



CHARLES COUNTY MD

DISPARITY STUDY JULY 2021



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I. INTRODUCTION

A. Scope of Work

In 2020, the Board of Commissioners of Charles County (“County”) contracted with Griffin & Strong, P.C. (“GSPC”) to conduct a disparity study and comprehensive analysis of Charles County’s procurement process to determine if the participation of minority and women owned firms (“MWBE”) is what should be expected given their availability in the County’s marketplace. Further, GSPC was to perform a comprehensive analysis of the County’s minority business enterprise (“MBE”) Program and determine appropriate, legally defensible methods to enhance the program’s efficiency. (“Study”)

Governmental entities across the country authorize Disparity Studies in response to City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989) and subsequent cases in order to determine whether there is a compelling interest for the creation or continuation of remedial procurement programs, based upon race, gender, and ethnicity. In order for the legal requirements of Croson and its progeny to be satisfied for any race or gender-based activities, GSPC must determine whether Charles County has been a passive or active participant in any identified discrimination.

Toward achievement of these ends, GSPC has analyzed the prime contractor contracting and subcontracting activities for Charles County’s purchases of Construction, Architecture and Engineering (A&E), Other Services, and Goods during the five (5) year Study Period FY2015 through FY2019 (“Study Period”).

B. Objectives

The principal objectives of this Study were to:

- Collect and analyze relevant data to determine if there is a disparity between the number of MWBEs that are “ready, willing, and able” as vendors in the areas of Construction, Architecture and Engineering (A&E), Other Services, and Goods;
- Determine whether there are current discriminatory practices, or the present effects of past discriminatory practices in Charles County’s solicitation and award of contracts;
- Determine if Charles County’s race and gender conscious remedial efforts with regard to the awarding of contracts are narrowly tailored to the findings of this Study; and
- Provide recommendations for actions to be taken by Charles County as a result of the findings of the Study, including serious consideration of race-neutral program options, and, as appropriate, consideration of race- and gender-conscious remedies that are narrowly tailored to address any identified barriers and forms of marketplace discrimination.

C. Technical Approach

In conducting this Study and preparing its recommendations, GSPC followed a carefully designed work plan that allowed Study team members to fully analyze Availability, Utilization, and Disparity with regard to 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;
- Reviewing policy and procurement processes and MBE Program analysis;
- Collecting electronic data, inputting manual data, organizing, and cleaning data, as well as filling any data gaps;
- Conducting geographic and product market area analyses;
- Conducting Utilization analyses;
- Determining the Availability of qualified firms;
- Analyzing the Utilization and Availability data for disparity and statistical significance;
- Conducting private sector analysis including credit and self-employment analysis;
- Collecting and analyzing anecdotal evidence;
- Establishing findings of fact regarding the existence and nature of marketplace discrimination and / or other barriers to MWBE participation in Charles County contracts; and
- Preparing a final report that identifies and assesses the efficacy of various race- and gender-neutral and narrowly tailored race- and gender-based remedies if indicated by the findings.

Study definitions are contained in Appendix A.

D. Report Organization

This report is organized into the following sections, which provide the results of GSPC's analytical findings and recommendations for Charles County. In addition to this introductory chapter, this report includes:

- Chapter II, which presents the Executive Summary of Findings and Recommendations;
- Chapter III, which is an overview of the legal framework and basis for the Study;
- Chapter IV, which provides a review of Charles County's purchasing policies, practices, and programs;
- Chapter V, which presents the methodology used in the collection of statistical data from Charles County and the analyses of the data regarding relative MWBE Availability and Utilization analyses, and includes a discussion on levels of disparity for Charles County's prime contractor contractors and subcontractors;
- Chapter VI, which analyzes whether present or ongoing effects of past discrimination are affecting Charles County's marketplace; and
- Chapter VII, which outlines the qualitative analyses: the analysis of anecdotal data collected from the online survey, personal interviews, focus groups and public meetings.

II. EXECUTIVE SUMMARY FINDINGS AND RECOMMENDATIONS

This chapter presents the findings and recommendations resulting from the Study for Charles County related to Construction, Architecture & Engineering, Other Services, and Goods for the five-year period FY2015-FY2019.

A. FINDINGS

1. Legal Findings

Finding 1: LEGAL FINDING

Consistent with the “narrow tailoring” aspect of the strict scrutiny analysis discussed in the Legal Chapter, Charles County continues to implement race and gender-neutral measures to try to increase utilization of MWBE firms,¹ but the present Study shows that those measures have not been effective in resolving or significantly reducing the identified disparities.² Accordingly, the County has a basis to introduce race and gender conscious remedies or policies toward that goal.³

Moreover, the use of a regression analysis and consideration of the contracting environment in the private sector as part of this Study allow Charles County to demonstrate that factors other than MWBE status cannot fully account for the statistical disparities found. Stated otherwise, the County can show that MWBE status continues to have an adverse impact on a firm’s ability to secure contracting opportunities with the County, further supporting more aggressive remedial efforts.

Lastly, having obtained statistical and anecdotal evidence of disparities that are race, ethnicity, and gender specific, Charles County can ensure that the more robust remedies considered as a result of this Study can be limited to minority groups for which underutilization and an inference of discrimination has been identified.⁴

¹ The current Minority Business Enterprise (MBE) Program implemented and run by Charles County covers minority and woman owned business enterprises, business enterprises owned by mentally or physically Disabled persons, and Disabled American Veteran (DAV) owned businesses – collectively referred to as MBEs.

² See City of Richmond v. J. A. Croson Company, 488 U.S. 469, 507-508; 109 S. Ct. 706 (1989).

³ Id.

⁴ Id.; see also H.B. Rowe Company, Inc. v. W. Lindo Tippett, 615 F.3d 233, 256-58 (4th Cir. 2010) (finding strong basis in evidence for remedial action for African American and Native American firms, but no similar basis for inclusion of other minority groups (including women-owned businesses) in the remedial policy).

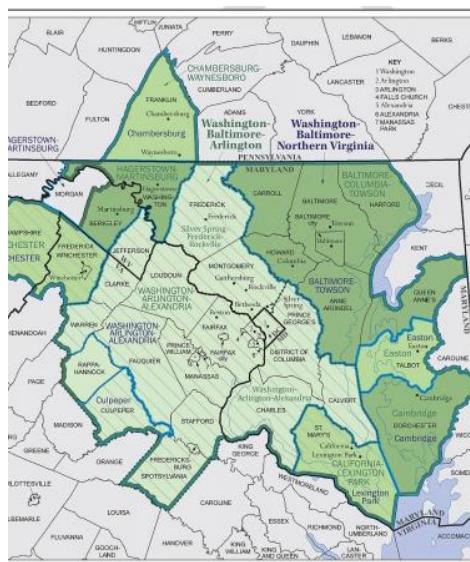
2. Quantitative Findings

FINDING 2: RELEVANT GEOGRAPHIC AND PRODUCT MARKETS

The Study compares the availability and utilization of firms in a common area, the Relevant Geographic Market, where at least 75% of County spending with vendors takes place. The Washington-Baltimore-Arlington, DC-MD-VA-WV-PA Consolidated Statistical Area (“CSA”)⁵ was determined to be the Relevant Market based on the following percentages of spending in the CSA.

- In Construction, 84.50%
- In A&E, 80.85%
- In Other Services, 83.93%
- In Goods, 54.22%
- Overall spend in the CSA, 77.49%

Figure 1: MAP OF THE WASHINGTON-BALTIMORE-ARLINGTON, DC-MD-VA-WV-PA CONSOLIDATED STATISTICAL AREA (“CSA”)



⁵ The CSA is comprised of the counties in the Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area (“MSA”): Frederick County, Fairfax County, Prince George's, District of Columbia, Prince William County, Loudoun County, Arlington County, Charles County, City of Alexandria, Stafford County, Spotsylvania County, Calvert County, Fauquier County, Jefferson County, Culpeper County, City of Manassas, Warren County, City of Fredericksburg, City of Fairfax, City of Manassas Park, Clarke County, City of Falls Church, Madison County, Rappahannock County, and Montgomery County and the additional counties in the CSA of: Baltimore County, Baltimore City, Anne Arundel County, Howard County, Harford County, Carroll County, Queen Anne's County, Washington County, Berkeley County, Morgan County, Franklin County, Frederick County (Virginia), City of Winchester, Hampshire County, St. Mary's County, and Talbot County.

The following payments were made to firms in Charles County during the Study Period with the percentage of spending in that Industry Category:

Table 1: Summary of Payments to Firms Located in Charles County
(Based upon Payments FY2015-FY2019)

Charles County Disparity Study

Construction:	\$25,123,644.41
	27.38%
A&E:	\$1,209,219.19
	4.95%
Other Services:	\$44,784,420.25
	23.57%
Goods:	\$7,293,003.12
	8.76%

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FINDING 3: AVAILABILITY

The measures of availability utilized in this Study incorporate all of the criteria of availability required by City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989).

- The firm does business within an industry group from which Charles County 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 Charles County

The firms used to calculate Availability came from the Master Vendor File which is a pool of vendors who meet the above referenced criteria. GSPC found that firms were available to provide goods and services to Charles County as reflected in the following percentages by each race, ethnicity, and gender group.

Table 2: Availability Estimates by Work Category

In the Relevant Market

(Based upon the Master Vendor File)

Charles County Disparity Study

Business Owner Classification	Construction	A&E Services	Other Services	Goods
African American	26.65%	15.47%	19.13%	9.52%
Asian American	3.02%	9.35%	2.61%	0.91%
Hispanic American	8.13%	2.88%	1.89%	1.43%
Native American	1.32%	1.44%	1.17%	0.52%
TOTAL MINORITY	39.13%	29.14%	24.80%	12.39%
Nonminority Female	5.48%	6.12%	2.38%	1.96%
Unidentified MWBE	0.76%	0.72%	0.53%	0.65%
TOTAL MWBE	45.37%	35.97%	27.71%	14.99%
TOTAL Non-MWBE	54.63%	64.03%	72.29%	85.01%
TOTAL	100.00%	100.00%	100.00%	100.00%
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FINDING 4: MWBE PRIME UTILIZATION

As Table 3 below shows, Charles County paid a total of \$77.6 million in prime construction spending in the Relevant Market during the Study Period and \$9.5 million of this amount, or 12.3% was paid with MWBE firms as prime contractors. MWBEs were paid 4.16% of A&E dollars, 6.46% of Other Services, and 1.93% of Goods. MWBEs were paid 7.13% of prime payments across all purchasing categories.

Table 3: Summary of Prime Utilization by Work Category*In the Relevant Market**(Based upon Payments FY2015-FY2019)**Charles County Disparity Study*

Business Ownership Classification	Construction	A&E Services	Other Services	Goods	Total
	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 48,595	\$ 288,731	\$ 6,114,474	\$ 70,459	\$ 6,522,259
Asian American	\$ 3,731,772	\$ 517,811	\$ 1,396,826	\$ -	\$ 5,646,409
Hispanic American	\$ 2,632,613	\$ -	\$ 34,312	\$ 8,979	\$ 2,675,904
Native American	\$ 648,532	\$ -	\$ -	\$ -	\$ 648,532
TOTAL MINORITY	\$ 7,061,512	\$ 806,542	\$ 7,545,612	\$ 79,439	\$ 15,493,105
Nonminority Female	\$ 2,482,525	\$ 14,107	\$ 2,690,414	\$ 791,019	\$ 5,978,066
Unidentified MWBE	\$ -	\$ -	\$ 18,793	\$ -	\$ 18,793
TOTAL MWBE	\$ 9,544,037	\$ 820,650	\$ 10,254,819	\$ 870,458	\$ 21,489,964
TOTAL NON-MWBE	\$ 68,044,805	\$ 18,909,914	\$ 148,566,128	\$ 44,344,917	\$ 279,865,764
TOTAL FIRMS	\$ 77,588,842	\$ 19,730,563	\$ 158,820,947	\$ 45,215,375	\$ 301,355,727
Business Ownership Classification	Construction	A&E Services	Other Services	Goods	Total
	(%)	(%)	(%)	(%)	(%)
African American	0.06%	1.46%	3.85%	0.16%	2.16%
Asian American	4.81%	2.62%	0.88%	0.00%	1.87%
Hispanic American	3.39%	0.00%	0.02%	0.02%	0.89%
Native American	0.84%	0.00%	0.00%	0.00%	0.22%
TOTAL MINORITY	9.10%	4.09%	4.75%	0.18%	5.14%
Nonminority Female	3.20%	0.07%	1.69%	1.75%	1.98%
Unidentified MWBE	0.00%	0.00%	0.01%	0.00%	0.01%
TOTAL MWBE	12.30%	4.16%	6.46%	1.93%	7.13%
TOTAL NON-MWBE	87.70%	95.84%	93.54%	98.07%	92.87%
TOTAL FIRMS	100.00%	100.00%	100.00%	100.00%	100.00%
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FINDING 5: MWBE TOTAL UTILIZATION

As shown in Table 4 below minority owned firms received \$7.6 million during the Study Period, 9.68% of the total Construction Services paid to prime and subcontractor dollars, while Nonminority Female owned

firms were paid a total of \$2.7 million, 3.45% of the total Construction Services paid dollars. MWBEs received 13.14% of the total Construction Services paid dollars.

In terms of Total Utilization, MWBEs received 4.37% of the total A&E paid dollars, 6.52% of the total Other Services paid dollars and 1.93% of the total Goods paid dollars. There was little to no subcontracting outside of Construction.

Table 4: Summary of Total Utilization by Work Category

In the Relevant Market

(Based upon Payments FY2015-FY2019)

Charles County Disparity Study

Business Ownership Classification	Construction	A&E Services	Other Services	Goods	TOTAL
	(\$)	(\$)	(\$)	(\$)	(%)
African American	\$ 228,042	\$ 284,663	\$ 6,178,628	\$ 70,459	\$ 6,761,793
Asian American	\$ 3,376,686	\$ 549,919	\$ 1,410,873	\$ -	\$ 5,337,478
Hispanic American	\$ 3,255,986	\$ -	\$ 34,312	\$ 8,979	\$ 3,299,277
Native American	\$ 648,532	\$ -	\$ -	\$ -	\$ 648,532
TOTAL MINORITY	\$ 7,509,246	\$ 834,582	\$ 7,623,814	\$ 79,439	\$ 16,047,080
Nonminority Female	\$ 2,678,229	\$ 27,145	\$ 2,706,456	\$ 791,019	\$ 6,202,849
Unidentified MWBE	\$ 4,689	\$ -	\$ 18,793	\$ -	\$ 23,482
TOTAL MWBE	\$10,192,164	\$ 861,727	\$ 10,349,062	\$ 870,458	\$ 22,273,411
TOTAL NON-MWBE	\$67,396,678	\$ 18,868,836	\$ 148,471,884	\$ 44,344,917	\$ 279,082,316
TOTAL FIRMS	\$77,588,842	\$ 19,730,563	\$ 158,820,947	\$ 45,215,375	\$ 301,355,727
Business Ownership Classification	Construction	A&E Services	Other Services	Goods	TOTAL
	(%)	(%)	(%)	(%)	(%)
African American	0.29%	1.44%	3.89%	0.16%	2.24%
Asian American	4.35%	2.79%	0.89%	0.00%	1.77%
Hispanic American	4.20%	0.00%	0.02%	0.02%	1.09%
Native American	0.84%	0.00%	0.00%	0.00%	0.22%
TOTAL MINORITY	9.68%	4.23%	4.80%	0.18%	5.32%
Nonminority Female	3.45%	0.14%	1.70%	1.75%	2.06%
Unidentified MWBE	0.01%	0.00%	0.01%	0.00%	0.01%
TOTAL MWBE	13.14%	4.37%	6.52%	1.93%	7.39%
TOTAL NON-MWBE	86.86%	95.63%	93.48%	98.07%	92.61%
TOTAL FIRMS	100.00%	100.00%	100.00%	100.00%	100.00%

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FINDING 6: SUMMARY OF DISPARITY ANALYSIS FOR FY2015-FY2019

Table 5 below indicates those MWBE groups where a statistically significant disparity (X) was found in prime utilization for Construction, A&E, Other Services, or Goods. There was underutilization in prime contracts for all MWBEs groups, except Asian American firms in Construction Services. Nonminority Female owned firms were underutilized in Goods, but it was not statistically significant. Non-MWBEs were overutilized.

Table 5: Summary of Statistically Significant Underutilization of MWBEs in Prime Contracting

Charles County Disparity Study

<i>Business Owner Classification</i>	Construction	A&E	Other Services	Goods
African American	X	X	X	X
Asian American		X	X	X
Hispanic	X	X	X	X
Native American	X	X	X	X
Nonminority Female	X	X	X	X*

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*Underutilized, but not statistically significant.

Table 6 below indicates those MWBE groups where a statistically significant disparity (X) was found in Total utilization (prime plus subcontracting) for Construction, A&E, Other Services, or Goods. There was underutilization in prime contracts for all MWBEs groups, except Asian American firms in Construction Services. Nonminority female owned firms were underutilized in Goods, but it was not statistically significant. Non-MWBEs were overutilized.

Table 6: Summary of Statistically Significant Underutilization of MWBEs in Total Utilization*Charles County Disparity Study*

Business Owner Classification	Construction	A&E	Other Services	Goods
African American	X	X	X	X
Asian American		X	X	X
Hispanic	X	X	X	X
Native American	X	X	X	X
Nonminority Female	X	X	X	X*

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*Underutilized, but not statistically significant.

Disparity was also examined eliminating larger prime projects. With few exceptions, disparity for all MWBE groups was also found for:

- (1) Prime payments less than \$50,000 for all procurement categories.
- (2) Prime payments less than \$500,000 for all procurement categories.

3. Policy Findings

FINDING 7: PERCEIVED BARRIERS IN PROCUREMENT

The primary barriers reported by MWBE survey respondents were:

- Unfair competition with large companies, 18.9%
- Prequalification 15.3%
- Limited time to prepare bids 15.3%

Interviews with personnel indicated that bonding and insurance requirements have not been cited by vendors or potential bidders as barriers to participation. About 9.9% of MWBE survey respondents found bonding to be a barrier and 4.5% of MWBE survey respondents found insurance to be a barrier.

Personnel interviews revealed that there have been few complaints about prompt payment. No MWBEs reported being paid later than 59 days.

FINDING 8: COUNTY MWBE PROGRAM

The Charles County Minority Business Enterprise (MBE) program is expressly modeled after the MBE Program run by the State of Maryland Department of Transportation (DOT) and is promulgated in the County Code and the Purchasing Guidelines. The County does not offer any preferences or set asides for MBE participation but has established an aspirational goal of 25% and encourages utilization of MBEs "whenever possible and appropriate." There is no formalized guidance regarding Good Faith Efforts and MBE inclusion.

The MBE Program includes African Americans, American Indians/Native Americans, Asian Americans, Hispanics, Women, physically or mentally disabled persons, and Disabled American Veterans. The County "automatically" recognizes the MBE status of any company certified by the Maryland DOT, and Federal 8-A program.

Multiple Departments are tasked with managing the MBE Program, and MBE utilization is confirmed through use of the Minority Business Enterprise Utilization Affidavit form, which indicates the MBE status of prime contractors and/or subcontractors. MBE utilization has not historically been tracked at any meaningful level.

The County does have a federal Disadvantage Business Enterprise (DBE) sub-recipient plan for purchases or contracts that include federal funding, and the current DBE liaison for the County is Director of the Planning & Growth Management Department.

FINDING 9: COUNTY SLBE PROGRAM

A Small Local Business Enterprise (SLBE) is defined as "a business that has been certified in the State of Maryland's Small Business Reserve (SBR) program and then certified by the [Charles County Government's] Economic Development Department as a 'local business' operating in Charles County, Maryland."

Additionally, an SLBE is a for-profit, independently owned business (no brokers or subsidiaries) that meets the definitions and criteria for both a small and local business. A "local business" must have its headquarters physically located in Charles County; or either have a branch or satellite office in Charles County that generates at least 25% of the company's annual gross sales or have 25% of its full-time equivalent employees residing in Charles County.

For informal procurement (up to \$25,000), the program is essentially a "reserve" program for SLBE firms, unless there are not at least three qualifying SLBE firms available to bid on/complete the work.

There are no SLBE reserves in formal procurements, but there are bid preferences for SLBEs, subject to some exceptions, including that the total contract be less than \$500,000.

As with the MBE Program, there is no formalized guidance regarding Good Faith Efforts to attain or increase SLBE inclusion.

FINDING 10: COUNTY BUSINESS DEVELOPMENT EFFORTS

The County has a micro-loan program, small business workshops (e.g., SLBE certification management assistance, resource opportunities), and a partnering program for small businesses with the Small Business Administration (SBA), Southern Maryland, the Minority Chamber of Commerce, and the Governor's Office of Small, Minority and Women Business Affairs.

4. Anecdotal Findings

FINDING 11: MORE THAN ONE-THIRD OF RESPONDENTS WERE NOT REGISTERED WITH THE COUNTY; MORE THAN ONE-QUARTER DID NOT KNOW HOW TO REGISTER.

Although Charles County has registration of local SLBE firms, more than 41% of businesses surveyed during the Study said they were not registered to do business with Charles County, and more than 62% of those unregistered firms admitted that they were unaware that there even was a registry to work with the County. Additionally, more than 28% of those surveyed said they did not know how to register with the County. Anecdotal evidence points to an absence of consistent, cohesive, and effective outreach as well as a lack of deliberate effort to inform and empower potential partners.⁶

FINDING 12: RESPONDENTS FOUND IT UNFAIR TO HAVE TO COMPETE WITH LARGE FIRMS.

Nearly 19% of the participants indicated that unfair competition with large firms was a barrier to obtaining work from the County. One-third of the firms polled said an informal network of businesses from which they were excluded prevented them from winning contracts with Charles County, and more than half said public contracting with the County was monopolized by this informal network. Nearly 34% of respondents agreed to some extent with the idea that an informal network kept them from doing business with the County. Anecdotal evidence from the Study suggests that County procurement practices focus on contracting with large firms, rather than capable local businesses, which are often MWBE able and willing to work.

⁶ You do not have to be registered to do business with Charles County, however If local businesses want to receive the SLBE preferences, they must register with the SLBE Program and become certified as a SLBE firm. Local businesses can still bid on county contracts without registering with the SLBE program, but they will not receive the discounted bid preferences.

5. Private Sector Findings

FINDING 13: LIKELY NEW FIRMS

Firms owned by African Americans and Women are more likely to be new firms. This suggests that for these types of SMWBES, their relative inexperience in the market may partially explain disparities in public contracting between SMWBES and non-SMWBES in the Charles County Market Area, as tenure in the market also implies similar knowledge/experience about bidding and securing public contracts.

FINDING 14: NO DIFFERENCES IN BID SUBMISSIONS

With the exception of Women owned firms, there are no differences in bid submissions between broadly classified SMWBES and non-SMWBES. This suggests that for this type of SMWBES, relative to non-SMWBES any differential success in public contracting outcomes in the Charles County market area cannot be explained by lower bid submissions.

FINDING 15: AFRICAN AMERICAN AND WOMEN BUSINESS RECEIVE FEWER PRIME CONTRACTS COMPARED TO NON- SMWBES

Relative to non-SMWBES, firms owned by African Americans and Women received fewer prime contracts relative to non-SMWBES. To the extent that success in public contracting is proportional to having prior prime awards, this suggests that any contracting disparities between firms owned by African Americans and Women and non-SMWBES can possibly be explained by past, and possibly discriminatory, constraints on SMWBE successfully winning prior prime contracts from Charles County, which could translate into future capacity to secure prime contracts.

FINDING 16: AFRICAN AMERICAN AND HISPANIC OWNED FIRMS RECEIVED FEWER SUBCONTRACTS

Relative to non-SMWBES, firms owned by African Americans and Hispanics received fewer subcontracts. To the extent that success in public contracting is proportional to having prior Charles County subcontracts, this suggests that any contracting disparities between SMWBES owned by African Americans, Hispanic, and those certified as Disadvantaged can possibly be explained by differences in having secured prior subcontracts from Charles County, which could constrain success in winning prime bids, as subcontracting experience could translate into prime bid success.

FINDING 17: AFRICAN AMERICAN AND HISPANIC FIRMS ARE MORE LIKELY TO HAVE NEVER BEEN A PRIME CONTRACTOR

Firms owned by African Americans and Hispanics are more likely to have “never” been a prime contractor or subcontractor. To the extent that success in public contracting is proportional to having prior prime contracts or subcontracts, this suggests that for certified minority, disadvantaged, and firms owned by African Americans and Hispanics, any contracting disparities between SMWBES and non-SMWBES can possibly be explained by their relative disadvantage in having secured prior prime contracts or subcontracts from Charles County.

FINDING 18: PERCEIVED DISCRIMINATION BY WOMEN, LOCAL, AND AFRICAN AMERICANS

Firms classified as Women owned, Local Business enterprise, and owned by African Americans experience perceived discrimination at Charles County. This suggests that, at least for SMWBES owned by African Americans, and those certified as Women and Local business enterprises, contracting disparities between them and non-SMWBES can, at least in part, be explained by perceived discrimination in Charles County that undermines their chances at successfully winning prime contracts.

FINDING 19: SMALL AND LOCAL AFRICAN AMERICAN OWNED FIRMS HAVE MORE COMMERCIAL BANK LOANS DENIED

Firms classified as Small, Local, and owned by African Americans have more commercial bank loan denials relative to non-SMWBES. This suggests that among SMWBES in the Charles County Market Area, firms that are Small, Local, and owned by African Americans are relatively more likely to have their capacity to compete in the market for public procurement constrained as a result of private sector credit market discrimination.

FINDING 20: PERCEPTION THAT INFORMAL NETWORKS ENABLE SUCCESSFUL CONTRACTING

Relative to non-SMWBES, firms owned by African Americans and Asian Americans perceive that informal networks enable contracting success with Charles County. This suggests that, at least for SMWBES owned by African Americans and Asian Americans, Charles County contracting disparities between them and non-SMWBES are potentially explained by their perceived exclusion from Charles County public contracting networks that reduces their ability to secure prime contracts and subcontracts.

FINDING 21: SMWBE HAVE FAR SMALLER REVENUE SHARES THEN NON-SMWBE

For the Charles County Market Area, in every instance, SMWBES have revenue shares far smaller than non SMWBES. Relative to firms owned by non-SMWBES in the Charles County Market Area, exclusive of Women owned firms—some of whom are Caucasian—the SMWBE revenue shares are of a large order of magnitude below their firm representation shares. This is consistent with and suggestive of, but not necessarily causal evidence for MWBES facing discriminatory barriers in the private sector of the Charles County Market Area.

FINDING 22: MINORITY FIRMS HAVE BARRIERS OF SELF-EMPLOYMENT IN THE CHARLES COUNTY MARKET AREA

Relative to Caucasian Males, African Americans, Native Americans, and Pacific Islanders are less likely to be self-employed in the Charles County Market Area. This is suggestive of these groups facing barriers to self-employment in the Charles County Market Area.

FINDING 23: FIRMS OWNED BY WOMEN, AFRICAN AMERICANS AND NATIVE AMERICANS ARE LESS LIKELY TO BE SELF-EMPLOYED IN THE COUNTY CONSTRUCTION SECTOR

Relative to Caucasian Males, Women, African Americans, Native Americans, and Pacific Islanders are less likely to be self-employed in the Charles County Market Area construction sector. This is suggestive of these groups facing barriers to self-employment in the Charles County Market Area construction sector.

B. COMMENDATIONS

COMMENDATION #1: BONDING AND INSURANCE REQUIREMENTS

The County should be commended about the lack of complaints regarding bonding and insurance requirements. These are typical complaints made by small, minority, and women owned firms, but GSPC heard very few complaints in this area. In the Survey of Business Owners, when asked if performance bonding limits prevented them from bidding or obtaining work on a project, only 7.1% of all firms indicated that as an issue. Similarly, when asked about bid bond requirements, only 7.9% of all firms indicated that as an issue.

COMMENDATION #2: PROMPT PAY

The County should be commended that GSPC heard few complaints about late payments by the County or by prime contractors. In the Survey of Business Owners when asked the amount of time it takes to receive payments from the date they submit their invoice to Charles County as a prime contractor, none stated that their payments were made more than 60 days after invoicing.

COMMENDATION #3: COUNTY BUSINESS DEVELOPMENT EFFORTS

The County should be commended on its business development efforts. The County employs a micro-loan program, small business workshops (e.g., SLBE certification, management assistance, resource opportunities), and a partnering program for small businesses with the SBA, SBDC, the Southern Maryland Minority Chamber of Commerce, and the Governor's Office of Small, Minority, & Women Business Affairs.

C. RECOMMENDATIONS

A Small Local Business Enterprise program offered by the County provides set-asides for projects of \$25,000 or less, but more is needed to provide opportunities for local small firms. First, more outreach could be provided to inform eligible companies of the program. Second, raising the monetary project limit for participation in the Small Local Business Enterprise program (to anywhere from \$50,000 to \$100,000) would enable more small, local firms operating from within Charles County access to opportunity. Finally, County officials could invest more resources into oversight to ensure that prime contractors put a priority on utilizing local firms.

RECOMMENDATION #1: ENHANCE RACE NEUTRAL SMALL LOCAL BUSINESS ENTERPRISE SET ASIDE PROGRAM

The Small Local Business Enterprise program offered by the County provides set-asides for projects of \$25,000 or less, but more is needed to provide opportunities for local small firms.

The 2012 US Census shows that there are 5,024 minority firms and 4,220 women owned firms located in the County. Further, the County spent over \$34 Million in awards within the \$25,000 or less threshold. However, only 318 awards or \$1.37 Million (that were over \$100 but less than \$25,000) went to firms registered as SLBE firms.

Given the finding that smaller firms complained about unfair competition with larger firms and the disparity found in awards equal to or less than \$25,000, GSPC recommends continuing this program, but doing more outreach to get more local firms registered to access this program. GSPC agrees with the current County policy of only including an award in the set-aside program if there are at least three registered SLBE firms in the county that can perform the work. This avoids awards from essentially being sole source or otherwise non-competitive.

RECOMMENDATION #2: MWBE CONTRACT-BY-CONTRACT SUBCONTRACTOR GOALS WITH ROBUST GOOD FAITH EFFORTS

All MWBE groups were statistically significantly underutilized except Asian American and Native American owned firm in Construction and Non-Minority Female owned firms in Goods. Although GSPC recommends that the County continue and enhance its race and gender-neutral programs, for those groups that were not the exception, the Study provides a basis for the County to institute race and gender-based remedial efforts.

The County should set contract-by-contract goals separately for minority owned firms and Nonminority Female owned firms based upon a weighted availability by commodity codes based upon the various scopes of work under that contract. This process is similar to the goal-setting put in place for the federal DBE Program. Guidance for this process can be found in 49 CFR Part 26.

GSPC recommends that the County employ contract by contract goal-setting in the areas of Construction and A&E to begin for large dollar contracts and then expand the practice according to available resources, including staffing, to the other areas. GSPC does not recommend contract by contract goal setting for Goods as a matter of course because there are typically few subcontracting opportunities there. However, when such opportunities do arise, the County should have the option to apply contract goals.

Goals are typically set by a team, including purchasing, contract compliance, and the user department to assist in breaking down the scope of work and identifying the availability of firms. Variations sometimes

include business or community members, but ultimately, best practices calculate availability using a consistent formula.

Once goals are set for a contract, prime contractors, must meet the goal or demonstrate good faith efforts in attempting to meet the goals. Good faith efforts are best applied with a standard checklist by which the prime contractor submits evidence of its efforts. If a prime bidder fails to meet the goal or demonstrate acceptable good faith efforts, their bid should be deemed non-responsive. If a firm successfully demonstrates Good Faith Efforts, they cannot be treated any differently than a firm that met the goal in the bid evaluation.

RECOMMENDATION #3: ANNUAL ASPIRATIONAL GOALS

The County should set annual aspirational goals based upon the Availability found in the Study for each Industry Categories for each of minority owned firms and Nonminority Female owned firms. This is different from the current 25% goals which are obsolete based upon the more narrowly tailored findings and recommendations of the Study.

These aspirational goals are an internal measure, or benchmark, for achievement of MWBE participation as prime and subcontractors using all of the race and gender neutral and race and gender conscious tools.

Aspirational goals should also be applied to those solicitations where contract-by-contract goals are not used. This is achieved by including the aspirational goal in solicitation documents and asking prime bidders to provide an MWBE plan to assist the County to meet its goals. Once the prime bidder commits to subcontract work, those commitments are made part of the contract which is monitored.

RECOMMENDATION #4: STRENGTHEN CONTRACT COMPLIANCE

To effectively administer an MWBE subcontracting program or aspirational goals, the County must institute all aspects of contract compliance including robust monitoring to make sure that prime contractors utilize firms as committed to in their bid package. The five (5) steps of Contract Compliance are:

- Assessment – An initial assessment of individual firm Availability and capacity for specific scopes of work.
- Outreach – An on-going campaign to let the MWBE business community know that Charles County wants to do business with them and that Charles County is willing to work with firms to create opportunities and assist, particularly local firms in building capacity.
- Certification/Verification – Charles County should continue to encourage and assist firms in getting certified and should continue to accept third-party certifications but should have audit rights

including the right to reject the County's acceptance of a certification that it deems not sufficiently supported.

- **Procurement** – All applicable solicitation packages and awarded contracts should include the MWBE commitments as contract terms, as well as County participation requirements, such as all firms performing commercially useful functions.
- **Monitoring** – It is essential that there is close monitoring of vendor performance and the efficient closeout of projects to verify that MWBE firms are actually performing the work that they contracted to perform and that they are compensated in a timely manner and in the amounts committed. Monitoring vendor performance should also assure equal and fair treatment on contracts.

RECOMMENDATION #5: ELIMINATE OR LIMIT THE USE OF ON CALL CONTRACTS

On call contracts are essentially a form of prequalification. These types of contracts do not allow for open and complete competitive bidding. It also does not allow for a demonstration of qualifications on a contract-by-contract basis. These types of contracts should be used only when necessary because it is not practical to bid out, such as regular maintenance and repair contracts. GSPC does not recommend on call contracts for A&E services.

Where on-call contracts are unavoidable, the County should make sure that the call on these services is truly rotated to all firms on the on-call list and not just to the same firms over and over.

RECOMMENDATION #6: OUTREACH IMPROVEMENT

Outreach improvement is important to prioritize. Based on our anecdotal evidence, there seems to be a misunderstanding about the purchasing policies and practices from the public. There seems to be a lack of knowledge about certain programs that Charles County offers to small and minority business, and how to register to be notified about bids or to become an SLBE. There is also lack of knowledge about how the actual bidding process works. Those are all things that could be improved with proper and clear communications with the public.

According to the evidence in the private sector chapter, women owned businesses in Charles County tend to bid less than other businesses. It is important to add these women owned businesses to the Charles County outreach, to make sure that they are receiving bid opportunities.

When looking at new firms registering to work with Charles County, it is important that they are also included in the outreach and that they understand the policies and practices of County procurement. GSPC recommends creating a welcome package for these new firms, where the outreach is clearly outlined, and so is the bidding process and procurement practices.

RECOMMENDATION #7: FORECASTING

Finding 19 demonstrated a perception that informal networks enable successful contracting. One aspect of an informal network is that certain firms get information that is not available to all firms. This can be dismantled if bid opportunities are forecasted far in advance to give all firms ample time to prepare. GSPC recommends that the County publish upcoming bid opportunities, even if not complete or not yet issued, with the information it has as soon as possible. One year in advance is optimal.

RECOMMENDATION #8: DATA REFORM

Without the data infrastructure to manage and track data, the impact of many of the recommendations made above will be unknown.

- Track Subcontractor Data

It is important that the County immediately begin to track and monitor all subcontractor commitments and payments (both MWBE and non-MWBE).

- Cohesive Tracking of Awards

An award data system for tracking full award values and decision dates of contracts should be implemented. This award system should also track amendments and status changes of the contract. Necessarily, this system should be connected to the payment system by some sort of primary key that is shared in both systems (reference document ID, for example).

- Intentional Commodity Codes

The accuracy of any analysis done on data within Charles County relies on the commodity codes. An emphasis should be made at an organizational level to encourage assigning commodity codes. Audits should be done periodically by taking random samples of payments in every department to determine the accuracy of the codes being used. It is possible to generate reports using SQL which randomly select rows from a database by department.

- Vendor Registration and Bidders Must Register as Vendors

An outward facing vendor system should exist. It should be required for any interested vendor to register with this system in order to bid. This will allow for Charles County to have access to a greater pool of ready willing and able vendors and also give a deeper understanding of the firms interested in working with Charles County. This system should allow for vendors to also self-assign a limited number of primary and secondary codes which describe their main focus of work.

III. LEGAL ANALYSIS – HISTORICAL OVERVIEW

A. Introduction

Charles County has engaged Griffin & Strong, P.C. (GSPC) to conduct a disparity study related to the County's Minority Business Enterprise ("MBE") Program.⁷ As written, the MBE Program includes businesses owned by African Americans, American Indians/Native Americans, Asian Americans, Hispanics, Women, Physically or Mentally Disabled persons, and Disabled American Veterans.⁸

The County's MBE Program does not employ mandatory percentage-based utilization goals, project/contract set-asides, bid preferences, or similar advantages for MWBEs. Instead, the County has established a blanket 25% "aspirational MBE Program participation goal," and provides guidance to County Departments involved in purchasing to utilize MWBEs "whenever possible and appropriate."⁹

This is the first disparity study commissioned by Charles County. Therefore, the Legal Analysis provided by GSPC will first present the important historical background guiding the development of disparity studies generally, which effectively began in the United States Supreme Court thirty years ago and has been carried forward to the present time by federal and state courts faced with legal challenges to Minority and Women Owned Business Enterprise (M/WBE) programs and policies.

Because the parameters of the current study of the MBE Program administered by Charles County and the various qualitative and quantitative methodologies employed therein are informed by the applicable case law and decades of practical experience, GSPC will then provide a more comprehensive discussion of the bedrock judicial decisions inviting increased use (and development) of disparity studies, and a deeper dive into the legal considerations and related evidentiary requirements for sustaining inclusion programs in the face of a challenge on constitutional grounds. This analysis is provided in Appendix B.

In each of these analyses GSPC specifically includes discussion of key decisions from the United States Court of Appeals for the Fourth Circuit, as these decisions demonstrate the continuing significance of the featured United States Supreme Court precedent and highlight the legal foundation under which any challenge to Charles County's MBE Program – or any aspect of the program -- would be analyzed.

⁷ The Charles County MBE Program is legislatively promulgated in the Charles County Code, Chapter 203 (Sections 203-5 through 203-7), and is governed and implemented in accordance with Charles County Government Purchasing Guidelines (October 2014), Section 9.1.

⁸ See Charles County Code, Sections 203-5; Purchasing Guidelines, Section 9.1.1(d).

⁹ See Purchasing Guidelines, Section 9 ("Summary"), and Section 9.1.1(b), (c). The Charles County Code, Section 203-7(b)(6), includes a 15% "short-term" aspirational goal and 25% "long-term" aspirational goal for MWBE subcontracting in Construction contracts. It is not clear from the legislation why construction contracts are treated uniquely for MBE Program purposes.

Lastly, upon completion of the Disparity Study GSPC will provide the County with proposed findings and recommendations regarding its MBE Program, with reference to legal considerations that may support or otherwise be implicated by a particular recommendation, including one that includes race-conscious, gender-conscious, or disability-conscious policies or remedies. This underscores the importance of the following historical overview and the subsequent expanded legal analysis for the County's consideration.

B. Historical Development of the Relevant Law Regarding M/WBE Programs

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 the availability and the 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.

1. 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. DBE/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 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 or 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% African-American) and awards of prime contracts to minority owned firms (0.67% 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.”¹⁰

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-

¹⁰ *Croson*, 488 U.S. at 480.

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 owned 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.¹¹

Subsequent to 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 a DBE/MBE/WBE program which will assist in protecting the program from constitutional challenge under a strict scrutiny analysis.¹² These recommendations have in many respects provided a roadmap of sorts for useful disparity studies and are therefore discussed in greater detail below.

2. The Fourth Circuit's Decision in H.B. Rowe v. Tippett

Having the benefit of the Supreme Court's thinking in Croson and subsequent decisions like Adarand, the Fourth Circuit addressed the constitutionality of North Carolina's M/WBE statute governing state-funded transportation projects in H.B. Rowe Company, Inc. v. Tippett, 615 F.3d 233 (4th Cir. 2010).

The legal challenge in H.B. Rowe was an outgrowth of an earlier state court challenge to the statute in Dickerson Carolina, Inc. v. Harrelson, 443 S.E.2d 127 (N.C. Ct. App. 1994, appeal dismissed, 448 S.E.2d 520 (N.C. 1994). The Dickerson case was deemed moot and dismissed because the state had suspended

¹¹ Croson, 488 U.S. at 500.

¹² 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. Pena, 515 U.S. 200 (1995) (Adarand II). This time, however, a DBE program enacted by the federal government was at issue, thus implicating the Fifth Amendment rather than the Fourteenth Amendment analysis required for the local (state) program in Croson. The program was ultimately upheld by the Tenth Circuit on remand in Adarand Constructors, Inc. v. Slater, 228 F.3d 1147 (10th Cir. 2000) (Adarand III).

application of N.C. Gen. Stat. § 136-28.4 in the face of the constitutional challenge, commissioning a disparity study to determine minority utilization. Id. H.B. Rowe addressed the subsequent legal challenge to the amended statute.

Denied a contract because of its failure to demonstrate good faith efforts to meet participation goals for minority and women owned subcontractors, H. B. Rowe Company, a prime contractor, brought suit asserting that the goals set forth in § 136-28.4 violated the Equal Protection Clause. After extensive discovery and a bench trial, the District Court upheld the challenged statutory scheme as constitutional both on its face and as applied.

The Fourth Circuit Court of Appeals affirmed, finding that the State produced a “strong basis in evidence” justifying the statutory scheme on its face and as applied to African American and Native American subcontractors, and that the State further demonstrated that the scheme was narrowly tailored to serve its compelling interest in remedying discrimination against those racial groups. The Court of Appeals did not, however, agree with the District Court that the same was true as applied to other minority and women owned businesses.

Reviewing the results of the disparity study relied upon by the State, the Court observed that (1) the State’s use of a goals program for inclusion of African-American, Native-American, and non-minority women owned businesses was supported by a statistically strong basis, and that (2) the newly revised North Carolina statute which called for frequent goal setting was constitutional. The Court of Appeals focused prominently on the fact that the State’s program had taken more than 20 years to achieve the inclusion numbers adduced in the 2004 study performed by the commissioned national researcher.¹³

The importance of this case is that it solidified a trend that began in the other appellate courts of this country. When presented with a viable challenge to a state’s statute as it concerns M/WBE programs, the program not only must adhere to the requirements of Croson at inception, but also when the program’s continued viability is at issue.¹⁴

Such continuation must be well supported by more than just conjecture as to its necessity. There needs to be statistically sound collection of data from appropriate sources; testing of that data once collected to ensure high confidence; and anecdotal corroboration of findings to disprove other explanations for apparent disparities.¹⁵ These matters are addressed at length in the attached Appendix B (“Expanded Legal Analysis”), which is designed to further assist the County evaluate its program, adjust it (if appropriate), and be properly positioned to defend it against any potential legal challenge.

As noted, decisions by the Fourth Circuit, like H.B. Rowe, are particularly important when addressing/evaluating the MBE Program implementation and administration by Charles County.

¹³ H. B. Rowe, 615 F.3d 250.

¹⁴ See generally, H.B. Rowe, 615 F.3d at 238-39, 247-48, 251-53.

¹⁵ Id.

IV. PURCHASING POLICIES, PRACTICES, AND PROCEDURES REVIEW

A. Introduction

This chapter is designed to review the written policies and practices of Charles County (the “County”) with respect to purchasing, contracting, and programs to enhance inclusion of Minority Business Enterprises (MBEs), including but not limited to minority and women owned businesses. The Study will include analysis of the current MBE Program implemented and run by the County, which covers Minority Business Enterprises, business enterprises owned by Mentally or Physically Disabled persons, and Disabled American Veteran (DAV) owned business – collectively referred to as MBEs¹⁶.

At present, the County does not have a race- or gender-based goals program or any other race- or gender-conscious procurement policy/initiative. Rather, the County expressly “highly encourages” inclusion of MBEs (and Small Local Business Enterprises (SLBEs)) in County contracts or purchases.¹⁷

Underlying this policy review is an understanding that written policies and practices may not always be consistently administered as there is often room for interpretation or discretionary implementation. Accordingly, policy interviews are intended to identify any deviations or differing interpretations of policies in order to determine whether there may be any effect on participation of small businesses, including those owned by minorities, women, and disabled persons (including veterans).

Review of the core documents and policy interviews conducted by GSPC with County personnel revealed that purchasing policies and processes are significantly de-centralized, but generally centered in the Purchasing Division of the Department of Fiscal and Administrative Services.

At the end of the present Disparity Study, specific findings about the County policies, practices, and procedures will be provided, and formal recommendations for improvement of the program and greater achievement of its goals given the findings.

B. Document Review and Personnel Interviews

In preparation for the policy interviews, GSPC reviewed, among other materials:

- The current Charles County Purchasing Guidelines (10/2014)
- The Charles County Code, Chapter 203 (Purchasing Procedures – including MBE Program and SLBE Program); Chapter 148 (Affirmative Action Policy); and Chapter 170 (Code of Ethics)
- Recent County Resolutions and proposed Code Amendments for the MBE Program and SLBE Program

¹⁶ For purposes of this report, minority and women owned firms are referred to as MWBEs while the County’s MBE Program includes both minority and women owned firms.

¹⁷ Charles County Government Purchasing Guidelines (10/2014), Sec. 3.2(b).

- Sample RFP and ITB packets provided by the Purchasing Division
- The Charles County governmental website, including Purchasing and Economic Development webpages
- Relevant State of Maryland Purchasing legislation and other materials, including DBE program
- Other publicly available resources relating to Charles County purchasing

GSPC conducted policy interviews between July and September 2020 with decisionmakers and officials regularly engaging in purchasing and contracting for Charles County. Included in these interviews were personnel in Purchasing, Economic Development, Capital Projects, Public Works, Transit, the Sheriff's Department, and the County Attorney's Office.

C. Overview of Charles County Purchasing

Procurement with Charles County is centered in the Purchasing Division with the Chief of Purchasing providing oversight. Policy interviews and a review of the applicable legislation and purchasing guidelines (discussed below) indicate that purchasing with the County is significantly de-centralized, with each County department conducting much of its own purchasing of goods and services. Coordination between the various departments and the Purchasing Division is a feature of formal procurement, however, reducing to some extent the de-centralized purchasing across the County.

The October 2014 edition of Charles County Government Purchasing Guidelines (“Purchasing Guidelines”) continues to govern and guide procurement, and sets forth the following statement of Purpose:

PURPOSE

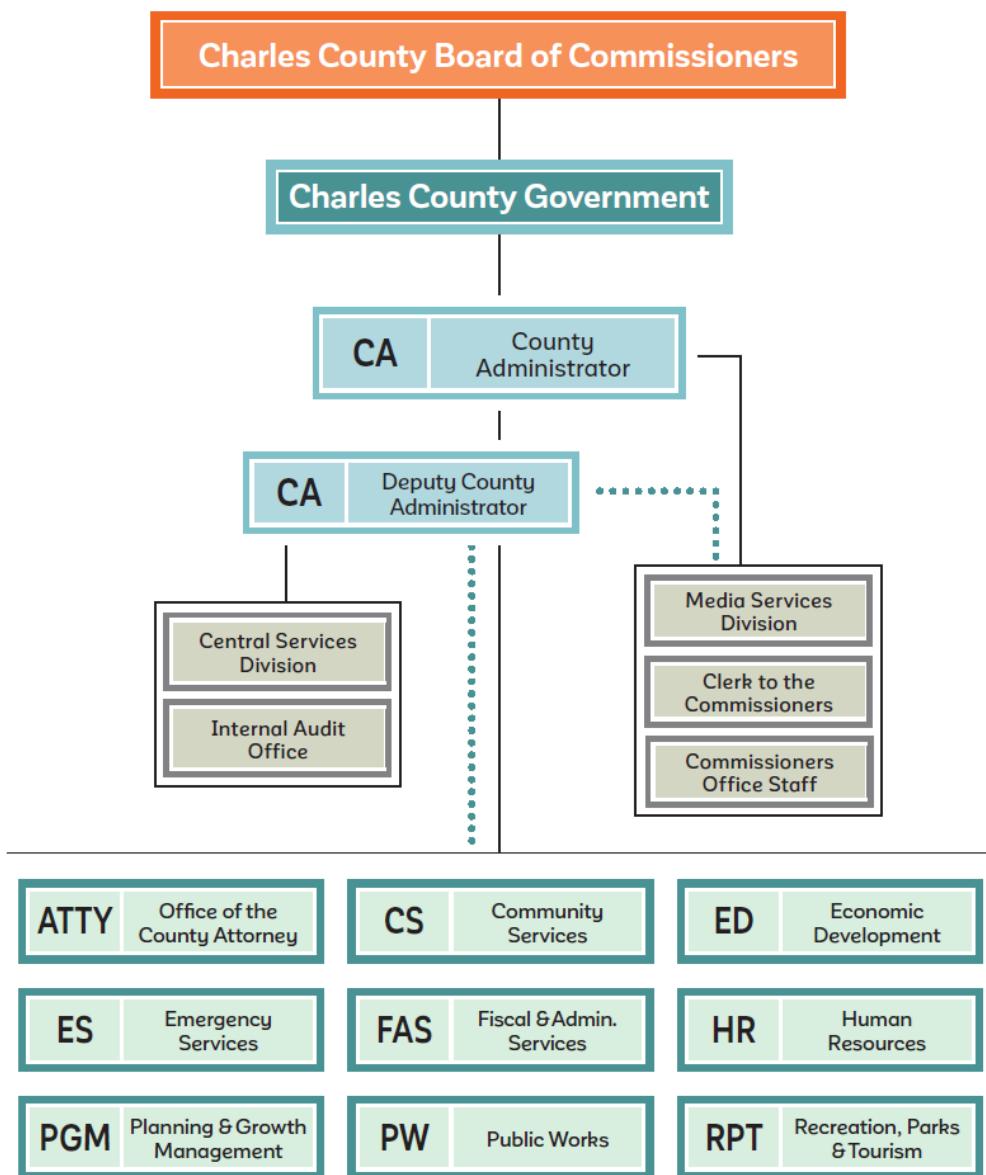
These guidelines are established for the purpose of:

- Promoting and encouraging ethical management and efficiency in County procurement procedures.
- Providing clear guidelines as related to purchasing requirements to increase public confidence.
- Establishing consistent purchasing procedures across County Departments.
- Identifying the applicable policies and procedures for the procurement of goods and services to be followed by all County Departments, and lateral partner agencies subject to Charles County Government Procurement Regulations.
- Ensuring goods and services are procured in a competitive process that is fair, impartial, administratively efficient and accessible to all qualified vendors.
- Maximizing the use of County funds.
- Ensuring compliance with all funding sources requirements (including State and Federal funds), which shall supersede guidelines contained within this manual, if in conflict.
- Ensuring, to the greatest extent possible, the use of minority and small County businesses.

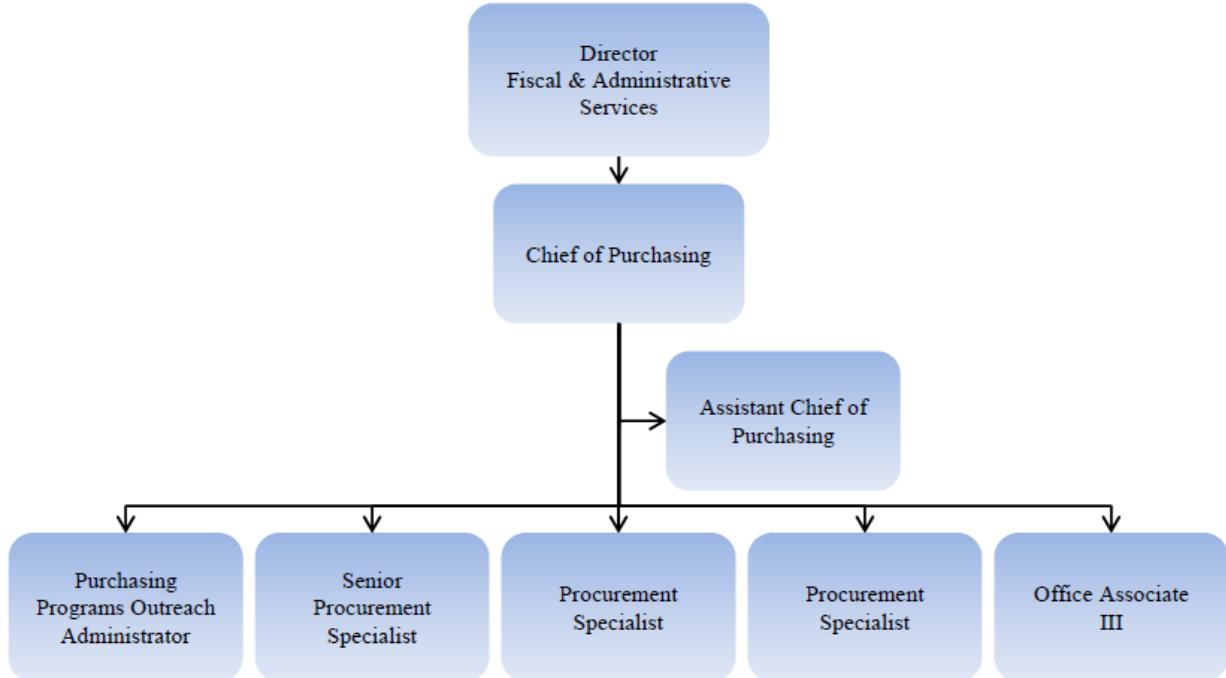
¹⁸ Purchasing Guidelines, p.1 “Purpose.”

The Organizational Charts below show the relationships between the Purchasing Division, the Economic Development Department, the using departments, and the greater County government structure.

Figure 2: Charles County Organizational Charts



2.1.4 Organization Chart



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Specific to MBE considerations, the Purchasing Division and the purchasing/procuring “using Departments” within the Charles County are subject to the County’s Minority Business Enterprise Program (and accompanying Minority Business Policies and Procedures).²⁰ Included in the legislation are a number of practices and procedures designed to encourage increased participation by MBEs in County projects/contracts.²¹

With respect to contract thresholds, informal procurement methods can be used by the County for contracts and purchases up to \$25,000 (with additional thresholds applied within informal procurement); contracts and purchases \$25,000 or more require use of the various formal procurement methods set forth in the Purchasing Guidelines (and addressed below).

¹⁹ Purchasing Guidelines, p. 9. Subsequent to the publication of the chart designated as 2.1.4, the Purchasing Division was shifted to a position under the Economic Development Department (EDD). Accordingly, the chart should be revised to include the EDD at the top, rather than the Department of Fiscal and Administrative Services.

²⁰ Purchasing Guidelines, Sec. 9.1; Charles County Code, Secs. 203-5 through 203-7.

²¹ Charles County Code, Sec. 203-7(B).

Table 4-1 – Charles County Procurement Thresholds
Procurement Thresholds

Value	Quote Requirement	PO	SLBE Requirement
Under \$1,000	One Informal Quote	Not required	Department maintains records
Under \$5,000	One Informal Quote	Required over \$1,000	SLBE Explanation on Requisition
Between \$5,000 & \$25,000	Three Informal Quotes	Required	SLBE Explanation on Requisition
Greater than \$25,000	Formal Solicitation or Exception	May be required	Included in Solicitation Requirements, if applicable

Purchasing Guidelines, Sec. 4.1.

1. Informal Procurement

Informal procurement is used by the County for purchases of goods and non-professional services costing up to \$25,000.²² Within informal procurement, there are additional thresholds or situations where the County – through the purchasing or “using” Department itself -- has discretionary options for purchases.²³

For example, where the price is up to \$1,000 the purchase can be made after the department obtains one informal quote (with no requirement for a Purchase Order).²⁴ Purchases over \$1,000 and up to \$4,999.99 also require only one informal quote, but a Purchase Order must be submitted for such a purchase.²⁵ Informal purchases between \$5,000 and \$25,000 require three quotes.²⁶

There are no MBE bid preferences, set-asides, or other race-based or gender-based benefits in these informal procurement methods. As discussed at greater length below, there are, however, quote

²² Purchasing Guidelines, Sec. 4.2.

²³ See generally, Purchasing Guidelines, Sec. 2.2.

²⁴ Purchasing Guidelines, Secs. 4.2, and 5.4; Charles County Code, Sec. 203-1(G).

²⁵ Purchasing Guidelines, Secs. 4.2, and 5.4; Charles County Code, Sec. 203-1(I).

²⁶ Purchasing Guidelines, Secs. 4.2, and 5.5; Charles County Code, Sec. 203-1(F).

requirements, bid preferences, and other encouragements afforded SLBE firms in informal purchasing scenarios.²⁷ See infra.

2. Formal Procurement

For construction projects and purchases of goods and services costing more than \$25,000 competitive bidding, or formal procurement, is required.²⁸ Competitive bidding may take the form of an Invitation to Bid (ITB), a Request for Proposal (RFP), a request for Quotes (RFQ), or a Request for Qualifications (RFQual).²⁹ While the respective using departments participate in preparation of the specifications and the scope of work, the Chief of Purchasing ultimately decides which formal procurement method is in “the best interests of the County.”³⁰

Table 4-2 – Charles County Types of Formal Procurement

Formal Procurement Type	
Type of Formal Procurement	Goods or Services
Invitation to Bid (ITB)	Construction, commodities, or non-professional services when project-specific requirements can be fully defined
Request for Proposals (RFP)	Professional services, commodities or non-professional services when requirements cannot be fully defined and the offeror must make a proposal
Request for Quotes (RFQ)	Commodities with clear and standardized requirements

Purchasing Guidelines, Sec. 4.3.

Bidding procedures and evaluations for the various formal procurement methods (i.e., ITB, RFP, RFQ, RFQual) are detailed in the Purchasing Guidelines (Secs. 6.3, 6.4).³¹

Again, there are no MBE bid preferences, set-asides, or other race-based or gender-based benefits in formal procurement. Preferences for SLBE firms in formal procurement are discussed at greater length in Section F. below.

²⁷ Purchasing Guidelines, Secs. 9.2.1, 9.2.4.1.; Charles County Code, Sec. 203-1(P).

²⁸ Purchasing Guidelines, Secs. 4.3, and 6.1 through 6.2.4; Charles County Code, Sec. 203-2.

²⁹ Purchasing Guidelines, Secs. 6.2.1 through 6.2.4.

³⁰ Purchasing Guidelines, Secs. 6.1(d), 6.3.2.

³¹ See also, Charles County Code, Sec. 203-2.

3. Exceptions

Contracts that are not subject to the County's informal and formal procurement procedures include Sole Source contracts, Piggybacking purchases, and Emergency Procurement.³² SLBE preferences are likewise subject to these exceptions.³³

4. Qualifications-Based Procurement / Task Order Contracts

Policy interviews and the Guidelines indicate that contracts for Professional Services (which include A&E and some Other Services in this Study) are generally procured through RFPs, but the RFQual method – in combination with Task Order Contracts – are also utilized.³⁴ When the RFP method is used, the award is made based on a combination of technical and cost evaluations by a committee of subject matter experts.³⁵ In such circumstances, there is no pre-qualification or vendor rotation.

The Capital Services Division reportedly uses *Task Order Contracts* for design/architecture services, employing a rotation “panel” list of pre-qualified vendors evaluated by a team of subject matter experts. Where there is a design-build project, Capital Services may use a Task Order Contract for the design services then bid out the construction services using one of the formal procurement methods (chosen by the Chief of Purchasing).

5. Job Order Contracting or Unit Cost Contracts

The County is permitted by statute to issue unit cost contracts which cover indeterminate requirements of specified commodities or services, but the unit costs must be agreed upon using competitive bidding.³⁶

6. Sole Source

Sole Source purchases are among the exceptions to the above-described procurement methods for goods and non-professional services, including purchases in excess of \$25,000.³⁷ When only one vendor is available to provide a needed good or service, competitive bidding is not required upon written justification provided to and approved by Chief of Purchasing.³⁸ Interviews revealed that sole source procurement is relatively rare, and often involves Informational Technology (IT) purchases.

³² Purchasing Guidelines, Secs. 4.4.1 through 4.4.3; Secs. 8.1, 8.2, and 8.4.

³³ Purchasing Guidelines, Sec. 9.2.5.

³⁴ Purchasing Guidelines, Secs. 6.2.2, 6.2.4, and Table 6-1.

³⁵ Purchasing Guidelines, Sec. 6.2.2

³⁶ Charles County Code, Sec. 203-1(D); see also, Purchasing Guidelines, Sec. 8.6.

³⁷ Procurement Guidelines, Secs. 8.1, 4.4.1, 5.7.2; Charles County Code, Sec. 203-1(E).

³⁸ Procurement Guidelines, Sec. 5.7.2.

7. Cooperative Purchasing / Piggybacking

Piggybacking purchasing and Joint/Cooperative purchases are also exceptions to the formal purchasing rules that govern contracts in excess of \$25,000, when competitively bid by another entity (e.g., federal State of Maryland, county, university, municipality).³⁹ Purchasing in this manner is in the discretion of the Chief of Purchasing, but the using Department is required to provide all documentation necessary to justify the purchase.⁴⁰

According to interviewees, a significant amount of piggybacking or cooperative purchasing is done by the County, most notably for vehicles and IT. Capital Services Division reported using cooperative purchasing for design services.

8. P-Cards

Procurement Cards, or “P-Cards,” are used by the County for smaller purchases – purchases under \$1,000. Policy interviews revealed that P-Card purchases are generally limited to point-of-sale purchases with approved vendors. Interviewees were not aware of any MBE or SLBE tracking for P-Card purchases, either internally or through vendors.

9. Blanket Purchasing Agreements

The County permits blanket purchasing for relatively small, recurring purchases of items to be purchased multiple times over the course of a fiscal year.⁴¹ Such orders/contracts cannot exceed one year, and any remaining funds revert back at the close of the fiscal year.⁴²

10. Bundling and Unbundling

Policy interviews revealed that project unbundling does occur (discretionary), but the Purchasing Guidelines caution that unbundling is prohibited if done to “artificially” avoid certain purchasing thresholds (and the procedural requirements attaching to them).⁴³

³⁹ Procurement Guidelines, Secs. 8.2, 8.3, 8.5, 3.11, 4.4.3, 5.7.3, 5.7.5; Charles County Code, Sec. 203-1(C).

⁴⁰ Procurement Guidelines, Secs. 5.7.3(a), (b), (c), (e), and (g).

⁴¹ Purchasing Guidelines, Sec. 5.5.2.

⁴² Id.

⁴³ Purchasing Guidelines, Sec. 3.8.

D. Bonding, Insurance, and Prompt Pay Issues

1. Bonding and Insurance

Charles County uses Bid Bonds/Deposits, Performance Bonds, and Payment Bonds as part of its procurement activities.⁴⁴ Bid Bonds are typically 5% of the total bid amount, and performance bonds are for 100% of the total contract value, as are payment (or labor & material) bonds.⁴⁵ The Chief of Purchasing has discretion regarding all aspects of bonding, by policy and legislation.⁴⁶

Insurance rates are set by the Risk Management Accountant but can be waived by the Chief of Purchasing upon good cause shown (with approval of Risk Management and the Office of the County Attorney).⁴⁷

Interviews with personnel indicated that bonding and insurance requirements have not been cited by vendors or potential bidders as barriers to participation. Vendor input on these issues will be addressed in the Anecdotal Chapter of the Study.

2. Prompt Payment

The Maryland prompt payment statutes provide that payment on a public contract must be made within 30 days of the date upon which payment becomes due, and subcontractors must be paid by primes within 10 days of the prime receiving its payment.⁴⁸ Personnel interviews revealed some confusion about the applicable law but that invoices are generally paid within 30 days of receipt by the County, and that there have been few complaints about prompt payment. Again, vendor input on these issues will be addressed in the Anecdotal Chapter of the Study.

E. The Minority Business Enterprise Program⁴⁹

The Charles County Minority Business Enterprise (MBE) program is expressly modeled after the MBE Program run by the State of Maryland Department of Transportation and is promulgated in the County

⁴⁴ Purchasing Guidelines, Sec. 6.3.9.

⁴⁵ Id.; see also, Secs. 6.3.9.1, 6.3.9.2, 6.3.9.3.

⁴⁶ Purchasing Guidelines, Sec. 6.3.9; see also, Charles County Code, Sec. 203-2(B).

⁴⁷ Purchasing Guidelines, Sec. 3.16.

⁴⁸ Code of Maryland, State Finance & Procedure §§ 15-103; 15-226.

⁴⁹ Charles County has informed GSPC that there are significant proposed revisions to both its MBE program and SLBE program which are likely to be considered by the County Commission during the course of the Disparity Study. Because those proposed amendments were not in effect during the designated Study period they are not addressed herein.

Code and the Purchasing Guidelines.⁵⁰ The County does not offer any preferences or set-asides for MBE participation, but has established an aspirational goal of 25%⁵¹ and encourages utilization of MBEs “whenever possible and appropriate.”⁵²

The MBE Program includes African Americans, American Indians/Native Americans, Asian Americans, Hispanics, Women, physically or mentally disabled persons, and Disabled American Veterans.⁵³ The Economic Development Department is tasked with managing the MBE Program, and MBE utilization is confirmed through use of the Minority Business Enterprise Utilization Affidavit form, which indicates the MBE status of prime contractors and/or subcontractors.⁵⁴

More specifically, the County Code sets forth the following practices and procedures for the Purchasing Division:

B. Practices/procedures. The Charles County Purchasing Office shall:

- (1) Maintain/provide information regarding the state of Maryland Department of Transportation's certified MBE/business and program. Provide technical assistance regarding forms to complete, where to submit certification application form(s), who to contact for technical questions, and related matters.
- (2) Provide maximum opportunity for MBES to participate in the County's procurement process through dissemination of bid information and solicitations in publications which primarily target MBE firms.
- (3) Include a mandatory MBE questionnaire in all bid solicitations which would identify the MBE status of a given firm and the total percentage of the overall contract which would be provided by MBE firms.
- (4) Include in every bid solicitation package either a copy of the entire MBE program or those elements of the program which would apply to that particular solicitation.

⁵⁰ See generally, Charles County Code, Secs. 203-5 through 203-7; Purchasing Guidelines, Secs. 9.1, 6.3.13, 1.1 (Definitions, at p. 4).

⁵¹ Charles County Code Sec. 203-7(B)(6) mentions an additional 15% goal, and interviews with the Capital Projects Department revealed a belief that the 15% goal applies only to construction, but other policy interviews indicated a widely-held belief that the 25% goal is the only applicable goal in the MBE program. Clarification on this issue (and dissemination of guidance) would be beneficial for the County going forward.

⁵² Purchasing Guidelines, Secs. 9.1, 9.1.1(b), and (c).

⁵³ Purchasing Guidelines, Secs. 9.1.1(d), 1.1 (Definitions, at p. 4); Charles County Code, Sec. 203-5.

⁵⁴ Purchasing Guidelines, Secs. 2.1.2(vi), 9.1.1(g).

- (5) Include a statement in every bid solicitation that "certified minority business enterprises are encouraged to respond."
- (6) Encourage the use of MBE subcontractors by contractors which have been awarded County construction contracts in order to meet the established 15% and 25% short and long-term goals, respectively.
- (7) Identify and seek qualified MBES through participation in business opportunity fairs/seminars, meetings, trade shows, as well as communication with procurement personnel in other jurisdictions and through directories that identify MBE firms.
- (8) Identify and highlight at County pre-bid meetings the County's MBE program and the specific goals which the County has established to encourage the participation of MBE firms.
- (9) Provide technical assistance to MBE firms regarding the County's overall procurement and bidding procedures.
- (10) Establish a local MBE clearinghouse where invitation to bid packages, including plans and specifications, will be forwarded by the purchasing office, for all commodity, services, and construction bids/contracts.
- (11) Maintain statistics and report annually on the number of MBES awarded contracts/subcontracts, and total dollar value and percentage of total contracts/subcontracts awarded MBES, by certification type.
- (12) Maintain a list of all minority contractors receiving awards and applying for County certification.

Charles County Code, Sec. 203-7(B).

Policy interviews revealed that MBE utilization has not historically been tracked at any meaningful level, which many attributed to the lack of a disparity study to support coordination and compliance.

Finally, the County does have a federal DBE sub-recipient plan for purchases or contracts that include federal funding, and the current DBE liaison for the County is in the Transportation Department.

1. Certification

The County "automatically" recognizes the MBE status of any company certified by the Maryland DOT, Federal 8-A program, or Charles County Government.⁵⁵

⁵⁵ Purchasing Guidelines, Sec. 9.1.1(e).

2. Good Faith Efforts

There is no formalized guidance regarding Good Faith Efforts at MBE inclusion, and policy interviews indicated significant uncertainty about what might constitute Good Faith Efforts, and what remedy the County may have where such efforts are absent. Anecdotal interviews or other input from vendors and MBEs should give GSPC some insight into how any purported or implied Good Faith Efforts are perceived.

3. Other Programs

There are other race- and gender-neutral programs and initiatives administered by the County through the Economic Development Department (and thus, the Purchasing Division), primarily focused on small business assistance. Policy interviews with Purchasing and EDD revealed a micro-loan program, small business workshops (e.g., certification, management assistance, resource opportunities), and a partnering program for small businesses with the SBA, County Council, the Minority Chamber of Commerce, and the Office of Minority Affairs.

F. Small Local Business Enterprise Program

In addition to the above small business assistance programs, Charles County also has a Small Local Business Enterprise (SLBE) program.⁵⁶ The County designated the SLBE program as being in “the best interest” of the County.⁵⁷ The SLBE program provides benefits in both informal and formal procurement situations.

For informal procurement (up to \$25,000), the program is essentially a set-aside or “reserve” program for SLBE firms, unless there is no qualifying SLBE available to bid on/complete the work. Specifically, the Guidelines provide:

⁵⁶ Charles County Code, Sec. 203-1(P); Purchasing Guidelines, Secs. 9.2, 3.9, 6.3.14.

⁵⁷ Purchasing Guidelines, Sec. 3.9(b); see also, Charles County Code, Sec. 203-1(P)(2) (“Unless otherwise provided in this section or by other applicable law, purchases of goods and services from vendors whose principal place of business is physically located in Charles County is considered in the best interest of the County, provided that cost, quality, specifications and delivery are deemed equivalent.”)

9.2.4.1 Informal Procurement (less than \$25,000)

- a) All informal procurements are exclusively reserved for qualifying small local businesses subject to the following limitations:
 - i. There must be at least three (3) registered SLBE firms qualified to submit quotes. However, Departments are strongly encouraged to utilize SLBE firms whenever possible, even when there are less than three (3) qualified SLBE firms available.
 - ii. If fewer than three (3) quotes are received, or if the lowest SLBE firm's quote received is 10% or more higher than the lowest non-SLBE bidder's quote, then the goods/service may be procured from a non-SLBE firm.
- b) Using Departments shall be responsible for documenting good faith efforts to utilize SLBE firms in informal procurement at all possible opportunities by completing the following activities:
 - i. When identifying vendors, refer to the SLBE Directory available of the Charles County Purchasing Division webpage for SLBE firms that are available and qualified to provide goods or services the County is procuring.
 - ii. Obtain quotes from SLBE vendors, if available.

Purchasing Guidelines, Sec. 9.2.4.1.

The using Department must provide very specific information regarding SLBE usage (or not) when informal procurement is undertaken. As detailed in the Guidelines, the Department must report compliance as follows:

Table 5-2 – SLBE Requisition Narrative

#	SLBE Language
1	The vendor selected is an SLBE.
2	The vendor selected is a non-SLBE. No SLBE is available for the service/commodity required.
3	The vendor selected is a non-SLBE. Less than 3 SLBEs are available, and the non SLBE vendor submitted the lowest quote.
4	The vendor selected is a non-SLBE. Three or more SLBEs were contacted for quotes, but after 10 working days less than three SLBEs responded and the non-SLBE vendor submitted the lowest quote.
5	The vendor selected is a non-SLBE. Three or more SLBEs are available and submitted quotes, however the lowest SLBE quote is 10% or more higher than the non-SLBE vendor's quote.
6	SLBE Exception

Purchasing Guidelines, Sec. 5.6.4.

There are no SLBE set-asides in formal procurements, but there are bid preferences for SLBEs, subject to the exceptions listed above (governing all formal procurement), and the additional exception that the total

contract be less than \$500,000.⁵⁸ The preferences to be applied by the Purchasing Division differ depending on solicitation method:

Table 9-1 – SLBE Program Formal Solicitation Preferences

Solicitation Type	Preference
Invitation to Bid (ITB)	Up to five percent (5%) cost greater than the lowest bidder's bid, prorated based on documented SLBE firm participation
Request for Proposals (RFP)	Up to ten (10) points, prorated based on documented SLBE firm participation
Request for Quotation (RFQ)	Up to five percent (5%) cost greater than the lowest bidder's bid, prorated based on documented SLBE firm participation

Purchasing Guidelines, Sec. 9.2.4.2.⁵⁹

1. Certification

An SLBE is defined in the program as “a business that has been certified in the State of Maryland’s Small Business Reserve (SBR) program and then certified by the [Charles County Government’s] Economic Development Department as a ‘local business’ operating in Charles County, Maryland.”⁶⁰

2. Good Faith Efforts

As with the MBE Program, there is no formalized guidance regarding Good Faith Efforts to attain or increase SLBE inclusion, including compliance with all material aspects of the program.

G. Sheriff’s Department Procurement

It is noteworthy that the Charles County Sheriff’s Department conducts its own procurement, essentially parallel to the procurement methods governing the County generally, and therefore has its own policies and procedures. That said, interviews revealed that the Sheriff’s Department considers itself restricted by County policy, meaning that it can have stricter policies than the County at large, but not more lax.

Because it is not the main focus of this policy review, however, the Sheriff’s Department’s purchasing will not be addressed in detail herein.

⁵⁸ See Section C.3., above; see also, Purchasing Guidelines, Sec. 9.2.5.

⁵⁹ See also, Purchasing Guidelines, Sec. 6.3.14.

⁶⁰ Purchasing Guidelines, Secs. 9.2.1(c), 9.2.3.

H. Non-Discrimination Policy

The County includes a broad non-discrimination provision in its Purchasing Guidelines, which states: “The County shall not discriminate against a vendor because of race, religion, color, sex, national origin, age, disability, its status as a faith-based organization, or any other basis prohibited by State law relating to discrimination in employment.”⁶¹ This is in accord with the policy of the State of Maryland. See Maryland State Finance and Procurement Code, Section 19-101 (“It is the policy of the State not to enter into any contract with any business entity that has discriminated in the solicitation, selection, hiring, or commercial treatment of vendors, suppliers, subcontractors, or commercial customers on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor’s, supplier’s, or commercial customer’s employees or owners.”).

I. Conclusion

Charles County procurement is significantly de-centralized yet governed by extensive, detailed Purchasing Guidelines and subject to oversight by the Chief of Purchasing. The County does not have a goals-based MBE Program, and it is not clear from staff and departmental interviews whether efforts at increased MBE inclusion would be prioritized and/or carried out County-wide. Purchasing leadership and staff appear to have detailed understanding of the relevant policies and procedures, but anecdotal interviews and related data may provide a clearer picture of how the Program is perceived.

⁶¹ Purchasing Guidelines, Sec. 3.2.

V. QUANTITATIVE ANALYSIS

A. Introduction

The quantitative analysis of a disparity study measures and compares the availability of firms by race/ethnicity/gender, within the Charles County's geographical and product market areas to the utilization of each race/ethnicity/gender group (measured by the payments to these groups by Charles County).

The outcome of the comparison shows if a disparity exists between availability and utilization, and whether that disparity is an overutilization, an underutilization, or in parity (the amount to be expected). Further, the disparity is tested to see if it is statistically significant. Legal precedents have clearly established that the presence of such significant statistical disparities create an inference of discrimination that adversely affect the participation of the underutilized firms. Finally, the regression analysis tests for other explanations for the disparity to determine if it is likely that the disparity is caused by race/ethnicity/gender status, or other factors. If there is statistically significant underutilization of MWBEs that is likely caused by race/ethnicity/gender, then GSPC will determine as part of its findings whether there is a basis for an inference of discrimination and consider whether Charles County should use narrowly tailored race and gender conscious remedies.

Research Question:

Is there a disparity that is statistically significant between the percentage of available, qualified, and willing MWBE firms in the Relevant Geographic and Product Markets, and the percentage of dollars spent with MWBE firms in those same markets during the Study Period?

B. Data Assessment and Requests

GSPC conducted several meetings with County staff who were familiar with Charles County's data. The objective of the meetings was for GSPC to get a better understanding of how Charles County's data are kept and how best to request the data needed for the Study. Following the data assessment meetings, GSPC presented written requests for the data, detailing the type and fields of data needed to complete the quantitative analysis. Data Assessment Report is attached as Appendix C.

The electronic data were uploaded to GSPC by the County in Google Docs where they were catalogued and stored in GSPC's own cloud repository. The data collected were used to develop data files containing purchasing history for each major Industry Category, that is, Construction, A&E, Other Services, and Goods.

Additionally, GSPC worked on verifying the gender and ethnicity of vendors, and completed necessary information about vendor address, Industry Category, and other related areas. Gender and ethnicity verification were based on official certification listings. GSPC used vendor ZIP codes to identify the county where businesses are located to determine whether a vendor will be included in the Relevant Geographic Market analysis. Some files submitted by Charles County did not contain the necessary information, including vendors' physical addresses. To supplement the missing information, more data were obtained from Dun & Bradstreet databases, or by simply searching the businesses' name on the internet.

As GSPC developed data files, those files were shared for approval with the County.

C. Data Assignment, Cleanup and Verification

After the completion of data collection, the data was electronically and manually cleaned to find duplicates and remove all unrelated payments such as payment to personnel, nonprofit organizations, and governmental agencies. The cleanup phase also included the following five (5) tasks:

- Assigning and verifying race/ethnicity/gender of each firm;
- Assigning each firm to one or more NIGP codes based upon the kind of work that the firm performs;
- 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 Industry Category; and
- Filling in any additional necessary data on firms.

The file cleanup was comprehensive. Information provided by Charles County was linked to certain indicators, like purchase order number, or cross-referenced with other files to fill in missing fields. This cleanup and re-tabulation produced a lower total dollar amount than the designated budget for each category since many vendors/purchases – payments that went to local and state governments, utility companies, not-for profits, and educational institutions.

1. Assignment of Race/Ethnicity/Gender/Size

To identify all Minority owned firms, GSPC utilized only those certified by:

- Maryland Department of Transportation
- City of Baltimore
- Prince George's County
- Frederick County

An assignment of MWBE status was given to firms if they were certified through an official certification process. All Minority owned firms were categorized according to their race/ethnicity and not by gender. Nonminority Female owned firms were categorized individually by their race and gender. Nonminority Male owned firms, and publicly owned corporations were categorized as Non-MWBE firms. A few firms could only be identified as MWBEs, but not by their subcategories.

2. Assignment of Business Categories

In order to place firms in the proper business categories, GSPC adopted a three-step strategy. First, the description of the purchase/contract along with General Ledger Description were used to categorize vendors in Construction Services, A&E⁶², Other Services, and Goods. Second, all vendors were searched online to find or verify the type of services provided, and third, the assigned classifications were reviewed and verified by Charles County.

3. Master Vendor File

The purpose of the Master Vendor File was to collect, in one data file, a listing of all firms that provide goods and services in the Industry Categories utilized by Charles County. It includes internal lists from Charles County as well as outside governmental lists. The Master Vendor File 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, e.g. making sure there were no inconsistent ethnicities. This is important to make sure that GSPC compared relevantly similar data. The Master Vendor File contains firms from the following lists:

- Charles County Payments
- Charles County Vendor List
- Charles County Subcontractor Data
- Charles County Purchase Order logs
- Charles County Bidders List
- DC DSLBE List
- Charles County SLBE directory

Availability is determined by using all the unique firms in the Master Vendor File.

D. Relevant Geographic Market Analysis

Antitrust lawsuits originated the current standard that the Relevant Geographic Market should encompass at least 75% to 85% of the qualified vendors that serve a particular sector.⁶³ In *Croson*, Justice O'Connor specifically criticized the City of Richmond, for making Minority Business Enterprises ("MBEs") all over the country eligible to participate in its set-aside programs.⁶⁴ 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 Geographic Market, who were qualified to perform contracting

⁶³ 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)

⁶⁴ City of Richmond v. J.A. Croson Company, 488 U.S. 469, 709 S. Ct. 706 (1989).

work (including prime contractors and subcontractors) and the percentage of total City contracting dollars awarded to Minority firms.

The Relevant Geographic Market has been determined for each of the major purchasing categories:

- Construction Services
- A&E
- Other Services
- Goods

For each Industry Category, GSPC measured the Relevant Geographic Market as the area where about 75% of Charles County's dollars were paid during the Study Period. GSPC measured the geographic territory where payments were made by Charles County. In analyzing the Relevant Geographic Market data, GSPC tabulated the percentage of dollars paid. Postal Zip Codes were used to identify the County location of each vendor. Counties were used in calculating the Relevant Geographic Market starting with Charles County. The relevant market was the Consolidated Statistical Area.⁶⁵ The Washington-Baltimore-Arlington, DC-MD-VA-WV-PA Consolidated Statistical Area ("CSA") was determined to be the Relevant Market based on the following percentages of spending in the CSA.

- In Construction, 84.50%
- In A&E, 80.85%
- In Other Services, 83.93%
- In Goods, 54.22%
- Overall spend in the CSA, 77.49%

⁶⁵ The CSA is comprised of the counties in the Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area ("MSA"): Frederick County, Fairfax County, Prince George's, District of Columbia, Prince William County, Loudoun County, Arlington County, Charles County, City of Alexandria, Stafford County, Spotsylvania County, Calvert County, Fauquier County, Jefferson County, Culpeper County, City of Manassas, Warren County, City of Fredericksburg, City of Fairfax, City of Manassas Park, Clarke County, City of Falls Church, Madison County, Rappahannock County, and Montgomery County and the additional counties in the CSA of: Baltimore County, Baltimore City, Anne Arundel County, Howard County, Harford County, Carroll County, Queen Anne's County, Washington County, Berkeley County, Morgan County, Franklin County, Frederick County (Virginia), City of Winchester, Hampshire County, St. Mary's County, and Talbot County.

Figure 3: MAP OF THE WASHINGTON-BALTIMORE-ARLINGTON, DC-MD-VA-WV-PA CONSOLIDATED STATISTICAL AREA (“CSA”)

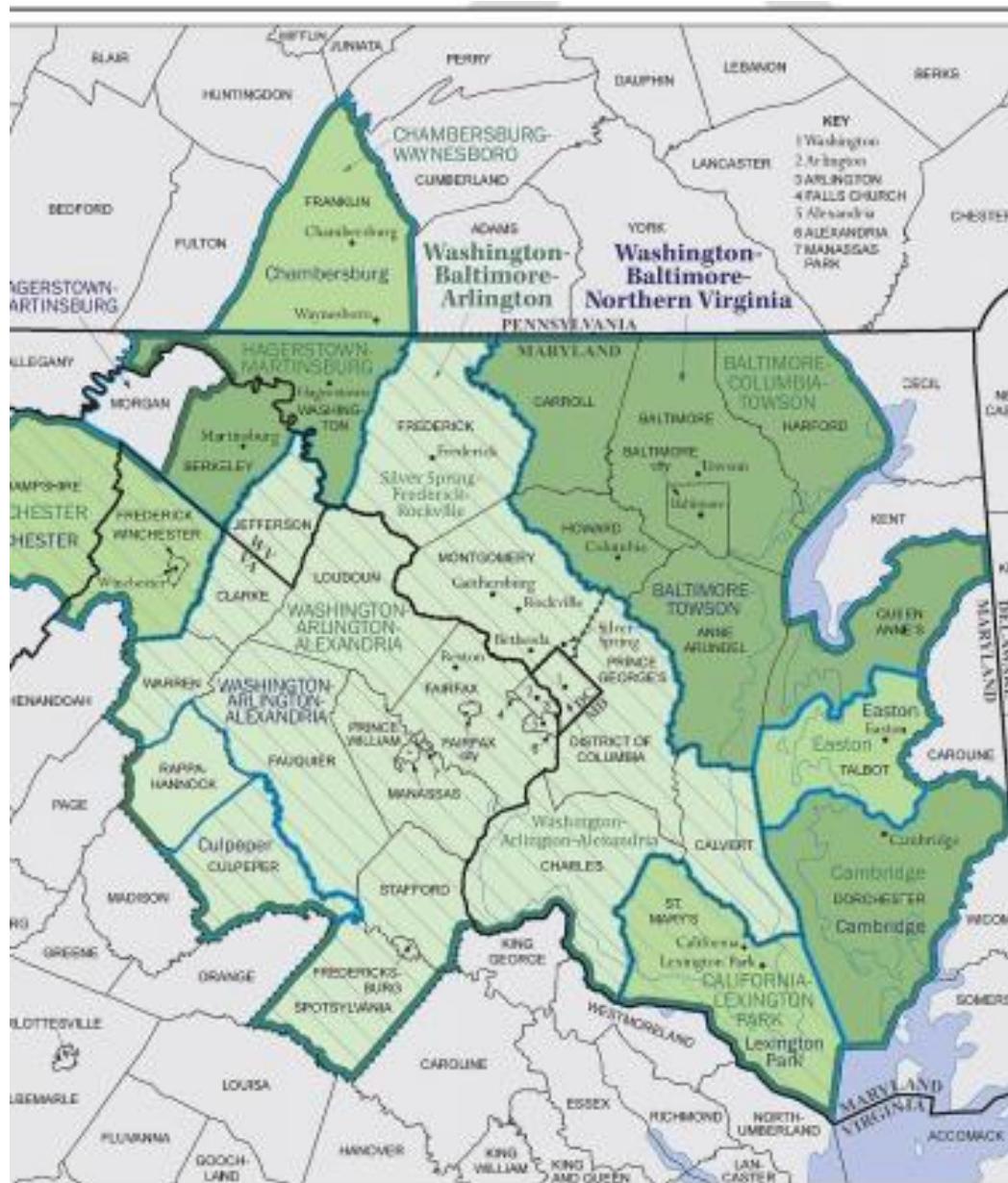


Table 7 details the dollars paid in the Relevant Geographic Market for each Industry Category. In Construction Services, 84.50% of all the dollars paid were paid within the Relevant Geographic Market. The Relevant Geographic Market covered 80.85% of A&E, 83.93% of Other Services, and 54.22% of Goods. Given that 77.49% of all Charles County spending was with firms located in Charles County, GSPC determined that one consistent Relevant Geographic Market, made up of the CSA, across all Industry Categories was appropriate. A detailed breakdown of the Relevant Geographic Market by County is included in Appendix D.

**Table 7: Relevant Geographic Market - Prime Construction Services
(Using Payment Dollars, FY 2015-2019)**
Charles County Disparity Study

Work Category	Area	Amount	Percent	Cumulative %
Construction	Relevant Market Area	\$ 77,588,842.12	84.50%	84.50%
	Rest of Counties in Maryland	\$ -	0.00%	84.50%
	Rest of USA	\$ 14,237,666.20	15.50%	100%
	Outside of USA	\$ -	0.00%	100%
	Total	\$ 91,826,508.32	100.00%	
A&E	Relevant Market Area	\$ 19,730,563.45	80.85%	80.85%
	Rest of Counties in Maryland	\$ 4,130,221.70	16.92%	97.77%
	Rest of USA	\$ 543,960.91	2.23%	100.00%
	Outside of USA	\$ -	0.00%	100.00%
	Total	\$ 24,404,746.06	100.00%	
Other Services	Relevant Market Area	\$ 158,820,946.71	83.93%	83.93%
	Rest of Counties in Maryland	\$ 685,636.36	0.36%	84.29%
	Rest of USA	\$ 29,724,569.93	15.71%	100.00%
	Outside of USA	\$ 5,079.73	0.00%	100.00%
	Total	\$ 189,231,153.00	100.00%	
Goods	Relevant Market Area	\$ 45,215,374.97	54.22%	54.22%
	Rest of Counties in Maryland	\$ 571,764.47	0.69%	54.91%
	Surrounding States	\$ 17,150,792.62	20.57%	75.47%
	Rest of USA	\$ 20,402,089.62	24.47%	99.94%
	Outside of USA	\$ 50,648.88	0.06%	100.00%
	Total	\$ 83,390,670.56	100.00%	

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E. Availability Analysis

1. Methodology

Understanding if a disparity exists within the Relevant Geographic Market requires a determination of the availability of businesses for public contracting. It is crucial that sound methodology is used in such a determination because it is an important benchmark in examining the utilization of the MWBE Study Groups and their availability in the marketplace.

***Availability Estimate** is the determination of the percentage of MWBEs that are “ready, willing, and able” to provide goods or services to the Charles County.*

Croson and subsequent decisions give only general guidance as to how to measure availability. A common indication from the court cases is that an available firm would be qualified to perform work in a local jurisdiction. Additionally, the firm must have demonstrated a willingness and ability to perform the work.

This Study's measures of availability incorporated all the required Croson criteria:

- The firm does business in an industry group from which Charles County makes certain purchases.
- The firm's owner has taken steps (such as bidding, certification, prequalification, etc.) to demonstrate interest in doing business with government.
- The firm is located within a relevant geographical area such that it can do business with Charles County.

The MWBE availability percentage is computed (in each purchasing group) by dividing the number of MWBE firms by the total number of businesses in the pool of firms for that Industry Category. 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 to be discussed later in this analysis.

2. Measurement Basis for Availability

There are numerous approaches to measuring available, qualified firms. GSPC's methodology measured availability based on demonstrated interest in doing business with governments in the Relevant Geographic Market and in the relevant purchasing categories.

3. Capacity

The ability or capacity to perform the work is tested in the Regression Analysis conducted in Chapter VI – Private Sector Analysis below. The regression analysis shows whether Study Group status is an impediment to the success of MWBEs in obtaining awards in the marketplace. And whether, excluding those factors, firms would be able to provide Goods and Services at a higher rate than their present utilization. GSPC also

generated a disparity analysis for smaller contracts for less than \$50,000 and less than \$500,000 in Appendix E.

4. Availability Estimates of MWBE firms

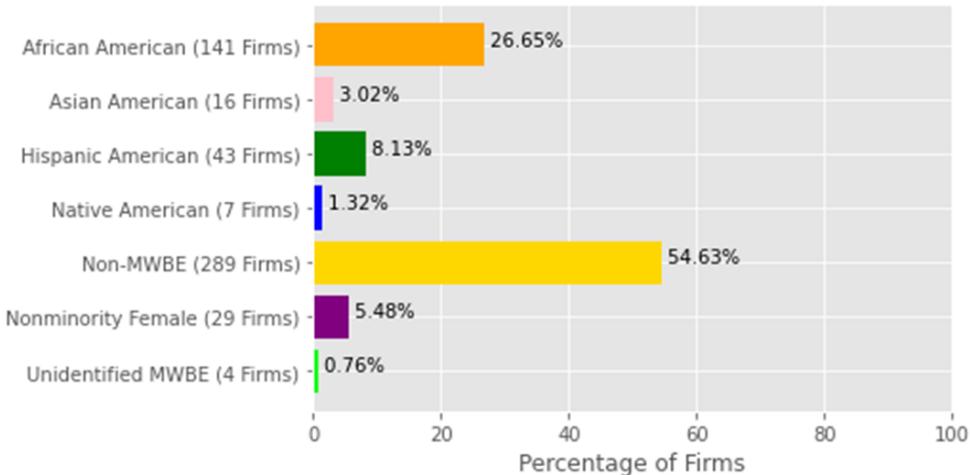
The following are the Availability Estimates for the Study. The data are separated into the four (4) major business categories. Figures 1-4 show the percentage of firms by race/ethnicity/gender as compared with the total number of firms. Detailed availability estimates for Construction Services, A&E, Other Services and Goods are contained in Appendix F.

The Charles County Relevant Geographic Market availability in the table below shows that, in Construction Services, African American owned firms make up 26.65% of all Construction Services firms, Hispanic owned firms make up 8.13%. Nonminority Female owned firms are 5.48%, while Native American owned and Asian American owned firms have availability of 1.32% and 3.02%, respectively, in Construction Services within the Relevant Geographic Market. In total, MWBEs account for 45.37% of all available firms in Construction Services.

Figure 4: Availability Estimates – Construction Services

In the Relevant Geographic Market

Charles County Disparity Study



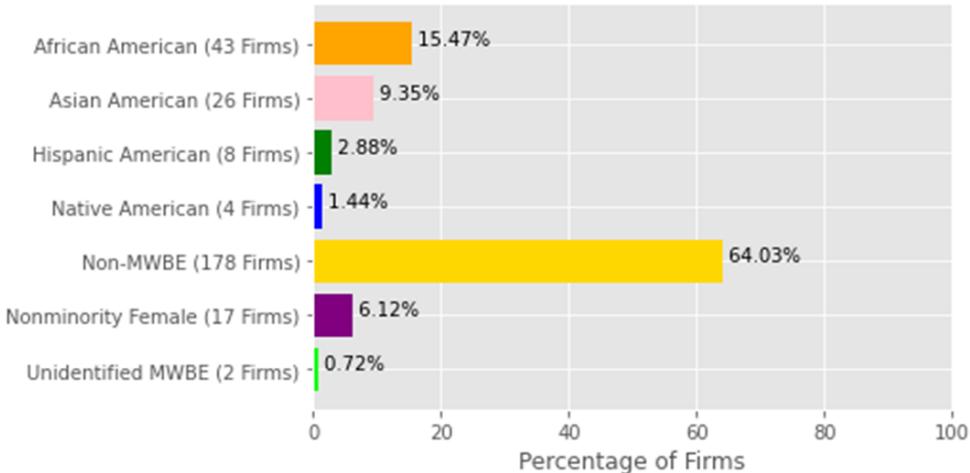
Griffin & Strong, P.C., 2021

Of the A&E firms, African American owned firms make up 15.47% and Nonminority Female owned firms make up 6.12%. Asian American owned firms have 9.35%. Hispanic owned firms have 2.88% and Native American owned firms have 1.44% availability in this category. MWBEs are 35.97% of all available firms in A&E (Figure 2).

Figure 5: Availability Estimates-A&E

In the Relevant Geographic Market

Charles County Disparity Study



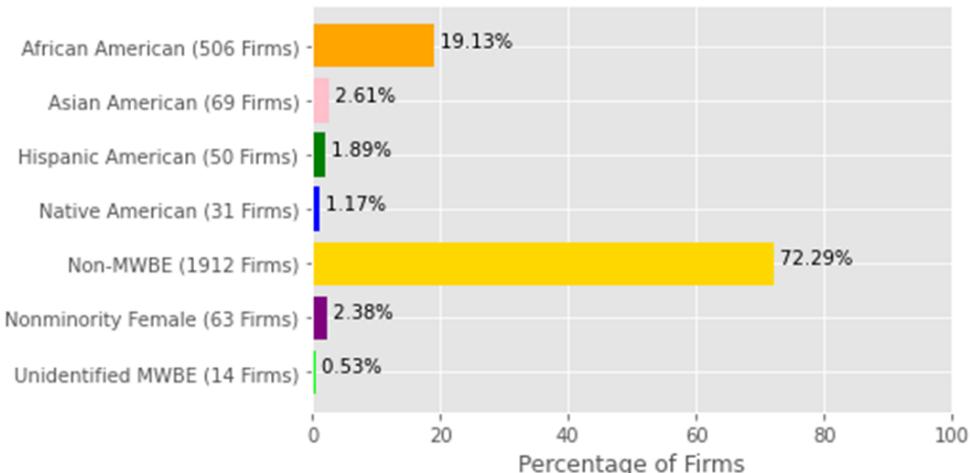
Griffin & Strong, P.C., 2021

In Other Services, businesses owned by African Americans make up 19.13% of the availability and Nonminority Female owned 2.38% of the firms. Hispanic owned firms have 1.89%, Asian American owned firms and Native American owned firms have 2.61% and 1.17% availability, respectively. MWBEs total 27.71% of all available firms in Other Services (Figure 3).

Figure 6: Availability Estimates-Other Services

In the Relevant Geographic Market

Charles County Disparity Study



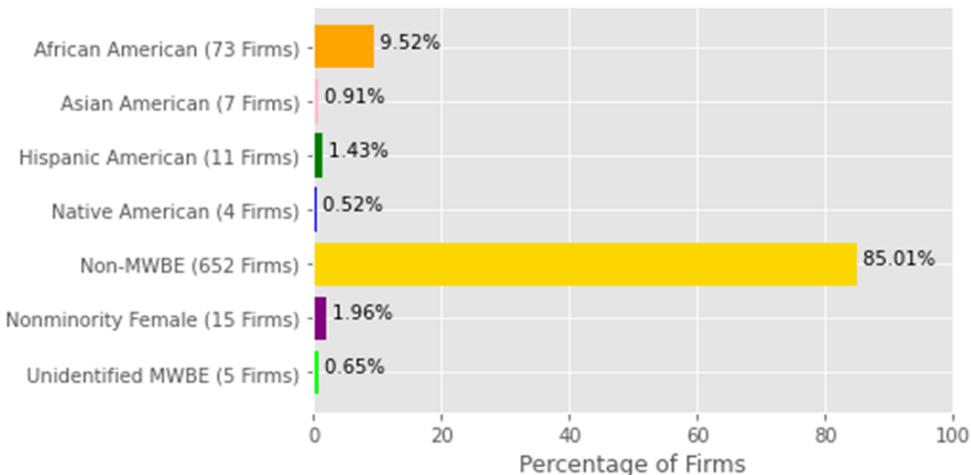
Griffin & Strong, P.C., 2021

In Goods, businesses owned by African Americans were 9.52% of the firms and Nonminority Female owned firms make up 1.96%. Hispanic owned firms have 1.43%, Asian American owned firms have 0.91%, and Native American owned firms have 0.52% availability in this category. MWBEs total 14.99% of all available firms in Goods (Figure 4).

Figure 7: Availability Estimates-Goods

In the Relevant Geographic Market

Charles County Disparity Study



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F. Utilization Analysis

1. Prime Utilization of MWBEs

This prime utilization section analyzes the history of direct payments Charles County made during the study period to MWBEs as compared to all vendors. The relevant payment history for Charles County was recorded based upon the paid amounts provided by Charles County. In the Prime Utilization tables below, the dollars and percentage of dollars paid in each of the four (4) major Industry Categories have been broken out by race/ethnicity/gender for each year of the Study Period.

PRIME UTILIZATION is the percentage of actual payments made directly by Charles County during the Study Period to MWBEs in comparison to all actual payments made directly to all vendors by Charles County during the Study Period.

As shown in Tables 8 and 9, in Construction Services during the Study Period, eleven (11) MBEs were paid \$7.0 million, and six (6) Nonminority Female owned firms were paid \$2.5 million, for a total of seventeen (17) MWBEs receiving \$9.5 million over the Study Period. This represented 12.30% of the total Construction Services dollars paid to prime contractors and was an average of \$561,413 per MWBE firm over the Study Period. In contrast, one hundred and twenty-five (125) non-MWBE firms were paid \$68.0 million, for an average to each firm of \$544,358 over the Study Period.

Table 8: Prime Utilization – Construction Services by Number of Firms

In the Relevant Geographic Market

Number of Businesses by Business Ownership and Fiscal Year

FY 2015-2019

Fiscal Year	African American		Asian American		Hispanic		Native American		Total MBE		Nonminority Female		Unidentified MWBE		Total MWBE		Non-MWBE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2015	1	1.33%	1	1.33%	4	5.33%	0	0.00%	6	8.00%	3	4.00%	0	0.00%	9	12.00%	66	88.00%	75	100.00%
2016	1	1.28%	1	1.28%	4	5.13%	1	1.28%	7	8.97%	3	3.85%	0	0.00%	10	12.82%	68	87.18%	78	100.00%
2017	0	0.00%	1	1.33%	4	5.33%	1	1.33%	6	8.00%	3	4.00%	0	0.00%	9	12.00%	66	88.00%	75	100.00%
2018	0	0.00%	1	1.20%	5	6.02%	1	1.20%	7	8.43%	4	4.82%	0	0.00%	11	13.25%	72	86.75%	83	100.00%
2019	2	2.15%	1	1.08%	4	4.30%	1	1.08%	8	8.60%	5	5.38%	0	0.00%	13	13.98%	80	86.02%	93	100.00%
Total 2015-2019	4	0.99%	5	1.24%	21	5.20%	4	0.99%	34	8.42%	18	4.46%	0	0.00%	52	12.87%	352	87.13%	404	100.00%
Total Number of Unique Business*	3	2.11%	1	0.70%	6	4.23%	1	0.70%	11	7.75%	6	4.23%	0	0.00%	17	11.97%	125	88.03%	142	100.00%

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* Total unique number represents the number of unduplicated firms during the Study Period.

Table 9: Prime Utilization – Construction Services by Dollars

In the Relevant Geographic Market

Distribution of Dollars by Business Ownership and Fiscal Year

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 5,370	\$ 5,280	\$ -	\$ -	\$ 37,945	\$ 48,595
Asian American	\$ 68,435	\$ 110,468	\$ 1,597,202	\$ 1,620,447	\$ 335,220	\$ 3,731,772
Hispanic American	\$ 597,446	\$ 635,614	\$ 443,524	\$ 355,376	\$ 600,653	\$ 2,632,613
Native American	\$ -	\$ 81,156	\$ 114,643	\$ 125,816	\$ 326,918	\$ 648,532
TOTAL MINORITY	\$ 671,251	\$ 832,517	\$ 2,155,369	\$ 2,101,638	\$ 1,300,736	\$ 7,061,512
Nonminority Female	\$ 53,297	\$ 83,869	\$ 38,401	\$ 551,818	\$ 1,755,140	\$ 2,482,525
Unidentified MWBE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MWBE	\$ 724,548	\$ 916,386	\$ 2,193,770	\$ 2,653,456	\$ 3,055,877	\$ 9,544,037
TOTAL NON-MWBE	\$ 10,221,934	\$ 9,874,289	\$ 10,694,151	\$ 15,750,216	\$ 21,504,215	\$ 68,044,805
TOTAL FIRMS	\$ 10,946,482	\$ 10,790,675	\$ 12,887,921	\$ 18,403,672	\$ 24,560,092	\$ 77,588,842
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	0.05%	0.05%	0.00%	0.00%	0.15%	0.06%
Asian American	0.63%	1.02%	12.39%	8.81%	1.36%	4.81%
Hispanic American	5.46%	5.89%	3.44%	1.93%	2.45%	3.39%
Native American	0.00%	0.75%	0.89%	0.68%	1.33%	0.84%
TOTAL MINORITY	6.13%	7.72%	16.72%	11.42%	5.30%	9.10%
Nonminority Female	0.49%	0.78%	0.30%	3.00%	7.15%	3.20%
Unidentified MWBE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MWBE	6.62%	8.49%	17.02%	14.42%	12.44%	12.30%
TOTAL NON-MWBE	93.38%	91.51%	82.98%	85.58%	87.56%	87.70%
TOTAL FIRMS	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

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As shown in Tables 10 and 11, in A&E during the Study Period, six (6) MBEs were paid \$806,542, and one (1) Nonminority Female owned firm was paid \$14,107, for a total of seven (7) MWBEs receiving a total of \$820,650 over the Study Period. This represented 4.16% of the total A&E dollars paid to prime consultants and was an average of \$117,235 per MWBE firm over the Study Period. In contrast, forty-eight (48) non-MWBE firms were paid \$18.9 million, for an average to each firm of \$393,956 over the Study Period.

Table 10: Prime Utilization – A&E by Number of Firms
 In the Relevant Geographic Market
 Distribution of Dollars by Business Ownership and Fiscal Year
 (Using Payment Dollars, FY 2015-2019)
 Charles County Disparity Study

Fiscal Year	African American		Asian American		Hispanic		Native American		Total MBE		Nonminority Female		Unidentified MWBE		Total MWBE		Non-MWBE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2015	0	0.00%	2	6.67%	0	0.00%	0	0.00%	2	6.67%	1	3.33%	0	0.00%	3	10.00%	27	90.00%	30	100.00%
2016	0	0.00%	1	2.94%	0	0.00%	0	0.00%	1	2.94%	1	2.94%	0	0.00%	2	5.88%	32	94.12%	34	100.00%
2017	1	3.13%	2	6.25%	0	0.00%	0	0.00%	3	9.38%	0	0.00%	0	0.00%	3	9.38%	29	90.63%	32	100.00%
2018	2	5.26%	3	7.89%	0	0.00%	0	0.00%	5	13.16%	0	0.00%	0	0.00%	5	13.16%	33	86.84%	38	100.00%
2019	2	5.41%	2	5.41%	0	0.00%	0	0.00%	4	10.81%	0	0.00%	0	0.00%	4	10.81%	33	89.19%	37	100.00%
Total 2015	5	2.92%	10	5.85%	0	0.00%	0	0.00%	15	8.77%	2	1.17%	0	0.00%	17	9.94%	154	90.06%	171	100.00%
Total Number of Unique	2	3.64%	4	7.27%	0	0.00%	0	0.00%	6	10.91%	1	1.82%	0	0.00%	7	12.73%	48	87.27%	55	100.00%
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* Total unique number represents the number of unduplicated firms during the Study Period.

Table 11: Prime Utilization – A&E by Dollars

In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ -	\$ -	\$ 65,562	\$ 172,396	\$ 50,773	\$ 288,731
Asian American	\$ 14,414	\$ 5,571	\$ 284,664	\$ 59,995	\$ 153,167	\$ 517,811
Hispanic American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Native American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MINORITY	\$ 14,414	\$ 5,571	\$ 350,226	\$ 232,391	\$ 203,940	\$ 806,542
Nonminority Female	\$ 5,940	\$ 8,168	\$ -	\$ -	\$ -	\$ 14,107
Unidentified MWBE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MWBE	\$ 20,354	\$ 13,738	\$ 350,226	\$ 232,391	\$ 203,940	\$ 820,650
TOTAL NON-MWBE	\$ 4,009,012	\$ 3,349,729	\$ 3,548,563	\$ 3,224,858	\$ 4,777,751	\$ 18,909,914
TOTAL FIRMS	\$ 4,029,366	\$ 3,363,467	\$ 3,898,790	\$ 3,457,250	\$ 4,981,691	\$ 19,730,563
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	0.00%	0.00%	1.68%	4.99%	1.02%	1.46%
Asian American	0.36%	0.17%	7.30%	1.74%	3.07%	2.62%
Hispanic American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Native American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MINORITY	0.36%	0.17%	8.98%	6.72%	4.09%	4.09%
Nonminority Female	0.15%	0.24%	0.00%	0.00%	0.00%	0.07%
Unidentified MWBE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MWBE	0.51%	0.41%	8.98%	6.72%	4.09%	4.16%
TOTAL NON-MWBE	99.49%	99.59%	91.02%	93.28%	95.91%	95.84%
TOTAL FIRMS	100%	100%	100%	100%	100%	100.00%

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As shown in Tables 12 and 13, in Other Services during the Study Period, twenty-eight (28) MBEs were paid \$7.5 million, and eleven (11) Nonminority Female owned firms were paid \$2.6 million, for a total of forty-one (41) MWBEs receiving a total of \$10.2 million over the Study Period. This represented 6.46% of the total Other Services dollars paid to prime firms and was an average of \$250,117 per MWBE firm over the Study Period. In contrast, four hundred and ninety (791) non-MWBE firms were paid \$148.5 million, for an average to each firm of \$187,820 over the Study Period.

Table 12: Prime Utilization – Other Services by Number of Firms

In the Relevant Geographic Market

Distribution of Dollars by Business Ownership and Fiscal Year

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Fiscal Year	African American		Asian American		Hispanic		Native American		Total MBE		Nonminority Female		Unidentified MWBE		Total MWBE		Non-MWBE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2015	6	1.37%	3	0.68%	1	0.23%	0	0.00%	10	2.28%	5	1.14%	0	0.00%	15	3.42%	424	96.58%	439	100.00%
2016	7	1.59%	2	0.45%	1	0.23%	0	0.00%	10	2.27%	5	1.14%	1	0.23%	16	3.64%	424	96.36%	440	100.00%
2017	9	1.99%	6	1.32%	0	0.00%	0	0.00%	15	3.31%	8	1.77%	1	0.22%	24	5.30%	429	94.70%	453	100.00%
2018	6	1.38%	3	0.69%	0	0.00%	0	0.00%	9	2.07%	6	1.38%	1	0.23%	16	3.69%	418	96.31%	434	100.00%
2019	11	2.56%	5	1.17%	2	0.47%	0	0.00%	18	4.20%	7	1.63%	2	0.47%	27	6.29%	402	93.71%	429	100.00%
Total 2015-2019	39	1.78%	19	0.87%	4	0.18%	0	0.00%	62	2.82%	31	1.41%	5	0.23%	98	4.46%	2097	95.54%	2195	100.00%
Total Number of Unique Business*	17	2.04%	7	0.84%	4	0.48%	0	0.00%	28	3.37%	11	1.32%	2	0.24%	41	4.93%	791	95.07%	832	100.00%
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* Total unique number represents the number of unduplicated firms during the Study Period.

Table 13: Prime Utilization – Other Services by Dollars

In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 974,526	\$ 1,083,392	\$ 1,063,679	\$ 1,123,822	\$ 1,869,056	\$ 6,114,474
Asian American	\$ 277,094	\$ 130,506	\$ 156,576	\$ 614,067	\$ 218,582	\$ 1,396,826
Hispanic American	\$ 6,478	\$ 2,955	\$ -	\$ -	\$ 24,879	\$ 34,312
Native American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MINORITY	\$ 1,258,098	\$ 1,216,853	\$ 1,220,254	\$ 1,737,889	\$ 2,112,517	\$ 7,545,612
Nonminority Female	\$ 27,944	\$ 23,682	\$ 517,806	\$ 1,526,068	\$ 594,915	\$ 2,690,414
Unidentified MWBE	\$ -	\$ 1,750	\$ 2,800	\$ 5,481	\$ 8,762	\$ 18,793
TOTAL MWBE	\$ 1,286,042	\$ 1,242,285	\$ 1,740,860	\$ 3,269,438	\$ 2,716,194	\$ 10,254,819
TOTAL NON-MWBE	\$ 31,850,426	\$ 29,404,816	\$ 31,973,283	\$ 29,927,462	\$ 25,410,141	\$ 148,566,128
TOTAL FIRMS	\$ 33,136,468	\$ 30,647,100	\$ 33,714,143	\$ 33,196,900	\$ 28,126,335	\$ 158,820,947
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	2.94%	3.54%	3.15%	3.39%	6.65%	3.85%
Asian American	0.84%	0.43%	0.46%	1.85%	0.78%	0.88%
Hispanic American	0.02%	0.01%	0.00%	0.00%	0.09%	0.02%
Native American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MINORITY	3.80%	3.97%	3.62%	5.24%	7.51%	4.75%
Nonminority Female	0.08%	0.08%	1.54%	4.60%	2.12%	1.69%
Unidentified MWBE	0.00%	0.01%	0.01%	0.02%	0.03%	0.01%
TOTAL MWBE	3.88%	4.05%	5.16%	9.85%	9.66%	6.46%
TOTAL NON-MWBE	96.12%	95.95%	94.84%	90.15%	90.34%	93.54%
TOTAL FIRMS	100%	100%	100%	100%	100%	100.00%

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As shown in Tables 14 and 15, in Goods during the Study Period, nine (9) MBEs were paid \$79,349, and nine (9) Nonminority Female owned firms were paid \$ 791,019, for a total of eighteen (18) MWBEs receiving a total of \$870,458 over the Study Period. This represented 1.93% of the total Goods dollars paid to prime firms and was an average of \$48,358 per MWBE firm over the Study Period. In contrast, three hundred and ninety-four (394) non-MWBE firms were paid \$44.3 million, for an average to each firm of \$112,550 over the Study Period.

Table 14: Prime Utilization – Goods by Number of Firms

In the Relevant Geographic Market

Distribution of Dollars by Business Ownership and Fiscal Year

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Fiscal Year	African American		Asian American		Hispanic		Native American		Total MBE		Nonminority Female		Unidentified MWBE		Total MWBE		Non-MWBE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2015	2	0.79%	0	0.00%	1	0.40%	0	0.00%	3	1.19%	8	3.16%	0	0.00%	11	4.35%	242	95.65%	253	100.00%
2016	2	0.81%	0	0.00%	0	0.00%	0	0.00%	2	0.81%	6	2.44%	0	0.00%	8	3.25%	238	96.75%	246	100.00%
2017	3	1.23%	0	0.00%	0	0.00%	0	0.00%	3	1.23%	7	2.88%	0	0.00%	10	4.12%	233	95.88%	243	100.00%
2018	3	1.24%	0	0.00%	1	0.41%	0	0.00%	4	1.65%	7	2.89%	0	0.00%	11	4.55%	231	95.45%	242	100.00%
2019	1	0.42%	0	0.00%	2	0.84%	0	0.00%	3	1.27%	7	2.95%	0	0.00%	10	4.22%	227	95.78%	237	100.00%
Total 2015-2019	11	0.90%	0	0.00%	4	0.33%	0	0.00%	15	1.23%	35	2.87%	0	0.00%	50	4.10%	1171	95.90%	1221	100.00%
Total Number of Unique Business*	6	1.46%	0	0.00%	3	0.73%	0	0.00%	9	2.18%	9	2.18%	0	0.00%	18	4.37%	394	95.63%	412	100.00%

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* Total unique number represents the number of unduplicated firms during the Study Period.

Table 15: Prime Utilization –Goods by Dollars

In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 1,250	\$ 1,497	\$ 12,058	\$ 14,494	\$ 41,161	\$ 70,459
Asian American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hispanic American	\$ 4,846	\$ -	\$ -	\$ 1,080	\$ 3,053	\$ 8,979
Native American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MINORITY	\$ 6,096	\$ 1,497	\$ 12,058	\$ 15,574	\$ 44,214	\$ 79,439
Nonminority Female	\$ 146,839	\$ 177,099	\$ 270,445	\$ 89,687	\$ 106,949	\$ 791,019
Unidentified MWBE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MWBE	\$ 152,935	\$ 178,597	\$ 282,503	\$ 105,261	\$ 151,163	\$ 870,458
TOTAL NON-MWBE	\$ 7,842,708	\$ 11,810,632	\$ 8,333,082	\$ 6,734,588	\$ 9,623,907	\$ 44,344,917
TOTAL FIRMS	\$7,995,643	\$11,989,229	\$8,615,585	\$6,839,849	\$9,775,069	\$ 45,215,375
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	0.02%	0.01%	0.14%	0.21%	0.42%	0.16%
Asian American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Hispanic American	0.06%	0.00%	0.00%	0.02%	0.03%	0.02%
Native American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MINORITY	0.08%	0.01%	0.14%	0.23%	0.45%	0.18%
Nonminority Female	1.84%	1.48%	3.14%	1.31%	1.09%	1.75%
Unidentified MWBE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MWBE	1.91%	1.49%	3.28%	1.54%	1.55%	1.93%
TOTAL NON-MWBE	98.09%	98.51%	96.72%	98.46%	98.45%	98.07%
TOTAL FIRMS	100%	100%	100%	100%	100%	100.00%
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2. Total Utilization

The Total Utilization data is used to present the percentage of dollars paid to Prime and Subcontractors by their ethnic/gender category. MBEs received \$7.5 million during the Study Period, 9.68% of the total Construction Services paid to prime and subcontractor dollars, while Nonminority Female owned firms were paid a total of \$2.6 million, 3.45% of the total Construction Services paid dollars. MWBEs received 13.14% of the total Construction Services paid dollars (Table 16).

TOTAL UTILIZATION is the percentage of dollars paid to (in the Relevant Geographic Market) Prime contractors and Subcontractors combined, by ethnic/gender category.

Table 16: Total Utilization - Construction Services by Dollars In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 5,370	\$ 5,280	\$ 70,044	\$ 90,790	\$ 56,558	\$ 228,042
Asian American	\$ 68,435	\$ 105,894	\$ 1,486,841	\$ 1,419,710	\$ 295,805	\$ 3,376,686
Hispanic American	\$ 676,405	\$ 741,550	\$ 539,142	\$ 645,593	\$ 653,295	\$ 3,255,986
Native American	\$ -	\$ 81,156	\$ 114,643	\$ 125,816	\$ 326,918	\$ 648,532
TOTAL MINORITY	\$ 750,210	\$ 933,880	\$ 2,210,671	\$ 2,281,909	\$ 1,332,576	\$ 7,509,246
Nonminority Female	\$ 53,297	\$ 103,035	\$ 105,463	\$ 587,327	\$ 1,829,107	\$ 2,678,229
Unidentified MWBE	\$ -	\$ -	\$ -	\$ -	\$ 4,689	\$ 4,689
TOTAL MWBE	\$ 803,507	\$ 1,036,915	\$ 2,316,133	\$ 2,869,236	\$ 3,166,373	\$ 10,192,164
TOTAL NON-MWBE	\$ 10,142,976	\$ 9,753,760	\$ 10,571,788	\$ 15,534,436	\$ 21,393,719	\$ 67,396,678
TOTAL FIRMS	\$ 10,946,482	\$ 10,790,675	\$ 12,887,921	\$ 18,403,672	\$ 24,560,092	\$ 77,588,842
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	0.05%	0.05%	0.54%	0.49%	0.23%	0.29%
Asian American	0.63%	0.98%	11.54%	7.71%	1.20%	4.35%
Hispanic American	6.18%	6.87%	4.18%	3.51%	2.66%	4.20%
Native American	0.00%	0.75%	0.89%	0.68%	1.33%	0.84%
TOTAL MINORITY	6.85%	8.65%	17.15%	12.40%	5.43%	9.68%
Nonminority Female	0.49%	0.95%	0.82%	3.19%	7.45%	3.45%
Unidentified MWBE	0.00%	0.00%	0.00%	0.00%	0.02%	0.01%
TOTAL MWBE	7.34%	9.61%	17.97%	15.59%	12.89%	13.14%
TOTAL NON-MWBE	92.66%	90.39%	82.03%	84.41%	87.11%	86.86%
TOTAL FIRMS	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

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Table 17 shows that in A&E Total Utilization MBEs received \$834,582 during the Study Period, 4.23% of the total A&E paid dollars, while Nonminority Female owned firms were paid a total of \$27,145, 0.14% of the total A&E paid dollars. MWBEs received 4.37% of the total A&E paid dollars. There was very little subcontracting in A&E.

Table 17: Total Utilization – A&E by Dollars In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ -	\$ -	\$ 65,562	\$ 169,964	\$ 49,137	\$ 284,663
Asian American	\$ 14,414	\$ 5,571	\$ 287,889	\$ 79,454	\$ 162,592	\$ 549,919
Hispanic American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Native American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MINORITY	\$ 14,414	\$ 5,571	\$ 353,451	\$ 249,418	\$ 211,729	\$ 834,582
Nonminority Female	\$ 5,940	\$ 8,168	\$ 1,568	\$ 5,082	\$ 6,388	\$ 27,145
Unidentified MWBE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MWBE	\$ 20,354	\$ 13,738	\$ 355,019	\$ 254,499	\$ 218,117	\$ 861,727
TOTAL NON-MWBE	\$ 4,009,012	\$ 3,349,729	\$ 3,543,771	\$ 3,202,750	\$ 4,763,574	\$ 18,868,836
TOTAL FIRMS	\$ 4,029,366	\$ 3,363,467	\$ 3,898,790	\$ 3,457,250	\$ 4,981,691	\$ 19,730,563
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	0.00%	0.00%	1.68%	4.92%	0.99%	1.44%
Asian American	0.36%	0.17%	7.38%	2.30%	3.26%	2.79%
Hispanic American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Native American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MINORITY	0.36%	0.17%	9.07%	7.21%	4.25%	4.23%
Nonminority Female	0.15%	0.24%	0.04%	0.15%	0.13%	0.14%
Unidentified MWBE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MWBE	0.51%	0.41%	9.11%	7.36%	4.38%	4.37%
TOTAL NON-MWBE	99.49%	99.59%	90.89%	92.64%	95.62%	95.63%
TOTAL FIRMS	100%	100%	100%	100%	100%	100.00%
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MBEs received \$7.6 million during the Study Period, 4.80% of the total Other Services paid prime and subcontractor dollars, while Nonminority Female owned firms were paid a total of \$2.7 million, 1.70% of the total Other Services paid dollars. MWBEs received 6.52% of the total Other Services paid dollars (Table 18). There was very little subcontracting in Other Services.

Table 18: Total Utilization – Other Services by Dollars In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 974,526	\$ 1,083,392	\$ 1,076,647	\$ 1,159,252	\$ 1,884,811	\$ 6,178,628
Asian American	\$ 277,094	\$ 130,506	\$ 156,576	\$ 614,067	\$ 232,630	\$ 1,410,873
Hispanic American	\$ 6,478	\$ 2,955	\$ -	\$ -	\$ 24,879	\$ 34,312
Native American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MINORITY	\$ 1,258,098	\$ 1,216,853	\$ 1,233,223	\$ 1,773,319	\$ 2,142,320	\$ 7,623,814
Nonminority Female	\$ 27,944	\$ 39,252	\$ 518,139	\$ 1,526,068	\$ 595,054	\$ 2,706,456
Unidentified MWBE	\$ -	\$ 1,750	\$ 2,800	\$ 5,481	\$ 8,762	\$ 18,793
TOTAL MWBE	\$ 1,286,042	\$ 1,257,855	\$ 1,754,161	\$ 3,304,868	\$ 2,746,136	\$ 10,349,062
TOTAL NON-MWBE	\$ 31,850,426	\$ 29,389,245	\$ 31,959,981	\$ 29,892,032	\$ 25,380,200	\$ 148,471,884
TOTAL FIRMS	\$ 33,136,468	\$ 30,647,100	\$ 33,714,143	\$ 33,196,900	\$ 28,126,335	\$ 158,820,947
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	2.94%	3.54%	3.19%	3.49%	6.70%	3.89%
Asian American	0.84%	0.43%	0.46%	1.85%	0.83%	0.89%
Hispanic American	0.02%	0.01%	0.00%	0.00%	0.09%	0.02%
Native American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MINORITY	3.80%	3.97%	3.66%	5.34%	7.62%	4.80%
Nonminority Female	0.08%	0.13%	1.54%	4.60%	2.12%	1.70%
Unidentified MWBE	0.00%	0.01%	0.01%	0.02%	0.03%	0.01%
TOTAL MWBE	3.88%	4.10%	5.20%	9.96%	9.76%	6.52%
TOTAL NON-MWBE	96.12%	95.90%	94.80%	90.04%	90.24%	93.48%
TOTAL FIRMS	100%	100%	100%	100%	100%	100.00%

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MBEs received \$79,439 during the Study Period, 0.18% of the total Goods paid prime and subcontractor dollars, while Nonminority Female owned firms were paid a total of \$791,019, 1.75% of the total Goods paid dollars. MWBEs received 1.93% of the total Goods paid dollars (Table 19). There was no subcontracting in Goods.

Table 19: Total Utilization – Goods by Dollars In the Relevant Geographic Market

(Using Payment Dollars, FY 2015-2019)

Charles County Disparity Study

Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
African American	\$ 1,250	\$ 1,497	\$ 12,058	\$ 14,494	\$ 41,161	\$ 70,459
Asian American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hispanic American	\$ 4,846	\$ -	\$ -	\$ 1,080	\$ 3,053	\$ 8,979
Native American	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MINORITY	\$ 6,096	\$ 1,497	\$ 12,058	\$ 15,574	\$ 44,214	\$ 79,439
Nonminority Female	\$ 146,839	\$ 177,099	\$ 270,445	\$ 89,687	\$ 106,949	\$ 791,019
Unidentified MWBE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MWBE	\$ 152,935	\$ 178,597	\$ 282,503	\$ 105,261	\$ 151,163	\$ 870,458
TOTAL NON-MWBE	\$ 7,842,708	\$ 11,810,632	\$ 8,333,082	\$ 6,734,588	\$ 9,623,907	\$ 44,344,917
TOTAL FIRMS	\$ 7,995,643	\$ 11,989,229	\$ 8,615,585	\$ 6,839,849	\$ 9,775,069	\$ 45,215,375
Business Ownership Classification	2015	2016	2017	2018	2019	TOTAL
	(%)	(%)	(%)	(%)	(%)	(%)
African American	0.02%	0.01%	0.14%	0.21%	0.42%	0.16%
Asian American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Hispanic American	0.06%	0.00%	0.00%	0.02%	0.03%	0.02%
Native American	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MINORITY	0.08%	0.01%	0.14%	0.23%	0.45%	0.18%
Nonminority Female	1.84%	1.48%	3.14%	1.31%	1.09%	1.75%
Unidentified MWBE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL MWBE	1.91%	1.49%	3.28%	1.54%	1.55%	1.93%
TOTAL NON-MWBE	98.09%	98.51%	96.72%	98.46%	98.45%	98.07%
TOTAL FIRMS	100%	100%	100%	100%	100%	100.00%

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G. Determination of Disparity

This section of the report addresses whether, and to what extent, there is disparity between the utilization of MWBEs as measured against their availability in the Charles County marketplace.

DISPARITY INDICES calculate the difference between the percentage of Charles County's **UTILIZATION** of MWBEs during the Study Period and the **AVAILABILITY** percentage of MWBEs.

1. Methodology

To assess the existence and extent of disparity, GSPC compared 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 from this approach is measured by use of a Disparity Index (DI).

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

A disparity analysis results in one of three conclusions: overutilization, underutilization, or parity. Underutilization is when the Disparity Index is below one hundred. Overutilization is when the Disparity Index is over one hundred. Parity or the absence of disparity is when the Disparity Index is one hundred (100.00) 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 Industry Category and for each race/ethnicity/gender group.

2. Determining the Significance of Disparity Indices

The determination that a particular ethnic or gender group has been overutilized or underutilized is not, standing alone, proof of discrimination. A statistically significant disparity also needs to be shown to permit an inference of discrimination. Typically, the determination of whether a disparity is "statistically significant" is based on the depth of the disparity. Any disparity index that is less than 80 is considered to be a statistically significant underutilization, and any disparity index over 100 is considered to be a

statistically significant overutilization. The disparity indices impact designated in the tables below as “overutilization”, “underutilization”, or “parity” are bolded to indicate such statistically significant impact.

Typically, the determination of whether a disparity is “substantially significant” can be based on any disparity index that is less than .80. Further, GSPC used a statistical test to assess whether or not the typical disparity index across all vendor categories is equal to unity. Such a result would constitute a null hypothesis of “parity”. The test estimates the probability that the typical disparity index would depart from unity, and the magnitude of the calculated test statistic would indicate whether there is typically underutilization or overrepresentation. Statistical significance tests were performed for each disparity index of each MWBE group, and in each Industry Category. This approach to statistical significance is consistent with the case law and the Transportation Research Board approach to statistical significance in disparity studies.

The existence of a statistically significant disparity between the availability and utilization of Minority or Nonminority Female owned businesses that is determined to be because of the owners’ race/ethnicity/gender will establish an inference of the continued effects of discrimination which are adversely affecting market outcomes for underutilized groups. Accordingly, such findings would impact the recommendations provided in this Study. GSPC, in such a case, would make recommendations for consideration of appropriate and narrowly tailored race/ethnicity/gender neutral remedies for this discrimination, to give all firms equal access to public contracting within Charles County. GSPC would also, if appropriate, recommend narrowly tailored race/ethnicity/gender conscious remedies to remedy identified barriers and forms of discrimination. If no statistically significant disparity is found to exist, or if such a disparity is determined not to be a likely result of the firm owners’ race, ethnicity, or gender upon their success in the marketplace, GSPC may still make recommendations to support the continuation of engagement, outreach, small business development, and non-discrimination policies in the purchasing processes of Charles County.

3. Prime Disparity Indices

Table 20 provides prime disparity ratios over the Study Period in the Relevant Geographic Market. Detailed disparity tables by year and over the Study Period corresponding to Table 20 are located in Appendix G. There was underutilization in prime contracts for all MWBEs groups, except Asian American firms in Construction Services. Nonminority female owned firms were underutilized in Goods, but it was not statistically significant. Non-MWBEs were overutilized.

Results for Disparity Analysis for purchase orders less than \$50,000 and less than \$500,000 are in Appendix E.

Table 20: Disparity Indices – Prime

Business Ownership Classification by Fiscal Year

Based on Master Vendor File and Payments

Charles County Disparity Study

Business Ownership Classification	Construction Services	A&E	Other Services	Goods
African American	0.23*	9.46*	20.12*	1.64*
Asian American	159.02	28.06*	33.71*	0.00*
Hispanic	41.74*	0.00*	1.14*	1.38*
Native American	63.17	0.00*	0.00*	0.00*
TOTAL MBE	23.26*	14.03*	19.16*	1.42*
Nonminority Female	58.36*	1.17*	71.12	89.46
Unidentified MWBE	0.00*	0.00	2.24*	0.00*
TOTAL MWBE	27.11*	11.56*	23.30*	12.84*
NON-MWBE	160.53	149.68	129.40	115.37

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Legend:

* Statistically significant disparity (Confidence interval of 95% and probability of error of less than 5%).

**Very small number to produce statistical significance

Substantial Underutilization (Disparity percentage below 80%).
Disparity, But not Substantial (Disparity percentage 80% to 99.9%).
Parity (Disparity percentage 100%)
Overutilization (Disparity percentage over 100%).

No color is parity. Parity is equal to 100.

4. Total Utilization Disparity Indices

Table 21 provides Total Utilization disparity ratios over the Study Period in the Relevant Geographic Market for Construction Services, A&E and Other Services. Detailed disparity tables by year and over the Study Period corresponding to Table 21 are located in Appendix G.

There was underutilization in Total Utilization of all MWBE groups, except Asian Americans in Construction Services. Nonminority female owned firms were underutilized in Goods but it was not statistically significant. Non-MWBEs were overutilized.

Table 21: Disparity Indices – Total Utilization

Business Ownership Classification by Fiscal Year

Based on Master Vendor File and Payments

Charles County Disparity Study

Business Ownership Classification	Construction Services	A&E	Other Services	Goods
African American	1.10*	9.33*	20.34*	1.64*
Asian American	143.89	29.80*	34.05*	0.00*
Hispanic	51.63*	0.00*	1.14*	1.38*
Native American	63.17	0.00*	0.00*	0.00*
TOTAL MBE	24.73*	14.52*	19.35*	1.42*
Nonminority Female	62.97*	2.25*	71.54	89.46
Unidentified MWBEs	0.80*	0.00*	2.24*	0.00*
TOTAL MWBE	28.95*	12.14*	23.51*	12.84*
NON-MWBE	159.00	149.36	129.32	115.37

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Legend:

* Statistically significant disparity (Confidence interval of 95% and probability of error of less than 5%).

**Very small number to produce statistical significance

Substantial Underutilization (Disparity percentage below 80%).
Disparity But not Substantial (Disparity percentage 80% to 99.9%).
Overutilization (Disparity percentage over 100%).

No color is parity. Parity is equal to 100.

H. Conclusion

With few exceptions, every MWBE group was significantly underutilized in each category throughout the Study Period in prime utilization and total utilization (prime plus subcontractors), except Asian American owned firms in Construction Services. Nonminority Female owned firms were underutilized in Goods, but it was not statistically significant.

VI. ANALYSIS OF MARKETPLACE CONTRACTING DISPARITIES IN THE CHARLES COUNTY MARKET AREA

A. Introduction

In this section GSPC considers the market entry, private sector, public contracting and subcontracting outcomes, and other relevant market experiences of Minority and Women owned firms relative to Non-MWBE firms in the Charles County Market Area⁶⁶. Our analysis utilizes data from businesses that are willing, able, or have actually contracted/subcontracted in the Charles County Market Area, with the aim of determining if the likelihood of successful contracting/subcontracting opportunities—actual and perceived—in the Charles County Market Area 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 compliment to estimating simple disparity indices, which assume all things important for success and failure are equal among businesses competing for public contracts. This analysis is based on unconditional moments, that is, statistics that do not necessarily inform causality or the source of differences across such statistics. As simple disparity indices do not condition on possible confounders⁶⁷ of new firm entry, and success and failure in public sector contracting/subcontracting by businesses, they are only suggestive of disparate treatment, and their implied likelihood of success/failure could be biased. Further details of the regression analysis are provided in Appendix H.

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, or diverse characteristics among businesses 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 indices 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 whole or in part, 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 relevant Charles County Market Area. In general, the success and failure of MWBEs 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 Charles County Vars (1998), in their consideration of the constitutionality of public affirmative action programs posit a scenario in which private suppliers of

⁶⁶ Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area ("MSA") from the US Census Bureau.

⁶⁷ A confounder can be defined as a variable that, when added to the regression model, changes the estimate of the association between the main independent variable of interest (exposure) and the dependent variable (outcome) by 10% or more.

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.⁶⁸ This private discrimination means that MWBEs 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 MWBEs 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.

B. Firm Revenue

Table 22 below reports on firm ownership type and payroll captured from data for the Washington-Arlington-Alexandria Metropolitan area from the US Census Bureau's 2018 Annual Business Survey (ABS).⁶⁹ As firm revenue data was not reported, we use firm payroll as proxy for revenue, as revenue and payroll, and part of firm's operation cost, are proportional.⁷⁰ GSPC's descriptive private sector analysis considers the percentage of representation in the population of firms and revenue across the available and relevant firm ownership type classifications. Measuring at the firm level, business ownership is defined as having more than 50% of the stock or equity in the business and is categorized by sex, ethnicity, race, veteran status, and publicly held and other firms not classifiable by sex, ethnicity, race, and veteran status.

For the Charles County Market Area, Table 22 reveals that relative to Caucasian- owned firms, the revenue shares of each MWBE never exceed 7% (Women).⁷¹ In every instance MWBEs have revenue shares far smaller than their firm representation shares. This is consistent with and suggestive of, but not necessarily causal evidence for MWBEs facing discriminatory barriers in the private sector of the Charles County Market Area.⁷²

⁶⁸ See: Ayres, Ian, and Fredrick E. Vars. 1998, "When does private discrimination justify public affirmative action?" *Columbia Law Review*, 98: 1577-1641.

⁶⁹ ABS data are publicly available at <https://www.census.gov/programs-surveys/abs/data.html>. The ABS provides information on selected economic and demographic characteristics for businesses and business owners by sex, ethnicity, race, and veteran status. Further, the survey measures research and development (for microbusinesses), new business topics such as innovation and technology, as well as other business characteristics. The ABS is conducted jointly by the U.S. Census Bureau and the National Center for Science and Engineering Statistics within the National Science Foundation. It replaces the five-year Survey of Business Owners for employer businesses, the Annual Survey of Entrepreneurs, the Business R&D and Innovation for Microbusinesses survey, and the innovation section of the Business R&D and Innovation Survey.

⁷⁰ As Firm Profit = Total Revenue – Total Cost, it follows that Total Revenue = Firm Profit + Total Cost, and Total Revenue is directly proportional to Total Cost which includes payroll costs.

⁷¹ The percentages do not ``add-up'' to one, as the Women ownership category is not ``mutually exclusive'' of the other race/ethnicity/gender categories.

⁷² This can be ascertained by simply computing the ratio of each MWBEs firm share to total revenue share. For example, in the case of firms owned by African Americans, this ratio is approximately 2.67, in contrast to approximately 1.98 for firms owned by Caucasians. In this context, relative to firms owned by Caucasians, firms owned by African Americans are far more "revenue underrepresented" with respect to their firm share.

Table 22: Firm Ownership Type and Revenue Characteristics**Charles County Market Area:
2018 Annual Business Survey**

Ownership Structure	Number of Firms	Percentage of all Firms (approximate)	Market Area Total Payroll (\$1,000)	Percentage of Market Area Total Payroll (approximate)	Ratio of Firm Share to Payroll Share (approximate)
All	112,165	100	\$176,253,366	100	1.0
Women	26,027	.230	\$12,003,914	.070	3.28
Caucasian	76,484	.682	\$60,677,013	.344	1.98
African American	7,144	.064	\$4,195,208	.024	2.67
American Indian &	241	.002	\$145,965	.001	2.0
Asian	20,038	.179	\$9,145,697	.052	3.44
Native Hawaiian &	Suppress	Suppressed ^a	Suppressed ^a	Suppressed ^a	Suppressed ^a
Hispanic	6,734	.060	\$2,026,305	.011	5.45
Publicly Held and not classifiable by race, gender, ethnicity	8,002	.071	\$101,934,074	.578	.123

Source: US Census Bureau 2018 Annual Business Survey. ^aValue suppressed to preserve confidentiality as a result of very few firms or there are one or two large firms that dominate the statistic.

Given that publicly held firms are not usually classifiable by race/ethnicity/gender status, and account for a disproportionate share of revenues, a simple comparison of an MWBE firm and revenue share may not inform the existence of any private sector disparities with precision. In this context, the ratio of an MWBE firm share to revenue share may be more informative of disparities.⁷³ For example, in the case of firms owned by Hispanics, this ratio is (.061)/(.011) or approximately 5.45, suggesting that the revenue share of firms owned by Hispanics would have to increase by a factor of more than 5 to achieve firm share parity in the Charles County Market Area. For firms owned by Caucasians this ratio is approximately 1.98. Thus, relative to Caucasian- owned firms, those owned by Hispanics are revenue underrepresented in the Charles County Market Area by a factor of approximately $5.45/1.98 = 2.752$ or approximately 275%. In general, all firms owned by MWBEs in the Charles County Market Area are revenue underrepresented relative to Caucasian owned firms.

⁷³ This ratio can be viewed as an index of underrepresentation, as it measures the distance between a firm's representation in the market relative to its share of market revenue. A value greater than unity indicates underrepresentation, a value equal to unity indicates parity, and a value less than unity indicates overrepresentation.

Overall, the descriptive summary in Table 22 suggests that in the Charles County Market Area private sector, MWBEs face barriers that translate into lower firm revenues. In general, if being an MWBE in the Charles County Market Area private sector is associated with lower firm revenue, absolutely and relative to their firm share in the market, this lends some support to the “but-for” justification for affirmative action in public procurement. Lower revenues for MWBEs in the Charles County Market Area is suggestive, but does not necessarily prove, the existence of private discrimination that undermines their capacity to compete with Non-MWBEs for public contracting opportunities. This could motivate a private discrimination justification for Affirmative Action in County procurement policies, otherwise the County is potentially a passive participant in private discrimination against MWBEs with respect to its procurement practices.

C. Self-Employment

The Concrete Works decision upholding an MWBE program was based in part on evidence that “African Americans, Hispanics, and Native Americans working in Construction have lower rates of self-employment than similarly situated Caucasian Americans.”⁷⁴

To explicitly examine potential disparities in the rates of business ownership in the Charles County Market Area, GSPC estimated the parameters of a Logit regression model using 2019 American Community Survey (ACS) data from the Integrated Public Use Microdata Series (IPUMS) housed at the University of Minnesota.⁷⁵ 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 2018 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 customary in the literature that are utilized to explain self-employment, so as to estimate the effects of MWBE status on self-employment while minimizing and/or eliminating confounding factors.⁷⁶ 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-value $\leq .10$, which we highlight in bold in the tables for all parameter estimates.

⁷² *Concrete Works v. City and County of Denver*, 321 F.3d 950 (10th Cir 2003).

⁷⁵ ACS data are publicly available at <https://usa.ipums.org/usa/>. See: Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas and Matthew Sobek. IPUMS USA: Version 10.0 [dataset]. Minneapolis, MN: IPUMS, 2020. <https://doi.org/10.18128/D010.V10.0>

⁷⁶ 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.

Our ACS data defines the Charles County Market Area as the Washington-Arlington-Alexandria Metropolitan Statistical Area (“MSA”).⁷⁷ In particular, we selected the ACS sample on the basis of the MET2013 variable, which identifies MSAs using the 2013 definitions for MSA from the U.S. Office of Management and Budget (OMB). An MSA is a region consisting of a large urban core together with surrounding communities that have a high degree of economic and social integration with the urban core.

In the GSPC Logit regression model of self-employment, the estimated parameters are odds ratios, and when greater (or less) than unity indicate that having a particular characteristics increases (or decreases) the likelihood of being self-employed. In the case of the MWBE status indicators (e.g. African American, Woman), the excluded category is Caucasian Males, and a positive (or negative) odds ratio indicates that relative to Caucasian Males, having that MWBE characteristic increases (or decreases) the likelihood of being self-employed in the Charles County Market Area. The MWBE status indicators are of primary interest, as they inform the extent to which MWBE status is a driver of disparities in outcomes. The other covariates serve as controls for firm capacity.

Table 23 reports parameter estimates across all business sectors in the Charles County Market Area. The estimated odds ratios less than unity with statistical significance suggest that relative to Caucasian Males, firms owned by African Americans, Native Americans, and Pacific Islanders, are less likely to be self-employed in the Charles County Market Area. This is suggestive of these firms facing barriers to self-employment in the Charles County Market Area. The lower likelihood of these Minority owned firms in the Charles County Market Area could reflect disparities in public contracting as Chatterji, Chay, and Fairlie (2014) find that the self-employment rate of African Americans is increasing with respect to the provisioning and establishment of MWBE public procurement programs.⁷⁸

Table 24 reports parameter estimates for Construction in the Charles County Market Area—an important sector in the market for public procurement. The estimated odds ratios less than unity with statistical significance suggest that relative to Caucasian Males, firms owned by Women, African Americans, Native Americans, and Pacific Islanders, are less likely to be self-employed in the Charles County Market Area construction sector. This is suggestive of these firms facing barriers to self-employment in the Charles County Market Area construction sector. The lower likelihood of some MWBEs being self-employed in the construction sector in the Charles County Charles County Market Area could reflect disparities in public contracting, as Marion (2009) finds that the self-employment rate of African Americans in construction is

⁷⁷The Counties in the MSA are: Frederick County, Fairfax County, Prince George's, District of Columbia, Prince William County, Loudoun County, Arlington County, Charles County, City of Alexandria, Stafford County, Spotsylvania County, Calvert County, Fauquier County, Jefferson County, Culpeper County, City of Manassas, Warren County, City of Fredericksburg, City of Fairfax, City of Manassas Park, Clarke County, City of Falls Church, Madison County, Rappahannock County, and Montgomery County.

⁷⁸ 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.

increasing with respect to the provisioning and establishment of MWBE public construction procurement programs.⁷⁹

Table 23: Self-Employment/Business Ownership in Charles County Market Area: Logit Parameter Odds Ratio Estimates From The 2019 American Community Survey

	Coefficient	Standard Error	P-value
<i>Regress and: Self Employment in The Charles County Market Area (Binary)</i>			
<i>Regressors:</i>			
Constant	.0142	.0021	.0000
Age	1.13	.0018	.0000
Age-Squared	.9471	.0932	.1348
Married	1.23	.0182	.0274
Woman	.8435	.0731	.1384
African American	.9472	.0246	.0175
Hispanic	.9831	.0914	.1635
Native American	.7813	.0362	.0000
Pacific Islander American	.8712	.1373	.0462
Asian American	.9814	.0746	.1361
Other Race American	.9318	.1473	.1327
College Degree	1.15	.0374	.0374
Speaks English Only	.9735	.0317	.0165
Disabled	.9172	.0938	.0426
Value of Home (\$)	1.13	.0041	.0000
Interest, Dividend, and Rental Income (\$)	1.12	.0012	.0000
Mortgage Payment (\$)	.9581	.0016	.1375
Number of Observations	52,428		
<i>Pseudo-R²</i>	.173		

Bold approximate P-value indicates statistical significance level of .05 or lower.

Source of Data: American Community Survey 2019, IPUMs USA

⁷⁹ Marion, Justin. 2009. "Firm Racial Segregation and Affirmative Action in the Highway Construction Industry." *Small Business Economics* 33: Article 441.

Table 24: Construction Sector Self-Employment/Business Ownership in Charles County Market Area:**Logit Parameter Odds Ratio Estimates From The 2019 American Community Survey**

	Coefficient	Standard Error	P-value
<i>Regress and: Self Employment in the Charles County Market Area (Binary)</i>			
<i>Regressors:</i>			
Constant	.0173	.0018	.0000
Age	1.17	.0012	.0000
Age-Squared	.9635	.0932	.0261
Married	1.18	.0135	.0416
Woman	.8136	.0163	.0273
African American	.9135	.0374	.0284
Hispanic	.9318	.0735	.1273
Native American	.9417	.0641	.0261
Pacific Islander American	.9174	.1253	.0217
Asian American	.9471	.0362	.1255
Other Race American	.9653	.1582	.1638
College Degree	1.12	.0261	.0173
Speaks English Only	.9416	.0184	.0183
Disabled	.9412	.0426	.0371
Value of Home (\$)	1.16	.0024	.0000
Interest, Dividend, and Rental Income (\$)	1.14	.0013	.0000
Mortgage Payment (\$)	.9374	.0012	.1451
Number of Observations	49,754		
<i>Pseudo-R²</i>	.193		

Bold approximate P-value indicates statistical significance level of .05 or lower.

Source of Data: American Community Survey 2019, IPUMs USA

D. Bank Loan Denials

To the extent that Small, Minority, Women, and Disadvantaged firms (SMWBES) are credit-constrained as a result of facing discrimination in private lending markets, their capacity to compete for and execute public projects could be compromised. In this context, a political jurisdiction that awards public contracts is potentially a passive participant in discrimination as SMWBES 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 SMWBES in the private sector credit markets can rationalize targeted public contracting programs by political jurisdictions, and the capacity and growth of SMWBES could be enhanced with access to public contracting opportunities (Bates, 2009).⁸⁰

To determine if SMWBES face barriers in the private credit market, Tables 25-26 report, for each of the distinct SMWBES and owner self-reported race/ethnicity/gender ownership characteristics in the GSPC sample, the estimated parameters of an Ordinal Logit BRM with the dependent variable being a categorical variable for the number of times the firm was denied a private commercial bank loan firm between the years 2014 – 2019.

The estimated odds ratios in Table 25 reveal that for the six distinct broadly classified SMWBES in the GSPC sample, relative to non-SMWBES—the excluded group in the CRM specification—Small and Local Business firms have more bank loan denials, as the estimated odds ratio is greater than unity and statistically significant in this instance. Women owned firms have fewer bank loan denials, as the estimated odds ratio is less than unity and statistically significant in this instance. When disaggregated by the race/ethnicity/gender of owners, the results in Table 26 suggest that firms owned by African Americans have more commercial bank loan denials relative to non-SMWBES. This suggests that among SMWBES in the Charles County Market Area, firms that are Small, Local, and owned by African Americans, are relatively more likely to have their capacity to compete in the market for public procurement constrained as a result of private sector credit market discrimination

⁸⁰ See: Bates, Timothy. 2009 "Utilizing Affirmative Action in Public Sector Procurement as a Local Economic Development Strategy." *Economic Development Quarterly*, 23: pp. 180 - 192., 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., and Shelton, Lois M., and Maria Minniti. 2018. "Enhancing product market access: Minority Entrepreneurship, Status Leveraging, and Preferential Procurement Programs." *Small Business Economics*, 50: pp. 481-498.

Table 25: Ordinal Logit Parameter Estimates-Bank Loan Denials (Odds Ratio):
 Owner Racial/Ethnic Status and Commercial Bank Loan Denials
 In Charles County Market Area

	Coefficient	P-value
<i>Regress and:</i> Number of times denied commercial bank loan: (Ordinal)		
Firm owner has more than 20 years' experience: (Binary)	1.9700	0.0225
Firm has more than 10 employees: (Binary)	1.2841	0.7105
Firm owner has a baccalaureate degree: (Binary)	2.4854	0.1057
Firm gross revenue at least 1.5 million: (Binary)	2.3137	0.0040
Firm Bonding greater than 2.5 million: (Binary)	1.5284	0.7381
Financing is a barrier for securing Charles County projects: (Binary)	0.4160	0.0600
Firm is in the construction sector: (Binary)	0.7518	0.7104
Firm is registered to do business with Charles County: (Binary)	0.4902	0.1501
Firm is willing/able prime contractor for Charles County: (Binary)	6.4214	0.1127
Firm is willing/able subcontractor for Charles County: (Binary)	0.3551	0.5342
Firm is a certified minority business enterprise: (Binary)	1.1017	0.7066
Firm is a certified woman enterprise: (Binary)	0.3481	0.0003
Firm is a certified disadvantaged business enterprise: (Binary)	1.0755	0.8296
Firm is a certified small business enterprise: (Binary)	1.9282	0.0028
Firm is a certified Charles County local business enterprise: (Binary)	3.7694	0.0029
Number of Observations	126	
Pseudo R^2	0.1026	

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Table 26: Ordinal Logit Parameter Estimates-SMWBE Commercial Bank Loan Denials

SMWBE Status and Commercial Bank Loan Denials

In Charles County Market Area

	Coefficient	P-value
<i>Regressand: Number of times denied commercial bank loan: (Ordinal)</i>		
Firm owner has more than 20 years' experience: (Binary)	1.7712	0.2015
Firm has more than 10 employees: (Binary)	1.1322	0.8692
Firm owner has a baccalaureate degree: (Binary)	2.0350	0.1688
Firm gross revenue at least 1.5 million: (Binary)	2.3867	0.0581
Firm Bonding greater than 2.5 million: (Binary)	1.2389	0.8231
Financing is a barrier for securing Charles County projects: (Binary)	0.5194	0.1614
Firm is in the construction sector: (Binary)	1.0735	0.9181
Firm is registered to do business with Charles County: (Binary)	0.4581	0.0878
Firm is willing/able prime contractor for Charles County: (Binary)	3.4183	0.0877
Firm is willing/able subcontractor for Charles County: (Binary)	0.4642	0.4896
Firm is Black owned: (Binary)	2.3088	0.0000
Firm is Hispanic owned: (Binary)	0.8032	0.4676
Firm is Asian owned: (Binary)	2.5855	0.2222
Firm is Bi/Multiracial owned: (Binary)	1.8758	0.1664
Firm is woman owned: (Binary)	1.2738	0.3773
Number of Observations	126	
Pseudo R^2	0.0787	

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E. Conclusion

A descriptive and inferential private sector analysis of the Charles County Market Area revealed that in general, being an SMWBE in the Charles County Market Area is associated with lower firm revenue, and lower self-employment likelihoods, which lends some support to the “but-for” justification for affirmative action in public procurement. Lower revenues for SMWBES in the Charles County Market Area are suggestive of private sector discrimination that undermines their capacity to enter the market and compete with non-SMWBES firms for public contracting and subcontracting opportunities. In other relevant outcomes, the regression results reported in Appendix H provide specific detail on which particular SMWBES in the broad Charles County Market Area are potentially constrained by discrimination that could translate into lower likelihoods of winning prime contracts. In general, the regression results suggest that local business enterprises, and firms owned by African Americans and Hispanics are particularly harmed by perceived discrimination against them by Charles County. Firms owned by African Americans and Hispanics are also relatively more likely to have never secured a Charles County prime or subcontract. We also find that among SMWBES in the Charles County Market Area, firms that are Small, Local, and owned by African Americans, are relatively more likely to have their capacity to compete in the market for public procurement constrained as a result of private sector credit market discrimination, as suggested by differential bank loan denials.

VII. ANECDOTAL EVIDENCE

A. Introduction

The objective of this chapter of the Study is to present and analyze the experiences, perceptions and beliefs of individuals, businesses, and groups in and around Charles County. The quotes, themes and conversations presented are not intended to be representative of every single community member or even the majority of the community but rather an attempt to authentically represent the variety of individual perspectives about the County's contracting, procurement and small, minority and women owned business utilization as possible. Those experiences can be and often are perceived differently from person to person, so it is possible readers recollect experiences differently than those referenced. However, perceived experiences undergird and inform beliefs and those beliefs then undergird and inform behavior. Since the behavior of all parties involved in contracting and procurement is relevant to the Study, the beliefs, experiences, and perceptions are integral to the anecdotal analysis.

The GSPC Study team did not seek to verify, disprove, or correct insights shared by participants in anecdotal data collection to honor the integrity of the information gathered. Therefore, there may be conclusions included which are not reflective of written policy and procedures, but those conclusions are included to provide readers with as much information as possible about the community's perception, experience doing, or attempting to do business with the County. They may also serve to highlight areas where communication between the County and the public regarding policy and procedure can be bolstered or improved.

The Study team used a variety of methods to gather evidence from a diverse collection of participants. The Study team convened three virtual public engagement meetings which were widely publicized through social media, press releases to area news outlets, email blasts, and an announcement on the Study website. The Study team also assembled two virtual focus groups of randomly selected stakeholders to facilitate discussions about working with the County. Both anecdotal interviews and focus groups participants were selected from a list of Charles County vendors. This vendor list was categorized by their ethnicities and later randomized. Recruitment for both interview and focus groups were done via telephone. Both the focus groups and public meetings were held online to adhere to safe social distancing practices recommended by state and federal governments during the ongoing COVID-19 crisis. Email and other online commentary were gathered through the duration of the Study, including from participants of the public hearings who chose not to speak but rather participate using the available chat function of the meeting platform. In addition, GSPC circulated an Online Survey of Business Owners widely throughout the area asking for detailed information about demographics and previous or current experience working with the County. The Study team engaged with a randomly selected, diverse group of local vendors and businesses for several 30- to 60-minute virtual or phone interviews. Finally, an industry organization was interviewed to gain insight on the general business environment in Charles County and the surrounding metropolitan area. The results of the Survey of Business owners can be found on Appendix I.

By synthesizing and spotlighting specific themes expressed in these focus groups, interviews, public meetings and online commentary, this analysis seeks to empower the County with comprehensive findings to inform effective recommendations.

B. Anecdotal Interviews

The Study team interviewed a diverse and random sample of vendors and business owners to gather their insights on working and operating within Charles County area and the surrounding marketplace. Thirty (30) businesses were randomly chosen. The demographic makeup of interview subjects was: four (4) Native American owned businesses, five (5) Caucasian women owned businesses, six (6) African American owned businesses, six (6) Asian American owned business, five (5) Hispanic owned businesses, and four (4) Non-minority men owned businesses. Participating business segments included farming, trucking, telecommunications, automotive repair, economic advising, marketing, HVAC services, utilities, graphic design, transportation, healthcare, engineering, real estate development, construction, information technology, cyber security, equipment sales and service, and traffic planning. Each interview covered a variety of topics, ranging from business origins to barriers to working with the County. The following narratives represent the subjects most frequently mentioned.

C. Outreach and Communication

Twenty of the firms interviewed expressed some level of concern with getting information from the County. Be it from a lack of notification about contracting opportunities, unclear or confusing certification and bidding processes, or a dearth of visibility, aid and follow-through by County procurement officials, many business owners expressed a need for improvement.

In the survey of vendors and potential vendors, more than 41% (53 responses out of 127) said they were not registered to do business with the County (See Survey of Business Owners). Of those businesses reported as unregistered with the County, more than 62 (33 out of 53)% admitted that they were unaware that there even was a registry to work with the County. More than 28% (15 out of 53) of survey respondents said they did not know how to register with the County.

In fact, companies indicate finding out about how to register with the County and opportunities to bid on in the County presents a challenge. AI-11 contracts with the County as a healthcare service provider, and said he got “bounced around” on the County hotline when he was trying to find out how to register with the County. “I wasn’t able to find one person or one website where, like if I go into the federal government website it does give me a process on how to become a federal government provider. I couldn’t find a resource like that,” he said in his November 25th, 2020, interview. This complaint came despite acknowledging that the County “had a good system for bid announcements” and stating that the staff with the County’s Department of Aging – with which he works directly – was “very kind and helpful and resourceful.” The small business owner has a staff of four and has been licensed by the State of Maryland since 2006 but has no certifications through the County. His small staff precludes his ability to register with or actively seek out and bid for work with the County; something AI-11 said the County should devote resources to help with. “It would be very encouraging for small businesses for (the County) to be able to provide us with some kind of streamlined … website or one-stop shop that takes care of all the aspects of trying to set up the business with the County to have the information that is required to do business with the County.”

Asian American graphic designer AI-19 also struggled to connect with the County, saying in her November 11th, 2020 interview that she does not “know how to access opportunities.” She has been in business for 20 years and has been successful winning contracts with several state agencies as a certified MBE, despite the impact the COVID-19 pandemic has had on many businesses. The sole proprietor expressed doubt, however, that Charles County had opportunities available to bid for graphic design work, and said her biggest obstacle was a lack of resources to provide services like advertising, web design or radio ads that certain contracts required. “So, I would have to go in as a subcontractor,” she said. But AI-19 directly questioned how to find out more information or access to opportunities. “Is there a place that I can reach out to or some place that has a web address or something like that?”

Medical transportation firm AI-27 has been in business since 2015 but said his staff has dropped to only two since the onset of the COVID 19 pandemic. As of his November 12th, 2020 interview, he said he had not made any money since the start of the pandemic. The African American business owner said his MBE certification has not helped his company. He said he had difficulty securing work through the County because, “the County has requirements that the owners either don’t know about or cannot meet.” As a result, he said he has not tried to compete for business in the County. When asked if he had ever protested a bid, AI-27 said, “I don’t know where or how.”

Caucasian woman promotional products business AI-5 compared the County to other counties in Maryland where registering produces consistent information about available opportunities for would-be contractors. “It would be nice if there was an automatic notification from Charles County,” she said in her December 2nd, 2020, interview. The co-owner of the 40-year Prince George’s County family company typically contracts with only one Charles County agency – the Charles County Sheriff’s Office. While she called doing business with the County “pretty seamless,” and said her company is set up in the County purchasing database, AI-5 noted “we do not have a lot of exposure.” She said the company of six did not know how to position themselves to win more contracts with the County. “I just don’t know that we’re in the right spot to get bids or to get notifications for things that we can do,” she said.

African American construction clean-up firm AI-6 contacted the Charles County school district directly to find out how to become a vendor, said the outreach “fell on deaf ears.” In the November 30th, 2020 interview, she said, “we’re not really sure if there is some kind of a board that we need to register on or what the etiquette is to become a vendor.” She said the company’s greatest obstacle to doing business with the County was navigating the bidding process. “It would be nice for the process to be automated or (for us) to be able to go online to get registered or receive information from the County,” she said. “It needs to be a reach out to let us know what the full scope is rather than do a whole RFP then get to that point where we’re like, ‘no, we can’t.’”

Caucasian woman tools supplier AI-7 told the Study team she supplied equipment to general contracting firms that have done business with the County but has not determined for herself how to directly contract with the County. “I would certainly take advantage if I were made aware by Charles County of how to get on the vendor or contractor list,” she said in her November 30th, 2020 interview. The owner of the 33-year-old business is certified as an MBE through the Maryland Department of Transportation, but said it is unclear if that makes her visible to the County. “I don’t know if Charles County knows how to reach me through MDOT,” AI-7 said. “I don’t know how they alert you to doing business with Charles.”

AI-14, an Asian American IT consultant, said he is frustrated that the County has been nonresponsive to his company's efforts to do business. "We see the bids out there and we submit the bid responses and then we follow up and then nobody responds back," he said, noting that he finds available County opportunities through the online portal E-Marketplace. "After one month, two months, we follow up every month," AI-14 said when interviewed by the Study team on Nov. 23, 2020. "When no response comes, which is almost 100% of the time, we just throw it in the trash." The business owner who started his company in 2003 said the issue of non-responsiveness is not unique to Charles County, however. To Charles County and other governments, AI-14 asks that some due process be afforded. "If we are spending time and resources, tell us where we are falling short so at least we know where we can fix it," he said. "And if you tell me, 'hey, stop bothering us,' we'll stop responding."

Native American janitorial and construction firm, AI-4 shared the complaint that after initial contact with County officials about the potential of contract opportunities, the lines of communication completely shut down. "I received solicitation and submitted for a contract, but I just never heard anything back from Charles County," she said in her December 3rd, 2020, interview. The company lost all its employees due to COVID-19. Prior to the pandemic, she said her business was listed on a database with the County, although the County did not reach out to her. She said she stopped trying to bid on Charles County projects because they required too much work for too little return. "The process is more in-depth," she said. "When you secure a contract outside the County that doesn't require as much work to do it and get the contract, you go for those jobs because they're paying."

Along with AI-14, AI-30, AI-23, and AI-13 said the County would not update them on the status of their bids.

"We got no feedback," Caucasian woman traffic consultant AI-13 said when she was interviewed on November 24th, 2020. Noting the County's aspirational 25-percent MBE utilization goal (encouraged "whenever possible and appropriate"; see Policy Chapter), the Virginia-based business owner said because of her specialization it was "unusual for (us) to not get the contract when there is a specified DBE goal set by the contractor." AI-13 suggested that the County follow the lead of other counties by creating opportunities for small business, and in particular subcontractors, to have facetime with procurement staff and hiring department staffers. "What I have seen other counties do is hold some kind of MBE meet-and-greet or a small business meet-and-greet," she said. "Where smaller firms like me might, if we came, might have opportunity and access to meet staff at Charles County and have more of a relationship. As a sub on any project for any client that our exposure to the client is very low because we have to go through the prime."

In his April 1st, 2021, interview, Asian American real estate developer AI-30 also said he was "not able to get feedback" whenever he tried to do projects with the County. The Montgomery County-based company said there were "some opportunities" in Charles County, but "not a whole lot." AI-30 has been in business for 19 years and came to Charles County looking to develop affordable housing. "Charles County was not as helpful" as Prince George's and Montgomery counties when it comes to the respective rules for purchasing and developing property, saying that getting permitting was difficult. "I don't feel it's very easy doing business. It was slow getting responses, sometimes. Charles County doesn't have that much support. My project didn't go very far." AI-30 is certified as an MBE but was not aware that he needed to be registered with Charles County.

When engaged by the Study team on November 11th, 2020, Asian American engineering firm, AI-23 said contact with the County on bidding started off well. “Up until October 2020, I was getting responses within 24 hours,” he said, noting that in September he was notified that feedback on bids was being extended 30 days. “But (I) have heard nothing else since that.” The Laurel-based company (Prince George’s County) acknowledged his belief that the Coronavirus pandemic may have caused the break in communication. The MBE certified company bids both as a prime and as a subcontractor and prides itself on hiring graduates from nearby colleges and university. He said he needs to know the County’s needs to be able to properly submit bid proposals and optimize his resources. “It has become very important if we can get just a forecast,” he said. “What kind of work they’ll be undertaking. It should all be public domain information. Then we can put our effort in the right place. It helps us to serve the County better.”

AI-9 and AI-25 both said they are unaware of chances for working with the County. “I haven’t seen any notices posted for the opportunity of doing business in my area of expertise,” AI-25, an African American construction business specializing in asphalt and underground piping work said in a November 10th, 2020 interview. He bid on a handful of contracts as subcontractors, but the general contractors he worked with did not win the jobs. “I’m just waiting for the contracts to come up that are focusing on the work that we are able to complete,” he said.

AI-9, a Caucasian woman owner of an autobody repair shop who contracts with neighboring counties said she “would consider working for the County if I was aware of how to get the opportunity,” when she was interviewed on November 30th, 2020. Her family has owned the company for 16 years, and AI-9 said outside of private sector jobs, she has a contract with the Montgomery County Police Department and occasionally works on police vehicles from Prince George’s County. “We are well known and have a good reputation.”

Some businesses identified concerns with aspects of the bidding process. “I believe the application process [bidding process] was not very user friendly,” African American consulting services firm, AI-29 told the Study team in her March 25th, 2021 interview. The husband-and-wife consultancy tried but had no luck with doing business in Charles County, “so I moved on to the federal government,” said the wife, who is a former military nurse. “I just got tired of trying and trying to be successful.” She said she would not waste her time bidding on a project she did not believe she could win. “When I do market research, I look all over for something I think I can win because it takes a lot of resources … a lot of man hours to bid on contract. So, unless I think I have a chance at winning, I don’t go after it.”

Hispanic marketing firm, AI-24 said he received emails consistently updating him on proposal information. “But the documents were not easy to understand,” he said in his November 13th, 2020 interview. “The way the County names proposals is a little complicated. To find a bid, project, or RFP if you’re a small company and don’t understand the terminology, sometimes it can be difficult.” AI-24 has been in business for 14 years calling himself a “one-stop-shop” for marketing, producing everything from screen printing and corporate logo designs to web development infrastructure.

Multifunctional Native American company – HVAC, construction general contracting and sheet metal fabrication – AI-17 said getting contracts with the County “does not seem to be an easy process.” When engaged by the Study team on November 20th, 2020, he said most of the work he does in Charles County is either retail or Charles County schools. “We get that work because of being a Minority Business Enterprise,”

he said, noting that he is 8A and MBE certified. “It’s been cumbersome. They have their own bidding system. Time is money when you’re a small business, and if I have to sit down for two days to figure it out, I get discouraged and just say, ‘let me do something else.’” AI-17 works with Charles County Economic Development Corporation in terms of support. When asked how the County could improve the procurement process, he recommended the County “have a class on the bidding process and how it works … and do a PowerPoint presentation and let us follow along … on two screens so we can see in real time how it really works.”

D. Informal Networks

Relationship building is a part of doing business, but informal networks go a step beyond. At best, informal networks tend to favor the same firms with which an agency is familiar perhaps because of a previous working arrangement. At worst, informal networks serve as back channels providing information and preference to the same subset of firms over an extended period of time. In either case, they exclude the entrance of new firms into doing business with a public agency. While private sector firms can legitimately and exclusively use the same firms over and over, the practice is not permissible with publicly funded work because it feeds a continuing practice of exclusion of underutilized tax paying populations.

One-third of the firms in the Charles County marketplace who could potentially do business with Charles County when interviewed directly by the Study team said such an informal network is what precluded their efforts to win contracts. In an online survey of 127 business owners conducted as part of the Study, more than half – 52.8% – of respondents said they believed an informal network of prime contractors and subcontractors existed which monopolizes public contracting with Charles County. Further, nearly 34% (22 out of 65) of respondents agreed to some extent with the idea that an informal network kept them from doing business with the County.

AI-8, a Nonminority male telecommunications firm, acknowledged that for nearly 20 years he had an exclusive relationship with the County and knew many County officials who would reach out to him. “I did not submit bids, quotes, or proposals,” AI-8 said in his November 30th, 2020 interview. “I received direct contact from Charles County to install or repair phone service because no one else until this point provided the service.” He started his business in 2001 when he retired from what had once been telecom giant AT&T. “In the past, I was like the only one around that worked on these particular phone systems. I really didn’t have any competition.” AI-8 has moved to part-time work because phones have evolved to Voice Over IP, when he no longer supports, he said.

AI-5, the Caucasian woman promotional products company, suggested that her long-standing business with the County –Sheriff’s Office was less likely established through the normal bidding process than via a familial relationship. “One of our long-term employees … her husband was a police officer down in Charles County. So, we started helping them out.” The company the Sheriff’s Office previously worked with went out of business, AI-5 said. “They were looking for someone to step in and cover and someone who could match what they previously were paying,” she said.

AI-4, the Native American janitorial and construction firm, admitted relationships in the County outweigh certification. “I can’t say it isn’t fair, but the most important thing is about who you know more than certification,” she said. As an MBE she said before the pandemic she was able to win contracts in Prince George’s County, but only received small parts of any contracts in Charles County. “They want you to come in as a lower bidder, but they want you to stay that way,” she said.

Although not exactly the same as a relationship, reputation can help companies to win contracts, as construction clean-up firm AI-6 acknowledged. “We don’t need to submit bids or quotes,” she said about obtaining work in other jurisdictions. “We get referred out a lot.” The 20-year-old firm has been referred often for contracts worth upwards of hundreds of thousands of dollars in Baltimore, Prince George’s County and Montgomery County, both as a prime and as a subcontractor. “We’ve had big contracts in the past,” she said noting that one exception remains to governments requesting or offering work to AI-6, however. “Not Charles County. It’s ironic that we may not get the bid, but we’re the most qualified.”

Hispanic general contractor AI-10 said he has never won a bid with the County and indicated with confidence that “I know that I will never get a job there.” He told the Study team in a November 25th, 2020 interview that he “believes the County has its own list of contractors that they use exclusively.” He started working for his brother in 1990 and 10 years later, he was branching out on his own. He still will not compete for work against his brother. The MBE certified business owner said pricing is his largest obstacle to winning contracts with the County. “Sometimes you bid a project and you think you have a competitive price, but the low bidder is way, way off, and you start thinking, ‘how can a bidder do their job for this price?’”

While the County offers a Small Local Business Enterprise program which provides set-asides for informal procurement of up to \$25,000.00(see Policy Chapter), a number of small firms complained about an impression that small businesses were often unable to win jobs because of larger companies. In survey responses, 18.9% of the participants indicated unfair competition with large firms was a barrier to obtaining work from the County. While this may be due to any number of reasons, this perception is often due to the resources available to smaller firms versus larger firms.

For instance, AI-25, a former retail store owner, said the available work he finds all seems geared toward larger companies. “My impression is that there’s some work that opens up, but not enough for small businesses. Larger companies seem to be able to bid way lower than small companies. Sometimes the bids are so low I can’t even understand how the contracts will pay for the material cost, much less the labor.”

Asian American engineering firm AI-12 has been in business for 38 years and said the only way he could find work initially was to subcontract with minority firms in other counties. “Some firms were nice enough to give a chance to go forward,” he said. He worked as a Charles County subcontractor on one job “some time ago” and successfully completed the project. When AI-12 returned to Charles County to seek work on his own (as a prime), he said he couldn’t win any contracts. “The County has a mindset that only bigger firms can successfully perform the work,” he said in a March 24th, 2021 interview. “They are not willing to give a chance to minority firms.”

AI-13 said the County “may tend to look at larger firms that can provide a one-stop-shop instead of small firms.” The Caucasian female traffic consulting firm said she had “never been passed over for work” before bidding in Charles County and noted that because hers was a unique industry with a limited number of practitioners in the region – and because “we are good at it” – she should not have problems winning contracts. However, being a small Virginia company rather than a Maryland-based company was a likely point of contention, she speculated. “I personally would never propose on a Charles County contract as a prime,” AI-13 said. “I would figure that my chances of winning that work being a Virginia firm, being a small firm without a big-name presence there, that I would be very unlikely to be successful there.”

African American transportation firm AI-27 said his MBE certification has provided his small company “no advantage” in winning contracts with the County. “Every time they go with bigger, larger companies,” rather than seeking work from MBEs, AI-27 said, noting that smaller firms and MBEs struggle to reach the County’s bidding standards often due to lack of resources. He said because of this, MBEs “tend not to serve as primes. But also, the requirements that they ask for the smaller companies cannot meet. Only the larger companies that are established are able to get it done.” AI-27 said those requirements prevent smaller companies from winning bids as prime contractors, and “because of the primes and their business relationships, minorities many times are not able to serve as subs.”

AI-14 identified his company’s size as an obstacle to even getting recognized by County decision makers. “If the County doesn’t know you as a small minority business, you have no chance of breaking through to even be considered for a submitted bid,” he said.

Despite survey results pointing to only a small amount of concern about discriminatory behavior on behalf of the County (only 4.7% of respondents experienced racial, gender or ethnic discrimination between 2014 and 2019), 10% of those firms interviewed indicated some belief that they had been excluded from working with the County because they were not Caucasian.

“It’s a good ole boy network,” said AI-17, a Native American, claiming the County has “its own bidding system. If you’ve already been in for 10 years and been doing the work and know the system, you’re golden.”

African American owned consulting firm AI-29 - says the people that she knew were getting the contracts were not African American, but of other races. “I couldn’t even get financing here in Charles County”, she said. “I could not get any financing with them at all. They wouldn’t even give me funds if I put up my house. I was turned down 100% of the time.”

Interviewed by the Study team on November 20th, 2020, African American farmer and property manager AI-1 said he worked for 23 years for AT&T learning process management, software development, and management before beginning his businesses and starting his farm. He said two Caucasian politicians blocked his efforts to take advantage of the state’s Rural Legacy program that would bequeath him funds to purchase farmland. “I had to escalate up to the government to two delegates who helped me to get the land,” AI-1 said.

AI-16 is a Hispanic firm working with utilities that started in 2012. He said in his November 23rd, 2020 interview that he has never worked for the County because “I wouldn’t know who to reach out to.” He said his company’s MBE certification has opened doors, despite the pandemic. “But that doesn’t mean you’re going to make more money,” AI-16 said. “They’re still paying the same as other contractors as if you didn’t have an MBE … or less.” He indicated that his biggest obstacle to doing business with Charles County was “my name and my background as a Hispanic.” He said because there are few to no minorities in places of authority in the County, there is little chance that minority owned will be able to participate in business with the County.

E. Other Concerns

Business owners interviewed by the Study team raised other concerns during their respective anecdotal interviews that, although not commonly repeated by multiple individuals, did bare mentioning for the record.

Hispanic utilities firm AI-16 said that he believes prime and general contractors circumvent the County's aspirational goal for hiring MBEs. "Some companies will use you to get the funding but then will no longer need you once they receive the funding," he said.

Asian American graphic designer AI-19 and Hispanic financial service firm AI-15 expressed concerns similar to what AI-16 voiced, reflecting both issue with the practice of substituting bogus firms to help primes get work and the policy infrastructure that allows it.

"Primes will go to an MBE to be the front so that MBE appears to be responsible for the engagement, then the prime will do the work and pay the MBE a cut of the profit," said AI-15. She started her firm in 2001 and has not done any business with Charles County in recent years. The MBE certified firm said she had been approached by primes to take on such an arrangement but refused. "I do my own work," AI-15 said. "I don't know whether the state has a way of cross checking to make sure that the prime is hiring an MBE," she said. "They could say that they are hiring an MBE and have the paperwork, but actually not hire them and give (work) to someone else. I don't know how the state is cross-checking that."

Native American janitorial and construction firm AI-4 said she had to amend contracts with primes that she subbed for to prevent them from poaching her workers. "The primes would take my workers by hiring them on permanently, leaving me without a labor force to fulfill my contracts," she said. "I began writing contracts to secure my workforce once I learned about this."

Nonminority male construction equipment dealer AI-3 said slow pay and the growing use of credit cards was making it more difficult to pay his staff and could lead to him removing some of the discounts he currently affords the County. "I have an outstanding invoice from August," he said. "And I'm concerned that the County switching to a credit card system for pay may impact the discount."

AI-20, a Native American electrical construction company, complained that his MBE certification might get him noticed, as a subcontractor, but "the rates that prime or general contractors will negotiate to pay are low while the expectation is that the MBE will perform as if being paid a higher rate and a more fair price."

Finally, African American medical transportation firm AI-27 said even if primes adhere to the aspirational 25-percent MBE hiring goal, the goal has no teeth. "The bigger companies have to give a portion of the work to the smaller companies," he said. "But there is no rule to follow through."

F. Public Meetings

GSPC convened three virtual public engagement meetings on January 26th, 2021; January 27th, 2021 and February 17th, 2021, to allow community and business stakeholders to comment. The events were conducted virtually to allow participants to safely observe social distancing guidelines established by state and federal authorities to protect against COVID-19. At each engagement meeting, a GSPC representative introduced the Study outlining the purpose of the meeting before opening the floor for participants to speak. In this forum, GSPC does not respond to comments or answer questions except to clarify items for the record as to avoid influencing anyone's perspectives.

A total of 38 local business owners or area stakeholders attended the three meetings, with 16 on January 26th, 12 on January 27th, and 10 in the third session on February 17th. Not every attendee offered testimony, and those who did not speak out during the three meetings were repeatedly encouraged to either add comment to the chat function of the virtual meeting platform or to send in their comments via the Study's commentary email address. The Study team sent invitations via email blast to all the vendors in the database for the area, and press releases were distributed in the community and to local civic and trade organizations to solicit their participation. Since the meetings were recorded, each participant who spoke was asked to state his, her, or their name for the record. During each session, the Study team listened to a collection of business advocacy organizations and businesses who offered specific ideas and opinions about Charles County's business programming or barriers to participation, and ideas for improvement.

Caucasian woman organizational management firm, PM-8 said that her biggest challenge is trying to connect with prime contractors, and with people working with the smaller projects that do not appear on the online procurement portal eMaryland Marketplace. "Charles tends to not have bidders' conferences," PM-8 said at the January 27th meeting. "And if you don't have bidders' conferences, there is no way for people to know who else is out there or looking for workers or for work. If you look at a lot of contracts, they say you have to have 'X' number of years of experience doing the same thing." She pointed out that new, smaller firms cannot get the experience doing a job with the County or any other county if that firm has not done similar work for them recently. "What we need are ways that new companies, particularly small companies, could have ways to really meet with vendors and have them take it seriously."

PM-4, an African American wholesaler, said the challenge he found as a start-up business was not having enough evidence of experience in the new firm's name. "Sometimes there are MBE solicitations, but then you need five years of experience," he said at the January 26th meeting. "With me not having any referrals, that already stops me from completing the proposal."

PM-9, an Asian American owned engineering firm, expressed concern the County was not consistently disclosing the process and results of contract bids in line with State of Maryland's bidding process. "The state requires transparency of solicitations," he said during the January 27th meeting. "The same has to apply for Charles County. I have to check the history on the website. The history doesn't show the history of solicitations ... who got whatever business you are offering and what did we learn from the history so that

new people coming to the business have the knowledge of how things are working. I see a lack of transparency in the solicitations.”

African American industrial parts firm, PM-12 said in the January 27th meeting that his company receives sparse quotes or orders from Charles County. “Many times, I had to chase them down,” PM-12 said. He said dating back to 2012, his company has received only five quotes or orders from the County. In the prior meeting PM-10, a Native American HVAC contractor similarly offered that finding work with the County was difficult, and particularly for efforts to win bids as a prime contractor. “We seem to do better as a first- or second-tier subcontractor,” he said. “Finding the contracting officers that have the warrants and are able to grant contracts is hard.”

In the first night of testimony, African American technology firm, PM-2 also said she struggled to get work with the County. “It is easier to get federal contracts than it is to get contracts with Charles County,” she said. “We’ve had some good experiences but more bad experiences in trying to do business with the County.”

PM-7, a Caucasian woman contracting firm said in the January 27th meeting that while she was not always successful, she was able to land contracts with Charles County. “I’m thankful for the work and thankful for the people who did hire us,” she said, and suggested that perhaps others not winning bids were either not as diligent or not as persistent. “I don’t know anybody in the government. But I feel like sometimes it’s putting the effort in. I’ve had to search for people and give them my information in order to get jobs.”

PM-3 said the County helped his human resources consulting firm survive through the pandemic and optimize its capabilities. “I applied for grants from the Charles County Department of Economic Development,” the African American business owner said. “Those grants were a tremendous help in my business in terms of helping me make a pivot. It allowed me to invest in technology, increasing my vendor base. Some things do work in the government. I was able to meet with government officials and they provided me with good information.”

Hispanic IT firm, PM-6 and PM-14, an African American business management consultant both introduced themselves respectively at the first and third meetings as newly certified businesses. Beyond both stating that they were eager to learn about the process of working with the County and actually attempt to bid on contracts, neither company provided any experiential comment.

PM-1, an African American construction materials distributor, said he has not received advertisements or solicitations from the County and has not been able to get any work with Charles County. “I’ve tried, but with no results at all,” he said at the January 26th meeting. PM-1 recommended training potential vendors and contractors and providing more information for women owned firms, minority companies and small businesses about everything from procurement process origination to prime contractor good faith efforts. “We need to know exactly how business is done,” he said. “How do you come up with the solicitation? What kind of waivers are allowed? When are the waivers allowed to occur? When are people allowed to say, ‘We tried to go out and search for DBEs and we didn’t find them?’”

PM-2, who recently certified with Charles County Small Local Business Enterprises program, said she did not see any benefit to the program. “We’ve been through the SLBE program, and we’re excited about it, but we have not been able to fruitfully gain any business as a result of becoming certified with the County,” she said. Both PM-2 and PM-3 added their own ideas for improving the County’s contracting process for potential MBEs, WBEs and SLBEs.

“Limit opportunity searches to businesses from the County, with the first opportunity to bid on things,” PM-2 said. “That would help empower businesses in Charles County. There are a lot of businesses in Charles County that are capable.” Further, she suggested “an automated process to go online to look for bids instead of always having to drive down there and look at a physical bid board.”

PM-3 noted, as PM-2 hinted, that the County and its prime and general contractors “were using outside vendors located in other states.” That, he said, needed to change. “There should be some sort of mechanism or search, either through the Economic Development Department or some other agency for any vendors who can provide services locally first, before they let contracts to outside vendors,” PM-3 said. And he pointed out that County procurement is decentralized, which makes communicating opportunities ineffective. “There is not enough information being disseminated,” PM-3 said. “It’s not cohesive and it’s not synchronized between the SBDC, Economic Development Department, County Commissioners, Workforce Development, and even the School Board in terms of what contracts are available. There needs to be a symbiotic relationship.”

G. Focus Groups

GSPC hosted two virtual focus groups on January 26th and 27th, both facilitated by the Study team using an online meeting platform to provide a safe social distancing option for all participants.

Potential participants for each group were selected from a random group of vendors in a database comprised of Maryland businesses. The purpose of each focus group was to engage participants of varying backgrounds in a semi-anonymous dialogue environment. Sixteen businesses participated in the two focus groups with nine individuals attending the first session and seven logged on for the second session.

African American marketing and event services firm, FG-16 said she has seen firms circumvent the bidding process in Charles County. “While those systems are set in place, they’re not always adhered to,” she said. “I’ve been in a situation where they decided not to move forward with anyone, then had the work completed through a work order or a direct buy.” Aside from receiving bid opportunity notifications that don’t fit her company’s scope of services she said she found her firm is often excluded from an informal network of established companies. “We learned, however, that in this County, like other small counties … contracts go to businesses that have been here for over 100 years.”

The African American IT company, FG-9, has worked out of Charles County since 1993. "I don't like having to go down there to find out about opportunities," she said. "I used to do that, but I don't have time to do that." After September 11th, 2001, she offered mass alert software to the County. "It took over two years for me to get a contract with them for \$300," she said. "I was very frustrated, and I was told after I got the contract the only reason, I got it was because I was so persistent." That same \$300 County client, she said, collaborated with another County agency to advertise a bid for a similar service, but did not notify FG-9. "I was not happy," she said. "Especially since we're providing that service." Something good came from her diligence, however. "Because I had that \$300 contract with the County, another County agency piggy-backed on that contract and that contract was worth thousands and thousands of dollars and we still have that contract today and that was 13 years ago."

FG-6, an African American owned construction staffing company, typically works in Washington, D.C. He said he has yet to pursue certification with the County primarily due to location. They have pursued subcontracting work with larger construction firms in the Virginia area but said opportunities in Maryland and in counties like Charles are scarce because the company is so new. "They keep saying that the lack of experience is not enough," FG-6 said. "How many years do we have to be in business for the experience to be enough?"

The problem with the government sector is a lot of "free" work, FG-11 said. "A simple RFP, it takes about 20 to 25 hours to respond," the Asian American IT professional said. "The format is still old." He pointed to a case in which he was subcontracting, and the prime contractor walked away from a project. "Since I'm the sub, if they walk, we walk," FG-11 said. "We lost a lot of money." He attempted to negotiate with the County after the fact but acknowledged he had given up a lot of time and money.

African American cyber consulting firm, FG-13 is certified as an SLBE in Charles County. "For IT, they don't have a whole lot of solicitations to come out in that arena," she said. "They have a lot of vendor outreach sessions that I attended frequently. But then, an outreach session doesn't translate to a contract. That's been my experience with Charles County."

FG-8, the Caucasian woman pavement maintenance said she has been getting jobs with the County in the past four or five years. "It was easy," she said about the certification process. "I just renew every year."

Asian American IT professional, FG-10 is a single-entity LLC, and has not tried to work with Charles County. "All of my work has come from being a subcontractor to a prime," she said. "Most of the contracts I work on are ones that I would never be able to secure the bond for." She is a "preferred vendor" in Montgomery County, the State of Maryland, and Philadelphia, and said the certification process is too time consuming for her circumstances. "It's difficult me to carve out the time to be at work 48-50 hours a week, and then it takes a lot of time to go through the RFPs and put together your response," she said. "It really just has to do with bandwidth."

African American horse farmer, FG-4 believes, with a lack of diversity in the County leadership, there is a county-wide effort to push Black homeowners and Black businesses out of Charles County. "It is the County's policy to block Black farmers from taking advantage of opportunities," he said. "When you go into the overall part of Charles County, most of the heads of the department are Caucasian – there are very few African Americans – and their policies are racial. And they are very difficult to work with." FG-4 has said he tried to start businesses in the County but met resistance through "too much red tape and too few answers." Charles has the potential to grow and prosper, but there must be people in position to help that happen, FG-4 said.

While FG-2 is certified with all three of her businesses through Charles County, SBA and SWAM in Virginia, but says she has seen opportunities in Charles pass over businesses based there to go to companies in other counties and even in other states. It seems you have to "know the right people" to get opportunities. FG-2 gets business opportunities through word of mouth but doesn't get them from Charles. "A lot of times when those jobs are posted, it seems like they are already pegged for some other individuals," she said. "This is truly a bedroom community," she said. "You live here, and you go outside the County to find what you need."

FG-5 said there is a bid board in the County office announcing opportunities. "The only way to know about the bids is to go there every day," the Caucasian woman business consulting firm said. "If you're a business owner, you don't have time to do that." She recommended that County agencies only contract with companies from outside of Charles County if no comparable local companies can be found. "There needs to be a larger effort trying to work with existing companies in Charles County," she said. "We spend a lot of time trying to pull in the big Jackpot ... bringing in the Amazons of the world. Let's invest in what we already have here in the County." The County's SLBE program follows such guidelines, but only on an informal basis for contracts up to \$25,000.00 (see Policy Chapter).

H. Organizational Meeting

The Study team reached out to several businesses and community organizations serving Charles County area to draw out insight and opinions on behalf of the businesses in the marketplace. However, only one organization from the area responded and engaged with team members. ORG-1 assists businesses with marketing, contracting, training, advocacy, and development, all in the name of promoting the success of the individual members of the organization.

ORG-1 said Charles County's population has been growing more and more diverse as more people move into the Washington, D.C. area and surrounding communities for work. The African American man said that some time ago the County was predominantly Caucasian, and minorities were not welcomed.

"If you look in the history books for Maryland, Charles County was second to Calvert County for lynching of African Americans 60 or 70 years ago," he said. "It just wasn't a desirable place to go. You never felt comfortable in Charles County."

As an influx of diversity has come to the County, however, ORG-1 said opportunities to do business with the County, or at least notification of such opportunities, have been scant.

“The only way that I’m going to know about opportunities is if the procurement department from Charles County … would send those opportunities to me to advertise like the others do,” he said, noting that his organization advertises opportunities to around 22,000 email newsletter subscribers. “I may have seen one in all these years.”

ORG-1 said he was happy to see the Disparity Study being done in Charles County.

“I’m so pleased that Charles County and the commissioners in charge are moving towards inclusive practices,” he said. “I mean that just thrills the heck out of me.”

But ORG-1 cautioned that the County must commit to follow through with whatever findings the Study produces to codify meaningful changes to awarding practices that will have lasting effects on the marketplace.

“If this is a process for Charles County to establish an MBE/MWBE spending goal program, I think it’s commendable,” he said. “But on the flip side of it, they will have to pass legislation that will penalize those primes – this could be African American as well as Caucasian primes – who mistreat, who bait-and-switch, and who, when an MBE or MWBE is utilized, don’t want to pay them after they do the work. If this is what this is leading to, then my advice to the commissioners is to be holistic. Don’t just pass a spending goal or spending program. But also give it teeth to penalize financially as well as disbar any of those primes that misuse and mistreat enabling MBEs and MWBEs. Because if you don’t do that, it’s a waste of time.”

I. Survey of Business Owners

As a part of the anecdotal evidence gathering, the Study team polled area firms from Charles County’s vendor database using an online survey. While the online survey was made available beginning in the Fall of 2020 through late March 2021 and the Study team actively solicited participation from the vendor database during that time, only 127 respondents completed the survey. Findings from the survey align with the concerns raised across demographics regarding the current state of business in the County and in the surrounding marketplace. Vendors expressed concerns about communication from and with the County about doing business the County and internal networks blocking opportunity for all but a few selected firms.

More than half of the companies surveyed – 52.8% – told the Study team that they believed an informal network of prime and subcontractors doing business with Charles County monopolized the public contracting process. Among those respondents were more than 67% of Black respondents, 60% of Asian American respondents, 40% of both women and Hispanic participants, and 12.5% of nonminority male respondents.

Table 1: Do you believe there is an informal network of prime and subcontractors doing business with Charles County that monopolize the public contracting process?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		2	8	49	3	4	1	67
		12.5 %	40 %	67.1 %	60 %	40 %	33.3 %	52.8 %
No		14	12	24	2	6	2	60
		87.5 %	60 %	32.9 %	40 %	60 %	66.7 %	47.2 %
Total		16	20	73	5	10	3	127
		100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

More than a third of the companies polled either agree or strongly agree with the statement that their respective exclusion from this informal network precluded them from winning contracts with the County. Overall, 33.9% reflected some level of agreement, including 15.4% who strongly agree, a group consisting of the sole nonminority male respondent, 16.7% of Black respondents and a third of the Asian American survey participants. The 18.5% who said they agree with the statement included 20.8% of African Americans, 33.3% of Asian Americans and 12.5% of women. More than half – or 53.8% of respondents – neither agreed nor disagreed.

Table 2: Please tell us if you strongly agree, agree, neither agree nor disagree, disagree or strongly disagree with each of the following statements: [My company's exclusion from this informal network has prevented us from winning contracts with Charles County.]

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree		1	0	8	1	0	0	10
		100 %	0 %	16.7 %	33.3 %	0 %	0 %	15.4 %
Agree		0	1	10	1	0	0	12
		0 %	12.5 %	20.8 %	33.3 %	0 %	0 %	18.5 %
Neither agree nor disagree		0	5	25	1	4	0	35
		0 %	62.5 %	52.1 %	33.3 %	100 %	0 %	53.8 %
Disagree		0	0	4	0	0	1	5
		0 %	0 %	8.3 %	0 %	0 %	100 %	7.7 %
Strongly disagree		0	2	1	0	0	0	3
		0 %	25 %	2.1 %	0 %	0 %	0 %	4.6 %
Total		1	8	48	3	4	1	65
		100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

Of the companies polled, about 42% said they were not registered to do business with the County. This percentage includes 60% of Hispanic owned business, nearly 47% of African American owned companies and 40% of woman owned firms.

Table 3: Is your company registered to do business with Charles County?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	12	12	39	4	4	3	74
	75 %	60 %	53.4 %	80 %	40 %	100 %	58.3 %
No	4	8	34	1	6	0	53
	25 %	40 %	46.6 %	20 %	60 %	0 %	41.7 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

Of those 53 respondents not registered with Charles County, just under 68% said they had not done business with the County in the past, including nearly 70% of the 34 Black survey participants.

Table 4: Why is your company not registered to do business with Charles County? Indicate all that apply. [Have not done business with Charles County.]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	2	3	10	0	2	0	17
	50 %	37.5 %	29.4 %	0 %	33.3 %	0 %	32.1 %
Selected	2	5	24	1	4	0	36
	50 %	62.5 %	70.6 %	100 %	66.7 %	0 %	67.9 %
Total	4	8	34	1	6	0	53
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

More than a quarter of the unregistered businesses – 28.3% – said they did not know how to register with the County. This included 37.5% of women businesses polled, 29.4% of Black businesses, and 25% of Non-minority male business respondents.

Table 5: Do not know how to register.

		Owners' Minority Status						Total
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	3	5	24	1	5	0	0	38
	75 %	62.5 %	70.6 %	100 %	83.3 %	0 %	0 %	71.7 %
Selected	1	3	10	0	1	0	0	15
	25 %	37.5 %	29.4 %	0 %	16.7 %	0 %	0 %	28.3 %
Total	4	8	34	1	6	0	0	53
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

Of the unregistered survey respondents, 62.3% said they were unaware that the County had a registry. That included half of the women owned firms, one out of three Hispanic respondents, 75% of nonminority male survey participants and 64.7% of African American firms.

Table 6: Did not know there was a registry.

		Owners' Minority Status						Total
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	1	4	12	1	2	0	0	20
	25 %	50 %	35.3 %	100 %	33.3 %	0 %	0 %	37.7 %
Selected	3	4	22	0	4	0	0	33
	75 %	50 %	64.7 %	0 %	66.7 %	0 %	0 %	62.3 %
Total	4	8	34	1	6	0	0	53
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

Twenty-five% of women polled, and 40% of Asian American respondents said that limited time given to prepare a bid package or quote was a barrier to obtaining work with Charles County. Overall, 14.2% of respondents considered this something that prevented them from gaining work with the County.

Table 7: Limited time given to prepare bid package or quote

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	15 75 %	63 86.3 %	3 60 %	10 100 %	3 100 %	109 85.8 %
Selected	1 6.2 %	5 25 %	10 13.7 %	2 40 %	0 0 %	0 0 %	18 14.2 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Griffin & Strong, P.C. 2021

Nearly 19% (18.9 percent) said unfair competition with large firms was a barrier to winning contracts with Charles County. This includes 80% of Asian American firms, 18.8% of Non-minority male respondents, 17.8% of Black survey participants and 15% of women.

Table 8: Unfair competition with large firms

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	13 81.2 %	17 85 %	60 82.2 %	1 20 %	9 90 %	3 100 %	103 81.1 %
Selected	3 18.8 %	3 15 %	13 17.8 %	4 80 %	1 10 %	0 0 %	24 18.9 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Griffin & Strong, P.C. 2021

Reflecting over a five-year period from July 1, 2014, to June 30, 2019, less than 5% of those polled said their company had experienced discriminatory behavior either often or very often from Charles County based upon race, gender, or ethnicity. Conversely, more than 68% of survey respondents said they either never experienced such discriminatory behavior (63 percent) or seldom (5.5 percent) experienced discriminatory behavior from the County.

Table 8: From July 1, 2014 through June 30, 2019, how often has your company experienced any racial, gender, or ethnicity discriminatory behavior from Charles County?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Never	13	18	36	2	8	3	80
	81.2 %	90 %	49.3 %	40 %	80 %	100 %	63 %
Seldom	2	0	5	0	0	0	7
	12.5 %	0 %	6.8 %	0 %	0 %	0 %	5.5 %
Often	1	0	3	1	0	0	5
	6.2 %	0 %	4.1 %	20 %	0 %	0 %	3.9 %
Very Often	0	0	1	0	0	0	1
	0 %	0 %	1.4 %	0 %	0 %	0 %	0.8 %
Don't Know	0	2	28	2	2	0	34
	0 %	10 %	38.4 %	40 %	20 %	0 %	26.8 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

More than 43% of those responding to the survey either agreed or strongly agreed with the statement that double standards in qualifications and work performance make it more difficult for minority and women businesses to win bids or contracts. Those who strongly agreed with the statement included 27.8% of Black survey participants and 20% of Asian American participants. Those who agreed included 40% of Asian American businesses, 34.7% of Black businesses, 30% of Hispanic businesses and 10% of women businesses. More than 40% of respondents – 42.4% – neither agreed nor disagreed.

Table 9: Double standards in qualifications and work performance make it more difficult for Minority, Woman, business to win bids or contracts.

	Owners' Minority Status						<i>Total</i>
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	1 6.7 %	0 0 %	20 27.8 %	1 20 %	0 0 %	0 0 %	22 17.6 %
Agree	0 0 %	2 10 %	25 34.7 %	2 40 %	3 30 %	0 0 %	32 25.6 %
Neither agree nor disagree	11 73.3 %	11 55 %	22 30.6 %	2 40 %	5 50 %	2 66.7 %	53 42.4 %
Disagree	1 6.7 %	4 20 %	4 5.6 %	0 0 %	2 20 %	1 33.3 %	12 9.6 %
Strongly disagree	2 13.3 %	3 15 %	1 1.4 %	0 0 %	0 0 %	0 0 %	6 4.8 %
Total	15 100 %	20 100 %	72 100 %	5 100 %	10 100 %	3 100 %	125 100 %

Griffin & Strong, P.C. 2021

In response to the statement “Sometimes, a prime contractor will contact a Minority or Woman business to ask for quotes but never give the proposal sufficient review to consider giving that firm the award,” 37.4% of participants indicated that they either agreed or strongly agreed. Those who agreed included 40% of Asian American respondents, 36.8% of women respondents and 29.2% of Black respondents. Two out of 15 Non-minority males, or 13.3 percent, along with 18.1% of Black respondents strongly agreed.

Table 10: Sometimes, a prime contractor will contact a Minority and Woman business to ask for quotes but never give the proposal sufficient review to consider giving that firm the award.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	2 13.3 %	0 0 %	13 18.1 %	0 0 %	0 0 %	0 0 %	15 12.2 %
Agree	0 0 %	7 36.8 %	21 29.2 %	2 40 %	1 11.1 %	0 0 %	31 25.2 %
Neither agree nor disagree	13 86.7 %	10 52.6 %	34 47.2 %	3 60 %	6 66.7 %	2 66.7 %	68 55.3 %
Disagree	0 0 %	1 5.3 %	2 2.8 %	0 0 %	2 22.2 %	1 33.3 %	6 4.9 %
Strongly disagree	0 0 %	1 5.3 %	2 2.8 %	0 0 %	0 0 %	0 0 %	3 2.4 %
Total	15 100 %	19 100 %	72 100 %	5 100 %	9 100 %	3 100 %	123 100 %

Griffin & Strong, P.C. 2021

When asked to consider this statement – “Sometimes, a prime contractor will include a Minority and Woman subcontractor on a bid to meet participation goals, then drop the company as a subcontractor after winning the award” – 31.4% of respondents either agreed or strongly agreed. Black survey participants both agreed and strongly agreed with the statement at rates of 19.4 percent, respectively. Asian American respondents agreed at a rate of 40% while women respondents agreed at a rate of 20% while strongly agreeing at a rate of 10 percent. More than 61% of respondents, however, neither agreed nor disagreed with the statement.

Table 11: Sometimes, a prime contractor will include a Minority and Woman subcontractor on a bid to meet participation goals, then drop the company as a subcontractor after winning the award.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	1 6.7 %	2 10 %	14 19.4 %	0 0 %	0 0 %	0 0 %	17 13.7 %
Agree	1 6.7 %	4 20 %	14 19.4 %	2 40 %	1 11.1 %	0 0 %	22 17.7 %
Neither agree nor disagree	13 86.7 %	11 55 %	40 55.6 %	3 60 %	7 77.8 %	2 66.7 %	76 61.3 %
Disagree	0 0 %	2 10 %	3 4.2 %	0 0 %	1 11.1 %	1 33.3 %	7 5.6 %
Strongly disagree	0 0 %	1 5 %	1 1.4 %	0 0 %	0 0 %	0 0 %	2 1.6 %
Total	15 100 %	20 100 %	72 100 %	5 100 %	9 100 %	3 100 %	124 100 %

Griffin & Strong, P.C. 2021

Overall, 41.6% of respondents either agreed or strongly agreed with the statement that, in general, Minority and Women tended to be viewed by non-minority, woman, disadvantaged, or small businesses as less competent than Non-minority male owned businesses. For Black owned firms 25% agree and 25% strongly agree. Of women, 10% agree while 25% strongly agree. Both Asian American and Hispanic businesses agreed at a rate of 40 percent. And nearly half of those who responded – 49.6% – neither agreed nor disagreed.

Table 12: In general, Minority and Woman tend to be viewed by Nonminority/woman/disadvantaged/small businesses as less competent than non-minority male owned businesses.

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
Strongly agree	0	5	18	0	0	0	23
	0 %	25 %	25 %	0 %	0 %	0 %	18.4 %
Agree	2	2	18	2	4	1	29
	13.3 %	10 %	25 %	40 %	40 %	33.3 %	23.2 %
Neither agree nor disagree	12	9	33	3	4	1	62
	80 %	45 %	45.8 %	60 %	40 %	33.3 %	49.6 %
Disagree	0	3	1	0	2	1	7
	0 %	15 %	1.4 %	0 %	20 %	33.3 %	5.6 %
Strongly disagree	1	1	2	0	0	0	4
	6.7 %	5 %	2.8 %	0 %	0 %	0 %	3.2 %
Total	15	20	72	5	10	3	125
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

More than half of those polled – 52.4% – believe that some non-minority prime contractors only utilize minority and women owned companies when required to do so by Charles County. This belief comes despite there being no such County policy (see Policy Chapter). Regardless, 60% of Asian Americans agreed with the statement, 26.4% of Black firms agreed, and 20% of woman firms agreed. Those who strongly agreed included more than 36% of Black firms, 33.3% of Hispanic firms, 25% of woman respondents and 20% of Non-minority male survey participants.

Table 13: I believe that some non-minority prime contractors only utilize minority and women owned companies when required to do so by Charles County.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	3 20 %	5 25 %	26 36.1 %	0 0 %	3 33.3 %	0 0 %	37 29.8 %
Agree	0 0 %	4 20 %	19 26.4 %	3 60 %	1 11.1 %	1 33.3 %	28 22.6 %
Neither agree nor disagree	11 73.3 %	8 40 %	26 36.1 %	2 40 %	5 55.6 %	2 66.7 %	54 43.5 %
Disagree	0 0 %	2 10 %	0 0 %	0 0 %	0 0 %	0 0 %	2 1.6 %
Strongly disagree	1 6.7 %	1 5 %	1 1.4 %	0 0 %	0 0 %	0 0 %	3 2.4 %
Total	15 100 %	20 100 %	72 100 %	5 100 %	9 100 %	3 100 %	124 100 %

Griffin & Strong, P.C. 2021

Of 32 participants who responded, nearly 70% (68.7 percent) said that Charles County paid them for services within 60 days of invoicing the County. The remaining respondents either did not know how long it took to get paid after sending an invoice to the County or identified the question as not applicable.

Table 12: What is the amount of time that it typically takes to receive payment, from the date you submit your invoice, from Charles County for your services on Charles County projects?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Less than 30 days	1	5	1	1	1	0	9
	12.5 %	50 %	11.1 %	100 %	50 %	0 %	28.1 %
30-59 days	5	3	4	0	0	1	13
	62.5 %	30 %	44.4 %	0 %	0 %	50 %	40.6 %
60-89 days	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %
90-119 days	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %
120 days or more	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Don't Know/NA	2	2	4	0	1	1	10
	25 %	20 %	44.4 %	0 %	50 %	50 %	31.2 %
Total	8	10	9	1	2	2	32
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Griffin & Strong, P.C. 2021

J. Email Comments

For the duration of the Study, the Study team asked business owners who were either active or seeking to be active in Charles County and the surrounding marketplace to send any further insight or commentary to the email address CharlesCountyStudy@gspclaw.com. The Study team monitored the email address to supplement the broader compilation of data collected gathered. This method proved highly effective in obtaining commentary from business owners who may not have been randomly selected for focus groups or interviews or may have missed the public engagement meetings. Commentary received in this manner reflects opinions about doing business with the County as well as the Study itself.

Additionally, a chat room was available as a feature of the virtual public engagement meetings and an option for those who logged on but only wanted to share their experience with the County in writing.

EC- 2, Hispanic actuary, wrote his concern that minority men and women might still find themselves subjugated to Caucasian women within roles designated for MWBEs. "Taken as a group, the participation level of white WBEs is much higher than the participation level of MBEs, and the participation level of WBEs of color is close to zero," he wrote. "Furthermore, when MBEs are subcontracted, it is not unusual that they perform the basic work while white women take leading roles. The point is not to reduce the

participation of white women but to stop the discrimination against women of color and men of color. My assertions can be checked by measuring the share of subcontracting work granted to white women, women of color, and men of color—three categories.”

EC-1 simply expressed his fear over participating in the Study. “I heard that participating in this disparity study is just like agreeing to be put in the blacklist of the County’s Vendor Procurement Directory,” he wrote. “I would rather keep quiet and pray for the procurement platform to be inclusive.”

K. Conclusion

The Study identified anecdotal evidence revealing the need for consistent, centralized, county-wide outreach that informs a broad and diverse collection of local talent about opportunities for contracting with the County and provides robust information educating potential business partners on how to work with the County and the best process to access opportunities. Frequently, businesses participating in the Study described the need to put a hold on their work to hunt for opportunities and to learn how to register to do business with the County and bid for work. This was time many Study participants said they could not afford to dedicate away from work to which they were already committed. A majority of business owners and representatives said that a concerted County outreach effort, including public information sessions or training on the bidding process and an accessible online portal announcing opportunities would be helpful.

Qualitative findings also pointed to an informal network of large, well-established prime contractors and subcontractors from outside the County and outside the State of Maryland – and to a lesser extent another well-heeled informal network stubbornly entrenched over decades within the County – that overlook and thus, exclude small, minority, women and startup companies seeking to do business with Charles County. Several business owners said that because of the impression that they had little chance of winning a contract with Charles County, they did not try to bid for any work.

A focus on communication platforms that deliver contracting notices outside the walls of the County procurement office, bolstered by resources and dedicated personnel committed to providing thoughtful customer service, insightful training, and diligent oversight may help to level the playing field.

APPENDIX A

Charles County Disparity Study Disparity Study Definitions

Goods: For the purposes of the Charles County's Disparity Study means commodities, materials, supplies, and equipment.

Industry Categories: Means, collectively, the industry categories included in the Disparity Study, which are: Construction, A & E , Other Services, Goods, as those industry categories (or commodity types) are defined in this section.

Minority or Women-owned Business Enterprise (MBE or WBE): Means a for-profit, independent operating business that is at least 51% owned, operated, and controlled by minority person(s) and/or a woman or women. The ownership by minorities and women must be real and substantial. The minority group member(s) or women must have operational and managerial control, interest in capital and earnings commensurate with the percentage of ownership.

Minority Group Member: Means those persons, citizens of the United States and lawfully admitted resident aliens, who are defined by the US Small Business Administration as Black, African American, Hispanic, Mexican American, Asian American, Asian Pacific American, Asian Indian American or Native American or any other minority or individual as approved by Charles County Commissioners Court.

NIGP: The National Institute of Governmental Purchasing.

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 100 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 the Charles County, 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 Charles County marketplace and whether but for these, they would have the capacity to provide services on a higher level than is currently utilized.

Relevant Geographic Market Area: A term of art in disparity studies that refers to the geographical area in which the entity spends at least 75% of its dollars based upon firm location. For Charles County, the Relevant Market Area was Washington-Baltimore-Arlington, DC-MD-VA-WV-PA Consolidated Statistical Area.

Small, Minority, and Women Owned Business Enterprise (SMWBES): Means those business entities with a certification designation from an authorized certification agency as a woman, small or minority group member business enterprise.

SLBE Program: The County designated the SLBE program as being in “the best interest” of the County. The SLBE program provides benefits in both informal and formal procurement situations. For informal procurement (less than \$25,000), the program is essentially a set-aside or “reserve” program for SLBE firms, unless there is no qualifying SLBE available to bid on/complete the work.

Strict Scrutiny: The highest level of judicial scrutiny used in determining the constitutionality of laws.

Study Period: The period between which all Charles County contract awards are subject to study analysis. For this study it has been defined as January 1, 2015-December 31, 2019.

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.

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.

Utilization: A review of the Charles County’s payments 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.

APPENDIX B

Charles County Disparity Study
Expanded Legal Analysis

APPENDIX B – Extended Legal Analysis

Having provided Charles County with a historical overview of the significance and initial development of disparity studies, the following underscores the legal benefit to such studies should an M/WBE program or initiative be challenged in a court of law. There are several important legal standards and considerations which arise when a constitutional challenge to an M/WBE program is initiated, and each is addressed in turn. Following this discussion, GSPC provides in this analysis an overview of some of the key aspects of its own Study methodology for gathering and analyzing statistical and anecdotal evidence (which provides the “factual predicate” for any remedial program/policy), and discussion of the underlying legal basis for these methodological features.

1. 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).

When a program or ordinance provides race-based policies or remedies, equal protection considerations are triggered and the court will apply what is referred to as “strict scrutiny” in evaluating its constitutional legitimacy. When gender-based, the program (or policy) will be reviewed under the less-stringent “intermediate scrutiny” standard. Finally, policies or remedies addressed to businesses owned by disabled persons (including veterans) will likely be evaluated under the least restrictive “rational basis” test, which is addressed in some detail herein.

a) Racial 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).¹ 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))]

¹ See also Adarand II, 515 U.S. at 212 (same).

“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). These concepts are covered in greater depth below.

b) Gender Classifications

Though still unsettled in some federal Circuits, it appears in the Fourth Circuit that programs with gender-based classifications are evaluated for constitutionality under a more relaxed level of scrutiny than race-based ones, i.e., intermediate scrutiny:

Precedent dictates, and the parties agree, that courts apply “intermediate scrutiny” to statutes that classify on the basis of gender. Adkins v. Rumsfeld, 464 F.3d 456, 468 (4th Cir. 2006); see also Miss. Univ. for Women v. Hogan, 458 U.S. 718, 724, 102 S.Ct. 3331, 73 L.Ed.2d 1090 (1982). A defender of such a statute meets this burden “by showing at least that the classification serves important governmental objectives and that the discriminatory means employed are substantially related to the achievement of those objectives.” Hogan, 458 U.S. at 724, 102 S.Ct. 3331 (internal quotation marks omitted). Of course, intermediate scrutiny requires less of a showing than does “the most exacting” strict scrutiny standard of review. See Clark v. Jeter, 486 U.S. 456, 461, 108 S.Ct. 1910, 100 L.Ed.2d 465 (1988). [H.B. Rowe Co., Inc. v. Tippett, 615 F.3d at 242]

In light of the above, the gender-based classification component in the Charles County program will be analyzed under level of scrutiny which would be easier for the County to meet under challenge than that which would be applied to the race-based component.

c) Disabled Persons, Including Disabled American Veterans

For the disabled persons and disabled veterans (DAV) provisions of the MBE Program the level of constitutional scrutiny to be applied is the rational basis test, which is the most permissive or “lowest” level of scrutiny for a governmental entity to meet. Under this analysis, the entity need only show a rational relationship between the classification/policy and a legitimate legislative goal or end.²

2. Government as Active or Passive Participant in Discrimination

The Supreme Court has uniformly held that general societal discrimination is insufficient to justify the use of race-based measures to satisfy a compelling governmental interest.³ Rather, there must be some showing of prior discrimination by the governmental actor involved, either as an “active” or “passive” participant.⁴ The upshot of this dual-faceted (active/passive) evaluation of the enacting governmental entity is that, even if the entity did not directly discriminate, it can take corrective action.⁵

² See generally, Doe v. University of Maryland Medical System Corp., 50 F.3d 1261, 1267 (4th Cir. 1995) (“Classifications involving individuals with disabilities are subject only to rational basis scrutiny. . . . [Differing treatment] is presumed to be valid and will be sustained if the classification is rationally related to a legitimate state interest.”).

³ Adarand II, 515 U.S. at 227; Croson, 488 U.S. at 496-97.

⁴ Croson, 488 U.S. at 498.

⁵ Engineering Contractors Association of South Florida v. Metropolitan Dade County, 122 F.3d 895, 907 (11th Cir. 1997) (“[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

Subsequent lower court rulings have provided more guidance on passive participation by local governments. In Concrete Works of Colorado, Inc. v. City of Denver, 36 F.3d 1513 (10th Cir. 1994), 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 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.

3. 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.⁶ 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."⁷

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. 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 and produce particularized findings of discrimination.⁸

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 M/WBEs, the number of M/WBE contractors actually awarded a contract by the governmental entity, or M/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,

(“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.”).

⁶ Croson, 488 U.S. at 498-506.

⁷ Croson, 488 U.S. at 500 (quoting Wygant v. Jackson Bd. of Educ., 476 U.S. 267, 277, 106 S.Ct. 1842, 1849 (1986)).

⁸ Croson, 488 U.S. at 500-01.

and in the context and breadth of the M/WBE program it purports to advance.⁹ If the governmental body is able to do this, then the burden shifts to the challenging party to rebut the showing.¹⁰

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.”).¹¹

4. “Compelling Public Interest” Considerations

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)). [H.B. Rowe, 615 F.3d 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.

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) (“Combatting racial discrimination is a compelling government interest.”).¹²

⁹ See Concrete Works, 36 F.3d 1513 (10th Cir. 1994).

¹⁰ Id.

¹¹ Citing Adarand III, 228 F.3d at 1166.

¹² See also 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 II, 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.”).

5. Statistical Data and Anecdotal Evidence Combine to Establish Compelling Interest

The types of evidence routinely presented to show the existence of a compelling interest include statistical and anecdotal evidence.¹³ 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 or female business owners, is most useful as a *supplement* to strong statistical evidence, as it cannot carry the burden for the entity by itself. See infra.

For example, the Croson majority implicitly endorsed the value of personal accounts of discrimination, but Croson and subsequent decisions also make clear that selective anecdotal evidence about M/WBE experiences *alone* would not provide an ample basis in evidence to demonstrate public or private discrimination in a municipality's construction industry.¹⁴

Thus, 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:

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]

Of note, several courts have rejected assertions by plaintiffs attacking programs that anecdotal evidence must be verified to be considered as part of a governmental entity's evidentiary proffer.¹⁵

a) Statistical Data Generally

¹³ Croson, 488 U.S. at 501.

¹⁴ 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 Coral Construction Co. v. King County, 941 F.2d 910, 919 (9th Cir. 1991) ("While anecdotal evidence may suffice to prove individual claims of discrimination, rarely, if ever, can such evidence show a systematic pattern of discrimination necessary for the adoption of an affirmative action plan.").

¹⁵ Associated General Contractors of America, San Diego Chapter v. California D.O.T., 713 F.3d 1187, 1196-97 (9th Cir. 2013) ("AGC contends that the anecdotal evidence has little or no probative value in identifying discrimination because it is not verified. AGC cites to no controlling authority for a verification requirement. Both the Fourth and Tenth Circuits have rejected the need to verify anecdotal evidence."), citing H.B. Rowe, 6115 F.3d at 249; Concrete Works, 321 F.3d at 989. See also Kossman Contracting Co. v. City of Houston, Case No. H-14-1203, at 58 (S.D. Texas 2016) ("Plaintiff criticizes the anecdotal evidence with which NERA supplemented its statistical analysis as not having been verified and investigated. Anecdotes are not the sole or even primary evidence of discrimination in this case. . . . One reason anecdotal evidence is valuable supplemental evidence is that it reaches what statistics cannot: a witness' narrative of an incident told from the witness' perspective and including the witness' perceptions.") (quotations and citations omitted).

In Croson, the court 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.”¹⁶ A predicate to governmental action is a demonstration that gross statistical disparities exist between the proportion of M/WBEs awarded government contracts and the proportion of M/WBEs in the local industry “willing and able to do the work,” in order to justify its use of race-conscious contract measures. Ensley Branch N.A.A.C.P. v. Seibels, 31 F.3d 1548, 1565 (11th Cir. 1994). In other words, a disparity study is intended to evaluate whether there is a statistically-significant disconnect – i.e., disparity – between the availability of and utilization of women- or minority-owned firms in public contracting.

In order to adequately assess statistical evidence, there must be information identifying the basic qualifications of minority (or women) contractors “willing and able to do the job” and a court must determine, based upon these qualifications, the relevant statistical pool with which to make the appropriate statistical comparisons.¹⁷

b) Availability

The attempted methods of calculating M/WBE (or DBE) 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-M/WBEs, which itself was based on census data.

In Associated General Contractors v. City of Columbus,¹⁸ the City’s consultants collected data on the number of M/WBE firms in the Columbus MSA in order to calculate the percentage of available M/WBE firms. Three sources were considered to determine the number of M/WBEs “ready, willing and able” to perform construction work for the city. However, the Court found that none of the measures of availability purported to measure the number of M/WBEs who were qualified and willing to bid as a prime contractor on City construction projects because neither the City Auditor Vendor Payment History file, Subcontractor Participation Reports, or 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 M/WBE firms exist in the same proportions as they do in relation to all construction firms in the market.”¹⁹

In H.B. Rowe, availability was calculated using a vendor list that included: “1) subcontractors approved by the Department to perform subcontract work on state-funded projects, (2) subcontractors that performed such work during the study period, and (3) contractors qualified to perform prime construction work on state-funded contracts.”²⁰

Similarly, in Associated General Contractors v. California D.O.T., the court noted with approval that in the course of conducting its disparity study for Caltrans “[t]he research firm gathered extensive data to calculate

¹⁶Croson, 488 U.S. at 509.

¹⁷ See e.g., Associated General Contractors v. California D.O.T., 713 F.23d at 1197-1199.

¹⁸ 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).

¹⁹ Associated General Contractors, 936 F. Supp. at 1389. 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.

²⁰ 615 F.3d at 244.

disadvantaged business availability in the California transportation contracting industry”[,] and used “public records, interviews and assessments as to whether a firm could be considered available for Caltrans contracts[.]”²¹

A common question in collecting and applying availability data is whether prime contractor and subcontractor data needs to be evaluated separately; the trend is to accept combined data.

NCI’s argument is that IDOT essentially abused its discretion under this regulation by failing to separate prime contractor availability from subcontractor availability. However, NCI has not identified any aspect of the regulations that requires such separation. Indeed, as the district court observed, the regulations require the local goal to be focused on overall DBE participation in the recipient’s DOT-assisted contracts. See 49 C.F.R. § 26.45(a)(1). It would make little sense to separate prime contractor and subcontractor availability as suggested by NCI when DBEs will also compete for prime contracts and any success will be reflected in the recipient’s calculation of success in meeting the overall goal. [Northern Contracting, Inc. v. Illinois DOT, 473 F.3d 715, 723 (7th Cir. 2007)]²²

Also, several courts have accepted the use of a “custom census” methodology for calculating availability. For example, in Northern Contracting, after identifying the relevant geographic market and product market (transportation construction) the analyst “surveyed Dun & Bradstreet’s *Marketplace*, which is a comprehensive database of American businesses that identifies which businesses are minority or women-owned. Wainwright supplemented this survey with IDOT’s list of DBEs in Illinois.”).²³ In Kossman, for example, the consulting analyst “relied on data acquired from Dun & Bradstreet’s Hoovers subsidiary on the total number of businesses in the defined market area. . . . Because the Dun & Bradstreet data did not adequately identify all MWBEs, NERA collected information on MWBEs in Texas and surrounding states through lists from public and private entities, as well as prior NERA studies, and culled records for MWBEs within the [City’s] defined market area.”²⁴

c) Utilization

Utilization is a natural corollary to 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.

For example, in H.B. Rowe, the state demonstrated statistical disparity using subcontracting dollars won by minority subcontractors.²⁵ In Associated General Contractors v. California D.O.T., the State’s disparity

²¹ 713 F.3d at 1191-92. Cf. Engineering Contractors v. Metropolitan Dade, 122 F.3d 895 (when 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).

²² See Associated General Contractors v. California D.O.T., 713 F.23d at 1199 (citing Northern Contracting); Kossman, at 58 (“Separately considering prime contractors and subcontractors is not only unnecessary but may be misleading. The anecdotal evidence indicates that construction firms had served, on different contracts, as both.”). See also H.B. Rowe, 615 F.3d at 245 (court accepted combined data based on experts’ explanation that prime contractors are also qualified to do subcontracting work, and often do).

²³ 473 F.3d at 718.

²⁴ Id. at 5. See also Midwest Fence Corp. v. U.S. D.O.T., 840 F.3d 932, 950 (7th Cir. 2016) (discussing and approving custom census method).

²⁵ 615 F.3d at 241, 250-51 (“[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.”), citing Croson, 488 U.S. at 509, 109 S.Ct. 706.

study consultants calculated the percentage of contracting dollars that were paid to DBE firms.²⁶ This is referred to as the rate of utilization. From this point, one could determine if a disparity exists and, if so, to what extent.

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]

d) Disparity Indices

Once the statistical data has been collected and preliminarily assessed, further analysis must be done to evaluate whether any disparity identified is statistically significant. Reviewing courts have approved the use of disparity indices and standard deviations for this purpose, and GSPC will be utilizing them in the present Disparity Study.

One way to demonstrate the under-utilization of M/WBEs (or DBEs) in a particular area is to 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 that case, 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 DBE program, and further, conducted a standard deviation analysis on each of those indices using t-tests.²⁷ The resulting calculations “demonstrated marked underutilization of [] African American and Native American subcontractors,” according to the court.²⁸

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.²⁹ Specifically, courts have

²⁶ 713 F.23d at 1191-1193. In Kossman v. City of Houston, NERA used both “award amounts” and “paid amounts” to determine utilization. Id. at 3, n. 10. The court, in approving the statistical proffer, looked only at the award amounts to “simplify matters.” Id.

²⁷ Id. at 244. The disparity index is calculated by dividing the percentage of available M/WBE participation (amount of contract dollars) by the percentage of M/WBEs in the relevant population of local firms. A disparity index of one (1.0) demonstrates full M/WBE participation, whereas the closer the index is to zero, the greater the under-utilization. Some courts multiply the disparity index by 100, thereby creating a scale between 0 and 100, with 100 representing full utilization. Engineering Contractors, 122 F.3d at 914.

²⁸ Id.

²⁹ See Associated General Contractors v. California D.O.T., 713 F.23d at 1191, citing H.B. Rowe; Concrete Works, 36 F.3d at 1523 n. 10 (10th Cir. 1994) (employing disparity index); Contractors Ass'n, 6 F.3d at 1005 (3d Cir. 1993) (employing disparity index).

used these 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.³⁰ 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.³¹ Similarly, the Third Circuit held that a disparity of 0.04 was “probative of discrimination in City contracting in the Philadelphia construction industry.”³²

e) 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 M/WBE program in *H.B. Rowe*.³³ 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 *Castaneda v. Partida*, 430 U.S. 482, 497 n.17, 97 S.Ct. 1272, 1281 n.17, (1977)).

f) Regression Analyses

In conducting its statistical analysis of the Charles County MBE Program, GSPC will also be employing a regression analysis, which essentially seeks to control for numerous factors *other than discrimination*, e.g., firm size, experience level, which may be causing or contributing to any disparity identified. This aspect of the GSPC methodology likewise has the support of several courts as a current “best practice” for disparity studies.

For example, after the Fourth Circuit in *H.B. Rowe* noted the statistical significance of certain quantitative analyses showing two standard deviations or a disparity ratio higher than .80, it addressed the value of a regression analysis as a further evaluative tool. Specifically, in discussing the disparity evidence offered 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

³⁰ *Id.* at 245.

³¹ *AGC v. Coal. for Economic Equity*, 950 F.2d 1401, 1414 (9th Cir. 1991).

³² *Contractors Ass’n*, 6 F.3d at 1005.

³³ 615 F.3d at 244-45.

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]

In *Kossman v. City of Houston*, the key feature of the supporting study was an analysis addressing business formation, earnings, and capital markets.³⁴ Using both statistical and anecdotal evidence, the study ultimately 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 (emphasis added)]

6. Requirement for a Narrowly-Tailored Remedy

Under the *Croson* framework, any race-conscious plan or remedy must also be narrowly tailored to ameliorate the effects of past discrimination on (and only on) the protected groups identified as significantly underutilized in the study. See *Michigan Road Builders Ass'n v. Milliken*, 834 F.2d 583, 589-90 (6th Cir. 1987).³⁵

The Fourth Circuit addressed the parameters of this requirement in *Tuttle v. Arlington County*:

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

³⁴ *Id.* at pp. 2-10.

³⁵ See also *Sherbrooke Turf*, 345 F.3d at 972 (citing *Croson*, 488 U.S. at 496).

if the goal cannot be met, and (5) the burden of the policy on innocent third parties. [195 F.3d at 706 (citation omitted)]³⁶

Similar guideposts are provided in several post-Croson cases addressing or evaluating 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 to the extent reasonably possible; and
- The program should include provisions or mechanisms for periodic review and sunset.³⁷

Inherent in the above discussion is the notion that M/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.

Also, “review” or “sunset” provisions are strongly suggested components for an M/WBE program to guarantee that remedies do not out-live their intended remedial purpose. As an example, the Fourth Circuit had little problem rejecting a challenged college scholarship program because it had no “sunset” provision.³⁸ In H.B. Rowe, however, the Court specifically noted with approval the mandatory review and sunset provisions included in the North Carolina statute at issue in that case.³⁹

CONCLUSION

The Croson decision, handed down thirty years ago, continues to cast a long shadow over M/WBE and DBE programs and legislation. Significant refinement by the Supreme Court and the federal Circuit Courts of Appeal transpired in its wake, though, addressing the acceptable and proper methodologies for achieving the legal standards established by Croson.

In fact, the Court in Kossman recently included in its opinion a lengthy legal overview of what it dubbed “Croson’s Continuing Significance.” In this section of its decision, the court opined about why a statistical analysis like that presented by the City of Houston was necessary and proper under the Equal Protection scheme established by Croson and refined by its (continuing) progeny.⁴⁰ In many respects, this opinion provides a roadmap for success in implementing and defending an M/WBE or DBE program (such as the Charles County MBE Program) under the current state of the law, with appropriate attribution and reference to Croson.

³⁶ See also Croson, 488 U.S. at 507-08. See also Sherbrooke Turf, 345 F.3d at 971-72 (“Narrow tailoring does not require exhaustion of every conceivable race-neutral alternative, but it does require serious, good faith consideration of workable race-neutral alternatives.”); Adarand III, at 1177.

³⁷ Sherbrooke Turf, 345 F.3d at 971 (“In determining whether a race-conscious remedy is narrowly tailored, we look to factors such as the efficacy of alternative remedies, the flexibility and duration of the race-conscious remedy, the relationship of the numerical goals to the relevant labor market, and the impact of the remedy on third parties.”).

³⁸ Podberesky, 38 F.3d at 160 (“The program thus could remain in force indefinitely based on arbitrary statistics unrelated to constitutionally permissible purposes.”).

³⁹ 615 F.3d at 239.

⁴⁰ Id. at pp. 34-49, and 53-62.

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Charles County Code, Chapter 203

Charles County Government Purchasing Guidelines (2013)

APPENDIX C

Charles County Disparity Study
Data Assessment Report

APPENDIX C – Data Assessment Report

2020 Charles County Disparity Study Data Assessment Report

Griffin & Strong, P.C. (“GSPC”) conducted a virtual data assessment meeting on June 25, 2020. This report summarizes this 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 the City. All data and data requests will be submitted to the County through Lucretia Freeman-Buster, the Chief of Business Development.

I. Scope Statement

The purpose of this project is to conduct a comprehensive disparity study for Charles County Government. The RFP recites the following:

According to the U.S. Census Bureau 2018 Population Estimates, there are 161,503 people residing in Charles County, with the vast majority (69,519) of them living in Waldorf, MD. The African-American population now stands at 49%, and it is expected that in the year 2020, Charles County will become the wealthiest majority African American county in the United States.

The most recent business data reveals that there are over 11,000 businesses operating in Charles County with or without paid employees. See Table 1. Eighty percent (80%) of the businesses are owned by women, minorities, and veterans. See Table 2

Table 2
Charles County
Survey of Minority, Women and Veteran Businesses

	Firms	Total Revenue
Women-Owned	4,220	\$ 429,373,000
Minority-Owned	5,024	\$ 601,254,000
Veteran-Owned	1,487	\$ 230,185,000

Source: U.S. Census Bureau, 5-Year Survey of Business Owners, 2012

Women	76,233	82,464	 7.6%
Veterans	16,392	16,275	 -0.7%

Source: U.S. Census Bureau, American Community Survey; Charles County Economic Development

The Study will collect and analyze relevant data on “ready, willing and able” vendors in the areas of:

1. Construction
2. Architecture & Engineering (A&E)
3. Other Services

4. Goods

The study period for the disparity study was determined as a five-year study period (January 1, 2015-December 31, 2019) FY2015-FY2019.

The dollars spent will be collected and analyzed from all County departments:

1. County Administration,
2. County Commissioners,
3. County Attorney's Office,
4. Community Services,
5. Economic Development,
6. Emergency Services,
7. Fiscal and Administrative Services,
8. Human Resources,
9. Planning and Growth Management,
10. Public Works,
11. Recreation Parks and Tourism, and
12. Sheriff's Office.

Charles County Government (CCG) has twelve (12) departments:

II. Preliminary Purchasing Practices

- A. The County is set up as a Commissioner Home Rule.
- B. Procurement is decentralized. Once an award is completed it is handed off to the departments to track invoices and financial related to that project. The larger departments have their own ways of tracking, but smaller departments, not sure how they are tracking payments. Project Managers are supposed to do that.
- C. Data requests will have to go to each division to get award information.
- D. Contract Thresholds
 1. Up to \$1000 does not come through Purchasing. Would only be in the AP files.
 2. Informal Threshold: Up to \$25,000
 - One (1) quote required for up to \$5,000
 - Three (3) quotes required for \$5,000-\$25,000 (required to report if MBE firm is utilized).
 3. Formal Threshold: \$25,000 or more. There are 25-50 formal awards a year, not inclusive of the Sheriff's Office.
 - Formal RFQ, ITB, RFP
 - Piggybacking
 - Sole Source

- Emergency Procurement

4. There is no prequalification of firms.

III. Data Assessment

A. General Data

The County uses 5-digit NIGP codes that are assigned by the requesting department in Innoprise. There is no strict governance on the use of the codes among County staff.

B. Specific Data files

It was determined in this meeting that GSPC will need from the City:

- Solicitations (Study Period)
- Vendor List (Current)
- Requisitions/Purchase Orders (Study Period)
- Bids (Study Period)
- Payments (Study Period)
- Awards (Study Period)
- P-cards (Excluded from the Study)
- Small Purchase/Invoice
- Subcontractor data (Study Period)
- Certified Lists (Current)
- DBEs (Current)

1. Solicitations (Use to get award amount)

- The County has an Excel document of all procurements that have been issued. This list would have who was awarded, the name of the solicitation, the department, and an Access database that award information can be pulled from.
- If a solicitation has been cancelled, the solicitation would not be on the list.

2. Vendor Lists

- The County maintains an inward facing vendor list that is maintained by the Accounting Department. A firm has to be set up in the system in order to be paid.
- Firms are put in the system in various categories. It is a small list, but will be at least in whether they are a G=general vendor.
- Contains identification of whether a firm is an MBE.
- Vendor list has a lot of inactive firms that haven't be paid for a while.

3. Requisition/Purchase Orders (POs) – Used for Informals

- Requisition is a request for a Purchase Orders. (Available in Laserfiche since 2017, available in other formats before then)
- Requisition has the bid number on it.
- Excel file of a Purchase Order log.
- Purchase Orders are not used for every award.
- Purchase Order doesn't exist without a Requisition number.

4. Bids (ITB, RFP, RFQ) – Used for Formals

- Formal bids begin with a Formal Solicitation Request Form (no overlap with Requisitions/Purchase Order).
- The Formal Solicitation Request Form is in PDF.
- But may be no form if there is a rebid.
- The County maintains bid tabulations for the entire Study Period.
- Although the County still accepts only paper bids, since 2015, bid packages have been scanned to PDF and are available.
- Each bid package has an MBE Subcontractor form and a Non-MBE Subcontractor form but we will have to dig through those to get the forms.
- Firms do not have to be registered with the County to bid.
- After an award is made the contract may or may not generate a requisition/P.O. after the fact.

5. Payment Data (Most likely to be used for utilization)

- The payment system uses New World As400 (is now the IBM Power 9 system). It has its own data base engine. IBM has a query language to use against it.
- Payment data descriptions include an invoice description where purchase order number, contract number, etc. are included. But that is not consistent.
- The general ledger (GL) codes can be used to identify how purchases are allocated, but it is not exact because there is not a clear-cut budget control.
- Segregating vendors from other payments should be clear. There are 20-25 vendor categories but they only regularly use about 5 of them. The vendor category code is different from the GL Code.
- GL Code is a line item entry. One payment could have multiple GL codes and could have multiple invoices to the same vendor. (e.g. multiple trash invoices could be paid all at once)
- We should be mindful that partner agencies should not be in the data we receive.

6. Awards

- The County maintains a Notice of Award which includes the awardee and the amount of the Award. There is no software system for awards.
- All of the awarded contracts are not in one file and not all awards have purchase orders.
- For capital projects a contract is issued but not purchase orders.
- To get a list of all awards would be a manual process.

- By combining Requisitions/Purchase Orders for Informals and Bid

7. P-Cards (excluded)

- P-card limit depends on the cardholder is \$2,500 generally, but some have up to \$40,000 who might be paying things like electric bills. The policy allows accounting chief to raise the limit for a purchase.
- Policy steers clear of allowing large purchases to be made by p-card. They show up as batched payments to the bank. Typical monthly payment is 600-1000 pages.

8. Small Purchase/Invoice

Small purchases are ordered or reimbursed through invoice excluding P-card purchases.

That will not necessarily show up as a reimbursement to an employee if a GL code is applied. Showing up as a reimbursement to employee would be few and far between.

9. Subcontractors

- Depending on the phase and who is handling the project. Subcontractor information submitted with the bid document is in purchasing, but the project manager would track it after that.
- The DBE Program guidelines are tracked, but otherwise Capital Services does not track the monetary value of that contract unless they are an MWBE.
- Bids include an intended MWBE subcontractor utilization percentage and a non-MWBE subcontractor form, but the later does not list the value. (Only aspirational goals).
- Sheriff's office may have access to different information.

10. Certified List

The County uses the Maryland DOT MWBE list for certification. They do have a list of registered MWBEs but some of them are self-identified. The self-identified are kept for outreach information. Lucinia Mundy has that list which was downloaded from Access to Excel.

GSPC will pull certified lists from:

Maryland DOT
Baltimore City
Washington, D.C.

The County borders on these counties where GSPC might find lists:

Calvert County, MD

St. Mary's County, MD
Prince Georgia's County, MD
King George County, VA

11. DBE's

The County is a subrecipient of federal funds and not a direct recipient. This is primarily for public transit services that are contracted out. The County owns the buses but the contracted firm have been required to meet the goals and report monthly and those are passed through to MDOT.

APPENDIX D

Charles County Disparity Study Relevant Market by County

APPENDIX D: Relevant Market by County

The tables in Appendix D (Tables D-1 through D-4) present the dollar value of awards by counties for all Charles County prime spending, broken down by the four procurement categories. The counties are arranged, first with the Counties in the Relevant Market from the highest dollar value to the lowest dollar value (in blue) and then the remaining counties from the highest dollar value to the lowest dollar value.

The first percentage column is the percentage of Charles County prime spending with firms in that county and the last column is the cumulative percentage of Charles County spending with firms for that county and the counties above it.

Table D-1
Charles County Disparity Study
Prime Construction by Counties
(Using Payment Dollars, FY 2015-2019))

County	State	Item Amount	Percent	Cumulative %
Charles County	MD	\$ 25,184,933	27.43%	27.43%
Anne Arundel County	MD	\$ 17,700,872	19.28%	46.70%
Howard County	MD	\$ 13,620,661	14.83%	61.54%
Prince George's County	MD	\$ 6,818,255	7.43%	68.96%
St. Mary's County	MD	\$ 4,922,392	5.36%	74.32%
Fairfax County	VA	\$ 2,518,616	2.74%	77.06%
Baltimore County	MD	\$ 1,893,319	2.06%	79.13%
District of Columbia	DC	\$ 1,419,176	1.55%	80.67%
Franklin County	PA	\$ 1,194,443	1.30%	81.97%
Montgomery County	MD	\$ 936,341	1.02%	82.99%
Baltimore City	MD	\$ 826,725	0.90%	83.89%
Loudoun County	VA	\$ 224,231	0.24%	84.14%
Frederick County	MD	\$ 170,574	0.19%	84.32%
Calvert County	MD	\$ 152,304	0.17%	84.49%
Talbot County	MD	\$ 6,000	0.01%	84.50%
York County	PA	\$ 6,606,497	7.19%	91.69%
Henrico County	VA	\$ 3,307,644	3.60%	95.29%
Hanover County	VA	\$ 1,150,066	1.25%	96.54%
Mecklenburg County	NC	\$ 675,868	0.74%	97.28%
Summit County	OH	\$ 540,610	0.59%	97.87%
Cook County	IL	\$ 453,337	0.49%	98.36%
Montgomery County	PA	\$ 418,645	0.46%	98.82%
Delaware County	PA	\$ 347,341	0.38%	99.20%
New Castle County	DE	\$ 310,103	0.34%	99.53%
Cuyahoga County	OH	\$ 247,323	0.27%	99.80%
Atlantic County	NJ	\$ 79,436	0.09%	99.89%
Greene County	MO	\$ 24,935	0.03%	99.92%
Dallas County	TX	\$ 23,503	0.03%	99.94%
Staunton city	VA	\$ 22,450	0.02%	99.97%
Tulsa County	OK	\$ 16,415	0.02%	99.99%
Cleveland County	NC	\$ 5,520	0.01%	99.99%
Stark County	OH	\$ 3,418	0.00%	100.00%
Chesterfield County	VA	\$ 2,712	0.00%	100.00%
Chester County	PA	\$ 1,607	0.00%	100.00%
Denver County	CO	\$ 236	0.00%	100.00%

Table D-2
Charles County Disparity Study
Prime A&E Services by Counties
(Using Payment Dollars, FY 2015-2019)

County	State	Item Amount	Percent	Cumulative %
Prince George's County	MD	\$ 4,951,384	20.29%	20.29%
Baltimore County	MD	\$ 4,809,946	19.71%	40.00%
Anne Arundel County	MD	\$ 3,532,445	14.47%	54.47%
Baltimore City	MD	\$ 3,263,966	13.37%	67.85%
Charles County	MD	\$ 1,209,219	4.95%	72.80%
Howard County	MD	\$ 731,648	3.00%	75.80%
District of Columbia	DC	\$ 524,320	2.15%	77.95%
Montgomery County	MD	\$ 212,511	0.87%	78.82%
Harford County	MD	\$ 156,949	0.64%	79.46%
Carroll County	MD	\$ 92,724	0.38%	79.84%
Fairfax County	VA	\$ 77,308	0.32%	80.16%
Arlington County	VA	\$ 59,000	0.24%	80.40%
Prince William County	VA	\$ 41,997	0.17%	80.57%
Alexandria city	VA	\$ 39,450	0.16%	80.73%
Talbot County	MD	\$ 22,000	0.09%	80.82%
Loudoun County	VA	\$ 5,569	0.02%	80.85%
Spotsylvania County	VA	\$ 125	0.00%	80.85%
Worcester County	MD	\$ 4,130,222	16.92%	97.77%
Henrico County	VA	\$ 126,431	0.52%	98.29%
New York County	NY	\$ 111,857	0.46%	98.75%
Wake County	NC	\$ 111,568	0.46%	99.20%
Orange County	CA	\$ 42,754	0.18%	99.38%
Martin County	FL	\$ 42,501	0.17%	99.55%
DeKalb County	IL	\$ 23,152	0.09%	99.65%
Middlesex County	NJ	\$ 20,930	0.09%	99.73%
Summit County	OH	\$ 19,850	0.08%	99.82%
Sedgwick County	KS	\$ 11,632	0.05%	99.86%
Hillsborough County	FL	\$ 10,688	0.04%	99.91%
Pickaway County	OH	\$ 8,914	0.04%	99.94%
Mecklenburg County	NC	\$ 3,980	0.02%	99.96%
Travis County	TX	\$ 3,195	0.01%	99.97%
Centre County	PA	\$ 2,820	0.01%	99.98%
Monroe County	NY	\$ 2,700	0.01%	100.00%
Onondaga County	NY	\$ 989	0.00%	100.00%

Table D-3
Charles County Disparity Study
Prime Other Services by Counties
(Using Payment Dollars, FY 2015-2019)

County	State	Item Amount	Percent	Cumulative %
Charles County	MD	\$ 44,175,468	23.34%	23.34%
Anne Arundel County	MD	\$ 27,733,527	14.66%	38.00%
Baltimore County	MD	\$ 26,613,802	14.06%	52.06%
Baltimore City	MD	\$ 24,250,867	12.82%	64.88%
St. Mary's County	MD	\$ 7,969,427	4.21%	69.09%
Prince George's County	MD	\$ 5,096,366	2.69%	71.78%
Talbot County	MD	\$ 4,783,457	2.53%	74.31%
Howard County	MD	\$ 4,299,560	2.27%	76.58%
Calvert County	MD	\$ 2,954,878	1.56%	78.15%
Montgomery County	MD	\$ 2,037,919	1.08%	79.22%
Queen Anne's County	MD	\$ 1,598,317	0.84%	80.07%
District of Columbia	DC	\$ 1,440,836	0.76%	80.83%
Fairfax County	VA	\$ 1,410,615	0.75%	81.57%
Frederick County	MD	\$ 1,377,838	0.73%	82.30%
Arlington County	VA	\$ 1,183,308	0.63%	82.93%
Loudoun County	VA	\$ 697,497	0.37%	83.30%
Alexandria city	VA	\$ 249,655	0.13%	83.43%
Harford County	MD	\$ 215,975	0.11%	83.54%
Fauquier County	VA	\$ 143,208	0.08%	83.62%
King George County	VA	\$ 142,420	0.08%	83.69%
Washington County	MD	\$ 135,902	0.07%	83.77%
Jefferson County	WV	\$ 119,028	0.06%	83.83%
Carroll County	MD	\$ 118,407	0.06%	83.89%
Prince William County	VA	\$ 51,211	0.03%	83.92%
Stafford County	VA	\$ 9,894	0.01%	83.92%
Spotsylvania County	VA	\$ 4,700	0.00%	83.93%
Franklin County	PA	\$ 3,200	0.00%	83.93%
Frederick County	VA	\$ 1,600	0.00%	83.93%
Westmoreland County	VA	\$ 1,316	0.00%	83.93%
Manassas city	VA	\$ 750	0.00%	83.93%
Dauphin County	PA	\$ 6,029,188	3.19%	87.12%
Fairfield County	CT	\$ 2,738,872	1.45%	88.56%
Cumberland County	PA	\$ 2,262,812	1.20%	89.76%
New York County	NY	\$ 1,322,680	0.70%	90.46%

Table D-3 (cont.)

Lyon County	MN	\$ 1,103,236	0.58%	91.04%
Dallas County	TX	\$ 1,056,595	0.56%	91.60%
Chester County	PA	\$ 768,182	0.41%	92.01%
New Castle County	DE	\$ 762,567	0.40%	92.41%
Henrico County	VA	\$ 744,674	0.39%	92.80%
Fond du Lac County	WI	\$ 682,839	0.36%	93.16%
Middlesex County	NJ	\$ 666,004	0.35%	93.51%
Fulton County	GA	\$ 611,844	0.32%	93.84%
Santa Cruz County	CA	\$ 547,523	0.29%	94.13%
St. Louis County	MO	\$ 474,668	0.25%	94.38%
King County	WA	\$ 468,085	0.25%	94.63%
Middlesex County	MA	\$ 463,585	0.24%	94.87%
Garrett County	MD	\$ 356,426	0.19%	95.06%
Marshall County	KY	\$ 352,860	0.19%	95.25%
Los Angeles County	CA	\$ 350,228	0.19%	95.43%
Cook County	IL	\$ 337,711	0.18%	95.61%
Berkeley County	SC	\$ 326,894	0.17%	95.78%
Sacramento County	CA	\$ 291,366	0.15%	95.94%
Berkshire County	MA	\$ 289,977	0.15%	96.09%
Milwaukee County	WI	\$ 287,998	0.15%	96.24%
Wicomico County	MD	\$ 281,297	0.15%	96.39%
Larimer County	CO	\$ 279,105	0.15%	96.54%
Suffolk County	MA	\$ 271,222	0.14%	96.68%
York County	SC	\$ 271,163	0.14%	96.82%
Miami-Dade County	FL	\$ 258,106	0.14%	96.96%
Richmond city	VA	\$ 245,254	0.13%	97.09%
Lawrence County	PA	\$ 230,582	0.12%	97.21%
Clackamas County	OR	\$ 225,850	0.12%	97.33%
Cobb County	GA	\$ 183,016	0.10%	97.43%
Ocean County	NJ	\$ 170,367	0.09%	97.52%
Monroe County	NY	\$ 161,564	0.09%	97.60%
Salt Lake County	UT	\$ 144,470	0.08%	97.68%
Camden County	NJ	\$ 144,032	0.08%	97.76%
Oakland County	MI	\$ 141,640	0.07%	97.83%
Jefferson County	KY	\$ 140,545	0.07%	97.90%
Ramsey County	MN	\$ 139,752	0.07%	97.98%
Houston County	AL	\$ 135,394	0.07%	98.05%
Palm Beach County	FL	\$ 129,961	0.07%	98.12%
Coos County	NH	\$ 125,363	0.07%	98.18%
Jefferson County	CO	\$ 118,906	0.06%	98.25%

Table D-3 (cont.)

Cabarrus County	NC	\$ 105,130	0.06%	98.30%
Mecklenburg County	NC	\$ 98,856	0.05%	98.36%
Davidson County	TN	\$ 98,003	0.05%	98.41%
Preston County	WV	\$ 96,500	0.05%	98.46%
Jefferson County	AL	\$ 91,225	0.05%	98.51%
Guilford County	NC	\$ 86,133	0.05%	98.55%
Montgomery County	PA	\$ 85,903	0.05%	98.60%
Powhatan County	VA	\$ 83,717	0.04%	98.64%
Gloucester County	NJ	\$ 80,524	0.04%	98.68%
Boulder County	CO	\$ 80,186	0.04%	98.73%
Luzerne County	PA	\$ 76,311	0.04%	98.77%
Hennepin County	MN	\$ 71,772	0.04%	98.80%
Orange County	FL	\$ 66,742	0.04%	98.84%
York County	PA	\$ 64,303	0.03%	98.87%
Geneva County	AL	\$ 59,408	0.03%	98.91%
Broward County	FL	\$ 58,921	0.03%	98.94%
Sussex County	DE	\$ 57,025	0.03%	98.97%
Ouachita Parish	LA	\$ 55,185	0.03%	99.00%
Bergen County	NJ	\$ 55,099	0.03%	99.03%
New Haven County	CT	\$ 51,935	0.03%	99.05%
Tarrant County	TX	\$ 50,599	0.03%	99.08%
Hampton City	VA	\$ 46,979	0.02%	99.10%
Burlington County	NJ	\$ 44,427	0.02%	99.13%
Washington County	RI	\$ 43,595	0.02%	99.15%
Marin County	CA	\$ 43,300	0.02%	99.17%
Chesterfield County	VA	\$ 42,530	0.02%	99.20%
Davidson County	NC	\$ 42,460	0.02%	99.22%
Arapahoe County	CO	\$ 40,898	0.02%	99.24%
Worcester County	MD	\$ 40,353	0.02%	99.26%
Weld County	CO	\$ 39,553	0.02%	99.28%
Buchanan County	MO	\$ 38,954	0.02%	99.30%
Harris County	TX	\$ 38,284	0.02%	99.32%
Nicholas County	WV	\$ 38,000	0.02%	99.34%
DeKalb County	GA	\$ 37,823	0.02%	99.36%
Winnebago County	WI	\$ 37,072	0.02%	99.38%
Delaware County	PA	\$ 35,198	0.02%	99.40%
Duval County	FL	\$ 33,763	0.02%	99.42%
Bartow County	GA	\$ 32,978	0.02%	99.44%
Hampton city	VA	\$ 32,870	0.02%	99.45%
Franklin County	OH	\$ 29,726	0.02%	99.47%

Table D-3 (cont.)

Franklin County	KY	\$ 29,645	0.02%	99.49%
San Diego County	CA	\$ 28,504	0.02%	99.50%
Philadelphia County	PA	\$ 27,960	0.01%	99.52%
Butler County	PA	\$ 27,934	0.01%	99.53%
Contra Costa County	CA	\$ 27,082	0.01%	99.54%
Northampton County	PA	\$ 26,398	0.01%	99.56%
Maricopa County	AZ	\$ 26,247	0.01%	99.57%
Riverside County	CA	\$ 24,913	0.01%	99.59%
Denton County	TX	\$ 24,908	0.01%	99.60%
Lake County	FL	\$ 20,010	0.01%	99.61%
DuPage County	IL	\$ 19,800	0.01%	99.62%
Williamson County	TX	\$ 19,054	0.01%	99.63%
Clarke County	GA	\$ 18,589	0.01%	99.64%
Johnson County	KS	\$ 18,063	0.01%	99.65%
Hall County	GA	\$ 18,000	0.01%	99.66%
Orleans Parish	LA	\$ 17,644	0.01%	99.67%
Norfolk City	VA	\$ 17,360	0.01%	99.68%
Hamilton County	OH	\$ 15,790	0.01%	99.69%
Lancaster County	PA	\$ 15,301	0.01%	99.69%
Hartford County	CT	\$ 15,225	0.01%	99.70%
Sarasota County	FL	\$ 14,715	0.01%	99.71%
Wake County	NC	\$ 14,638	0.01%	99.72%
Washtenaw County	MI	\$ 14,155	0.01%	99.72%
Union County	MS	\$ 14,000	0.01%	99.73%
Windham County	CT	\$ 13,200	0.01%	99.74%
Nassau County	NY	\$ 13,144	0.01%	99.75%
Hamilton County	IN	\$ 12,999	0.01%	99.75%
Forsyth County	NC	\$ 12,642	0.01%	99.76%
Richland County	SC	\$ 12,435	0.01%	99.77%
Bucks County	PA	\$ 12,065	0.01%	99.77%
Santa Clara County	CA	\$ 11,835	0.01%	99.78%
Utah County	UT	\$ 11,723	0.01%	99.78%
Halifax County	NC	\$ 11,250	0.01%	99.79%
Whiteside County	IL	\$ 11,057	0.01%	99.80%
Hillsborough County	FL	\$ 10,404	0.01%	99.80%
Rutherford County	TN	\$ 10,299	0.01%	99.81%
Boone County	KY	\$ 9,545	0.01%	99.81%
Denver County	CO	\$ 9,379	0.00%	99.82%
Collin County	TX	\$ 9,069	0.00%	99.82%
Marion County	IN	\$ 8,410	0.00%	99.83%

Table D-3 (cont.)

Volusia County	FL	\$ 8,346	0.00%	99.83%
Lafayette Parish	LA	\$ 8,314	0.00%	99.84%
Pamlico County	NC	\$ 7,960	0.00%	99.84%
Delaware County	OH	\$ 7,656	0.00%	99.84%
Morris County	NJ	\$ 7,206	0.00%	99.85%
Loudon County	TN	\$ 7,200	0.00%	99.85%
Suwannee County	FL	\$ 6,982	0.00%	99.85%
Pinellas County	FL	\$ 6,437	0.00%	99.86%
Bristol County	MA	\$ 6,160	0.00%	99.86%
Mercer County	NJ	\$ 6,104	0.00%	99.86%
Plymouth County	MA	\$ 6,008	0.00%	99.87%
Limestone County	AL	\$ 6,000	0.00%	99.87%
Harnett County	NC	\$ 5,501	0.00%	99.87%
Greenville County	SC	\$ 5,340	0.00%	99.88%
Montgomery County	NY	\$ 5,260	0.00%	99.88%
Pima County	AZ	\$ 5,239	0.00%	99.88%
Sumner County	TN	\$ 5,000	0.00%	99.89%
None	None	\$ 4,998	0.00%	99.89%
Mecklenburg County	VA	\$ 4,970	0.00%	99.89%
Virginia Beach city	VA	\$ 4,956	0.00%	99.89%
Alamance County	NC	\$ 4,908	0.00%	99.90%
Grafton County	NH	\$ 4,845	0.00%	99.90%
Richmond County	NY	\$ 4,825	0.00%	99.90%
Dorchester County	MD	\$ 4,724	0.00%	99.90%
Blair County	PA	\$ 4,620	0.00%	99.91%
St. Lucie County	FL	\$ 4,586	0.00%	99.91%
Adams County	PA	\$ 4,536	0.00%	99.91%
Ravalli County	MT	\$ 4,500	0.00%	99.91%
Bonneville County	ID	\$ 4,404	0.00%	99.92%
Lake County	IL	\$ 4,400	0.00%	99.92%
Suffolk County	NY	\$ 4,391	0.00%	99.92%
Albany County	WY	\$ 4,344	0.00%	99.92%
Harrisonburg city	VA	\$ 4,291	0.00%	99.92%
Walton County	GA	\$ 3,960	0.00%	99.93%
Norfolk County	MA	\$ 3,719	0.00%	99.93%
Waukesha County	WI	\$ 3,629	0.00%	99.93%
Cass County	ND	\$ 3,600	0.00%	99.93%
Calhoun County	AL	\$ 3,600	0.00%	99.93%
Cache County	UT	\$ 3,595	0.00%	99.94%
Indiana County	PA	\$ 3,500	0.00%	99.94%

Table D-3 (cont.)

Brunswick County	NC	\$ 3,466	0.00%	99.94%
Licking County	OH	\$ 3,425	0.00%	99.94%
Charleston County	SC	\$ 3,282	0.00%	99.94%
Dubois County	IN	\$ 3,220	0.00%	99.94%
Wyoming County	NY	\$ 3,178	0.00%	99.95%
Lane County	OR	\$ 2,969	0.00%	99.95%
Moore County	NC	\$ 2,925	0.00%	99.95%
Ontario County	NY	\$ 2,910	0.00%	99.95%
Caddo Parish	LA	\$ 2,883	0.00%	99.95%
Erie County	NY	\$ 2,880	0.00%	99.95%
Allegany County	MD	\$ 2,836	0.00%	99.96%
Bell County	TX	\$ 2,765	0.00%	99.96%
Pasco County	FL	\$ 2,722	0.00%	99.96%
Polk County	IA	\$ 2,700	0.00%	99.96%
Kalamazoo County	MI	\$ 2,673	0.00%	99.96%
Thurston County	WA	\$ 2,505	0.00%	99.96%
Brooke County	WV	\$ 2,462	0.00%	99.96%
Santa Barbara County	CA	\$ 2,450	0.00%	99.97%
Campbell County	KY	\$ 2,374	0.00%	99.97%
Eau Claire County	WI	\$ 2,254	0.00%	99.97%
Olmsted County	MN	\$ 2,224	0.00%	99.97%
Brown County	WI	\$ 2,068	0.00%	99.97%
Somerset County	NJ	\$ 2,007	0.00%	99.97%
Currituck County	NC	\$ 2,005	0.00%	99.97%
Cumberland County	NC	\$ 2,000	0.00%	99.97%
Kay County	OK	\$ 2,000	0.00%	99.97%
Ohio County	WV	\$ 1,951	0.00%	99.98%
Levy County	FL	\$ 1,875	0.00%	99.98%
Cuyahoga County	OH	\$ 1,862	0.00%	99.98%
Dakota County	MN	\$ 1,804	0.00%	99.98%
Kings County	NY	\$ 1,776	0.00%	99.98%
Jackson County	OR	\$ 1,736	0.00%	99.98%
Sagadahoc County	ME	\$ 1,659	0.00%	99.98%
Blount County	TN	\$ 1,626	0.00%	99.98%
Natrona County	WY	\$ 1,494	0.00%	99.98%
Snohomish County	WA	\$ 1,490	0.00%	99.98%
San Mateo County	CA	\$ 1,473	0.00%	99.98%
Tippecanoe County	IN	\$ 1,468	0.00%	99.99%
DeKalb County	IL	\$ 1,359	0.00%	99.99%
St. Louis City	MO	\$ 1,328	0.00%	99.99%

Table D-3 (cont.)

Monmouth County	NJ	\$ 1,253	0.00%	99.99%
Iredell County	NC	\$ 1,225	0.00%	99.99%
Chatham County	GA	\$ 1,210	0.00%	99.99%
Sumter County	FL	\$ 1,200	0.00%	99.99%
Onondaga County	NY	\$ 1,189	0.00%	99.99%
Chittenden County	VT	\$ 1,186	0.00%	99.99%
East Baton Rouge Parish	LA	\$ 1,075	0.00%	99.99%
Roanoke County	VA	\$ 1,073	0.00%	99.99%
Orange County	CA	\$ 1,056	0.00%	99.99%
Todd County	MN	\$ 1,017	0.00%	99.99%
Columbia County	GA	\$ 927	0.00%	99.99%
Allegheny County	PA	\$ 900	0.00%	99.99%
Union County	NJ	\$ 897	0.00%	99.99%
Mitchell County	GA	\$ 818	0.00%	99.99%
Mercer County	PA	\$ 795	0.00%	99.99%
San Bernardino County	CA	\$ 795	0.00%	100.00%
Hanover County	VA	\$ 752	0.00%	100.00%
Jackson County	MO	\$ 750	0.00%	100.00%
Travis County	TX	\$ 682	0.00%	100.00%
Anderson County	SC	\$ 678	0.00%	100.00%
Staunton City	VA	\$ 674	0.00%	100.00%
Kent County	DE	\$ 554	0.00%	100.00%
Greene County	OH	\$ 551	0.00%	100.00%
Pend Oreille County	WA	\$ 550	0.00%	100.00%
Douglas County	CO	\$ 549	0.00%	100.00%
Caroline County	VA	\$ 540	0.00%	100.00%
Westchester County	NY	\$ 418	0.00%	100.00%
Allen County	IN	\$ 395	0.00%	100.00%
Hamilton County	TN	\$ 374	0.00%	100.00%
Albemarle County	VA	\$ 350	0.00%	100.00%
Elkhart County	IN	\$ 320	0.00%	100.00%
Whitley County	IN	\$ 275	0.00%	100.00%
Saginaw County	MI	\$ 200	0.00%	100.00%
Marion County	FL	\$ 150	0.00%	100.00%
Meriwether County	GA	\$ 104	0.00%	100.00%
Outside of USA		\$ 5,080	0.00%	100.00%

Table D-4
Charles County Disparity Study
Prime Good by Counties
(Using Payment Dollars, FY 2015-2019)

County	State	Item Amount	Percent	Cumulative %
Anne Arundel County	MD	\$ 9,057,815	10.86%	10.86%
Charles County	MD	\$ 7,428,161	8.91%	19.77%
Prince George's County	MD	\$ 7,397,870	8.87%	28.64%
Howard County	MD	\$ 4,177,065	5.01%	33.65%
Montgomery County	MD	\$ 3,981,004	4.77%	38.42%
Baltimore City	MD	\$ 3,637,865	4.36%	42.79%
Baltimore County	MD	\$ 3,013,643	3.61%	46.40%
Fairfax County	VA	\$ 2,247,874	2.70%	49.10%
Calvert County	MD	\$ 1,296,130	1.55%	50.65%
Frederick County	MD	\$ 1,081,612	1.30%	51.95%
St. Mary's County	MD	\$ 686,544	0.82%	52.77%
Harford County	MD	\$ 267,139	0.32%	53.09%
Loudoun County	VA	\$ 182,300	0.22%	53.31%
District of Columbia	DC	\$ 143,615	0.17%	53.48%
Prince William County	VA	\$ 136,822	0.16%	53.65%
Arlington County	VA	\$ 101,669	0.12%	53.77%
Washington County	MD	\$ 93,135	0.11%	53.88%
Carroll County	MD	\$ 83,106	0.10%	53.98%
Queen Anne's County	MD	\$ 52,607	0.06%	54.04%
Manassas city	VA	\$ 40,865	0.05%	54.09%
Alexandria city	VA	\$ 36,000	0.04%	54.13%
Spotsylvania County	VA	\$ 34,635	0.04%	54.18%
Fauquier County	VA	\$ 31,710	0.04%	54.21%
Franklin County	VA	\$ 2,806	0.00%	54.22%
Talbot County	MD	\$ 2,296	0.00%	54.22%
Franklin County	PA	\$ 1,086	0.00%	54.22%
Virginia Beach city	VA	\$ 4,054,973	4.86%	59.08%
Hanover County	VA	\$ 3,262,142	3.91%	63.00%
Burlington County	NJ	\$ 2,982,701	3.58%	66.57%
Hamilton County	OH	\$ 2,658,952	3.19%	69.76%
Fulton County	GA	\$ 2,203,167	2.64%	72.40%
Mecklenburg County	NC	\$ 1,766,170	2.12%	74.52%
Bucks County	PA	\$ 1,719,002	2.06%	76.58%
Lancaster County	PA	\$ 1,372,864	1.65%	78.23%

Table D-4 (cont.)

New Castle County	DE	\$ 1,082,274	1.30%	79.53%
York County	PA	\$ 948,377	1.14%	80.66%
Cook County	IL	\$ 768,917	0.92%	81.59%
Middlesex County	MA	\$ 736,116	0.88%	82.47%
Lake County	IL	\$ 673,109	0.81%	83.28%
Wake County	NC	\$ 658,351	0.79%	84.07%
Wayne County	MI	\$ 656,537	0.79%	84.85%
Yates County	NY	\$ 652,112	0.78%	85.63%
Hennepin County	MN	\$ 638,049	0.77%	86.40%
Monmouth County	NJ	\$ 541,543	0.65%	87.05%
Williamson County	TX	\$ 489,402	0.59%	87.64%
Milwaukee County	WI	\$ 448,639	0.54%	88.17%
Dallas County	TX	\$ 441,898	0.53%	88.70%
Maricopa County	AZ	\$ 428,735	0.51%	89.22%
Brookings County	SD	\$ 320,796	0.38%	89.60%
Manatee County	FL	\$ 303,793	0.36%	89.97%
Nemaha County	KS	\$ 292,313	0.35%	90.32%
Thomas County	GA	\$ 268,927	0.32%	90.64%
Muscatine County	IA	\$ 263,000	0.32%	90.96%
Dupage County	IL	\$ 253,155	0.30%	91.26%
Franklin County	OH	\$ 251,691	0.30%	91.56%
Oakland County	MI	\$ 248,858	0.30%	91.86%
Dorchester County	MD	\$ 244,406	0.29%	92.15%
Wicomico County	MD	\$ 243,222	0.29%	92.44%
New York County	NY	\$ 241,657	0.29%	92.73%
Dubuque County	IA	\$ 217,773	0.26%	92.99%
Broward County	FL	\$ 215,478	0.26%	93.25%
Somerset County	NJ	\$ 197,023	0.24%	93.49%
San Bernardino County	CA	\$ 183,322	0.22%	93.71%
Denver County	CO	\$ 182,863	0.22%	93.93%
San Diego County	CA	\$ 165,841	0.20%	94.13%
Camden County	NJ	\$ 161,695	0.19%	94.32%
None	None	\$ 156,455	0.19%	94.51%
Cuyahoga County	OH	\$ 146,950	0.18%	94.69%
Ramsey County	MN	\$ 143,559	0.17%	94.86%
Worcester County	MA	\$ 143,483	0.17%	95.03%
Los Angeles County	CA	\$ 132,538	0.16%	95.19%
Polk County	IA	\$ 130,716	0.16%	95.35%
Shelby County	TN	\$ 128,915	0.15%	95.50%
Chesterfield County	VA	\$ 127,949	0.15%	95.65%

Table D-4 (cont.)

Chester County	PA	\$ 118,834	0.14%	95.80%
Cumberland County	PA	\$ 115,074	0.14%	95.93%
Harris County	TX	\$ 103,476	0.12%	96.06%
Gwinnett County	GA	\$ 98,712	0.12%	96.18%
Philadelphia County	PA	\$ 98,276	0.12%	96.29%
Oneida County	NY	\$ 95,382	0.11%	96.41%
Moore County	NC	\$ 93,763	0.11%	96.52%
New Haven County	CT	\$ 91,312	0.11%	96.63%
King County	WA	\$ 88,258	0.11%	96.74%
DuPage County	IL	\$ 86,946	0.10%	96.84%
Worcester County	MD	\$ 70,307	0.08%	96.92%
Fayette County	KY	\$ 69,707	0.08%	97.01%
Poquoson city	VA	\$ 68,644	0.08%	97.09%
Jefferson County	KY	\$ 65,884	0.08%	97.17%
San Francisco County	CA	\$ 58,750	0.07%	97.24%
Dakota County	MN	\$ 56,632	0.07%	97.31%
Gloucester County	NJ	\$ 55,218	0.07%	97.37%
Charleston County	SC	\$ 51,082	0.06%	97.44%
Petersburg city	VA	\$ 48,488	0.06%	97.49%
Kings County	NY	\$ 47,056	0.06%	97.55%
Kent County	DE	\$ 45,580	0.05%	97.60%
Monroe County	NY	\$ 43,379	0.05%	97.66%
Orange County	CA	\$ 43,255	0.05%	97.71%
Bristol County	MA	\$ 42,003	0.05%	97.76%
Fresno County	CA	\$ 40,738	0.05%	97.81%
Powhatan County	VA	\$ 39,589	0.05%	97.86%
Morris County	NJ	\$ 38,755	0.05%	97.90%
Jefferson County	CO	\$ 37,278	0.04%	97.95%
Nassau County	NY	\$ 36,287	0.04%	97.99%
Alameda County	CA	\$ 35,770	0.04%	98.03%
Washington County	OR	\$ 34,759	0.04%	98.07%
Alamance County	NC	\$ 34,602	0.04%	98.12%
Westchester County	NY	\$ 34,222	0.04%	98.16%
Montgomery County	PA	\$ 33,474	0.04%	98.20%
Chittenden County	VT	\$ 32,492	0.04%	98.24%
Salt Lake County	UT	\$ 30,443	0.04%	98.27%
Midland County	MI	\$ 28,541	0.03%	98.31%
Christian County	MO	\$ 27,645	0.03%	98.34%
St. Tammany Parish	LA	\$ 27,313	0.03%	98.37%
Antrim County	MI	\$ 26,505	0.03%	98.40%

Table D-4 (cont.)

Tom Green County	TX	\$ 26,493	0.03%	98.44%
Dauphin County	PA	\$ 25,996	0.03%	98.47%
Cherokee County	IA	\$ 25,872	0.03%	98.50%
Tarrant County	TX	\$ 24,514	0.03%	98.53%
Orange County	NC	\$ 24,400	0.03%	98.56%
Dane County	WI	\$ 24,254	0.03%	98.59%
Allegheny County	PA	\$ 23,330	0.03%	98.61%
Stutsman County	ND	\$ 22,955	0.03%	98.64%
Richmond city	VA	\$ 22,909	0.03%	98.67%
Cumberland County	NJ	\$ 22,009	0.03%	98.70%
New London County	CT	\$ 21,990	0.03%	98.72%
Sullivan County	TN	\$ 21,887	0.03%	98.75%
Hampshire County	MA	\$ 21,518	0.03%	98.77%
York County	SC	\$ 21,510	0.03%	98.80%
Baldwin County	AL	\$ 20,864	0.03%	98.82%
Leon County	FL	\$ 20,760	0.02%	98.85%
Collin County	TX	\$ 20,710	0.02%	98.87%
Johnson County	IN	\$ 19,632	0.02%	98.90%
Henrico County	VA	\$ 19,627	0.02%	98.92%
Northumberland County	PA	\$ 18,645	0.02%	98.94%
McLean County	IL	\$ 18,502	0.02%	98.97%
Kent County	MI	\$ 17,779	0.02%	98.99%
Winnebago County	WI	\$ 17,722	0.02%	99.01%
Saratoga County	NY	\$ 17,278	0.02%	99.03%
Cobb County	GA	\$ 17,086	0.02%	99.05%
Morgan County	AL	\$ 16,717	0.02%	99.07%
Hartford County	CT	\$ 16,540	0.02%	99.09%
Fayette County	OH	\$ 16,273	0.02%	99.11%
Seminole County	FL	\$ 15,889	0.02%	99.13%
Riverside County	CA	\$ 15,741	0.02%	99.15%
St. Louis County	MO	\$ 15,708	0.02%	99.17%
Lake County	IN	\$ 15,067	0.02%	99.18%
Marion County	IN	\$ 14,807	0.02%	99.20%
Spokane County	WA	\$ 14,711	0.02%	99.22%
Delaware County	PA	\$ 14,507	0.02%	99.24%
Jefferson County	AL	\$ 13,737	0.02%	99.25%
Hampden County	MA	\$ 13,385	0.02%	99.27%
Bergen County	NJ	\$ 13,273	0.02%	99.29%
Sussex County	DE	\$ 13,203	0.02%	99.30%
Kalamazoo County	MI	\$ 13,041	0.02%	99.32%

Table D-4 (cont.)

Iowa County	WI	\$ 13,007	0.02%	99.33%
Douglas County	NE	\$ 12,672	0.02%	99.35%
Denton County	TX	\$ 12,494	0.01%	99.36%
Niagara County	NY	\$ 12,081	0.01%	99.38%
Arapahoe County	CO	\$ 11,950	0.01%	99.39%
Harrisonburg city	VA	\$ 11,887	0.01%	99.41%
Suffolk County	NY	\$ 11,632	0.01%	99.42%
Pinellas County	FL	\$ 11,440	0.01%	99.43%
Carson City	NV	\$ 11,399	0.01%	99.45%
Providence County	RI	\$ 10,802	0.01%	99.46%
Jackson County	MO	\$ 10,566	0.01%	99.47%
Broomfield County	CO	\$ 9,423	0.01%	99.48%
Saunders County	NE	\$ 9,216	0.01%	99.50%
Pima County	AZ	\$ 9,079	0.01%	99.51%
Lehigh County	PA	\$ 8,827	0.01%	99.52%
Utah County	UT	\$ 8,331	0.01%	99.53%
Androscoggin County	ME	\$ 8,139	0.01%	99.54%
Middlesex County	NJ	\$ 8,130	0.01%	99.55%
Brevard County	FL	\$ 7,905	0.01%	99.56%
Lycoming County	PA	\$ 7,755	0.01%	99.56%
Monterey County	CA	\$ 7,715	0.01%	99.57%
Kent County	MD	\$ 7,375	0.01%	99.58%
Fulton County	IN	\$ 7,264	0.01%	99.59%
Mercer County	PA	\$ 7,200	0.01%	99.60%
Burleigh County	ND	\$ 7,074	0.01%	99.61%
Weber County	UT	\$ 6,978	0.01%	99.62%
Stark County	OH	\$ 6,927	0.01%	99.63%
Travis County	TX	\$ 6,903	0.01%	99.63%
Contra Costa County	CA	\$ 6,838	0.01%	99.64%
Mecklenburg County	VA	\$ 6,690	0.01%	99.65%
Union County	NJ	\$ 6,650	0.01%	99.66%
Erie County	NY	\$ 6,561	0.01%	99.67%
Granville County	NC	\$ 6,455	0.01%	99.67%
Waukesha County	WI	\$ 6,388	0.01%	99.68%
Winnebago County	IL	\$ 6,322	0.01%	99.69%
Bremer County	IA	\$ 6,096	0.01%	99.70%
Tompkins County	NY	\$ 6,033	0.01%	99.70%
Hillsborough County	FL	\$ 5,986	0.01%	99.71%
Mercer County	NJ	\$ 5,935	0.01%	99.72%
McHenry County	IL	\$ 5,618	0.01%	99.72%

Table D-4 (cont.)

Guilford County	NC	\$ 5,453	0.01%	99.73%
Adams County	PA	\$ 5,435	0.01%	99.74%
St. Croix County	WI	\$ 5,387	0.01%	99.74%
Volusia County	FL	\$ 5,350	0.01%	99.75%
Caroline County	VA	\$ 5,300	0.01%	99.76%
Summit County	OH	\$ 5,198	0.01%	99.76%
El Paso County	CO	\$ 5,196	0.01%	99.77%
Duval County	FL	\$ 5,187	0.01%	99.78%
Miami-Dade County	FL	\$ 5,134	0.01%	99.78%
Westmoreland County	PA	\$ 5,105	0.01%	99.79%
Tuscarawas County	OH	\$ 5,050	0.01%	99.79%
Lee County	FL	\$ 4,964	0.01%	99.80%
Oneida County	WI	\$ 4,663	0.01%	99.81%
Bexar County	TX	\$ 4,662	0.01%	99.81%
Marin County	CA	\$ 4,625	0.01%	99.82%
La Crosse County	WI	\$ 4,622	0.01%	99.82%
Orange County	FL	\$ 4,592	0.01%	99.83%
Stearns County	MN	\$ 4,556	0.01%	99.83%
Platte County	NE	\$ 4,209	0.01%	99.84%
Crittenden County	AR	\$ 4,198	0.01%	99.84%
Caroline County	MD	\$ 4,019	0.00%	99.85%
Marshall County	IN	\$ 4,019	0.00%	99.85%
Suffolk city	VA	\$ 3,823	0.00%	99.86%
Emmet County	MI	\$ 3,778	0.00%	99.86%
Medina County	OH	\$ 3,750	0.00%	99.87%
Palm Beach County	FL	\$ 3,681	0.00%	99.87%
Linn County	IA	\$ 3,649	0.00%	99.87%
Kane County	IL	\$ 3,608	0.00%	99.88%
Hudson County	NJ	\$ 3,528	0.00%	99.88%
Lincoln County	NC	\$ 3,500	0.00%	99.89%
Olmsted County	MN	\$ 3,370	0.00%	99.89%
Allen County	OH	\$ 3,354	0.00%	99.90%
Lake County	OH	\$ 3,182	0.00%	99.90%
Essex County	NJ	\$ 3,110	0.00%	99.90%
Butler County	PA	\$ 3,025	0.00%	99.91%
Buncombe County	NC	\$ 2,968	0.00%	99.91%
Graves County	KY	\$ 2,863	0.00%	99.91%
Martin County	FL	\$ 2,823	0.00%	99.92%
Norfolk city	VA	\$ 2,805	0.00%	99.92%
St. Louis city	MO	\$ 2,630	0.00%	99.92%

Table D-4 (cont.)

Clark County	NV	\$ 2,545	0.00%	99.93%
Jessamine County	KY	\$ 2,489	0.00%	99.93%
Missoula County	MT	\$ 2,413	0.00%	99.93%
Caldwell County	NC	\$ 2,344	0.00%	99.94%
Franklin County	NC	\$ 2,305	0.00%	99.94%
Stevens County	WA	\$ 2,224	0.00%	99.94%
Warren County	NJ	\$ 2,150	0.00%	99.94%
Newton County	GA	\$ 2,136	0.00%	99.95%
Sevier County	TN	\$ 2,062	0.00%	99.95%
Clay County	IA	\$ 2,055	0.00%	99.95%
Madison County	MS	\$ 1,955	0.00%	99.95%
San Mateo County	CA	\$ 1,825	0.00%	99.96%
Nevada County	CA	\$ 1,719	0.00%	99.96%
Johnson County	KS	\$ 1,717	0.00%	99.96%
Delaware County	OH	\$ 1,696	0.00%	99.96%
Larimer County	CO	\$ 1,628	0.00%	99.96%
St. Johns County	FL	\$ 1,605	0.00%	99.97%
Champaign County	IL	\$ 1,559	0.00%	99.97%
Allegany County	MD	\$ 1,520	0.00%	99.97%
Broome County	NY	\$ 1,500	0.00%	99.97%
Butler County	OH	\$ 1,291	0.00%	99.97%
Poweshiek County	IA	\$ 1,222	0.00%	99.97%
Berkshire County	MA	\$ 1,181	0.00%	99.98%
Grant County	IN	\$ 1,143	0.00%	99.98%
Delaware County	NY	\$ 1,042	0.00%	99.98%
Ada County	ID	\$ 1,039	0.00%	99.98%
Marathon County	WI	\$ 999	0.00%	99.98%
Anoka County	MN	\$ 997	0.00%	99.98%
Dakota County	NE	\$ 994	0.00%	99.98%
Lucas County	OH	\$ 984	0.00%	99.98%
Beaufort County	SC	\$ 975	0.00%	99.99%
Multnomah County	OR	\$ 966	0.00%	99.99%
Harrison County	WV	\$ 940	0.00%	99.99%
Cecil County	MD	\$ 915	0.00%	99.99%
Ulster County	NY	\$ 875	0.00%	99.99%
Yavapai County	AZ	\$ 752	0.00%	99.99%
Crawford County	OH	\$ 740	0.00%	99.99%
Rutherford County	TN	\$ 686	0.00%	99.99%
Ontario County	NY	\$ 658	0.00%	99.99%
Durham County	NC	\$ 555	0.00%	99.99%

Table D-4 (cont.)

Wyandot County	OH	\$ 508	0.00%	99.99%
Cherokee County	GA	\$ 479	0.00%	100.00%
McLennan County	TX	\$ 403	0.00%	100.00%
Boundary County	ID	\$ 398	0.00%	100.00%
Napa County	CA	\$ 389	0.00%	100.00%
Brunswick County	NC	\$ 345	0.00%	100.00%
Erie County	PA	\$ 265	0.00%	100.00%
Wilson County	TX	\$ 249	0.00%	100.00%
Wayne County	OH	\$ 220	0.00%	100.00%
Carroll County	NH	\$ 190	0.00%	100.00%
Union County	AR	\$ 186	0.00%	100.00%
Hamilton County	TN	\$ 183	0.00%	100.00%
Charlottesville city	VA	\$ 180	0.00%	100.00%
Roanoke County	VA	\$ 169	0.00%	100.00%
Merrimack County	NH	\$ 160	0.00%	100.00%
Cumberland County	ME	\$ 148	0.00%	100.00%
Iredell County	NC	\$ 146	0.00%	100.00%
Newport News city	VA	\$ 123	0.00%	100.00%
Clay County	MO	\$ 123	0.00%	100.00%
Jackson County	MI	\$ 121	0.00%	100.00%
Richland County	SC	\$ 121	0.00%	100.00%
Outside of USA		\$ 50,649	0.06%	100.06%

APPENDIX E

Charles County Disparity Study
Disparity Analysis by Awards less than \$50,000
and less than \$500,000

APPENDIX E: Disparity Analysis of Awards Less than \$50,000 and \$500,000

The tables in Appendix E present disparity ratios on Charles County projects by year over the Study Period for awards under \$50,000 (Tables E-1 through E-4) and under \$500,000 (Tables E-5 through E-8). There was disparity for all MWBE groups in all categories. Nonminority Females were underutilized in Goods less than \$50,000, but it was not substantial or statistically significant (Table E-4), Native American owned firms were substantially underutilized in Construction less than \$500,000, but it was not statistically significant (Table E-5).

Table E-1
Disparity Results (<\$50,000), Relevant Market Area

Business Ownership Classification by Fiscal Year, Prime Construction
Using Paid Purchase Orders, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	16.87%	8.13%	207.54	Overtutilization		
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	16.87%	39.13%	43.11	Underutilization	*	
	Nonminority Female	8.35%	5.48%	152.32	Overtutilization		
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	25.22%	45.37%	55.59	Underutilization	*	
2016	TOTAL NON-MWBE	74.78%	54.63%	136.88	Overtutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	4.79%	8.13%	58.97	Underutilization	*	
	Native American	1.59%	1.32%	120.01	Overtutilization		
	TOTAL MINORITY	6.38%	39.13%	16.31	Underutilization	*	
	Nonminority Female	2.32%	5.48%	42.37	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
2017	TOTAL MWBE	8.70%	45.37%	19.19	Underutilization	*	
	TOTAL NON-MWBE	91.30%	54.63%	167.11	Overtutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	3.54%	8.13%	43.58	Underutilization	*	
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	3.54%	39.13%	9.05	Underutilization	*	
	Nonminority Female	2.05%	5.48%	37.45	Underutilization	*	
2018	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	5.60%	45.37%	12.33	Underutilization	*	
	TOTAL NON-MWBE	94.40%	54.63%	172.80	Overtutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	7.83%	8.13%	96.33	Underutilization		
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	7.83%	39.13%	20.01	Underutilization	*	
2019	Nonminority Female	2.83%	5.48%	51.56	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	10.66%	45.37%	23.49	Underutilization	*	
	TOTAL NON-MWBE	89.34%	54.63%	163.54	Overtutilization		
	African American	2.74%	26.65%	10.27	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	5.86%	8.13%	72.07	Underutilization	*	
	Native American	0.00%	1.32%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	8.60%	39.13%	21.97	Underutilization	*	
	Nonminority Female	3.55%	5.48%	64.73	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	12.14%	45.37%	26.77	Underutilization	*	
	TOTAL NON-MWBE	87.86%	54.63%	160.81	Overtutilization		
	African American	0.80%	26.65%	2.99	Underutilization	*	p <.05
	Asian American	0.00%	3.02%	0.00	Underutilization	*	p <.05
	Hispanic American	5.99%	8.13%	73.65	Underutilization	*	p <.05
	Native American	0.32%	1.32%	24.39	Underutilization	*	p <.05
	TOTAL MINORITY	7.11%	39.13%	18.16	Underutilization	*	p <.05
	Nonminority Female	2.91%	5.48%	53.03	Underutilization	*	p <.05
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	p <.05
	TOTAL MWBE	10.01%	45.37%	22.07	Underutilization	*	p <.05
	TOTAL NON-MWBE	89.99%	54.63%	164.72	Overtutilization		0

Table E-2

Disparity Results (<\$50,000), Relevant Market Area

Business Ownership Classification by Fiscal Year, Prime A&E Services

Using Paid Purchase Orders, FY 2015-2019

Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	10.25%	9.35%	109.64	Overutilization		
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	10.25%	29.14%	35.19	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	10.25%	35.97%	28.51	Underutilization	*	
	TOTAL NON-MWBE	89.75%	64.03%	140.16	Overutilization		
2016	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	0.00%	9.35%	0.00	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	0.00%	29.14%	0.00	Underutilization	*	
	Nonminority Female	2.05%	6.12%	33.54	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	2.05%	35.97%	5.70	Underutilization	*	
	TOTAL NON-MWBE	97.95%	64.03%	152.98	Overutilization		
2017	African American	1.94%	15.47%	12.51	Underutilization	*	
	Asian American	1.10%	9.35%	11.73	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	3.03%	29.14%	10.41	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	3.03%	35.97%	8.43	Underutilization	*	
	TOTAL NON-MWBE	96.97%	64.03%	151.44	Overutilization		
2018	African American	3.51%	15.47%	22.67	Underutilization	*	
	Asian American	2.06%	9.35%	22.07	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	5.57%	29.14%	19.12	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	5.57%	35.97%	15.49	Underutilization	*	
	TOTAL NON-MWBE	94.43%	64.03%	147.48	Overutilization		
2019	African American	1.43%	15.47%	9.23	Underutilization	*	
	Asian American	0.00%	9.35%	0.00	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	1.43%	29.14%	4.90	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	1.43%	35.97%	3.97	Underutilization	*	
	TOTAL NON-MWBE	98.57%	64.03%	153.95	Overutilization		
TOTAL	African American	1.74%	15.47%	11.22	Underutilization	*	p < .05
	Asian American	1.18%	9.35%	12.60	Underutilization	*	p < .05
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	p < .05
	Native American	0.00%	1.44%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	2.91%	29.14%	10.00	Underutilization	*	p < .05
	Nonminority Female	0.45%	6.12%	7.41	Underutilization	*	p < .05
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	p < .05
	TOTAL MWBE	3.37%	35.97%	9.36	Underutilization	*	p < .05
	TOTAL NON-MWBE	96.63%	64.03%	150.92	Overutilization		

Table E-3

Disparity Results (<\$50,000), Relevant Market Area

Business Ownership Classification by Fiscal Year, Prime Other Services

Using Paid Purchase Orders, FY 2015-2019

Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	19.13%	0.00	Underutilization	*	
	Asian American	8.13%	2.61%	311.64	Overutilization		
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	8.13%	24.80%	32.78	Underutilization	*	
	Nonminority Female	0.00%	2.38%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.53%	0.00	Underutilization	*	
	TOTAL MWBE	8.13%	27.71%	29.34	Underutilization	*	
	TOTAL NON-MWBE	91.87%	72.29%	127.09	Overutilization		
2016	African American	0.44%	19.13%	2.29	Underutilization	*	
	Asian American	0.00%	2.61%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	0.44%	24.80%	1.76	Underutilization	*	
	Nonminority Female	0.22%	2.38%	9.42	Underutilization	*	
	Unidentified MWBE	0.14%	0.53%	26.66	Underutilization	*	
	TOTAL MWBE	0.80%	27.71%	2.90	Underutilization	*	
	TOTAL NON-MWBE	99.20%	72.29%	137.23	Overutilization		
2017	African American	0.75%	19.13%	3.94	Underutilization	*	
	Asian American	0.26%	2.61%	9.90	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	1.01%	24.80%	4.08	Underutilization	*	
	Nonminority Female	0.44%	2.38%	18.29	Underutilization	*	
	Unidentified MWBE	0.16%	0.53%	30.37	Underutilization	*	
	TOTAL MWBE	1.61%	27.71%	5.80	Underutilization	*	
	TOTAL NON-MWBE	98.39%	72.29%	136.11	Overutilization		
2018	African American	2.07%	19.13%	10.83	Underutilization	*	
	Asian American	0.00%	2.61%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	2.07%	24.80%	8.36	Underutilization	*	
	Nonminority Female	0.11%	2.38%	4.63	Underutilization	*	
	Unidentified MWBE	0.33%	0.53%	62.07	Underutilization	*	
	TOTAL MWBE	2.51%	27.71%	9.06	Underutilization	*	
	TOTAL NON-MWBE	97.49%	72.29%	134.86	Overutilization		
2019	African American	3.85%	19.13%	20.13	Underutilization	*	
	Asian American	1.82%	2.61%	69.79	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	5.67%	24.80%	22.86	Underutilization	*	
	Nonminority Female	1.67%	2.38%	69.99	Underutilization	*	
	Unidentified MWBE	0.45%	0.53%	85.60	Underutilization	*	
	TOTAL MWBE	7.79%	27.71%	28.11	Underutilization	*	
	TOTAL NON-MWBE	92.21%	72.29%	127.56	Overutilization		
TOTAL	African American	1.77%	19.13%	9.23	Underutilization	*	p < .05
	Asian American	0.85%	2.61%	32.42	Underutilization	*	p < .05
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	p < .05
	Native American	0.00%	1.17%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	2.61%	24.80%	10.53	Underutilization	*	p < .05
	Nonminority Female	0.60%	2.38%	25.12	Underutilization	*	p < .05
	Unidentified MWBE	0.27%	0.53%	50.25	Underutilization	*	FALSE
	TOTAL MWBE	3.48%	27.71%	12.54	Underutilization	*	p < .05
	TOTAL NON-MWBE	96.52%	72.29%	133.53	Overutilization		

Table E-4
Disparity Results (<\$50,000), Relevant Market Area
Business Ownership Classification by Fiscal Year, Prime Goods
Using Paid Purchase Orders, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	9.52%	0.00	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.00%	12.39%	0.00	Underutilization	*	
	Nonminority Female	0.71%	1.96%	36.39	Underutilization	*	
	Unidentified M/F	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	0.71%	14.99%	4.75	Underutilization	*	
2016	TOTAL NON-MWBE	99.29%	85.01%	116.80	Overutilization		
	African American	0.00%	9.52%	0.00	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.00%	12.39%	0.00	Underutilization	*	
	Nonminority Female	1.58%	1.96%	80.54	Underutilization		
	Unidentified M/F	0.00%	0.65%	0.00	Underutilization	*	
2017	TOTAL MWBE	1.58%	14.99%	10.50	Underutilization	*	
	TOTAL NON-MV	98.42%	85.01%	115.79	Overutilization		
	African American	0.34%	9.52%	3.62	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.34%	12.39%	2.78	Underutilization	*	
	Nonminority Female	1.30%	1.96%	66.27	Underutilization	*	
2018	Unidentified M/F	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.64%	14.99%	10.94	Underutilization	*	
	TOTAL NON-MV	98.36%	85.01%	115.71	Overutilization		
	African American	0.12%	9.52%	1.29	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.12%	12.39%	0.99	Underutilization	*	
2019	Nonminority Female	1.72%	1.96%	87.87	Underutilization		
	Unidentified M/F	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.84%	14.99%	12.28	Underutilization	*	
	TOTAL NON-MV	98.16%	85.01%	115.47	Overutilization		
	African American	1.56%	9.52%	16.40	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.05%	1.43%	3.76	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	1.61%	12.39%	13.04	Underutilization	*	
	Nonminority Female	2.05%	1.96%	104.58	Overutilization		
	Unidentified M/F	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	3.66%	14.99%	24.41	Underutilization	*	
	TOTAL NON-MV	96.34%	85.01%	113.33	Overutilization		
	African American	0.51%	9.52%	5.35	Underutilization	*	p < .05
	Asian American	0.00%	0.91%	0.00	Underutilization	*	p < .05
	Hispanic American	0.01%	1.43%	0.94	Underutilization	*	p < .05
	Native American	0.00%	0.52%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	0.52%	12.39%	4.22	Underutilization	*	p < .05
	Nonminority Female	1.60%	1.96%	81.87	Underutilization		FALSE
	Unidentified M/F	0.00%	0.65%	0.00	Underutilization	*	p < .05
	TOTAL MWBE	2.12%	14.99%	14.16	Underutilization	*	p < .05
	TOTAL NON-MV	97.88%	85.01%	115.14	Overutilization		

Table E-5
Disparity Results (<\$500,000), Relevant Market Area

Business Ownership Classification by Fiscal Year, Prime Construction
Using Paid Purchase Orders, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	3.52%	8.13%	43.35	Underutilization	*	
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	3.52%	39.13%	9.01	Underutilization	*	
	Nonminority Female	1.74%	5.48%	31.82	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	5.27%	45.37%	11.61	Underutilization	*	
2016	TOTAL NON-MWBE	94.73%	54.63%	173.40	Overutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	6.23%	8.13%	76.60	Underutilization	*	
	Native American	4.98%	1.32%	376.55	Overutilization		
	TOTAL MINORITY	11.21%	39.13%	28.65	Underutilization	*	
	Nonminority Female	1.20%	5.48%	21.88	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
2017	TOTAL MWBE	12.41%	45.37%	27.35	Underutilization	*	
	TOTAL NON-MWBE	87.59%	54.63%	160.33	Overutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	3.59%	8.13%	44.19	Underutilization	*	
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	3.59%	39.13%	9.18	Underutilization	*	
	Nonminority Female	0.78%	5.48%	14.21	Underutilization	*	
2018	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	4.37%	45.37%	9.63	Underutilization	*	
	TOTAL NON-MWBE	95.63%	54.63%	175.04	Overutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	9.40%	8.13%	115.65	Overutilization		
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	9.40%	39.13%	24.02	Underutilization	*	
2019	Nonminority Female	1.23%	5.48%	22.36	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	10.63%	45.37%	23.42	Underutilization	*	
	TOTAL NON-MWBE	89.37%	54.63%	163.59	Overutilization		
	African American	1.15%	26.65%	4.30	Underutilization	*	
	Asian American	0.00%	3.02%	0.00	Underutilization	*	
	Hispanic American	7.17%	8.13%	88.18	Underutilization		
	Native American	0.00%	1.32%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	8.31%	39.13%	21.24	Underutilization	*	
	Nonminority Female	2.33%	5.48%	42.59	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	10.65%	45.37%	23.47	Underutilization	*	
	TOTAL NON-MWBE	89.35%	54.63%	163.55	Overutilization		
	African American	0.33%	26.65%	1.26	Underutilization	*	p <.05
	Asian American	0.00%	3.02%	0.00	Underutilization	*	p <.05
	Hispanic American	6.65%	8.13%	81.86	Underutilization		p <.05
	Native American	0.82%	1.32%	62.29	Underutilization	*	
	TOTAL MINORITY	7.81%	39.13%	19.97	Underutilization	*	p <.05
	Nonminority Female	1.47%	5.48%	26.82	Underutilization	*	p <.05
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	p <.05
	TOTAL MWBE	9.28%	45.37%	20.46	Underutilization	*	p <.05
	TOTAL NON-MWBE	90.72%	54.63%	166.05	Overutilization		0

Table E-6
Disparity Results (<\$500,000), Relevant Market Area

Business Ownership Classification by Fiscal Year, Prime A&E Services
Using Paid Purchase Orders, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	3.13%	9.35%	33.46	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	3.13%	29.14%	10.74	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	3.13%	35.97%	8.70	Underutilization	*	
2016	TOTAL NON-MWBE	96.87%	64.03%	151.29	Overutilization		
	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	0.00%	9.35%	0.00	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	0.00%	29.14%	0.00	Underutilization	*	
	Nonminority Female	0.51%	6.12%	8.38	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
2017	TOTAL MWBE	0.51%	35.97%	1.42	Underutilization	*	
	TOTAL NON-MWBE	99.49%	64.03%	155.38	Overutilization		
	African American	4.78%	15.47%	30.92	Underutilization	*	
	Asian American	0.30%	9.35%	3.25	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	5.09%	29.14%	17.46	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
2018	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	5.09%	35.97%	14.14	Underutilization	*	
	TOTAL NON-MWBE	94.91%	64.03%	148.24	Overutilization		
	African American	7.67%	15.47%	49.56	Underutilization	*	
	Asian American	6.77%	9.35%	72.39	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	14.44%	29.14%	49.54	Underutilization	*	
2019	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	14.44%	35.97%	40.13	Underutilization	*	
	TOTAL NON-MWBE	85.56%	64.03%	133.64	Overutilization		
	African American	3.78%	15.47%	24.44	Underutilization	*	
	Asian American	4.86%	9.35%	51.92	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	8.64%	29.14%	29.64	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	8.64%	35.97%	24.01	Underutilization	*	
	TOTAL NON-MWBE	91.36%	64.03%	142.69	Overutilization		
	African American	3.73%	15.47%	24.10	Underutilization	*	p < .05
	Asian American	2.54%	9.35%	27.20	Underutilization	*	p < .05
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	p < .05
	Native American	0.00%	1.44%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	6.27%	29.14%	21.52	Underutilization	*	p < .05
	Nonminority Female	0.14%	6.12%	2.22	Underutilization	*	p < .05
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	p < .05
	TOTAL MWBE	6.41%	35.97%	17.81	Underutilization	*	p < .05
	TOTAL NON-MWBE	93.59%	64.03%	146.17	Overutilization		

Table E-7
Disparity Results (<\$500,000), Relevant Market Area
Business Ownership Classification by Fiscal Year, Prime Other Services
Using Paid Purchase Orders, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	4.78%	19.13%	25.00	Underutilization	*	
	Asian American	1.68%	2.61%	64.59	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	6.47%	24.80%	26.08	Underutilization	*	
	Nonminority Female	0.00%	2.38%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.53%	0.00	Underutilization	*	
	TOTAL MWBE	6.47%	27.71%	23.34	Underutilization	*	
2016	TOTAL NON-MWBE	93.53%	72.29%	129.39	Overutilization		
	African American	0.19%	19.13%	0.98	Underutilization	*	
	Asian American	0.99%	2.61%	37.91	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	1.18%	24.80%	4.75	Underutilization	*	
	Nonminority Female	2.31%	2.38%	97.00	Underutilization		
	Unidentified MWBE	0.06%	0.53%	11.48	Underutilization	*	
2017	TOTAL MWBE	3.55%	27.71%	12.80	Underutilization	*	
	TOTAL NON-MWBE	96.45%	72.29%	133.43	Overutilization		
	African American	0.27%	19.13%	1.41	Underutilization	*	
	Asian American	2.45%	2.61%	93.85	Underutilization		
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	2.72%	24.80%	10.96	Underutilization	*	
	Nonminority Female	0.16%	2.38%	6.53	Underutilization	*	
2018	Unidentified MWBE	0.06%	0.53%	10.85	Underutilization	*	
	TOTAL MWBE	2.93%	27.71%	10.57	Underutilization	*	
	TOTAL NON-MWBE	97.07%	72.29%	134.28	Overutilization		
	African American	0.81%	19.13%	4.24	Underutilization	*	
	Asian American	0.98%	2.61%	37.49	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	1.79%	24.80%	7.21	Underutilization	*	
2019	Nonminority Female	0.04%	2.38%	1.81	Underutilization	*	
	Unidentified MWBE	0.13%	0.53%	24.28	Underutilization	*	
	TOTAL MWBE	1.96%	27.71%	7.07	Underutilization	*	
	TOTAL NON-MWBE	98.04%	72.29%	135.62	Overutilization		
	African American	1.42%	19.13%	7.40	Underutilization	*	
	Asian American	1.68%	2.61%	64.21	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	3.09%	24.80%	12.46	Underutilization	*	
	Nonminority Female	0.61%	2.38%	25.74	Underutilization	*	
	Unidentified MWBE	0.17%	0.53%	31.49	Underutilization	*	
	TOTAL MWBE	3.87%	27.71%	13.97	Underutilization	*	
	TOTAL NON-MWBE	96.13%	72.29%	132.98	Overutilization		
	African American	1.00%	19.13%	5.25	Underutilization	*	p < .05
	Asian American	1.54%	2.61%	58.91	Underutilization	*	p < .05
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	p < .05
	Native American	0.00%	1.17%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	2.54%	24.80%	10.25	Underutilization	*	p < .05
	Nonminority Female	0.69%	2.38%	28.81	Underutilization	*	p < .05
	Unidentified MWBE	0.10%	0.53%	18.72	Underutilization	*	p < .05
	TOTAL MWBE	3.33%	27.71%	12.00	Underutilization	*	p < .05
	TOTAL NON-MWBE	96.67%	72.29%	133.73	Overutilization		

Table E-8
Disparity Results (<\$500,000), Relevant Market Area
Business Ownership Classification by Fiscal Year, Prime Goods
Using Paid Purchase Orders, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	9.52%	0.00	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.00%	12.39%	0.00	Underutilization	*	
	Nonminority Female	0.22%	1.96%	11.43	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	0.22%	14.99%	1.49	Underutilization	*	
	TOTAL NON-MWBE	99.78%	85.01%	117.38	Overutilization		
2016	African American	0.00%	9.52%	0.00	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.00%	12.39%	0.00	Underutilization	*	
	Nonminority Female	0.89%	1.96%	45.51	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	0.89%	14.99%	5.94	Underutilization	*	
	TOTAL NON-MWBE	99.11%	85.01%	116.59	Overutilization		
2017	African American	0.22%	9.52%	2.34	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.22%	12.39%	1.79	Underutilization	*	
	Nonminority Female	0.84%	1.96%	42.78	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.06%	14.99%	7.06	Underutilization	*	
	TOTAL NON-MWBE	98.94%	85.01%	116.39	Overutilization		
2018	African American	0.06%	9.52%	0.66	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.06%	12.39%	0.51	Underutilization	*	
	Nonminority Female	0.89%	1.96%	45.34	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	0.95%	14.99%	6.34	Underutilization	*	
	TOTAL NON-MWBE	99.05%	85.01%	116.52	Overutilization		
2019	African American	0.61%	9.52%	6.45	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.02%	1.43%	1.48	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.64%	12.39%	5.13	Underutilization	*	
	Nonminority Female	2.16%	1.96%	110.28	Overutilization		
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	2.79%	14.99%	18.62	Underutilization	*	
	TOTAL NON-MWBE	97.21%	85.01%	114.35	Overutilization		
TOTAL	African American	0.25%	9.52%	2.63	Underutilization	*	p < .05
	Asian American	0.00%	0.91%	0.00	Underutilization	*	p < .05
	Hispanic American	0.01%	1.43%	0.46	Underutilization	*	p < .05
	Native American	0.00%	0.52%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	0.26%	12.39%	2.07	Underutilization	*	p < .05
	Nonminority Female	1.21%	1.96%	61.82	Underutilization	*	p < .05
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	p < .05
	TOTAL MWBE	1.47%	14.99%	9.78	Underutilization	*	p < .05
	TOTAL NON-MWBE	98.53%	85.01%	115.91	Overutilization		

APPENDIX F

Charles County Disparity Study
Detailed Availability Estimates

APPENDIX F: Detailed Availability Estimates

Tables F-1 through F-4 presents numbers on MWBE availability corresponding to the availability percentages in Figures 1-4 in the Quantitative Analysis chapter. The availability methodology for creating the Master Vendor table for these availability tables is contained in the Quantitative Analysis chapter.

Table F-1
Availability of Firms by Business Ownership in Market Area
Construction - Custom Census
Charles County Disparity Study

Ethnicity of Vendor	Number of Firms	Percentage of Firms
African American	141	26.65%
Asian American	16	3.02%
Hispanic American	43	8.13%
Native American	7	1.32%
TOTAL MINORITY	207	39.13%
Nonminority Female	29	5.48%
Unidentified MWBE	4	0.76%
TOTAL MWBE	240	45.37%
TOTAL Non-MWBE	289	54.63%
TOTAL	529	100.00%
Griffin & Strong, P.C. 2021		

Table F-2
Availability of Firms by Business Ownership in Market Area
Professional Services - Custom Census
Charles County Disparity Study

Ethnicity of Vendor	Number of Firms	Percentage of Firms
African American	43	15.47%
Asian American	26	9.35%
Hispanic American	8	2.88%
Native American	4	1.44%
TOTAL MINORITY	81	29.14%
Nonminority Female	17	6.12%
Unidentified MWBE	2	0.72%
TOTAL MWBE	100	35.97%
TOTAL Non-MWBE	178	64.03%
TOTAL	278	100.00%
Griffin & Strong, P.C. 2021		

Table F-3
Availability of Firms by Business Ownership in Market Area
Prime Data, Other Services - Custom Census
Charles County Disparity Study

Ethnicity of Vendor	Number of Firms	Percentage of Firms
African American	506	19.13%
Asian American	69	2.61%
Hispanic American	50	1.89%
Native American	31	1.17%
TOTAL MINORITY	656	24.80%
Nonminority Female	63	2.38%
Unidentified MWBE	14	0.53%
TOTAL MWBE	733	27.71%
TOTAL Non-MWBE	1912	72.29%
TOTAL	2645	100.00%
Griffin & Strong, P.C. 2021		

Table F-4
Availability of Firms by Business Ownership in Market Area
Construction - Master Vendor List
Charles County Disparity Study

Ethnicity of Vendor	Number of Firms	Percentage of Firms
African American	73	9.52%
Asian American	7	0.91%
Hispanic American	11	1.43%
Native American	4	0.52%
TOTAL MINORITY	95	12.39%
Nonminority Female	15	1.96%
Unidentified MWBE	5	0.65%
TOTAL MWBE	115	14.99%
TOTAL Non-MWBE	652	85.01%
TOTAL	767	100.00%
Griffin & Strong, P.C. 2021		

APPENDIX G

Charles County Disparity Study
Detailed Disparity Using all Dollars

APPENDIX G: Detailed Disparity Using all Dollars

The tables in Appendix G (Tables G-1 through G-8) presents disparity ratios on Charles County projects by year over the Study Period.

Based on the Master Vendor File there was underutilization in prime contracts for all MWBEs groups except Asian Americans in Construction (Tables G-1 and G-5). Nonminority females were underutilized in Goods (Tables G-4 and G-8), but it was not statistically or substantially significant. Native Americans were substantially underutilized in Construction, but it was not statistically significant.

Table G-1
Disparity Results, Relevant Market Area,
Business Ownership Classification by Fiscal Year, Prime Construction
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.05%	26.65%	0.18	Underutilization	*	
	Asian American	0.63%	3.02%	20.67	Underutilization	*	
	Hispanic American	5.46%	8.13%	67.14	Underutilization	*	
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	6.13%	39.13%	15.67	Underutilization	*	
	Nonminority Female	0.49%	5.48%	8.88	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	6.62%	45.37%	14.59	Underutilization	*	
2016	TOTAL NON-MWBE	93.38%	54.63%	170.93	Overutilization		
	African American	0.05%	26.65%	0.18	Underutilization	*	
	Asian American	1.02%	3.02%	33.85	Underutilization	*	
	Hispanic American	5.89%	8.13%	72.47	Underutilization	*	
	Native American	0.75%	1.32%	56.84	Underutilization	*	
	TOTAL MINORITY	7.72%	39.13%	19.72	Underutilization	*	
	Nonminority Female	0.78%	5.48%	14.18	Underutilization	*	
	TOTAL MWBE	8.49%	45.37%	18.72	Underutilization	*	
2017	TOTAL NON-MWBE	91.51%	54.63%	167.50	Overutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	12.39%	3.02%	409.74	Overutilization		
	Hispanic American	3.44%	8.13%	42.34	Underutilization	*	
	Native American	0.89%	1.32%	67.22	Underutilization	*	
	TOTAL MINORITY	16.72%	39.13%	42.74	Underutilization	*	
	Nonminority Female	0.30%	5.48%	5.44	Underutilization	*	
	TOTAL MWBE	17.02%	45.37%	37.52	Underutilization	*	
2018	TOTAL NON-MWBE	82.98%	54.63%	151.89	Overutilization		
	African American	0.00%	26.65%	0.00	Underutilization	*	
	Asian American	8.81%	3.02%	291.12	Overutilization		
	Hispanic American	1.93%	8.13%	23.76	Underutilization	*	
	Native American	0.68%	1.32%	51.66	Underutilization	*	
	TOTAL MINORITY	11.42%	39.13%	29.18	Underutilization	*	
	Nonminority Female	3.00%	5.48%	54.70	Underutilization	*	
	TOTAL MWBE	14.42%	45.37%	31.78	Underutilization	*	
2019	TOTAL NON-MWBE	85.58%	54.63%	156.65	Overutilization		
	African American	0.15%	26.65%	0.58	Underutilization	*	
	Asian American	1.36%	3.02%	45.13	Underutilization	*	
	Hispanic American	2.45%	8.13%	30.09	Underutilization	*	
	Native American	1.33%	1.32%	100.59	Overutilization		
	TOTAL MINORITY	5.30%	39.13%	13.53	Underutilization	*	
	Nonminority Female	7.15%	5.48%	130.36	Overutilization		
	TOTAL MWBE	12.44%	45.37%	27.43	Underutilization	*	
TOTAL	TOTAL NON-MWBE	87.56%	54.63%	160.27	Overutilization		
	African American	0.06%	26.65%	0.23	Underutilization	*	<i>p <.05</i>
	Asian American	4.81%	3.02%	159.02	Overutilization		0
	Hispanic American	3.39%	8.13%	41.74	Underutilization	*	<i>p <.05</i>
	Native American	0.84%	1.32%	63.17	Underutilization	*	
	TOTAL MINORITY	9.10%	39.13%	23.26	Underutilization	*	<i>p <.05</i>
	Nonminority Female	3.20%	5.48%	58.36	Underutilization	*	<i>p <.05</i>
	TOTAL MWBE	12.30%	45.37%	27.11	Underutilization	*	<i>p <.05</i>
	TOTAL NON-MWBE	87.70%	54.63%	160.53	Overutilization		

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Table G-2
Disparity Results, Relevant Market Area, Custom Census
Business Ownership Classification by Fiscal Year, Prime A&E
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	0.36%	9.35%	3.82	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	0.36%	29.14%	1.23	Underutilization	*	
	Nonminority Female	0.15%	6.12%	2.41	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	0.51%	35.97%	1.40	Underutilization	*	
	TOTAL NON-MWBE	99.49%	64.03%	155.39	Overutilization		
2016	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	0.17%	9.35%	1.77	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	0.17%	29.14%	0.57	Underutilization	*	
	Nonminority Female	0.24%	6.12%	3.97	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	0.41%	35.97%	1.14	Underutilization	*	
	TOTAL NON-MWBE	99.59%	64.03%	155.54	Overutilization		
2017	African American	1.68%	15.47%	10.87	Underutilization	*	
	Asian American	7.30%	9.35%	78.07	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	8.98%	29.14%	30.83	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	8.98%	35.97%	24.97	Underutilization	*	
	TOTAL NON-MWBE	91.02%	64.03%	142.15	Overutilization		
2018	African American	4.99%	15.47%	32.24	Underutilization	*	
	Asian American	1.74%	9.35%	18.55	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	6.72%	29.14%	23.07	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	6.72%	35.97%	18.69	Underutilization	*	
	TOTAL NON-MWBE	93.28%	64.03%	145.68	Overutilization		
2019	African American	1.02%	15.47%	6.59	Underutilization	*	
	Asian American	3.07%	9.35%	32.87	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	4.09%	29.14%	14.05	Underutilization	*	
	Nonminority Female	0.00%	6.12%	0.00	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	4.09%	35.97%	11.38	Underutilization	*	
	TOTAL NON-MWBE	95.91%	64.03%	149.79	Overutilization		
TOTAL	African American	1.46%	15.47%	9.46	Underutilization	*	p < .05
	Asian American	2.62%	9.35%	28.06	Underutilization	*	p < .05
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	p < .05
	Native American	0.00%	1.44%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	4.09%	29.14%	14.03	Underutilization	*	p < .05
	Nonminority Female	0.07%	6.12%	1.17	Underutilization	*	p < .05
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	4.16%	35.97%	11.56	Underutilization	*	p < .05
	TOTAL NON-MWBE	95.84%	64.03%	149.68	Overutilization		

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Table G-3
Disparity Results, Relevant Market Area
Business Ownership Classification by Fiscal Year, Prime Other Services
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	2.94%	19.13%	15.37	Underutilization	*	
	Asian American	0.84%	2.61%	32.06	Underutilization	*	
	Hispanic American	0.02%	1.89%	1.03	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	3.80%	24.80%	15.31	Underutilization	*	
	Nonminority Female	0.08%	2.38%	3.54	Underutilization	*	
	Unidentified MWBE	0.00%	0.53%	0.00	Underutilization	*	
	TOTAL MWBE	3.88%	27.71%	14.00	Underutilization	*	
2016	TOTAL NON-MWBE	96.12%	72.29%	132.97	Overutilization		
	African American	3.54%	19.13%	18.48	Underutilization	*	
	Asian American	0.43%	2.61%	16.32	Underutilization	*	
	Hispanic American	0.01%	1.89%	0.51	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	3.97%	24.80%	16.01	Underutilization	*	
	Nonminority Female	0.08%	2.38%	3.24	Underutilization	*	
	Unidentified MWBE	0.01%	0.53%	1.08	Underutilization	*	
2017	TOTAL MWBE	4.05%	27.71%	14.63	Underutilization	*	
	TOTAL NON-MWBE	95.95%	72.29%	132.73	Overutilization		
	African American	3.15%	19.13%	16.49	Underutilization	*	
	Asian American	0.46%	2.61%	17.80	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	3.62%	24.80%	14.59	Underutilization	*	
	Nonminority Female	1.54%	2.38%	64.48	Underutilization	*	
2018	Unidentified MWBE	0.01%	0.53%	1.57	Underutilization	*	
	TOTAL MWBE	5.16%	27.71%	18.63	Underutilization	*	
	TOTAL NON-MWBE	94.84%	72.29%	131.19	Overutilization		
	African American	3.39%	19.13%	17.70	Underutilization	*	
	Asian American	1.85%	2.61%	70.91	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	5.24%	24.80%	21.11	Underutilization	*	
2019	Nonminority Female	4.60%	2.38%	193.00	Overutilization		
	Unidentified MWBE	0.02%	0.53%	3.12	Underutilization	*	
	TOTAL MWBE	9.85%	27.71%	35.54	Underutilization	*	
	TOTAL NON-MWBE	90.15%	72.29%	124.71	Overutilization		
	African American	6.65%	19.13%	34.74	Underutilization	*	
	Asian American	0.78%	2.61%	29.79	Underutilization	*	
	Hispanic American	0.09%	1.89%	4.68	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	7.51%	24.80%	30.28	Underutilization	*	
	Nonminority Female	2.12%	2.38%	88.80	Underutilization		
	Unidentified MWBE	0.03%	0.53%	5.89	Underutilization	*	
	TOTAL MWBE	9.66%	27.71%	34.85	Underutilization	*	
	TOTAL NON-MWBE	90.34%	72.29%	124.98	Overutilization		
	African American	3.85%	19.13%	20.12	Underutilization	*	p < .05
	Asian American	0.88%	2.61%	33.71	Underutilization	*	p < .05
	Hispanic American	0.02%	1.89%	1.14	Underutilization	*	p < .05
	Native American	0.00%	1.17%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	4.75%	24.80%	19.16	Underutilization	*	p < .05
	Nonminority Female	1.69%	2.38%	71.12	Underutilization	*	FALSE
	Unidentified MWBE	0.01%	0.53%	2.24	Underutilization	*	p < .05
	TOTAL MWBE	6.46%	27.71%	23.30	Underutilization	*	p < .05
	TOTAL NON-MWBE	93.54%	72.29%	129.40	Overutilization		

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Table G-4
Disparity Results, Relevant Market Area, Custom Census
Business Ownership Classification by Fiscal Year, Goods
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.02%	9.52%	0.16	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.06%	1.43%	4.23	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.08%	12.39%	0.62	Underutilization	*	
	Nonminority Female	1.84%	1.96%	93.91	Underutilization		
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.91%	14.99%	12.76	Underutilization	*	
2016	TOTAL NON-MWBE	98.09%	85.01%	115.39	Overutilization		
	African American	0.01%	9.52%	0.13	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.01%	12.39%	0.10	Underutilization	*	
	Nonminority Female	1.48%	1.96%	75.53	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
2017	TOTAL MWBE	1.49%	14.99%	9.94	Underutilization	*	
	TOTAL NON-MWBE	98.51%	85.01%	115.89	Overutilization		
	African American	0.14%	9.52%	1.47	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.14%	12.39%	1.13	Underutilization	*	
	Nonminority Female	3.14%	1.96%	160.51	Overutilization		
2018	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	3.28%	14.99%	21.87	Underutilization	*	
	TOTAL NON-MWBE	96.72%	85.01%	113.78	Overutilization		
	African American	0.21%	9.52%	2.23	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.02%	1.43%	1.10	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.23%	12.39%	1.84	Underutilization	*	
2019	Nonminority Female	1.31%	1.96%	67.05	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.54%	14.99%	10.26	Underutilization	*	
	TOTAL NON-MWBE	98.46%	85.01%	115.83	Overutilization		
	African American	0.42%	9.52%	4.42	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.03%	1.43%	2.18	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	0.45%	12.39%	3.65	Underutilization	*	
	Nonminority Female	1.09%	1.96%	55.94	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.55%	14.99%	10.31	Underutilization	*	
	TOTAL NON-MWBE	98.45%	85.01%	115.82	Overutilization		
	African American	0.16%	9.52%	1.64	Underutilization	*	p < .05
	Asian American	0.00%	0.91%	0.00	Underutilization	*	p < .05
	Hispanic American	0.02%	1.43%	1.38	Underutilization	*	p < .05
	Native American	0.00%	0.52%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	0.18%	12.39%	1.42	Underutilization	*	p < .05
	Nonminority Female	1.75%	1.96%	89.46	Underutilization		FALSE
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	p < .05
	TOTAL MWBE	1.93%	14.99%	12.84	Underutilization	*	p < .05
	TOTAL NON-MWBE	98.07%	85.01%	115.37	Overutilization		

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Table G-5
Disparity Results, Relevant Market Area,
Business Ownership Classification by Fiscal Year, Construction Total Utilization
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.05%	26.65%	0.18	Underutilization	*	
	Asian American	0.63%	3.02%	20.67	Underutilization	*	
	Hispanic American	6.18%	8.13%	76.02	Underutilization	*	
	Native American	0.00%	1.32%	0.00	Underutilization	*	
	TOTAL MINORITY	6.85%	39.13%	17.51	Underutilization	*	
	Nonminority Female	0.49%	5.48%	8.88	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	7.34%	45.37%	16.18	Underutilization	*	
2016	TOTAL NON-MWBE	92.66%	54.63%	169.61	Overutilization		
	African American	0.05%	26.65%	0.18	Underutilization	*	
	Asian American	0.98%	3.02%	32.45	Underutilization	*	
	Hispanic American	6.87%	8.13%	84.54	Underutilization		
	Native American	0.75%	1.32%	56.84	Underutilization	*	
	TOTAL MINORITY	8.65%	39.13%	22.12	Underutilization	*	
	Nonminority Female	0.95%	5.48%	17.42	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
2017	TOTAL MWBE	9.61%	45.37%	21.18	Underutilization	*	
	TOTAL NON-MWBE	90.39%	54.63%	165.46	Overutilization		
	African American	0.54%	26.65%	2.04	Underutilization	*	
	Asian American	11.54%	3.02%	381.43	Overutilization		
	Hispanic American	4.18%	8.13%	51.46	Underutilization	*	
	Native American	0.89%	1.32%	67.22	Underutilization	*	
	TOTAL MINORITY	17.15%	39.13%	43.84	Underutilization	*	
	Nonminority Female	0.82%	5.48%	14.93	Underutilization	*	
2018	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	17.97%	45.37%	39.61	Underutilization	*	
	TOTAL NON-MWBE	82.03%	54.63%	150.15	Overutilization		
	African American	0.49%	26.65%	1.85	Underutilization	*	
	Asian American	7.71%	3.02%	255.05	Overutilization		
	Hispanic American	3.51%	8.13%	43.16	Underutilization	*	
	Native American	0.68%	1.32%	51.66	Underutilization	*	
	TOTAL MINORITY	12.40%	39.13%	31.69	Underutilization	*	
2019	Nonminority Female	3.19%	5.48%	58.21	Underutilization	*	
	Unidentified MWBE	0.00%	0.76%	0.00	Underutilization	*	
	TOTAL MWBE	15.59%	45.37%	34.36	Underutilization	*	
	TOTAL NON-MWBE	84.41%	54.63%	154.51	Overutilization		
	African American	0.23%	26.65%	0.86	Underutilization	*	
	Asian American	1.20%	3.02%	39.82	Underutilization	*	
	Hispanic American	2.66%	8.13%	32.72	Underutilization	*	
	Native American	1.33%	1.32%	100.59	Overutilization		
TOTAL	TOTAL MINORITY	5.43%	39.13%	13.87	Underutilization	*	
	Nonminority Female	7.45%	5.48%	135.85	Overutilization		
	Unidentified MWBE	0.02%	0.76%	2.53	Underutilization	*	
	TOTAL MWBE	12.89%	45.37%	28.42	Underutilization	*	
	TOTAL NON-MWBE	87.11%	54.63%	159.45	Overutilization		
	African American	0.29%	26.65%	1.10	Underutilization	*	p <.05
	Asian American	4.35%	3.02%	143.89	Overutilization	0	
	Hispanic American	4.20%	8.13%	51.63	Underutilization	*	p <.05
	Native American	0.84%	1.32%	63.17	Underutilization	*	
	TOTAL MINORITY	9.68%	39.13%	24.73	Underutilization	*	p <.05
	Nonminority Female	3.45%	5.48%	62.97	Underutilization	*	p <.05
	Unidentified MWBE	0.01%	0.76%	0.80	Underutilization	*	p <.05
	TOTAL MWBE	13.14%	45.37%	28.95	Underutilization	*	p <.05
	TOTAL NON-MWBE	86.86%	54.63%	159.00	Overutilization		

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Table G-6
Disparity Results, Relevant Market Area, Master Vendor List
Business Ownership Classification by Fiscal Year, A&E Total Utilization
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	0.36%	9.35%	3.82	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	0.36%	29.14%	1.23	Underutilization	*	
	Nonminority Female	0.15%	6.12%	2.41	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	0.51%	35.97%	1.40	Underutilization	*	
2016	TOTAL NON-MWBE	99.49%	64.03%	155.39	Overutilization		
	African American	0.00%	15.47%	0.00	Underutilization	*	
	Asian American	0.17%	9.35%	1.77	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	0.17%	29.14%	0.57	Underutilization	*	
	Nonminority Female	0.24%	6.12%	3.97	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
2017	TOTAL MWBE	0.41%	35.97%	1.14	Underutilization	*	
	TOTAL NON-MWBE	99.59%	64.03%	155.54	Overutilization		
	African American	1.68%	15.47%	10.87	Underutilization	*	
	Asian American	7.38%	9.35%	78.95	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	9.07%	29.14%	31.11	Underutilization	*	
	Nonminority Female	0.04%	6.12%	0.66	Underutilization	*	
2018	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	9.11%	35.97%	25.31	Underutilization	*	
	TOTAL NON-MWBE	90.89%	64.03%	141.96	Overutilization		
	African American	4.92%	15.47%	31.78	Underutilization	*	
	Asian American	2.30%	9.35%	24.57	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
	TOTAL MINORITY	7.21%	29.14%	24.76	Underutilization	*	
2019	Nonminority Female	0.15%	6.12%	2.40	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	7.36%	35.97%	20.46	Underutilization	*	
	TOTAL NON-MWBE	92.64%	64.03%	144.68	Overutilization		
	African American	0.99%	15.47%	6.38	Underutilization	*	
	Asian American	3.26%	9.35%	34.90	Underutilization	*	
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	
	Native American	0.00%	1.44%	0.00	Underutilization	*	
TOTAL	TOTAL MINORITY	4.25%	29.14%	14.59	Underutilization	*	
	Nonminority Female	0.13%	6.12%	2.10	Underutilization	*	
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	4.38%	35.97%	12.17	Underutilization	*	
	TOTAL NON-MWBE	95.62%	64.03%	149.34	Overutilization		
	African American	1.44%	15.47%	9.33	Underutilization	*	p < .05
	Asian American	2.79%	9.35%	29.80	Underutilization	*	p < .05
	Hispanic American	0.00%	2.88%	0.00	Underutilization	*	p < .05
	Native American	0.00%	1.44%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	4.23%	29.14%	14.52	Underutilization	*	p < .05
	Nonminority Female	0.14%	6.12%	2.25	Underutilization	*	p < .05
	Unidentified MWBE	0.00%	0.72%	0.00	Underutilization	*	
	TOTAL MWBE	4.37%	35.97%	12.14	Underutilization	*	p < .05
	TOTAL NON-MWBE	95.63%	64.03%	149.36	Overutilization		
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Table G-7
Disparity Results, Relevant Market Area,
Business Ownership Classification by Fiscal Year, Other Services, Total Utilization
Using Payment Dollars, FY 2015-2019

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	2.94%	19.13%	15.37	Underutilization	*	
	Asian American	0.84%	2.61%	32.06	Underutilization	*	
	Hispanic American	0.02%	1.89%	1.03	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	3.80%	24.80%	15.31	Underutilization	*	
	Nonminority Female	0.08%	2.38%	3.54	Underutilization	*	
	Unidentified MWBE	0.00%	0.53%	0.00	Underutilization	*	
	TOTAL MWBE	3.88%	27.71%	14.00	Underutilization	*	
	TOTAL NON-MWBE	96.12%	72.29%	132.97	Overutilization		
2016	African American	3.54%	19.13%	18.48	Underutilization	*	
	Asian American	0.43%	2.61%	16.32	Underutilization	*	
	Hispanic American	0.01%	1.89%	0.51	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	3.97%	24.80%	16.01	Underutilization	*	
	Nonminority Female	0.13%	2.38%	5.38	Underutilization	*	
	Unidentified MWBE	0.01%	0.53%	1.08	Underutilization	*	
	TOTAL MWBE	4.10%	27.71%	14.81	Underutilization	*	
	TOTAL NON-MWBE	95.90%	72.29%	132.66	Overutilization		
2017	African American	3.19%	19.13%	16.69	Underutilization	*	
	Asian American	0.46%	2.61%	17.80	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	3.66%	24.80%	14.75	Underutilization	*	
	Nonminority Female	1.54%	2.38%	64.52	Underutilization	*	
	Unidentified MWBE	0.01%	0.53%	1.57	Underutilization	*	
	TOTAL MWBE	5.20%	27.71%	18.77	Underutilization	*	
	TOTAL NON-MWBE	94.80%	72.29%	131.14	Overutilization		
2018	African American	3.49%	19.13%	18.25	Underutilization	*	
	Asian American	1.85%	2.61%	70.91	Underutilization	*	
	Hispanic American	0.00%	1.89%	0.00	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	5.34%	24.80%	21.54	Underutilization	*	
	Nonminority Female	4.60%	2.38%	193.00	Overutilization		
	Unidentified MWBE	0.02%	0.53%	3.12	Underutilization	*	
	TOTAL MWBE	9.96%	27.71%	35.92	Underutilization	*	
	TOTAL NON-MWBE	90.04%	72.29%	124.56	Overutilization		
2019	African American	6.70%	19.13%	35.03	Underutilization	*	
	Asian American	0.83%	2.61%	31.71	Underutilization	*	
	Hispanic American	0.09%	1.89%	4.68	Underutilization	*	
	Native American	0.00%	1.17%	0.00	Underutilization	*	
	TOTAL MINORITY	7.62%	24.80%	30.71	Underutilization	*	
	Nonminority Female	2.12%	2.38%	88.82	Underutilization		
	Unidentified MWBE	0.03%	0.53%	5.89	Underutilization	*	
	TOTAL MWBE	9.76%	27.71%	35.23	Underutilization	*	
	TOTAL NON-MWBE	90.24%	72.29%	124.83	Overutilization		
TOTAL	African American	3.89%	19.13%	20.34	Underutilization	*	$p < .05$
	Asian American	0.89%	2.61%	34.05	Underutilization	*	$p < .05$
	Hispanic American	0.02%	1.89%	1.14	Underutilization	*	$p < .05$
	Native American	0.00%	1.17%	0.00	Underutilization	*	$p < .05$
	TOTAL MINORITY	4.80%	24.80%	19.35	Underutilization	*	$p < .05$
	Nonminority Female	1.70%	2.38%	71.54	Underutilization	*	FALSE
	Unidentified MWBE	0.01%	0.53%	2.24	Underutilization	*	$p < .05$
	TOTAL MWBE	6.52%	27.71%	23.51	Underutilization	*	$p < .05$
	TOTAL NON-MWBE	93.48%	72.29%	129.32	Overutilization		

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Table G-8
Disparity Results, Relevant Market Area
Business Ownership Classification by Fiscal Year, Goods Total Utilization
Using Payment Dollars, FY 2015-2019
Charles County Disparity Study

Fiscal Year	Business Ownership	Percent of Dollars	Percent of Available Firms	Disparity Index	Disparate Impact of Utilization	Less than 80%	Statistical Significance
2015	African American	0.02%	9.52%	0.16	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.06%	1.43%	4.23	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.08%	12.39%	0.62	Underutilization	*	
	Nonminority Female	1.84%	1.96%	93.91	Underutilization		
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.91%	14.99%	12.76	Underutilization	*	
	TOTAL NON-MWBE	98.09%	85.01%	115.39	Overutilization		
2016	African American	0.01%	9.52%	0.13	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.01%	12.39%	0.10	Underutilization	*	
	Nonminority Female	1.48%	1.96%	75.53	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.49%	14.99%	9.94	Underutilization	*	
	TOTAL NON-MWBE	98.51%	85.01%	115.89	Overutilization		
2017	African American	0.14%	9.52%	1.47	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.00%	1.43%	0.00	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.14%	12.39%	1.13	Underutilization	*	
	Nonminority Female	3.14%	1.96%	160.51	Overutilization		
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	3.28%	14.99%	21.87	Underutilization	*	
	TOTAL NON-MWBE	96.72%	85.01%	113.78	Overutilization		
2018	African American	0.21%	9.52%	2.23	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.02%	1.43%	1.10	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.23%	12.39%	1.84	Underutilization	*	
	Nonminority Female	1.31%	1.96%	67.05	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.54%	14.99%	10.26	Underutilization	*	
	TOTAL NON-MWBE	98.46%	85.01%	115.83	Overutilization		
2019	African American	0.42%	9.52%	4.42	Underutilization	*	
	Asian American	0.00%	0.91%	0.00	Underutilization	*	
	Hispanic American	0.03%	1.43%	2.18	Underutilization	*	
	Native American	0.00%	0.52%	0.00	Underutilization	*	
	TOTAL MINORITY	0.45%	12.39%	3.65	Underutilization	*	
	Nonminority Female	1.09%	1.96%	55.94	Underutilization	*	
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	
	TOTAL MWBE	1.55%	14.99%	10.31	Underutilization	*	
	TOTAL NON-MWBE	98.45%	85.01%	115.82	Overutilization		
TOTAL	African American	0.16%	9.52%	1.64	Underutilization	*	p < .05
	Asian American	0.00%	0.91%	0.00	Underutilization	*	p < .05
	Hispanic American	0.02%	1.43%	1.38	Underutilization	*	p < .05
	Native American	0.00%	0.52%	0.00	Underutilization	*	p < .05
	TOTAL MINORITY	0.18%	12.39%	1.42	Underutilization	*	p < .05
	Nonminority Female	1.75%	1.96%	89.46	Underutilization		FALSE
	Unidentified MWBE	0.00%	0.65%	0.00	Underutilization	*	p < .05
	TOTAL MWBE	1.93%	14.99%	12.84	Underutilization	*	p < .05
	TOTAL NON-MWBE	98.07%	85.01%	115.37	Overutilization		

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APPENDIX H

Charles County Disparity Study
Regression Analysis

APPENDIX H: Detailed Regression Analysis

The tables in this Appendix H (Tables 2 through 14) presents regression results on disparities controlling for a variety of race neutral factors in the Charles County Market area.

The results of the GSPC disparity analysis provide a framework to rationalize observed disparities in public contracting outcomes/success with Charles County between SMWBES and non-SMWBES in the Charles County Market Area. Our regression analysis suggests that any observed disparities in public contracting outcomes between SMWBES and non-SMWBES are not explained by differential capacities for public contracting success with the Charles County. Our regression specifications control for firm public contracting capacity by including measures such as 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, willingness, and ability to do business with the CountyCharles County, registration status, and firm financial standing. This inclusion of these control covariates in our regression specifications permit an assessment of public contracting success/failure conditional on SMWBE and non-SMWBE public contracting capacity. The existence of public contracting success disparities between SMWBES and non-SMWBES— particularly when disaggregating by the racial/ethnic/gender status of owners— even after controlling for capacity suggests that relative to non-SMWBES, SMWBES face barriers independent of their capacity—or their ability—in securing public contracts and subcontracts with Charles County.

Perhaps most indicative of racial/ethnic disparities in public contracting outcomes in the County. Market Area, our results reveal that SMWBES owned by Black Americans and Hispanic Americans are more likely to have “never” been a prime contractor or subcontractor relative to non-SMWBES during the Study Period. This suggests that firms owned by Black Americans and Hispanic Americans face barriers in securing prime contracts and subcontracts from theCounty. Coupled with our findings of perceived private sector discrimination and informal contracting network exclusion being higher for some SMWBES, our results are also consistent with any observed disparities in securing prime contracts and subcontracts with Charles County being driven, at least in part, by discrimination and public contracting network exclusion against SMWBES that undermines their ability to secure prime contracts and subcontracts with Charles County

A. Statistical and Econometric Framework

Methodologically, the GSPC statistical and econometric analysis of possible SMWBE public contracting disparities with the County utilizes a Categorical Regression Model (CRM) framework.¹ As the covariates measuring public contracting activity/outcomes and other respondent characteristics in Table 1 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

¹ 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.

naturally ordered categories, the CRM reduces to a Binary Regression Model (BRM).² 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—Nonminority owned firms.³ When the odds ratio is greater (less) than unity for a parameter, the measured characteristic of interest to the outcome of interest 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 $\leq .05$, which we highlight in bold for all parameter estimates.

We report/discuss in all instances the effects of the firm minority status indicators on the outcome of interest. The other regressors, while included in the parameter estimates, are not discussed. Their inclusion in the specification is simply to control for unobserved variables that may determine a firm’s capacity, that if omitted, would cause bias in the estimates of the effect of a firm’s minority status. The analytical exposition of the results also focuses on the instances in which the parameter estimates suggest that SMWBES fare worse relative to non-SMWBES for the outcomes under consideration.

Our regression strategy also reports on two different specifications of the outcome of interest. The first one includes a broad classification of minority owned firms as measured by whether or not they are certified and/or deemed as SMWBES. Each category in this regression approach will have overlap of firms owned by particular racial/ethnic groups and Women. As this overlap might mask differences in outcomes for particular minority groups and Women, the second specification disaggregates the broad categories by specific racial/ethnic group and gender (e.g. Asian Americans, Black Americans, Hispanic Americans, Women). The exposition and discussion of the results are, in general, couched in terms of whether the outcome of interest suggests that broad SMWBE and race/ethnicity/gender characteristics of a firm is a possible driver or not of public contracting and other relevant disparities in the Charles County Market Area. In particular, we do not necessarily exposit upon the statistical insignificance of SMWBE status in a regression if it is not uniform across all the various categories, as the absence of such a uniformity suggests that for particular SMWBES, or on average, the outcome of interest is a driver of public contracting

² 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.

³ 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.

disparities in the Charles County Market Area, and can be at least partially explained by SMWBE status.

As nonresponse probabilities in the GSPC survey are unknown and the sample is nonrandom, we estimate all parameters from our CRM/BRM specifications with standard errors clustered on firm type as measured by its primary line of business (e.g. construction, professional services,). This too minimizes/eliminates the bias that can result from the sample being unrepresentative of the population of interest due to nonresponse and not being representative of the relevant population of firms in a relevant market area. To the extent that clustered standard errors enable consistent estimation of parameters given the omission of sampling and nonresponse weights, CRM/BRM parameter estimates with clustered standard errors effects can mitigate/eliminate the bias caused by a sample that may not be fully representative of the population of interest.⁴

B. GSPC Survey of Business Owners Data

Our Charles County disparity analysis is based on survey data compiled by GSPC, and constitutes a sample of firms from vendor lists provided by the Charles County and from Prince George's County. King George's County, Calvert County and St. Mary's County. The GSPC survey was a questionnaire that captured data on firm and individual owner characteristics in the County Market Area. The questionnaire was sent to certified firms, awardees, and subcontractors. Table 1 reports, for the 127 survey responses received, a summary description, and the mean and standard deviation of the covariates from the GSPC survey that are relevant to the regression analysis.

⁴ See: Alberto Abadie, Susan Athey, Guido W. Imbens, and Jeffrey Wooldridge. 2017. *When Should you Adjust Standard Errors for clustering?*. Paper No. w24003. National Bureau of Economic Research, Cambridge MA.

Table 1
Core Covariate Summary

Covariate	Description	Mean	Standard Deviation	Number of Observations
Firm entered market within past five years	<i>Binary Variable:</i> 1 = yes	.220	.416	127
Number of times denied a commercial bank loan	<i>Ordinal Variable:</i> 1 = 0 2 = 1 – 10 3 = 11 – 25 4 = 26 – 50 5 = 51 – 100 6 = Over 100	.913	.564	127
Number of prime bids submitted on Charles County projects	<i>Ordinal Variable:</i> 1 = 0 2 = 1 – 10 3 = 11 – 25 4 = 26 – 50 5 = 51 – 100 6 = Over 100	1.13	.694	127
Number of Charles County contracts awarded between 1/1/15 - 12/31/19	<i>Ordinal Variable:</i> 1 = 0 2 = 1 – 10 3 = 11 – 25 4 = 26 – 50 5 = 51 – 100 6 = Over 100	1.06	.601	127
Number of Charles County subcontracts awarded between 1/1/15 - 12/31/19	<i>Ordinal Variable:</i> 1 = 0 2 = 1 – 10 3 = 11 – 25 4 = 26 – 50 5 = 51 – 100 6 = Over 100	1.41	1.40	127
Did not serve as a contractor or subcontractor on Charles County projects between 1/1/15 – 12/31/19	<i>Binary Variable:</i> 1 = Yes	.826	.379	127
Firm has experienced private sector discrimination	<i>Binary Variable</i> 1 = Yes	.157	.366	127
Firm has experienced discrimination at Charles County	<i>Binary Variable</i> 1 = Yes	.102	.304	127
Firm owner believes informal networks enables business with Charles County	<i>Binary Variable</i> 1 = Yes	.173	.379	127
Owner has more than 20 years of experience	<i>Binary Variable</i> 1 = Yes	.606	.490	127
Firm has more than 10 employees	<i>Binary Variable</i> 1 = Yes	.283	.452	127
Firm owner has a baccalaureate/post-graduate degree	<i>Binary Variable:</i> 1 = Yes	.669	.472	127
Firm gross revenue greater than \$1,500,000	<i>Binary Variable:</i> 1 = Yes	.189	.393	127

Firm bonding limit greater than \$1,500,000	<i>Binary Variable:</i> 1 = Yes	.071	.258	127
Financing is a Barrier to Submitting Bids and Securing Contracts From Charles County	<i>Binary Variable:</i> 1 = Yes	.016	.125	127
Firm is in the construction sector	<i>Binary Variable:</i> 1 = Yes	.220	.416	127
Firm is registered to do business with Charles County	<i>Binary Variable:</i> 1 = Yes	.882	.324	127
Firm is willing and able to do business with Charles County as a prime contractor	<i>Binary Variable:</i> 1 = Yes	.937	.244	127
Firm is willing and able to do business with Charles County as a subcontractor	<i>Binary Variable:</i> 1 = Yes	.945	.228	127
Firm is a certified Minority Business Enterprise	<i>Binary Variable:</i> 1 = Yes	.740	.440	127
Firm is a certified Woman business enterprise	<i>Binary Variable:</i> 1 = Yes	.331	.472	127
Firm is a certified Small Business Enterprise	<i>Binary Variable:</i> 1 = Yes	.598	.492	127
Firm is a certified Disadvantaged Business Enterprise	<i>Binary Variable:</i> 1 = Yes	.323	.469	127
Firm is a Charles County Local Business Enterprise	<i>Binary Variable:</i> 1 = Yes	.134	.342	127
Majority Firm Owner is Black American	<i>Binary Variable:</i> 1 = Yes	.567	.497	127
Majority Firm Owner is Hispanic American	<i>Binary Variable:</i> 1 = Yes	.079	.270	127
Majority Firm Owner is Asian American	<i>Binary Variable:</i> 1 = Yes	.031	.175	127
Majority Firm Owner is Biracial/multiracial	<i>Binary Variable:</i> 1 = Yes	.024	.153	127
Majority Firm Owner is a Woman	<i>Binary Variable:</i> 1 = Yes	.567	.497	127

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C. SMWBE Status and Firm Entry in the Charles County Market Area

To determine if SMWBE status is a barrier to the formation of new businesses in the Charles County Market Area, Tables 2 - 3 report, for each of the distinct SMWBES and owner self-reported race/ethnicity in the GSPC sample, the estimated parameters of a Logit BRM with a binary variable for a firm establishing itself between the years 2014 – 2019 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 , 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.⁵

⁵ Pseudo- R^2 is not to be interpreted as the R^2 in standard Ordinary Least Squares (OLS) estimation, as OLS proceeds

The parameter estimates in Tables 2 – 3 suggest that firms owned by Black Americans, and Women, are more likely to be new firms, as the estimated odds ratio is greater than unity and statistically significant in those instances. As the excluded group is non-SMWBEs, to the extent that market experience is an important determinant of and correlated with success in bidding and securing public contracts, this suggests that for these types of SMWBEs, their relative inexperience in the market may partially explain disparities in public contracting between SMWBEs and non-SMWBEs in the Charles County Market Area, as tenure in the market also implies similar knowledge/experience about bidding and securing public contracts.

Table 2
Logit Parameter Estimates (Odds Ratio):
SMWBE Status and Firm Entry in the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Firm entered market within past 5 years: (Binary)		
Firm owner has more than 20 years' experience: (Binary)	0.2788	0.0001
Firm has more than 10 employees: (Binary)	0.4262	0.1352
Firm owner has a baccalaureate degree: (Binary)	0.5488	0.1977
Firm gross revenue at least 1.5 million: (Binary)	0.4525	0.4927
Firm Bonding greater than 2.5 million: (Binary)	0.0000	0.0000
Financing is a barrier for securing Charles County projects: (Binary)	1.4789	0.4384
Firm is in the construction sector: (Binary)	0.5086	0.3603
Firm is registered to do business with Charles County: (Binary)	1.3280	0.7859
Firm is a certified minority business enterprise: (Binary)	1.6930	0.3226
Firm is a certified Woman enterprise: (Binary)	1.4851	0.0098
Firm is a certified disadvantaged business enterprise: (Binary)	1.7514	0.1624
Firm is a certified small business enterprise: (Binary)	1.6054	0.3031
Firm is a Charles County local business enterprise: (Binary)	0.6720	0.3391
Observations	126	
Pseudo R ²	0.1936	

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by minimizing variance to get parameter estimates. Logit specifications are likelihood-based, and higher values of Pseudo-R² indicate that the specified model is an increasingly better alternative to a null model with only an intercept.

Table 3
 Logit Parameter Estimates (Odds Ratio):
 Owner Racial/Ethnic Status and Firm Entry in the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Firm entered market within past 5 years: (Binary)		
Firm owner has more than 20 years' experience: (Binary)	0.2984	0.0000
Firm has more than 10 employees: (Binary)	0.4316	0.1012
Firm owner has a baccalaureate degree: (Binary)	0.5486	0.0558
Firm gross revenue at least 1.5 million: (Binary)	0.3538	0.3368
Firm Bonding greater than 2.5 million: (Binary)	0.0000	0.0000
Financing is a barrier for securing Charles County projects: (Binary)	1.9471	0.2123
Firm is in the construction sector: (Binary)	0.6271	0.4067
Firm is registered to do business with Charles County: (Binary)	1.7985	0.4488
Firm is Black-owned: (Binary)	2.4361	0.0007
Firm is Hispanic-owned: (Binary)	4.1897	0.1641
Firm is Asian-owned: (Binary)	1.7910	0.3295
Firm is Bi/Multiracial-owned: (Binary)	0.0001	0.0000
Firm is Woman-owned: (Binary)	1.2771	0.0385
Observations	126	
Pseudo R^2	0.1855	

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D. SMWBE Status and Number of Prime Bid Submissions in the Charles County Market Area

One reason disparities in public contracting outcomes between SMWBES and non-SMWBEs could exist is that relative to non-SMWBEs, SMWBES may be less interested in, and/or less likely to submit bids for public contracts. To determine if this is the case in the Charles County Market Area, Tables 4 - 5 report Ordinal Logit parameter estimates of a CRM with the number of prime contracting bids submitted by a firm to the Charles County between 2013 - 2018 as the dependent variable, for each of the distinct SMWBES in the GSPC sample.

The results in Table 4 reveal that with the exception of Women-owned firms, there are no differences in bid submissions between broadly classified SMWBES and non-SMWBEs. This suggests that for these types of SMWBES, relative to non-SMWBEs any differential success in public contracting outcomes in the Charles County Market Area cannot be explained by lower bid submissions. When disaggregating by

race/ethnicity/gender, the results in Table 5 reveals a similar result. This suggests that with the exception of firms owned by Women, any disparities in public outcomes between SMWBES and non-SMWBES in the Charles County Market Area cannot possibly be explained by lower bid submissions with respect to these types of SMWBES.

Table 4
 Ordinal Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Number of Prime Bid Submissions
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Number of prime bids on Charles County projects through 6/30/19: (Ordinal)		
Firm owner has more than 20 years' experience: (Binary)	2.1311	0.0626
Firm has more than 10 employees: (Binary)	0.5024	0.1381
Firm owner has a baccalaureate degree: (Binary)	1.0118	0.9791
Firm gross revenue at least 1.5 million: (Binary)	0.9231	0.7635
Firm Bonding greater than 2.5 million: (Binary)	2.8068	0.2617
Financing is a barrier for securing Charles County projects: (Binary)	0.6176	0.2280
Firm is in the construction sector: (Binary)	1.5149	0.4134
Firm is registered to do business with Charles County: (Binary)	6.7972	0.0000
Firm is willing/able prime contractor for Charles County: (Binary)	2.2318	0.1412
Firm is willing/able subcontractor for Charles County: (Binary)	2.4841	0.4634
Firm is a certified minority business enterprise: (Binary)	1.2059	0.5697
Firm is a certified Woman enterprise: (Binary)	1.5777	0.0045
Firm is a certified disadvantaged business enterprise: (Binary)	0.8127	0.7216
Firm is a certified small business enterprise: (Binary)	0.7434	0.3489
Firm is a Charles County local business enterprise: (Binary)	2.4238	0.2066
Number of Observations	126	
Pseudo R^2	0.0901	

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Table 5
 Ordinal Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Number of Prime Bid Submissions
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Number of prime bids on Charles County projects through 6/30/19: (Ordinal)		
Firm owner has more than 20 years' experience: (Binary)	2.2461	0.0245
Firm has more than 10 employees: (Binary)	0.4056	0.1898
Firm owner has a baccalaureate degree: (Binary)	1.1418	0.8438
Firm gross revenue at least 1.5 million: (Binary)	1.7125	0.1593
Firm Bonding greater than 2.5 million: (Binary)	3.3435	0.0462
Financing is a barrier for securing Charles County projects: (Binary)	0.6714	0.6001
Firm is in the construction sector: (Binary)	1.2034	0.7360
Firm is registered to do business with Charles County: (Binary)	5.3864	0.0000
Firm is willing/able prime contractor for Charles County: (Binary)	4.1355	0.0353
Firm is willing/able subcontractor for Charles County: (Binary)	1.8058	0.6796
Firm is Black-owned: (Binary)	2.3559	0.0693
Firm is Hispanic-owned: (Binary)	2.8102	0.1793
Firm is Asian-owned: (Binary)	4.0610	0.2973
Firm is Bi/Multiracial-owned: (Binary)	1.0368	0.9872
Firm is Woman-owned: (Binary)	1.6678	0.0098
Number of Observations	126	
Pseudo R^2	0.0924	

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E. SMWBE Status and Number of Prime Contracts Awarded in the Charles County Market Area

To the extent that frequency of public contract bids reflects past experience as a prime contractor, SMWBES can potentially become frequent prime contract bidders by actually gaining experience as successful prime contractors. As such, the frequency of prime bids by SMWBES 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 Charles County Market Area, Tables 6 - 7 report Ordinal Logit BRM parameter estimates where the dependent variable is the number of Charles County prime contracts awarded to the firm between 2015 – 2019.

The results in Table 6 suggest that relative to non-SMWBES certified minority-owned enterprise received

fewer Charles County prime contracts awarded between 2015 – 2019, as the estimated odds ratio is less than unity, and statistically significant in these instances. In the case of certified small businesses, the estimated odds ratio suggests they received relatively more Charles County prime contracts. When disaggregating by the race/ethnicity/gender of firm owners in Table 7, relative to non-SMWBEs, firms owned by Black Americans, and Women received less prime contracts relative to non-SMWBEs, as the estimated odds ratio is less than unity and statistically significant in these instances. To the extent that success in public contracting is proportional to having prior prime awards, the parameter estimates in Tables 6 – 7 suggest that any contracting disparities between firms owned by Black Americans and Women and non-SMWBEs can possibly be explained by past, and possibly discriminatory constraints, on SMWBE successfully winning prior prime contracts from the Charles County, which could translate into future capacity to secure prime contracts.

Table 6
 Ordinal Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Number of Prime Contracts Awarded
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand: # of Charles County prime contracts awarded through 6/30/19: (Ordinal)</i>		
Firm owner has more than 20 years' experience: (Binary)	1.3497	0.3524
Firm has more than 10 employees: (Binary)	0.3025	0.0292
Firm owner has a baccalaureate degree: (Binary)	1.4848	0.4363
Firm gross revenue at least 1.5 million: (Binary)	1.1329	0.5840
Firm Bonding greater than 2.5 million: (Binary)	0.9486	0.8757
Financing is a barrier for securing Charles County projects: (Binary)	1.7254	0.2219
Firm is in the construction sector: (Binary)	2.4241	0.0353
Firm is registered to do business with Charles County: (Binary)	2.2471	0.1909
Firm is willing/able prime contractor for Charles County: (Binary)	2.3686	0.0006
Firm is a certified minority business enterprise: (Binary)	0.3064	0.0000
Firm is a certified Woman enterprise: (Binary)	1.3520	0.6348
Firm is a certified disadvantaged business enterprise: (Binary)	0.4955	0.0289
Firm is a certified small business enterprise: (Binary)	2.5198	0.0000
Firm is a Charles County local business enterprise: (Binary)	1.7030	0.3316
Number of Observations	126	
Pseudo R^2	0.0651	

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Table 7
 Ordinal Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Number of Prime Contracts Awarded
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand: # of Charles County prime contracts awarded through 6/30/19: (Ordinal)</i>		
Firm owner has more than 20 years' experience: (Binary)	1.4331	0.2482
Firm has more than 10 employees: (Binary)	0.3096	0.0338
Firm owner has a baccalaureate degree: (Binary)	1.3080	0.5898
Firm gross revenue at least 1.5 million: (Binary)	1.3262	0.5163
Firm Bonding greater than 2.5 million: (Binary)	1.0611	0.8528
Financing is a barrier for securing Charles County projects: (Binary)	0.7674	0.5455
Firm is in the construction sector: (Binary)	1.8251	0.0364
Firm is registered to do business with Charles County: (Binary)	2.3328	0.0897
Firm is willing/able prime contractor for Charles County: (Binary)	3.6550	0.0000
Firm is Black-owned: (Binary)	0.9002	0.0374
Firm is Hispanic-owned: (Binary)	1.3279	0.3795
Firm is Asian-owned: (Binary)	1.3695	0.6911
Firm is Bi/Multiracial-owned: (Binary)	0.8567	0.9560
Firm is Woman-owned: (Binary)	0.6503	0.0418
Observations	126	
Pseudo R^2	0.0459	

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F. SMWBE Status and Number of Subcontracts Awarded In the Charles County Market Area

To the extent that submitting and winning public contract bids requires experience, which can also be gained through subcontracting with lead prime firms with Charles County contracts, SMWBES can potentially become more frequent and successful prime contract bidders by acquiring experience as subcontractors. As such, the low-frequency of prime bid submission and lower likelihood of being a prime contractor by SMWBES need not be a concern if they are gaining valuable subcontracting experience that will translate into high frequency contract bids and success later. To explore if this is the case in the Charles County Market Area, Tables 8 - 9 report Ordinal Logit BRM parameter estimates where the dependent variable is the number of Charles County subcontracts awarded to the firm between 2015 – 2019.

The estimated odds ratios r in Table 8 suggest that relative to non-SMWBEs, disadvantaged firms are relatively less likely to have received a Charles County subcontract, and local firms are relatively more likely to have received a Charles County subcontract. When disaggregating by the race/ethnicity/gender of firm owners in Table 9, relative to non-SMWBEs, firms owned by Black Americans and Hispanic Americans received fewer subcontracts, as the estimated odds ratio is less than unity and statistically significant in these instances. To the extent that success in public contracting is proportional to having prior Charles County subcontracts, the parameter estimates in Tables 8 – 9 suggest that any contracting disparities between SMWBEs owned by Black Americans, Hispanic, and those certified as Disadvantaged can possibly be explained by differences in having secured prior subcontracts from the Charles County, which could constrain success in winning prime bids, as subcontracting experience could translate into prime bid success.

Table 8
 Ordinal Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Number of Subcontracts Awarded
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand: # of Charles County subcontracts through 6/30/19: (Ordinal)</i>		
Firm owner has more than 20 years' experience: (Binary)	1.1786	0.4957
Firm has more than 10 employees: (Binary)	0.6499	0.0655
Firm owner has a baccalaureate degree: (Binary)	0.4915	0.3684
Firm gross revenue at least 1.5 million: (Binary)	0.3523	0.2865
Firm Bonding greater than 2.5 million: (Binary)	0.0014	0.0000
Financing is a barrier for securing Charles County projects: (Binary)	0.0123	0.0000
Firm is in the construction sector: (Binary)	2.4942	0.0214
Firm is registered to do business with Charles County: (Binary)	1.3571	0.7985
Firm is willing/able subcontractor for Charles County: (Binary)	0.6491	0.8270
Firm is a certified minority business enterprise: (Binary)	0.1197	0.0000
Firm is a certified Woman enterprise: (Binary)	2.7982	0.1453
Firm is a certified disadvantaged business enterprise: (Binary)	0.1645	0.0423
Firm is a certified small business enterprise: (Binary)	2.1151	0.1521
Firm is a Charles County local business enterprise: (Binary)	6.1334	0.0118
Number of Observations	126	

Pseudo R^2	0.1882	
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Table 9
 Ordinal Logit Parameter Estimates (Odds Ratio):
 Owner Racial/Ethnic Status and Number of Subcontracts Awarded
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand: # of Charles County subcontracts through 6/30/19: (Ordinal)</i>		
Firm owner has more than 20 years' experience: (Binary)	1.3149	0.3784
Firm has more than 10 employees: (Binary)	0.3570	0.1277
Firm owner has a baccalaureate degree: (Binary)	0.2786	0.0000
Firm gross revenue at least 1.5 million: (Binary)	0.9356	0.9643
Firm Bonding greater than 2.5 million: (Binary)	0.0000	0.0000
Financing is a barrier for securing Charles County projects: (Binary)	0.0000	0.0000
Firm is in the construction sector: (Binary)	1.2093	0.6702
Firm is registered to do business with Charles County: (Binary)	1.0092	0.9937
Firm is willing/able subcontractor for Charles County: (Binary)	1.3194	0.8394
Firm is Black-owned: (Binary)	0.1324	0.0232
Firm is Hispanic-owned: (Binary)	0.2092	0.0000
Firm is Asian-owned: (Binary)	2.3813	0.0704
Firm is Bi/Multiracial-owned: (Binary)	3.5553	0.1001
Firm is Woman-owned: (Binary)	1.3298	0.1616
Number of Observations	126	
Pseudo R^2	0.1816	

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G. SMWBE Status and Never Serving as Contractor/Subcontractor In the Charles County Market Area

As the results in Tables 6 - 9 reflect only the effect of SMWBE status on the number of Charles County contracts and subcontracts, it may obscure the effects of, and the distribution of, zero outcomes—never having secured a Charles County contract or subcontract. Tables 10 – 11 report Logit parameter estimates where the dependent variable is whether the firm “never” served since 1/1/14 as a prime contractor or subcontractor for the Charles County. The results in Table 10 suggest that relative to non-SMWBEs, certified Minority and Disadvantaged Business Enterprises, are more likely to have never received a Charles

County prime contract or subcontract, as the estimated odds ratio is greater than unity, and statistically significant in this instance. The opposite is the case for Local Business Enterprises. Disaggregating by race/ethnicity/gender, the results in Table 11 suggest that firms owned by Black Americans and Hispanic are more likely to have “never” been a prime contractor or subcontractor, as the estimated odds ratio is greater than unity and statistically significant in this instance. To the extent that success in public contracting is proportional to having prior prime contracts or subcontracts, the parameter estimates in Tables 10 – 11 suggest that for certified Minority, Disadvantaged, and firms owned by Black Americans and Hispanic Americans, any contracting disparities between SMWBES and non-SMWBES can possibly be explained by their relative disadvantage in having secured prior prime contracts or subcontracts from the Charles County

Table 10
Logit Parameter Estimates (Odds Ratio):
SMWBE Status and Never Serving as Contractor/Subcontractor
In the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Served as neither contractor/subcontractor on Charles County contract since 1/1/19 (Binary)		
Firm owner has more than 20 years' experience: (Binary)	1.1123	0.7448
Firm has more than 10 employees: (Binary)	3.0991	0.0962
Firm owner has a baccalaureate degree: (Binary)	0.7407	0.4131
Firm gross revenue at least 1.5 million: (Binary)	1.1615	0.6404
Firm Bonding greater than 2.5 million: (Binary)	19.4531	0.0000
Financing is a barrier for securing Charles County projects: (Binary)	16.1390	0.0000
Firm is in the construction sector: (Binary)	0.0840	0.0000
Firm is registered to do business with Charles County: (Binary)	0.2892	0.1989
Firm is willing/able prime contractor for Charles County: (Binary)	0.0024	0.0000
Firm is a certified minority business enterprise: (Binary)	10.8995	0.0000
Firm is a certified Woman enterprise: (Binary)	0.3727	0.3476
Firm is a certified disadvantaged business enterprise: (Binary)	6.2551	0.0000
Firm is a certified small business enterprise: (Binary)	0.4018	0.0641
Firm is a Charles County local business enterprise: (Binary)	0.3303	0.0039
Number of Observations	126	
Pseudo R^2	0.3006	

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Table 11
 Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Never Serving as Contractor/Subcontractor
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Served as neither contractor/subcontractor on Charles County contract since 1/1/19 (Binary)		
Firm owner has more than 20 years' experience: (Binary)	1.0604	0.9258
Firm has more than 10 employees: (Binary)	3.1365	0.3655
Firm owner has a baccalaureate degree: (Binary)	1.2375	0.6702
Firm gross revenue at least 1.5 million: (Binary)	0.8081	0.7505
Firm Bonding greater than 2.5 million: (Binary)	11.4436	0.0000
Financing is a barrier for securing Charles County projects: (Binary)	10.6828	0.0000
Firm is in the construction sector: (Binary)	0.1882	0.0000
Firm is registered to do business with Charles County: (Binary)	0.3857	0.1708
Firm is willing/able prime contractor for Charles County: (Binary)	0.0321	0.0000
Firm is Black-owned: (Binary)	5.2896	0.0000
Firm is Hispanic-owned: (Binary)	6.6002	0.0070
Firm is Asian-owned: (Binary)	0.7958	0.6922
Firm is Bi/Multiracial-owned: (Binary)	1.0878	0.9588
Firm is Woman-owned: (Binary)	0.7393	0.3396
Number of Observations	126	
Pseudo R^2	0.2430	

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H. SMWBE Status and Perceived Discrimination at the Charles County

Disparate contracting and subcontracting outcomes between SMWBES and non-SMWBES could reflect, at least in part, the effects of discrimination against them by the Charles County, which conditions their entry into the market, and opportunities for success at the Charles County.⁶ In Tables 12 – 13, we report Logit parameter estimates of the effects of SMWBE status on having experienced discrimination—in particular the perception of having experienced discrimination at the Charles County.

To the extent that perceptions of discrimination correlate positively with actual discrimination at the Charles County, the Logit parameter estimates in Table 12 suggest that relative to non-SMWBES, SMWBES

⁶ For the effects that discrimination can have upon the entry and performance of minority-owned firms. See: Borjas, George J., and Stephen G. Bronars. 1989. "Consumer Discrimination and Self-employment." *Journal of Political Economy*, 97: pp. 581-605.

classified as Women and Local business enterprise experience discrimination at the Charles County as the estimated odds ratio is greater than unity and statistically significant in these instances. The opposite is true for firms classified as Disadvantaged business enterprises. When disaggregated by the gender/race/ethnicity of firm owners, the parameter estimates in Table 13 suggest that relative to non-SMWBEs, firms owned by Black Americans experience discrimination at the Charles County, as the estimated odds ratio is greater than unity and statistically significant in these instances. The opposite is true for firms owned by Hispanic and Bi/Multiracials. In general, the parameter estimates suggests that, at least for SMWBEs owned by Black Americans, and those certified as Women and Local business enterprises, Charles County contracting disparities between them and non-SMWBEs can at least in part explained by discrimination at the Charles County that undermines their chances at successfully winning prime contracts at the Charles County.

Table 12
Logit Parameter Estimates (Odds Ratio):
SMWBE Status and Perceived Discrimination in the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Firm experienced discrimination at Charles County (perceived): (Binary)		
Firm owner has more than 20 years' experience: (Binary)	0.9615	0.8658
Firm has more than 10 employees: (Binary)	0.1390	0.0006
Firm owner has a baccalaureate degree: (Binary)	4.3392	0.0000
Firm gross revenue at least 1.5 million: (Binary)	1.5342	0.0875
Firm Bonding greater than 2.5 million: (Binary)	6.5943	0.0981
Financing is a barrier for securing Charles County projects: (Binary)	0.0327	0.0000
Firm is in the construction sector: (Binary)	1.0884	0.8035
Firm is registered to do business with Charles County: (Binary)	0.9925	0.9931
Firm is willing/able prime contractor for Charles County: (Binary)	36.8752	0.0000
Firm is a certified minority business enterprise: (Binary)	0.3443	0.1242
Firm is a certified Woman enterprise: (Binary)	1.5304	0.5549
Firm is a certified disadvantaged business enterprise: (Binary)	0.4099	0.0445
Firm is a certified small business enterprise: (Binary)	1.0222	0.9589
Firm is a Charles County local business enterprise: (Binary)	2.8914	0.0000
Number of Observations	126	
Pseudo R ²	0.1620	

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Table 13
Logit Parameter Estimates (Odds Ratio):
SMWBE Status and Perceived Discrimination the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Firm experienced discrimination at Charles County (perceived): (Binary)		
Firm owner has more than 20 years' experience: (Binary)	0.9369	0.8542
Firm has more than 10 employees: (Binary)	0.1444	0.0033
Firm owner has a baccalaureate degree: (Binary)	2.4859	0.0000
Firm gross revenue at least 1.5 million: (Binary)	3.9833	0.0000
Firm Bonding greater than 2.5 million: (Binary)	5.8477	0.0726
Financing is a barrier for securing Charles County projects: (Binary)	0.0531	0.0000
Firm is in the construction sector: (Binary)	0.7961	0.0723
Firm is registered to do business with Charles County: (Binary)	0.5113	0.5056
Firm is willing/able prime contractor for Charles County: (Binary)	59.8395	0.0000
Firm is Black-owned: (Binary)	2.2188	0.4349
Firm is Hispanic-owned: (Binary)	0.0435	0.0000
Firm is Asian-owned: (Binary)	3.8432	0.3904
Firm is Bi/Multiracial-owned: (Binary)	0.1248	0.0000
Firm is Woman-owned: (Binary)	0.4138	0.0853
Number of Observations	126	
Pseudo R^2	0.1638	

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I. SMWBE Status and Informal Contracting Networks In the Charles County Market Area

Similar to perceived discrimination in Charles County, the existence of informal public contracting networks that confer advantages to insiders in securing public contracts and subcontracts, and exclude SMWBES, could possibly have an adverse effect on SMWBES ability to secure public contracts and subcontracts in Charles County.⁷ To explore the role of such informal networks, Tables 14 - 15 report Logit parameter estimates where the dependent variable is if the firm owner agrees that informal networks enable success in public contracting with the Charles County.

⁷ For evidence that access to informal networks can increase the likelihood of success in securing public contracting See: Sedita, Silvia Rita, and Roberta Apa. 2015. "The Impact of Inter-organizational Relationships on Contractors' Success in Winning Public Procurement Projects: The Case of the Construction Industry in the Veneto Region." *International Journal of Project Management*, 33: pp. 1548-1562.

The Logit parameter estimates in Table 14 suggest that relative to non-SMWBEs, SMWBES do not perceive that that informal networks enable contracting success with the Charles County as the estimated odds ratio is never statistically significant. When disaggregated by the race/ethnicity/gender of firm owners, the parameter estimates in Table 15 suggest that relative to non-SMWBEs, firms owned by Black Americans and Asians perceive that informal networks enable contracting success with the Charles County as the estimated odds ratio is greater than unity and statistically significant in this instances. The opposite is true for firms owned by Hispanic Americans and Bi/multiracials. This suggests that, at least for SMWBES owned by Black Americans and Asians, Charles County contracting disparities between them and non-SMWBEs are potentially explained by their exclusion from Charles County public contracting networks that reduces their ability to secure prime contracts and subcontracts.

Table 14
Logit Parameter Estimates (Odds Ratio):
SMWBE Status and Informal Contracting Networks
In the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Yes, exclusion from informal networks prevent winning contracts at Charles County (Binary)		
Firm owner has more than 20 years' experience: (Binary)	1.1647	0.7405
Firm has more than 10 employees: (Binary)	0.8340	0.0384
Firm owner has a baccalaureate degree: (Binary)	1.9731	0.0763
Firm gross revenue at least 1.5 million: (Binary)	0.7187	0.2053
Firm Bonding greater than 2.5 million: (Binary)	0.4012	0.3938
Financing is a barrier for securing Charles County projects: (Binary)	0.2432	0.0000
Firm is in the construction sector: (Binary)	1.5867	0.1928
Firm is registered to do business with Charles County: (Binary)	1.1428	0.5984
Firm is willing/able prime contractor for Charles County: (Binary)	43.3324	0.0000
Firm is a certified minority business enterprise: (Binary)	4.7414	0.0254
Firm is a certified Woman enterprise: (Binary)	0.8321	0.6852
Firm is a certified disadvantaged business enterprise: (Binary)	0.4016	0.0802
Firm is a certified small business enterprise: (Binary)	1.5134	0.4465
Firm is a Charles County local business enterprise: (Binary)	0.8073	0.5680
Number of Observations	126	
Pseudo R^2	0.1188	

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Table 15
 Logit Parameter Estimates (Odds Ratio):
 SMWBE Status and Informal Contracting Networks
 In the Charles County Market Area

	Coefficient	P-value
<i>Regressand:</i> Yes, exclusion from informal networks prevent winning contracts at Charles County (Binary)		
Firm owner has more than 20 years' experience: (Binary)	0.7723	0.5842
Firm has more than 10 employees: (Binary)	0.8370	0.0253
Firm owner has a baccalaureate degree: (Binary)	1.4112	0.5480
Firm gross revenue at least 1.5 million: (Binary)	1.5296	0.0000
Firm Bonding greater than 2.5 million: (Binary)	0.6939	0.7465
Financing is a barrier for securing Charles County projects: (Binary)	0.4324	0.0000
Firm is in the construction sector: (Binary)	1.8931	0.2405
Firm is registered to do business with Charles County: (Binary)	1.0319	0.9443
Firm is willing/able prime contractor for Charles County: (Binary)	84.8115	0.0000
Firm is Black-owned: (Binary)	6.9553	0.0306
Firm is Hispanic-owned: (Binary)	0.8314	0.0000
Firm is Asian-owned: (Binary)	15.8468	0.0000
Firm is Bi/Multiracial-owned: (Binary)	0.8632	0.0000
Firm is Woman-owned: (Binary)	1.2527	0.7076
Observations	126	
Pseudo R^2	0.1678	

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APPENDIX I

Charles County Disparity Study
Survey of Business Owners Tables

APPENDIX I– Results of Survey of Business Owners

A brief note on how tables are calculated:

Duplicate responses have been removed. Duplicate responses were removed based on 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.

Table 1: Is your company a not for profit organization or a government entity?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %
No	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 2: Is your firm ready, willing, and able to do business as a prime contractor with Charles County?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	15	19	70	5	7	3	119
	93.8 %	95 %	95.9 %	100 %	70 %	100 %	93.7 %
No	1	1	3	0	3	0	8
	6.2 %	5 %	4.1 %	0 %	30 %	0 %	6.3 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 3: Is your firm ready, willing, and able to do business as a subcontractor with Charles County?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	12 75 %	19 95 %	71 97.3 %	5 100 %	10 100 %	3 100 %	120 94.5 %
No	4 25 %	1 5 %	2 2.7 %	0 0 %	0 0 %	0 0 %	7 5.5 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 4: Which one of the following is your company's primary line of business?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Construction	4 25 %	5 25 %	11 15.3 %	1 20 %	4 40 %	0 0 %	25 19.8 %
A&E	1 6.2 %	0 0 %	0 0 %	0 0 %	1 10 %	1 33.3 %	3 2.4 %
Other Services	9 56.2 %	13 65 %	55 76.4 %	4 80 %	4 40 %	2 66.7 %	87 69 %
Goods	2 12.5 %	2 10 %	6 8.3 %	0 0 %	1 10 %	0 0 %	11 8.7 %
Total	16 100 %	20 100 %	72 100 %	5 100 %	10 100 %	3 100 %	126 100 %

Table 5: How long has your company been in operation?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Under 1 year	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
1-5 years	1 6.2 %	2 10 %	19 26 %	2 40 %	4 40 %	0 0 %	28 22 %
6-10 years	1 6.2 %	6 30 %	19 26 %	1 20 %	3 30 %	0 0 %	30 23.6 %
11-15 years	5 31.2 %	1 5 %	8 11 %	1 20 %	0 0 %	0 0 %	15 11.8 %
15-20 years	3 18.8 %	2 10 %	8 11 %	0 0 %	2 20 %	1 33.3 %	16 12.6 %
Over 20 years	6 37.5 %	9 45 %	19 26 %	1 20 %	1 10 %	2 66.7 %	38 29.9 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 6: Is at least 51% percent of your company owned and controlled by a woman or women?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		0 0 %	20 100 %	41 56.2 %	2 40 %	8 80 %	1 33.3 %	72 56.7 %
No		16 100 %	0 0 %	32 43.8 %	3 60 %	2 20 %	2 66.7 %	55 43.3 %
Total		16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 7: 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	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Caucasian		15 93.8 %	20 100 %	0 0 %	0 0 %	0 0 %	0 0 %	35 27.6 %
Black		0 0 %	0 0 %	72 98.6 %	0 0 %	0 0 %	0 0 %	72 56.7 %
Asian		0 0 %	0 0 %	0 0 %	4 80 %	0 0 %	0 0 %	4 3.1 %
Hispanic		0 0 %	0 0 %	0 0 %	0 0 %	10 100 %	0 0 %	10 7.9 %
Native American		0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Bi-Racial or Multi-Racial		0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	100 %	3 2.4 %
Other		1 6.2 %	0 0 %	1 1.4 %	1 20 %	0 0 %	0 0 %	3 2.4 %
Total		16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 8: What is your current single project bonding limit?

	Owner's Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
\$100,000 or less	3 18.8 %	0 0 %	9 12.3 %	1 20 %	1 10 %	0 0 %	14 11.1 %
\$100,001 - \$250,000	0 0 %	0 0 %	3 4.1 %	0 0 %	1 10 %	0 0 %	4 3.2 %
\$250,001 -	0 0 %	0 0 %	2 2.7 %	2 40 %	0 0 %	0 0 %	4 3.2 %
\$500,000	0 0 %	0 0 %	3 2.7 %	0 40 %	1 0 %	0 0 %	4 3.2 %
\$500,001 -	0 0 %	0 0 %	5 4.1 %	0 0 %	10 10 %	0 0 %	4 3.2 %
\$750,001 -	3 18.8 %	1 5.3 %	5 6.8 %	0 0 %	0 0 %	0 0 %	9 7.1 %
\$1,000,000	1 6.2 %	2 5.3 %	2 2.7 %	0 0 %	0 0 %	1 33.3 %	5 4 %
\$2,500,000	2 12.5 %	2 10.5 %	2 2.7 %	0 0 %	0 0 %	0 0 %	6 4.8 %
\$2,500,001 -	0 0 %	0 0 %	2 2.7 %	0 0 %	0 0 %	0 0 %	2 1.6 %
\$5,000,000	0 0 %	0 0 %	0 2.7 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Over \$10 million	0 0 %	1 5.3 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Don't Know	1 6.2 %	6 31.6 %	9 12.3 %	1 20 %	1 10 %	1 33.3 %	19 15.1 %
Not Applicable	6 37.5 %	8 42.1 %	36 49.3 %	1 20 %	6 60 %	1 33.3 %	58 46 %
Total	16 100 %	19 100 %	73 100 %	5 100 %	10 100 %	3 100 %	126 100 %

Table 9: What is the largest single contract your firm has been awarded since July 1, 2014?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
\$50,000 or less	6	8	15	1	4	0	34
	37.5 %	40 %	20.5 %	20 %	40 %	0 %	26.8 %
\$50,001 - \$100,000	4	1	9	1	2	0	17
	25 %	5 %	12.3 %	20 %	20 %	0 %	13.4 %
\$100,001 -	1	2	10	0	1	0	14
\$250,000	6.2 %	10 %	13.7 %	0 %	10 %	0 %	11 %
\$250,001 -	0	1	8	1	0	0	10
\$500,000	0 %	5 %	11 %	20 %	0 %	0 %	7.9 %
\$500,001 -	0	1	0	0	0	0	1
\$750,000	0 %	5 %	0 %	0 %	0 %	0 %	0.8 %
\$750,001 -	2	1	6	0	0	0	9
\$1,000,000	12.5 %	5 %	8.2 %	0 %	0 %	0 %	7.1 %
\$1,000,001 -	2	1	4	0	2	1	10
\$2,500,000	12.5 %	5 %	5.5 %	0 %	20 %	33.3 %	7.9 %
\$2,500,001 -	0	2	3	0	0	0	5
\$5,000,000	0 %	10 %	4.1 %	0 %	0 %	0 %	3.9 %
\$5,000,001 -	0	0	2	0	0	0	2
\$10,000,000	0 %	0 %	2.7 %	0 %	0 %	0 %	1.6 %
Over \$10 million	0	0	2	0	0	0	2
	0 %	0 %	2.7 %	0 %	0 %	0 %	1.6 %
Don't Know	0	0	1	1	0	0	2
	0 %	0 %	1.4 %	20 %	0 %	0 %	1.6 %
Not applicable	1	3	13	1	1	2	21
	6.2 %	15 %	17.8 %	20 %	10 %	66.7 %	16.5 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 10: Indicate what you have performed as on any public or private contract since July 1, 2014.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Prime Contractor and Subcontractor	4 25 %	8 40 %	33 45.2 %	2 40 %	4 40 %	1 33.3 %	52 40.9 %
Prime Contractor	6 37.5 %	7 35 %	13 17.8 %	1 20 %	1 10 %	0 0 %	28 22 %
Subcontractor	2 12.5 %	3 15 %	11 15.1 %	2 40 %	4 40 %	0 0 %	22 17.3 %
Neither	4 25 %	2 10 %	16 21.9 %	0 0 %	1 10 %	2 66.7 %	25 19.7 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 11: On average, how many employees and regular independent contractors does your company keep on the payroll, including full-time and part-time staff? (Number of Employees)

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	0 0 %	2 10 %	7 9.6 %	0 0 %	0 0 %	0 0 %	9 7.1 %
1-10	10 62.5 %	11 55 %	48 65.8 %	5 100 %	7 70 %	1 33.3 %	82 64.6 %
11-30	4 25 %	4 20 %	13 17.8 %	0 0 %	3 30 %	1 33.3 %	25 19.7 %
31-50	1 6.2 %	2 10 %	1 1.4 %	0 0 %	0 0 %	1 33.3 %	5 3.9 %
51-75	1 6.2 %	1 5 %	2 2.7 %	0 0 %	0 0 %	0 0 %	4 3.1 %
76-100	0 0 %	0 0 %	2 2.7 %	0 0 %	0 0 %	0 0 %	2 1.6 %
101-300	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Over 300	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 12: What is the highest level of education completed by the 51% or more owner(s) of your company? If there are multiple owners, choose the highest level of education by any owner.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Some High School	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
High School graduate	2 12.5 %	5 25 %	6 8.2 %	0 0 %	3 30 %	0 0 %	16 12.6 %
Some College	3 18.8 %	3 15 %	10 13.7 %	0 0 %	2 20 %	1 33.3 %	19 15 %
College Graduate	7 43.8 %	5 25 %	17 23.3 %	2 40 %	4 40 %	1 33.3 %	36 28.3 %
Post Graduate Degree	3 18.8 %	6 30 %	35 47.9 %	3 60 %	1 10 %	1 33.3 %	49 38.6 %
Trade or Technical Certificate	0 0 %	1 5 %	5 6.8 %	0 0 %	0 0 %	0 0 %	6 4.7 %
Don't Know	1 6.2 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 13: How many years of experience in your company's line of business does the 51% or more owner(s) of your company have?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
1-5	0 0 %	0 0 %	2 2.7 %	0 0 %	0 0 %	0 0 %	2 1.6 %
6-10	0 0 %	3 15 %	6 8.2 %	3 60 %	1 10 %	0 0 %	13 10.2 %
11-15	2 12.5 %	1 5 %	11 15.1 %	0 0 %	4 40 %	0 0 %	18 14.2 %
16-20	0 0 %	5 25 %	9 12.3 %	0 0 %	2 20 %	1 33.3 %	17 13.4 %
More than 20	14 87.5 %	11 55 %	45 61.6 %	2 40 %	3 30 %	2 66.7 %	77 60.6 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 14: Which of the following categories best approximates your company's gross revenues for calendar year 2019. Your best estimate will suffice.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
\$100,000 or less	2	5	27	1	4	0	39
	12.5 %	25 %	37 %	20 %	40 %	0 %	30.7 %
\$100,001 -	0	2	8	0	2	0	12
\$250,000	0 %	10 %	11 %	0 %	20 %	0 %	9.4 %
\$250,001 -	1	2	10	2	0	0	15
\$500,000	6.2 %	10 %	13.7 %	40 %	0 %	0 %	11.8 %
\$500,001 -	0	2	6	0	0	0	8
\$750,000	0 %	10 %	8.2 %	0 %	0 %	0 %	6.3 %
\$750,001 -	3	1	4	1	2	1	12
\$1,000,000	18.8 %	5 %	5.5 %	20 %	20 %	33.3 %	9.4 %
\$1,000,001 -	3	2	3	0	0	1	9
\$1,320,000	18.8 %	10 %	4.1 %	0 %	0 %	33.3 %	7.1 %
\$1,320,001 -	0	0	3	0	0	0	3
\$1,500,000	0 %	0 %	4.1 %	0 %	0 %	0 %	2.4 %
\$1,500,001 -	4	4	7	1	2	0	18
\$5,000,000	25 %	20 %	9.6 %	20 %	20 %	0 %	14.2 %
\$5,000,001 -	2	1	1	0	0	1	5
\$10,000,000	12.5 %	5 %	1.4 %	0 %	0 %	33.3 %	3.9 %
\$10,000,001 -	0	1	0	0	0	0	1
\$15,000,000	0 %	5 %	0 %	0 %	0 %	0 %	0.8 %
\$15,000,001 -	0	0	1	0	0	0	1
\$20,000,000	0 %	0 %	1.4 %	0 %	0 %	0 %	0.8 %
\$20,000,001 -	0	0	0	0	0	0	0
\$39,500,000	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Over \$39,500,000	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Don't Know	1	0	3	0	0	0	4
	6.2 %	0 %	4.1 %	0 %	0 %	0 %	3.1 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 15: Is your company registered to do business with Charles County?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	12	12	39	4	4	3	74
	75 %	60 %	53.4 %	80 %	40 %	100 %	58.3 %
No	4	8	34	1	6	0	53
	25 %	40 %	46.6 %	20 %	60 %	0 %	41.7 %
Total	16	20	73	5	10	3	127
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 16: Is your company registered to do business with any other government entity (including but not limited to): Charles County, City of Baltimore, Washington, DC, State of Maryland, Maryland DOT?

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
Yes	13 81.2 %	17 85 %	66 90.4 %	5 100 %	8 80 %	3 100 %	112 88.2 %
No	3 18.8 %	3 15 %	7 9.6 %	0 0 %	2 20 %	0 0 %	15 11.8 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 17: Why is your company not registered to do business with Charles County? Indicate all that apply. [Have not done business with Charles County.]

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
Not Selected	2 50 %	3 37.5 %	10 29.4 %	0 0 %	2 33.3 %	0 0 %	17 32.1 %
Selected	2 50 %	5 62.5 %	24 70.6 %	1 100 %	4 66.7 %	0 0 %	36 67.9 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 18: Do not know how to register.

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
Not Selected	3 75 %	5 62.5 %	24 70.6 %	1 100 %	5 83.3 %	0 0 %	38 71.7 %
Selected	1 25 %	3 37.5 %	10 29.4 %	0 0 %	1 16.7 %	0 0 %	15 28.3 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 19: Did not know there was a registry.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	1 25 %	4 50 %	12 35.3 %	1 100 %	2 33.3 %	0 0 %	20 37.7 %
Selected	3 75 %	4 50 %	22 64.7 %	0 0 %	4 66.7 %	0 0 %	33 62.3 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 20: Do not see any benefit in registering.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	3 75 %	7 87.5 %	32 94.1 %	1 100 %	6 100 %	0 0 %	49 92.5 %
Selected	1 25 %	1 12.5 %	2 5.9 %	0 0 %	0 0 %	0 0 %	4 7.5 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 21: Do not want to do business with government.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 0 %	53 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 22: Do not want to do business with Charles County.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 0 %	53 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 23: Do not see opportunities in my field of work.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	4 100 %	8 100 %	28 82.4 %	1 100 %	6 100 %	0 0 %	47 88.7 %
Selected	0 0 %	0 0 %	6 17.6 %	0 0 %	0 0 %	0 0 %	6 11.3 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 24: Do not believe firm would be awarded contract.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	4 100 %	7 87.5 %	27 79.4 %	1 100 %	6 100 %	0 0 %	45 84.9 %
Selected	0 0 %	1 12.5 %	7 20.6 %	0 0 %	0 0 %	0 0 %	8 15.1 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 25: Other, please specify

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	4 100 %	7 87.5 %	32 94.1 %	1 100 %	6 100 %	0 0 %	50 94.3 %
Selected	0 0 %	1 12.5 %	2 5.9 %	0 0 %	0 0 %	0 0 %	3 5.7 %
Total	4 100 %	8 100 %	34 100 %	1 100 %	6 100 %	0 100 %	53 100 %

Table 26: From July 1, 2014 through June 30, 2019, how many times has your company submitted bids or proposals for projects as prime contractor on: [Charles County Public Projects]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	8 50 %	10 50 %	60 82.2 %	4 80 %	8 80 %	1 33.3 %	91 71.7 %
1-10	4 25 %	2 10 %	10 13.7 %	0 0 %	1 10 %	1 33.3 %	18 14.2 %
11-25	1 6.2 %	1 5 %	2 2.7 %	0 0 %	0 0 %	0 0 %	4 3.1 %
26-50	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
51-100	0 0 %	0 0 %	0 0 %	1 20 %	0 0 %	0 0 %	1 0.8 %
Over 100	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Don't Know/NA	3 18.8 %	7 35 %	1 1.4 %	0 0 %	1 10 %	1 33.3 %	13 10.2 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 27: Private Sector Projects

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	5 31.2 %	3 15 %	30 41.1 %	2 40 %	3 30 %	2 66.7 %	45 35.4 %
1-10	2 12.5 %	1 5 %	22 30.1 %	2 40 %	5 50 %	1 33.3 %	33 26 %
11-25	0 0 %	2 10 %	9 12.3 %	0 0 %	0 0 %	0 0 %	11 8.7 %
26-50	0 0 %	2 10 %	2 2.7 %	0 0 %	1 10 %	0 0 %	5 3.9 %
51-100	1 6.2 %	2 10 %	3 4.1 %	1 20 %	0 0 %	0 0 %	7 5.5 %
Over 100	5 31.2 %	3 15 %	3 4.1 %	0 0 %	0 0 %	0 0 %	11 8.7 %
Don't Know/NA	3 18.8 %	7 35 %	4 5.5 %	0 0 %	1 10 %	0 0 %	15 11.8 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 28: Other Public Sector (non-Charles County Projects)

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	6 37.5 %	5 25 %	24 32.9 %	2 40 %	4 40 %	1 33.3 %	42 33.1 %
1-10	4 25 %	4 20 %	29 39.7 %	1 20 %	3 30 %	0 0 %	41 32.3 %
11-25	0 0 %	1 5 %	8 11 %	0 0 %	1 10 %	1 33.3 %	11 8.7 %
26-50	0 0 %	2 10 %	4 5.5 %	0 0 %	0 0 %	0 0 %	6 4.7 %
51-100	1 6.2 %	0 0 %	4 5.5 %	2 40 %	1 10 %	0 0 %	8 6.3 %
Over 100	2 12.5 %	2 10 %	1 1.4 %	0 0 %	0 0 %	0 0 %	5 3.9 %
Don't Know/NA	3 18.8 %	6 30 %	3 4.1 %	0 0 %	1 10 %	1 33.3 %	14 11 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 29: From July 1, 2014 through June 30, 2019, how many times has your company been awarded contracts to perform as a prime contractor: [Charles County Public Projects]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	8 50 %	10 50 %	64 87.7 %	4 80 %	8 80 %	1 33.3 %	95 74.8 %
1-10	4 25 %	3 15 %	5 6.8 %	1 20 %	1 10 %	1 33.3 %	15 11.8 %
11-25	1 6.2 %	1 5 %	0 0 %	0 0 %	0 0 %	0 0 %	2 1.6 %
26-50	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
51-100	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 %
Don't Know/NA	3 18.8 %	6 30 %	3 4.1 %	0 0 %	1 10 %	1 33.3 %	14 11 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 30: Private Sector Projects

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	4 25 %	3 15 %	35 47.9 %	2 40 %	3 30 %	2 66.7 %	49 38.6 %
1-10	2 12.5 %	2 10 %	22 30.1 %	2 40 %	5 50 %	1 33.3 %	34 26.8 %
11-25	0 0 %	2 10 %	5 6.8 %	0 0 %	1 10 %	0 0 %	8 6.3 %
26-50	0 0 %	3 15 %	2 2.7 %	0 0 %	0 0 %	0 0 %	5 3.9 %
51-100	1 6.2 %	0 0 %	1 1.4 %	1 20 %	0 0 %	0 0 %	3 2.4 %
Over 100	6 37.5 %	3 15 %	3 4.1 %	0 0 %	0 0 %	0 0 %	12 9.4 %
Don't Know/NA	3 18.8 %	7 35 %	5 6.8 %	0 0 %	1 10 %	0 0 %	16 12.6 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 31: Other Public Sector (non-Charles County Projects)

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	6 37.5 %	5 25 %	31 42.5 %	2 40 %	4 40 %	2 66.7 %	50 39.4 %
1-10	3 18.8 %	5 25 %	28 38.4 %	1 20 %	2 20 %	0 0 %	39 30.7 %
11-25	0 0 %	2 10 %	4 5.5 %	0 0 %	2 20 %	0 0 %	8 6.3 %
26-50	0 0 %	0 0 %	4 5.5 %	1 20 %	1 10 %	0 0 %	6 4.7 %
51-100	1 6.2 %	0 0 %	1 1.4 %	1 20 %	0 0 %	0 0 %	3 2.4 %
Over 100	3 18.8 %	2 10 %	2 2.7 %	0 0 %	0 0 %	0 0 %	7 5.5 %
Don't Know/NA	3 18.8 %	6 30 %	3 4.1 %	0 0 %	1 10 %	1 33.3 %	14 11 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 32: Approximately how many times did you serve as a subcontractor on a Charles County project from July 1, 2014 through June 30, 2019?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
None	12 75 %	16 80 %	70 95.9 %	3 60 %	9 90 %	2 66.7 %	112 88.2 %
1-10	1 6.2 %	1 5 %	1 1.4 %	2 40 %	1 10 %	0 0 %	6 4.7 %
11-25	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
26-50	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
51-100	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 %
Don't Know	3 18.8 %	3 15 %	0 0 %	0 0 %	0 0 %	1 33.3 %	7 5.5 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 33: 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 Charles County? (check all that apply) [Pre-qualification requirements]

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
Not Selected	16 100 %	20 100 %	60 82.2 %	2 40 %	9 90 %	3 100 %	110 86.6 %
Selected	0 0 %	0 0 %	13 17.8 %	3 60 %	1 10 %	0 0 %	17 13.4 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 34: Performance bond requirements

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	19 95 %	66 90.4 %	5 100 %	10 100 %	3 100 %	118 92.9 %
Selected	1 6.2 %	1 5 %	7 9.6 %	0 0 %	0 0 %	0 0 %	9 7.1 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 35: Excessive paperwork

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	16 80 %	68 93.2 %	3 60 %	10 100 %	3 100 %	115 90.6 %
Selected	1 6.2 %	4 20 %	5 6.8 %	2 40 %	0 0 %	0 0 %	12 9.4 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 36: Bid bond requirements

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	17 85 %	68 93.2 %	4 80 %	10 100 %	3 100 %	117 92.1 %
Selected	1 6.2 %	3 15 %	5 6.8 %	1 20 %	0 0 %	0 0 %	10 7.9 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 37: Financing

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	19 95 %	72 98.6 %	5 100 %	10 100 %	3 100 %	125 98.4 %
Selected	0 0 %	1 5 %	1 1.4 %	0 0 %	0 0 %	0 0 %	2 1.6 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 38: Insurance requirements

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	19 95 %	71 97.3 %	4 80 %	9 90 %	3 100 %	121 95.3 %
Selected	1 6.2 %	1 5 %	2 2.7 %	1 20 %	1 10 %	0 0 %	6 4.7 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 39: Bonding requirements

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	19 95 %	64 87.7 %	5 100 %	9 90 %	3 100 %	115 90.6 %
Selected	1 6.2 %	1 5 %	9 12.3 %	0 0 %	1 10 %	0 0 %	12 9.4 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 40: Bid specifications

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	20 100 %	67 91.8 %	4 80 %	10 100 %	3 100 %	119 93.7 %
Selected	1 6.2 %	0 0 %	6 8.2 %	1 20 %	0 0 %	0 0 %	8 6.3 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 41: Lack of access to competitive supplier pricing

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	18 90 %	69 94.5 %	5 100 %	10 100 %	3 100 %	121 95.3 %
Selected	0 0 %	2 10 %	4 5.5 %	0 0 %	0 0 %	0 0 %	6 4.7 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 42: Limited time given to prepare bid package or quote

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	15 75 %	63 86.3 %	3 60 %	10 100 %	3 100 %	109 85.8 %
Selected	1 6.2 %	5 25 %	10 13.7 %	2 40 %	0 0 %	0 0 %	18 14.2 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 43: Limited knowledge of purchasing/contracting policies and procedures

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	18 90 %	68 93.2 %	4 80 %	8 80 %	3 100 %	116 91.3 %
Selected	1 6.2 %	2 10 %	5 6.8 %	1 20 %	2 20 %	0 0 %	11 8.7 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 44: Language Barriers

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 45: Lack of experience

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16	20	67	4	9	3	119	
	100 %	100 %	91.8 %	80 %	90 %	100 %	93.7 %	
Selected	0	0	6	1	1	0	8	
	0 %	0 %	8.2 %	20 %	10 %	0 %	6.3 %	
Total	16	20	73	5	10	3	127	
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	

Table 46: Lack of personnel

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16	20	71	4	9	3	123	
	100 %	100 %	97.3 %	80 %	90 %	100 %	96.9 %	
Selected	0	0	2	1	1	0	4	
	0 %	0 %	2.7 %	20 %	10 %	0 %	3.1 %	
Total	16	20	73	5	10	3	127	
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	

Table 47: Contract too large

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16	18	67	4	10	3	118	
	100 %	90 %	91.8 %	80 %	100 %	100 %	92.9 %	
Selected	0	2	6	1	0	0	9	
	0 %	10 %	8.2 %	20 %	0 %	0 %	7.1 %	
Total	16	20	73	5	10	3	127	
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	

Table 48: Contract too expensive to bid

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	20 100 %	71 97.3 %	2 40 %	10 100 %	3 100 %	121 95.3 %
Selected	1 6.2 %	0 0 %	2 2.7 %	3 60 %	0 0 %	0 0 %	6 4.7 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 49: Selection process

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	19 95 %	63 86.3 %	2 40 %	10 100 %	3 100 %	113 89 %
Selected	0 0 %	1 5 %	10 13.7 %	3 60 %	0 0 %	0 0 %	14 11 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 50: Not certified

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	19 95 %	70 95.9 %	5 100 %	10 100 %	3 100 %	123 96.9 %
Selected	0 0 %	1 5 %	3 4.1 %	0 0 %	0 0 %	0 0 %	4 3.1 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 51: Unfair competition with large firms

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	13 81.2 %	17 85 %	60 82.2 %	1 20 %	9 90 %	3 100 %	103 81.1 %
Selected	3 18.8 %	3 15 %	13 17.8 %	4 80 %	1 10 %	0 0 %	24 18.9 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 52: None of the above

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	7 43.8 %	9 45 %	34 46.6 %	5 100 %	4 40 %	0 0 %	59 46.5 %
Selected	9 56.2 %	11 55 %	39 53.4 %	0 0 %	6 60 %	3 100 %	68 53.5 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 53: What is the amount of time that it typically takes to receive payment, from the date you submit your invoice, from Charles County for your services on Charles County projects?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Less than 30 days	1 12.5 %	5 50 %	1 11.1 %	1 100 %	1 50 %	0 0 %	9 28.1 %
30-59 days	5 62.5 %	3 30 %	4 44.4 %	0 0 %	0 0 %	1 50 %	13 40.6 %
60-89 days	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
90-119 days	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
120 days or more	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Don't Know/NA	2 25 %	2 20 %	4 44.4 %	0 0 %	5 50 %	1 50 %	10 31.2 %
Total	8 100 %	10 100 %	9 100 %	1 100 %	2 100 %	2 100 %	32 100 %

Table 54: Is your company a certified Minority or Woman business?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	0	16	68	5	8	1	98	77.2 %
	0 %	80 %	93.2 %	100 %	80 %	33.3 %	77.2 %	
No	16	4	5	0	2	2	29	
	100 %	20 %	6.8 %	0 %	20 %	66.7 %	22.8 %	
Total	16	20	73	5	10	3	127	
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	

Table 55: What is your certification? (Check all that apply) [Charles County Local Business Enterprise]

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	0	4	10	2	1	0	0 %	17
	0 %	25 %	14.7 %	40 %	12.5 %	0 %	0 %	
No	0	9	42	2	6	1	100 %	60
	0 %	56.2 %	61.8 %	40 %	75 %	100 %	100 %	61.2 %
N/A	0	3	16	1	1	0	0 %	21
	0 %	18.8 %	23.5 %	20 %	12.5 %	0 %	0 %	21.4 %
Total	0	16	68	5	8	1	100 %	98
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 56: MBE (Minority Business Enterprise)

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	0	13	68	4	8	1	94	95.9 %
	0 %	81.2 %	100 %	80 %	100 %	100 %	95.9 %	
No	0	3	0	1	0	0	0	4
	0 %	18.8 %	0 %	20 %	0 %	0 %	0 %	4.1 %
N/A	0	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Total	0	16	68	5	8	1	98	
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	

Table 57: WBE (Women Business Enterprise)

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		0 0 %	13 81.2 %	24 35.3 %	2 40 %	3 37.5 %	0 0 %	42 42.9 %
No		0 0 %	2 12.5 %	31 45.6 %	2 40 %	5 62.5 %	1 100 %	41 41.8 %
N/A		0 0 %	1 6.2 %	13 19.1 %	1 20 %	0 0 %	0 0 %	15 15.3 %
Total		0 100 %	16 100 %	68 100 %	5 100 %	8 100 %	1 100 %	98 100 %

Table 58: DBE (Disabled Business Enterprise)

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		0 0 %	4 25 %	30 44.1 %	1 20 %	6 75 %	0 0 %	41 41.8 %
No		0 0 %	10 62.5 %	27 39.7 %	3 60 %	2 25 %	1 100 %	43 43.9 %
N/A		0 0 %	2 12.5 %	11 16.2 %	1 20 %	0 0 %	0 0 %	14 14.3 %
Total		0 100 %	16 100 %	68 100 %	5 100 %	8 100 %	1 100 %	98 100 %

Table 59: SBE (Small Business Enterprise)

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		0 0 %	9 56.2 %	55 80.9 %	4 80 %	7 87.5 %	1 100 %	76 77.6 %
No		0 0 %	5 31.2 %	12 17.6 %	1 20 %	1 12.5 %	0 0 %	19 19.4 %
N/A		0 0 %	2 12.5 %	1 1.5 %	0 0 %	0 0 %	0 0 %	3 3.1 %
Total		0 100 %	16 100 %	68 100 %	5 100 %	8 100 %	1 100 %	98 100 %

Table 60: Other, please specify

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	0	1	16	0	1	0	0	18
	0 %	11.1 %	37.2 %	0 %	20 %	0 %	0 %	29.5 %
No	0	5	11	2	1	0	0	19
	0 %	55.6 %	25.6 %	50 %	20 %	0 %	0 %	31.1 %
N/A	0	3	16	2	3	0	0	24
	0 %	33.3 %	37.2 %	50 %	60 %	0 %	0 %	39.3 %
Total	0	9	43	4	5	0	0	61
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 61: Why is your company not certified as a Minority or Woman business? (Please check all that apply) [I do not understand the certification process]

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	14	2	5	0	2	2	2	25
	87.5 %	50 %	100 %	0 %	100 %	100 %	100 %	86.2 %
Selected	2	2	0	0	0	0	0	4
	12.5 %	50 %	0 %	0 %	0 %	0 %	0 %	13.8 %
Total	16	4	5	0	2	2	2	29
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 62: We do not meet one or more of the requirements for certification

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	1	4	2	0	2	2	2	11
	6.2 %	100 %	40 %	0 %	100 %	100 %	100 %	37.9 %
Selected	15	0	3	0	0	0	0	18
	93.8 %	0 %	60 %	0 %	0 %	0 %	0 %	62.1 %
Total	16	4	5	0	2	2	2	29
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 63: Certification is too expensive

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	4 100 %	4 80 %	0 0 %	2 100 %	2 100 %	27 93.1 %
Selected	1 6.2 %	0 0 %	1 20 %	0 0 %	0 0 %	0 0 %	2 6.9 %
Total	16 100 %	4 100 %	5 100 %	0 100 %	2 100 %	2 100 %	29 100 %

Table 64: I do not want governmental agencies to have information about my company

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	4 100 %	5 100 %	0 0 %	2 100 %	2 100 %	29 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	16 100 %	4 100 %	5 100 %	0 100 %	2 100 %	2 100 %	29 100 %

Table 65: I have not had time to get certified/the process is too time-consuming

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	2 50 %	4 80 %	0 0 %	0 0 %	2 100 %	24 82.8 %
Selected	0 0 %	2 50 %	1 20 %	0 0 %	2 100 %	0 0 %	5 17.2 %
Total	16 100 %	4 100 %	5 100 %	0 100 %	2 100 %	2 100 %	29 100 %

Table 66: Certification does not benefit and/or will negatively impact my company

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	16 100 %	3 75 %	5 100 %	0 0 %	2 100 %	1 50 %	27 93.1 %
Selected	0 0 %	1 25 %	0 0 %	0 0 %	0 0 %	1 50 %	2 6.9 %
Total	16 100 %	4 100 %	5 100 %	0 100 %	2 100 %	2 100 %	29 100 %

Table 67: Do not understand how certification can benefit my firm.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	15 93.8 %	2 50 %	5 100 %	0 0 %	2 100 %	1 50 %	25 86.2 %
Selected	1 6.2 %	2 50 %	0 0 %	0 0 %	0 0 %	1 50 %	4 13.8 %
Total	16 100 %	4 100 %	5 100 %	0 100 %	2 100 %	2 100 %	29 100 %

Table 68: Between July 1, 2014 through June 30, 2019, did your company apply and receive any of the following? [Business start-up loan?]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Never Applied	16 100 %	20 100 %	68 93.2 %	5 100 %	10 100 %	3 100 %	122 96.1 %
Applied, Never Approved	0 0 %	0 0 %	2 2.7 %	0 0 %	0 0 %	0 0 %	2 1.6 %
Applied, Some Approved	0 0 %	0 0 %	3 4.1 %	0 0 %	0 0 %	0 0 %	3 2.4 %
Applied, All Approved	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 69: Operating capital loan?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Never Applied	12 75 %	16 80 %	57 78.1 %	4 80 %	8 80 %	2 66.7 %	99 78 %
Applied, Never Approved	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Applied, Some Approved	0 0 %	0 0 %	8 11 %	0 0 %	0 0 %	0 0 %	8 6.3 %
Applied, All Approved	4 25 %	4 20 %	7 9.6 %	1 20 %	2 20 %	1 33.3 %	19 15 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 70: Equipment loan?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Never Applied	8 50 %	16 80 %	67 91.8 %	4 80 %	9 90 %	2 66.7 %	106 83.5 %
Applied, Never Approved	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Applied, Some Approved	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Applied, All Approved	8 50 %	4 20 %	5 6.8 %	1 20 %	1 10 %	1 33.3 %	20 15.7 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 71: Commercial/Professional liability insurance?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Never Applied	2 12.5 %	9 45 %	24 32.9 %	4 80 %	3 30 %	0 0 %	42 33.1 %
Applied, Never Approved	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Applied, Some Approved	0 0 %	0 0 %	2 2.7 %	0 0 %	1 10 %	0 0 %	3 2.4 %
Applied, All Approved	14 87.5 %	11 55 %	46 63 %	1 20 %	6 60 %	3 100 %	81 63.8 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 72: What was the largest commercial loan you received from July 1, 2014 through June 30, 2019?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
\$50,000 or less	1 6.2 %	7 35 %	17 23.3 %	2 40 %	1 10 %	0 0 %	28 22 %
\$50,001 - \$100,000	3 18.8 %	0 0 %	6 8.2 %	2 40 %	1 10 %	1 33.3 %	13 10.2 %
\$100,001 -	2	2	5	1	1	0	11
\$300,000	12.5 %	10 %	6.8 %	20 %	10 %	0 %	8.7 %
\$300,001 -	0	0	0	0	0	0	0
\$500,000	0 %	0 %	0 %	0 %	0 %	0 %	0 %
\$500,001 -	1	0	2	0	0	0	3
\$1,000,000	6.2 %	0 %	2.7 %	0 %	0 %	0 %	2.4 %
\$1,000,001 -	2	1	0	0	0	0	3
\$3,000,000	12.5 %	5 %	0 %	0 %	0 %	0 %	2.4 %
\$3,000,001 -	0	0	0	0	0	0	0
\$5,000,000	0 %	0 %	0 %	0 %	0 %	0 %	0 %
\$5,000,001 to	0	0	0	0	0	0	0
\$10,000,000	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Over \$10,000,000	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Don't Know/NA	7 43.8 %	10 50 %	43 58.9 %	0 0 %	7 70 %	2 66.7 %	69 54.3 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 73: How many times have you been denied a commercial (business) bank loan from July 1, 2014 through June 30, 2019?

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
None	10 62.5 %	18 90 %	46 63 %	5 100 %	6 60 %	1 33.3 %	86 67.7 %
1-10	1 6.2 %	0 0 %	13 17.8 %	0 0 %	0 0 %	1 33.3 %	15 11.8 %
11-25	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
26-50	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 %
Over 100	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Don't Know/NA	5 31.2 %	2 10 %	14 19.2 %	0 0 %	4 40 %	1 33.3 %	26 20.5 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 74: Of the items your company was denied, what was the denial reason? (Please check all that apply) [Business start-up loan?] [Insufficient Documentation]

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic		
Not Selected	0 0 %	0 0 %	4 80 %	0 0 %	0 0 %	0 0 %	4 80 %
Selected	0 0 %	0 0 %	1 20 %	0 0 %	0 0 %	0 0 %	1 20 %
Total	0 100 %	0 100 %	5 100 %	0 100 %	0 100 %	0 100 %	5 100 %

Table 75: Insufficient Business History

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	3 60 %	0 0 %	0 0 %	0 0 %	3 60 %
Selected	0 0 %	0 0 %	2 40 %	0 0 %	0 0 %	0 0 %	2 40 %
Total	0 100 %	0 100 %	5 100 %	0 100 %	0 100 %	0 100 %	5 100 %

Table 76: Confusion about Process

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	5 100 %	0 0 %	0 0 %	0 0 %	5 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	5 100 %	0 100 %	0 100 %	0 100 %	5 100 %

Table 77: Credit History

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	5 100 %	0 0 %	0 0 %	0 0 %	5 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	5 100 %	0 100 %	0 100 %	0 100 %	5 100 %

Table 78: Don't Know

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	3 60 %	0 0 %	0 0 %	0 0 %	3 60 %
Selected	0 0 %	0 0 %	2 40 %	0 0 %	0 0 %	0 0 %	2 40 %
Total	0 100 %	0 100 %	5 100 %	0 100 %	0 100 %	0 100 %	5 100 %

Table 79: N/A

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	5 100 %	0 0 %	0 0 %	0 0 %	5 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	5 100 %	0 100 %	0 100 %	0 100 %	5 100 %

Table 80: Of the items your company was denied, what was the denial reason? (Please check all that apply) [Operating capital loan?] [Insufficient Documentation]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	8 88.9 %	0 0 %	0 0 %	0 0 %	8 88.9 %
Selected	0 0 %	0 0 %	1 11.1 %	0 0 %	0 0 %	0 0 %	1 11.1 %
Total	0 100 %	0 100 %	9 100 %	0 100 %	0 100 %	0 100 %	9 100 %

Table 81: Insufficient Business History

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	7 77.8 %	0 0 %	0 0 %	0 0 %	7 77.8 %
Selected	0 0 %	0 0 %	2 22.2 %	0 0 %	0 0 %	0 0 %	2 22.2 %
Total	0 100 %	0 100 %	9 100 %	0 100 %	0 100 %	0 100 %	9 100 %

Table 82: Confusion about Process

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	9 100 %	0 0 %	0 0 %	0 0 %	9 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	9 100 %	0 100 %	0 100 %	0 100 %	9 100 %

Table 83: Credit History

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	7 77.8 %	0 0 %	0 0 %	0 0 %	7 77.8 %
Selected	0 0 %	0 0 %	2 22.2 %	0 0 %	0 0 %	0 0 %	2 22.2 %
Total	0 100 %	0 100 %	9 100 %	0 100 %	0 100 %	0 100 %	9 100 %

Table 84: Don't Know

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	7 77.8 %	0 0 %	0 0 %	0 0 %	7 77.8 %
Selected	0 0 %	0 0 %	2 22.2 %	0 0 %	0 0 %	0 0 %	2 22.2 %
Total	0 100 %	0 100 %	9 100 %	0 100 %	0 100 %	0 100 %	9 100 %

Table 85: N/A

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	6 66.7 %	0 0 %	0 0 %	0 0 %	6 66.7 %
Selected	0 0 %	0 0 %	3 33.3 %	0 0 %	0 0 %	0 0 %	3 33.3 %
Total	0 100 %	0 100 %	9 100 %	0 100 %	0 100 %	0 100 %	9 100 %

Table 86: Of the items your company was denied, what was the denial reason? (Please check all that apply) [Equipment loan?] [Insufficient Documentation]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	1 100 %	0 100 %	0 100 %	0 100 %	1 100 %

Table 87: Insufficient Business History

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	1 100 %	0 100 %	0 100 %	0 100 %	1 100 %

Table 88: Confusion about Process

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	1 100 %	0 100 %	0 100 %	0 100 %	1 100 %

Table 89: Credit History

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	1 100 %	0 100 %	0 100 %	0 100 %	1 100 %

Table 90: Don't Know

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Selected	0 0 %	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %
Total	0 100 %	0 100 %	1 100 %	0 100 %	0 100 %	0 100 %	1 100 %

Table 91: N/A

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	1 100 %	0 0 %	0 0 %	0 0 %	1 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	1 100 %	0 100 %	0 100 %	0 100 %	1 100 %

Table 92: Of the items your company was denied, what was the denial reason? (Please check all that apply) [Commercial/Professional liability insurance?] [Insufficient Documentation]

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	2 100 %	0 0 %	1 100 %	0 0 %	3 100 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %	0 0 %
Total	0 100 %	0 100 %	2 100 %	0 100 %	1 100 %	0 100 %	3 100 %

Table 93: Insufficient Business History

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0	0	1	0	1	0	0	2
	0 %	0 %	50 %	0 %	100 %	0 %	0 %	66.7 %
Selected	0	0	1	0	0	0	0	1
	0 %	0 %	50 %	0 %	0 %	0 %	0 %	33.3 %
Total	0	0	2	0	1	0	0	3
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 94: Confusion about Process

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0	0	2	0	1	0	0	3
	0 %	0 %	100 %	0 %	100 %	0 %	0 %	100 %
Selected	0	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Total	0	0	2	0	1	0	0	3
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 95: Credit History

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0	0	2	0	1	0	0	3
	0 %	0 %	100 %	0 %	100 %	0 %	0 %	100 %
Selected	0	0	0	0	0	0	0	0
	0 %	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Total	0	0	2	0	1	0	0	3
	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 96: Don't Know

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	1 50 %	0 0 %	1 100 %	0 0 %	2 66.7 %
Selected	0 0 %	0 0 %	1 50 %	0 0 %	0 0 %	0 0 %	1 33.3 %
Total	0 100 %	0 100 %	2 100 %	0 100 %	1 100 %	0 100 %	3 100 %

Table 97: N/A

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Not Selected	0 0 %	0 0 %	2 100 %	0 0 %	0 0 %	0 0 %	2 66.7 %
Selected	0 0 %	0 0 %	0 0 %	0 0 %	1 100 %	0 0 %	1 33.3 %
Total	0 100 %	0 100 %	2 100 %	0 100 %	1 100 %	0 100 %	3 100 %

Table 98: Do you feel as though you experienced discriminatory behavior from the private sector (i.e., non-governmental entities) from July 1, 2014 through June 30, 2019?

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes	0 0 %	2 10 %	17 23.3 %	1 20 %	0 0 %	0 0 %	20 15.7 %
No	15 93.8 %	13 65 %	28 38.4 %	3 60 %	6 60 %	2 66.7 %	67 52.8 %
Don't Know	1 6.2 %	5 25 %	28 38.4 %	1 20 %	4 40 %	1 33.3 %	40 31.5 %
Total	16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 99: May the researchers contact you to get more details about your experience?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		12 75 %	12 60 %	61 83.6 %	3 60 %	8 80 %	2 66.7 %	98 77.2 %
No		4 25 %	8 40 %	12 16.4 %	2 40 %	2 20 %	1 33.3 %	29 22.8 %
Total		16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 100: From July 1, 2014 through June 30, 2019, how often has your company experienced any racial, gender, or ethnicity discriminatory behavior from Charles County?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Never		13 81.2 %	18 90 %	36 49.3 %	2 40 %	8 80 %	3 100 %	80 63 %
Seldom		2 12.5 %	0 0 %	5 6.8 %	0 0 %	0 0 %	0 0 %	7 5.5 %
Often		1 6.2 %	0 0 %	3 4.1 %	1 20 %	0 0 %	0 0 %	5 3.9 %
Very Often		0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Don't Know		0 0 %	2 10 %	28 38.4 %	2 40 %	2 20 %	0 0 %	34 26.8 %
Total		16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 101: May the researchers contact you to get more details about your experience?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		12 75 %	12 60 %	53 72.6 %	3 60 %	8 80 %	2 66.7 %	90 70.9 %
No		4 25 %	8 40 %	20 27.4 %	2 40 %	2 20 %	1 33.3 %	37 29.1 %
Total		16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 102: Do you believe there is an informal network of prime and subcontractors doing business with Charles County that monopolize the public contracting process?

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Yes		2 12.5 %	8 40 %	49 67.1 %	3 60 %	4 40 %	1 33.3 %	67 52.8 %
No		14 87.5 %	12 60 %	24 32.9 %	2 40 %	6 60 %	2 66.7 %	60 47.2 %
Total		16 100 %	20 100 %	73 100 %	5 100 %	10 100 %	3 100 %	127 100 %

Table 103: Please tell us if you strongly agree, agree, neither agree nor disagree, disagree or strongly disagree with each of the following statements: [My company's exclusion from this informal network has prevented us from winning contracts with Charles County.]

		Owners' Minority Status					Total	
		Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree		1 100 %	0 0 %	8 16.7 %	1 33.3 %	0 0 %	0 0 %	10 15.4 %
Agree		0 0 %	1 12.5 %	10 20.8 %	1 33.3 %	0 0 %	0 0 %	12 18.5 %
Neither agree nor disagree		0 0 %	5 62.5 %	25 52.1 %	1 33.3 %	4 100 %	0 0 %	35 53.8 %
Disagree		0 0 %	0 0 %	4 8.3 %	0 0 %	0 0 %	1 100 %	5 7.7 %
Strongly disagree		0 0 %	2 25 %	1 2.1 %	0 0 %	0 0 %	0 0 %	3 4.6 %
Total		1 100 %	8 100 %	48 100 %	3 100 %	4 100 %	1 100 %	65 100 %

Table 104: Double standards in qualifications and work performance make it more difficult for Minority, Woman, business to win bids or contracts.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	1 6.7 %	0 0 %	20 27.8 %	1 20 %	0 0 %	0 0 %	22 17.6 %
Agree	0 0 %	2 10 %	25 34.7 %	2 40 %	3 30 %	0 0 %	32 25.6 %
Neither agree nor disagree	11 73.3 %	11 55 %	22 30.6 %	2 40 %	5 50 %	2 66.7 %	53 42.4 %
Disagree	1 6.7 %	4 20 %	4 5.6 %	0 0 %	2 20 %	1 33.3 %	12 9.6 %
Strongly disagree	2 13.3 %	3 15 %	1 1.4 %	0 0 %	0 0 %	0 0 %	6 4.8 %
Total	15 100 %	20 100 %	72 100 %	5 100 %	10 100 %	3 100 %	125 100 %

Table 105: Charles County is generally accommodating to the language needs of its vendor community.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	0 0 %	1 5 %	4 5.6 %	1 20 %	0 0 %	2 66.7 %	8 6.5 %
Agree	1 6.7 %	5 25 %	9 12.7 %	1 20 %	4 44.4 %	1 33.3 %	21 17.1 %
Neither agree nor disagree	13 86.7 %	14 70 %	56 78.9 %	3 60 %	5 55.6 %	0 0 %	91 74 %
Disagree	0 0 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	1 0.8 %
Strongly disagree	1 6.7 %	0 0 %	1 1.4 %	0 0 %	0 0 %	0 0 %	2 1.6 %
Total	15 100 %	20 100 %	71 100 %	5 100 %	9 100 %	3 100 %	123 100 %

Table 106: Sometimes, a prime contractor will contact a Minority and Woman business to ask for quotes but never give the proposal sufficient review to consider giving that firm the award.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	2 13.3 %	0 0 %	13 18.1 %	0 0 %	0 0 %	0 0 %	15 12.2 %
Agree	0 0 %	7 36.8 %	21 29.2 %	2 40 %	1 11.1 %	0 0 %	31 25.2 %
Neither agree nor disagree	13 86.7 %	10 52.6 %	34 47.2 %	3 60 %	6 66.7 %	2 66.7 %	68 55.3 %
Disagree	0 0 %	1 5.3 %	2 2.8 %	0 0 %	2 22.2 %	1 33.3 %	6 4.9 %
Strongly disagree	0 0 %	1 5.3 %	2 2.8 %	0 0 %	0 0 %	0 0 %	3 2.4 %
Total	15 100 %	19 100 %	72 100 %	5 100 %	9 100 %	3 100 %	123 100 %

Table 107: Sometimes, a prime contractor will include a Minority and Woman subcontractor on a bid to meet participation goals, then drop the company as a subcontractor after winning the award.

	Owners' Minority Status						Total
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	1 6.7 %	2 10 %	14 19.4 %	0 0 %	0 0 %	0 0 %	17 13.7 %
Agree	1 6.7 %	4 20 %	14 19.4 %	2 40 %	1 11.1 %	0 0 %	22 17.7 %
Neither agree nor disagree	13 86.7 %	11 55 %	40 55.6 %	3 60 %	7 77.8 %	2 66.7 %	76 61.3 %
Disagree	0 0 %	2 10 %	3 4.2 %	0 0 %	1 11.1 %	1 33.3 %	7 5.6 %
Strongly disagree	0 0 %	1 5 %	1 1.4 %	0 0 %	0 0 %	0 0 %	2 1.6 %
Total	15 100 %	20 100 %	72 100 %	5 100 %	9 100 %	3 100 %	124 100 %

Table 108: In general, Minority and Woman tend to be viewed by Nonminority/woman/disadvantaged/small businesses as less competent than non-minority male-owned businesses.

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	0	5	18	0	0	0	23 18.4 %
	0 %	25 %	25 %	0 %	0 %	0 %	
Agree	2	2	18	2	4	1	29
	13.3 %	10 %	25 %	40 %	40 %	33.3 %	23.2 %
Neither agree nor disagree	12	9	33	3	4	1	62
	80 %	45 %	45.8 %	60 %	40 %	33.3 %	49.6 %
Disagree	0	3	1	0	2	1	7
	0 %	15 %	1.4 %	0 %	20 %	33.3 %	5.6 %
Strongly disagree	1	1	2	0	0	0	4
	6.7 %	5 %	2.8 %	0 %	0 %	0 %	3.2 %
Total	15	20	72	5	10	3	125
	100 %	100 %	100 %	100 %	100 %	100 %	100 %

Table 109: I believe that some non-minority prime contractors only utilize minority and women-owned companies when required to do so by Charles County.

	Owners' Minority Status					Total	
	Non-Minority	Woman	Black	Asian	Hispanic	Bi-Racial or Multi-Racial	
Strongly agree	3	5	26	0	3	0	37
	20 %	25 %	36.1 %	0 %	33.3 %	0 %	29.8 %
Agree	0	4	19	3	1	1	28
	0 %	20 %	26.4 %	60 %	11.1 %	33.3 %	22.6 %
Neither agree nor disagree	11	8	26	2	5	2	54
	73.3 %	40 %	36.1 %	40 %	55.6 %	66.7 %	43.5 %
Disagree	0	2	0	0	0	0	2
	0 %	10 %	0 %	0 %	0 %	0 %	1.6 %
Strongly disagree	1	1	1	0	0	0	3
	6.7 %	5 %	1.4 %	0 %	0 %	0 %	2.4 %
Total	15	20	72	5	9	3	124
	100 %	100 %	100 %	100 %	100 %	100 %	100 %