaskan-based businesses to realistically reflect the average assets and capabilities of existing contractors. Defining "small" as a business having under \$2 million dollars in gross revenues for the year preceeding application for certification under an Alaskan small business administration, appears, from the questionnaire, to be a reasonable definition for Alaska.

4. Give adequate bidder preference to Alaska-based businesses that are small and/or minority owned. The current 5% bidders preference should be raised to a 15% preference to small, Alaskan based businesses. The 15% preference should require that the low bidder receive the contract if they re-submit a bid within 10% of the next lowest bid submitted.

5. Require prime contractors and joint ventures to award no less than 50% of total subcontract dollars to small or minority owned Alaskan businesses identified and certified by the Department of Commerce and Economic Development.

6. Include women, Viet Nam veterans and other economically disadvantaged classes of Alaskans in minority status for the purpose of these contracting considerations.

7. Require that no less than 30% of state funded construction contracts be awarded in amounts under \$1 million dollars with half of those in amounts under \$250,000.

8. Pass a legislative resolution calling upon the Governor to create a task force to address state policy in contracting, local hire, and small business advocacy. Require that the executive, judicial, and legislative branch, as well as other working Alaskans, are included in the task force to assure full representation.\*

9. Require surety bonders to keep adequate records to document why businesses are denied credit or bonding.

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\* Court decisions on the jurisdiction and authority of states to limit employment and contracting opportunities to residents or "protected" classes of citizens have been many and varied. A U.S. supreme court decision, issued in February 1983, upheld a Boston Mayor's Executive Order requiring that 50% of wages paid on city funded or administered construction projects be limited to Boston residents.

Based on the findings of that decision, Senate Bill 174, was introduced in the Alaska legislature on March 10, 1983, by Senator Joe Josephson. SB 174 requires that, when a construction project is wholly funded by state money and the state or an agency of the state is signatory to the contract, worker hours on a craft-by-craft basis must be performed at least 50% by bona fide state residents.

SB 174 adopts the specific language of the U.S. Supreme Court decision and replaces AS 36.10.010 in an attempt to strengthen Alaska hire preference laws to meet anticipated court challenges.

While not directly affecting small and minority business contracting, it appears that the Boston decision puts Alaska "back in the residency business". Alaska's authority to grant bidder preferences to resident owned small businesses, for instance, is strengthened by the supreme courts decision.



# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chairman • 1024 W. 6th Ave., Suite 204 C,  
Anchorage, Alaska 99501  
(907) 278-3654

Official Business

To: Alaskan Contractors (Prime Contractor Questionnaire)

From: Senator Vic Fischer, Chair  
Senate State Affairs Committee

Date: September 29, 1982

Re: Minority business contracting

In the last five years, massive amounts of public dollars have gone to the State Department of Transportation and Public Facilities (DOTPF) for statewide construction projects.

It is the intent of the legislature that all Alaskan businesses are assured an equal chance to bid on and participate in state funded capital projects.

In order to assure this, the State Human Rights Commission entered into an agreement with DOTPF in June of 1980 to increase participation of minority owned small businesses in state construction contracting.

As the committee of oversight for the Human Rights Commission, the Senate State Affairs Committee is vitally interested in how seriously state agencies comply with agreements made with the Commission. We cannot determine this without your help.

The enclosed questionnaire was prepared by the Committee to help determine just how effective that agreement has been. Direct information from you is the only way to verify or refute the success of this agreement. Your response will be greatly appreciated.

The scope of this questionnaire includes contracts and sub-contracts involving minority owned businesses from June 1980 to June 1982. It does not include female owned businesses nor projects paid through federal, municipal or private funds.

The purpose of the agreement is to help, not hinder, your efforts to include small minority owned businesses in subcontracting procedures. We need to know if you think it has been successful and where you feel the system could be improved.

Please return this questionnaire by <sup>22</sup>October 15 to Senator Vic Fischer, Chair, Senate State Affairs Committee, 1024 W 6th Avenue, Suite 204-C, Anchorage, Alaska 99501. We have enclosed a self-addressed, stamped envelope for your convenience. For further information call Ginger Baim, in my office, at 278-3654.

COMPANY NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

1. Did you submit a bid on any contracts for DOTPF projects from June 1980 through June 1982? \_\_\_\_\_ Yes \_\_\_\_\_ No.

2. Have you subcontracted any work for DOTPF from June 1980 to June 1982? \_\_\_\_\_ Yes \_\_\_\_\_ No.

List firms you have subcontracted with on DOTPF projects from June 1980 to June 1982.

- 1. \_\_\_\_\_ 4. \_\_\_\_\_
- 2. \_\_\_\_\_ 5. \_\_\_\_\_
- 3. \_\_\_\_\_ 6. \_\_\_\_\_

(Please list additional firms on space provided at the end of this questionnaire.)

3. Are you aware of the MBE Directory prepared by DOTPF's Office of Minority Business Enterprises (OMBE) \_\_\_\_\_ Yes \_\_\_\_\_ No.

4. When did you become aware of this directory? \_\_\_\_\_

5. Did you refer to the MBE Directory when looking for subcontractors? \_\_\_\_\_ Yes \_\_\_\_\_ No.

6. Is the MBE Directory adequate for your needs? \_\_\_\_\_ Yes \_\_\_\_\_ No.  
What would you like done to improve its usefulness to you?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. How else do you contact MBE's? \_\_\_\_\_

\_\_\_\_\_

Do you maintain your own list? \_\_\_\_\_ Yes \_\_\_\_\_ No.

8. Are you familiar with the MBE contact form provided by DOTPF? \_\_\_\_\_ Yes \_\_\_\_\_ No.

9. Are you aware that in order for DOTPF to approve a subcontract, a completed MBE contact form (25 A 329) must be submitted?  Yes  No.

10. Has DOTPF, to your knowledge, ever approved a subcontract without a completed MBE contact form?  Yes  No. (If yes, please provide additional information at the end of this questionnaire).

11. How many times did DOTPF contact you regarding MBE's from June 1980 to June 1982? \_\_\_\_\_ Was the contact adequate to fully inform you of the subcontracting requirements?  Yes  No. Do you know the contact person within DOTPF to call for further information about minority business contracting?  Yes  No.

12. From your personal experience, how serious do you perceive DOTPF to be in pursuing methods to assure adequate involvement of MBE's in state contracting?  Very serious  Serious enough  Not serious  "whitewash" \_\_\_\_\_

Comments? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. What would you like to see DOTPF do to help contractors comply with MBE contact requirements?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. What would you like to see the legislature do to help assure all small Alaskan businesses an equal chance to bid on and participate in state funded construction projects? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. When bidding on a project for which you intend to subcontract, what problems would it present to you should DOTPF require evidence of having contacted a MBE as part of your bid package? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# Senate Committee on State Affairs

Vic Fischer, Chairman • 1024 W. 6th Ave., Suite 204 C,  
Anchorage, Alaska 99501  
(907) 278-3654

MBE/Interim  
Page.....13

Official Business

## SUBCONTRACTOR QUESTIONNAIRE

To: Minority Business subcontractors

From: Senator Vic Fischer, Chair  
Senate State Affairs Committee

Date: September 29, 1982

Re: MBE contracting on state funded projects.

In June of 1980 the state Human Rights Commission entered into an agreement with the Department of Transportation and Public Facilities (DOTPF) to increase participation of minority owned businesses in contracting for state funded capital projects.

As the committee of oversight on the Human Rights Commission, the Senate State Affairs Committee is vitally interested in how seriously state agencies comply with agreements made with the Commission. We cannot do this without your help.

The enclosed questionnaire was prepared by the Committee to help determine just how effective this agreement has been. Direct information from you is the only way to verify or refute information about compliance with that agreement.

The purpose of the agreement was to help, not hinder, efforts to include small minority owned businesses in subcontracting procedures. We need to know if you think it has been successful and where you feel the system could be improved.

Please return this questionnaire by October 15 to: Senator Vic Fischer, Chair, Senate State Affairs Committee, 1024 W 6th Avenue, Suite 204-C, Anchorage, Alaska 99501. We have enclosed a self-addressed, stamped envelope for your convenience. For further information call Ginger Baim, in my office, at 278-3654.

COMPANY NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_

1. List the date your business was certified as a minority or female owned business by the state Department of Transportation and Public Facilities (DOTPF), Office of Minority Business Enterprises (OMBE).  
\_\_\_\_\_

2. What services are you aware of being performed by DOTPF's OMBE.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

3. How many times during the last year has your firm received information on contracting activity from DOTPF? \_\_\_\_\_  
Was that information presented in a timely and understandable manner to you? \_\_\_\_\_ Yes \_\_\_\_\_ No. (Space is provided at the end of this questionnaire for additional comments).

4. Have you contacted DOTPF on your own? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, under what circumstances, for what purpose, when etc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Did you contract on a DOTPF project from June 1980 through June 1982?  
\_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, was DOTPF or the prime contractor aware that you are a minority owned business? \_\_\_\_\_ Yes \_\_\_\_\_ No.

6. List all prime contractors that have requested subcontract bids from your firm from June 1980 through June 1982.

- 1. \_\_\_\_\_ 3. \_\_\_\_\_
- 2. \_\_\_\_\_ 4. \_\_\_\_\_
- 5. \_\_\_\_\_ 6. \_\_\_\_\_

(List additional firms on space provided at end of questionnaire)

7. List the jobs you have performed on DOTPF projects and their contract value amount.

Contracts	Amounts	Year
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

(Use additional space at end of questionnaire if necessary)

8. Are you aware that DOTPF cannot approve a subcontract until a MBE has been contacted and a completed contact form submitted? \_\_\_\_\_ Yes  
\_\_\_\_\_ No.

9. Are you aware of any subcontracts approved by DOTPF that did not contain the required MBE contact form? \_\_\_\_\_ Yes \_\_\_\_\_ No

10. Is obtaining bonding a problem? \_\_\_\_\_ Yes \_\_\_\_\_ No

11. Is getting lines of credit at local financial institutions a problem? \_\_\_\_\_ Yes \_\_\_\_\_ No Comments?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. How long have you been in business? \_\_\_\_\_

13. How long have you lived in Alaska? \_\_\_\_\_

14. What do you feel are the major obstacles to your company's success in Alaska?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. What would you like to see the legislature do to address the problem of minority business access to state contracting jobs, particularly through DOTPF?

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Any other comments: \_\_\_\_\_

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Name and Phone number of person filling out questionnaire:

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