MEMORANDIUM:

To all consultants and project managers working with the Department of Public Works - Engineering Division, the Office of Minority and Women Business Development would like to clarify some misunderstandings regarding the utilization of XBEs (City-certified minority, women, veteran, and disabled-owned businesses) on professional services agreements, precisely how OMWBD reviews XBE utilization and what counts towards XBE participation goals for a project.

OMWBD collects and evaluates monthly reports on XBE spending, which includes all expenditures in said month made on various contracts for the agency. It is essential that XBEs have the opportunity to provide professional services that match their certifications. Although the City always aims to meet XBE Utilization Goals, we discourage prime contractors from creating unnecessary opportunities resulting in higher costs. Subconsultant opportunities should be focused on meaningful work, within the subconsultant’s area of expertise, benefiting the City, the XBE firm, and the project.

If an XBE works as a prime consultant on a project or contract, their participation in the project will count at 100% of the contract amount for XBE utilization, assuming there are no subconsultant opportunities and the XBE is self-performing in their commercial useful function. If there are subconsultant opportunities, XBE goals remain for the subcontracting and supply opportunities.

If an XBE is certified in multiple categories, their participation on a project can be split between multiple groups. For example, if an XBE is both a Minority Business Enterprise (MBE) and a Veteran Business Enterprise (VBE), their participation can count/be split towards both the MBE and VBE goals. However, it cannot be fully counted towards each goal, as this would be double-counting and would not accurately reflect the participation of diverse businesses in the project. Instead, the participation can be split up in whatever way is necessary to meet the program goals by the prime contractor and/or agency.

If there are not available resources within one XBE category to fulfill a specific subconsultant opportunity, other XBE subconsultants should be considered for that subconsultant opportunity if their areas of expertise align.

OMWBDs goal is to ensure that all City-certified XBEs are provided the opportunity to compete for and work on projects with the Department of Public Works and we hope this clarification results in greater understanding when meeting the XBE Utilization Goals.

XBE Utilization Goals

- Minority-Owned Business Enterprise (MBE): 15%
- Women-Owned Business Enterprise (WBE): 8%
- Veteran-Owned Business Enterprise (VBE): 3%
- Disabled-Owned Business Enterprise (DOBE): 1%

If you have any further questions or concerns, please do not hesitate to reach out to our office for clarification. Thank you for your attention to this matter.

OMWBD Contact Information

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