



## **PERSPECTIVES: DIVERSITY IN DESIGNER SELECTION**

**6.26.2024**

**A Conversation with**

**Hansy Barraza**, Founder of BosNOMA, BIPOC Firm Owners  
Sub-Committee and previous DSB Member

**Susan Goldfischer**, DCAMM Deputy General Counsel for  
Access and Opportunity, and

**Charles Kelsey**, Director of Access and Opportunity



## **Affirmative Marketing Program-MBE-WBE & Workforce**

**Susan Goldfischer, Deputy General Counsel**

**Charles Kelsey, Director of Access & Opportunity**

**June 26, 2024**



DIVISION OF  
CAPITAL ASSET  
MANAGEMENT &  
MAINTENANCE



# AGENDA

- Introduction & Overview
- Affirmative Marketing Program & Disparity Study Background
- MBE & WBE Business Participation Program
  - Commonwealth's Current AMP Program
  - Project MBE and WBE Goal Setting
  - Compliance Obligations & Oversight
  - DCAMM's Program
- VBE and Minority & Women Workforce Participation



## Valuable Resources:

- Inspector General's "Designing and Constructing Public Facilities" Handbook Updated - November 2023 ([www.mass.gov/ig](http://www.mass.gov/ig))
- DCAMM 2017 Disparity Study ([www.mass.gov/dcam](http://www.mass.gov/dcam))
- DCAMM Affirmative Marketing Program Annual Report ([www.mass.gov/dcam](http://www.mass.gov/dcam))

# Commonwealth's Affirmative Marketing Program

## 1980-99

- 1984** Executive Order - Minority Business Participation - Construction
- 1986** Minority & Women Business Participation DCPO (now DCAMM)
- 1989 & 1995** US Supreme Court issues City of Richmond & Adarand decisions establishing constitutional test & parameters for race-based public contracting programs
- 1994** Executive Office of Transportation & Construction Disparity Study (horizontal)
- 1996** DCPO first Disparity Study – Building Construction

## 2000-19



- 2005** Construction Reform Law new CM at Risk process, prequalification, filed-sub bidder DCAMM Certification & extends AMP to state funded municipal projects
- 2010** DCAMM w/SDO 2nd Disparity Study (building design & construction)
- 2013** New workforce participation goals-reporting requirements
- 2014-15** Service-Disabled Veteran & Veteran Owned Business benchmark established – SDVBE/VBE 3%
- 2017** DCAMM w/SDO most recent Disparity Study
- 2020** Current AMP program changes effective July 1, 2020

# Affirmative Marketing Program (AMP) G.L c.7C, §6

## M.G.L. Chapter 7C, §6 excerpts

*(a) "Affirmative marketing program -a program of **race and gender conscious goals to promote equality** in, and to encourage the participation of, minority-owned businesses and women-owned businesses in contracts for capital facility projects and state assisted building projects"*

- (c) The commissioner, in consultation with the director of the supplier diversity office,
  - May establish an affirmative marketing program to ensure fair participation of minority and women owned businesses (DCAMM & state-funded municipal building projects)
  - Goals based upon broadest and most inclusive pool of available MBE-WBE businesses performing construction and design services
  - Procedure to adjust goal for an individual capital facility based upon relevant factors
- Firms must be certified with the Massachusetts Supplier Diversity Office (SDO) to qualify for AMP participation

**"A Disparity Study is a critical element necessary to support the AMP"**

- Provides the legal foundation
- Provides the evidentiary record necessary for a governmental entity's consideration to implement renewed M/WBE policies – Firm availability, Utilization, Statistical Data, Anecdotal Evidence
- Assesses the extent to which previous efforts have assisted MBE & WBEs to compete on a fair basis in the governmental entity's construction and design contracting activity.

DCAMM Disparity Study 2017 excerpts



# ACCESS AND OPPORTUNITY

## MBE & WBE Business Participation



# Commonwealth's Ongoing Affirmative Marketing Program

- Massachusetts' Affirmative Marketing Program has been in place in various forms for over 35 years.
- Provides additional opportunities for MBE & WBE firms and their workers to participate in construction and design projects across the Commonwealth.
- For a firm's participation to count towards the project's AMP goals, MBE and WBE firms must be currently certified with the Massachusetts Supplier Diversity Office ("SDO") in the category of work.
- AMP business and workforce participation goals continue to ensure that MBE and WBE firms and minority and women workers are active participants in building the Commonwealth.



# Commonwealth's Ongoing Affirmative Marketing Program

- Minority Business Enterprise (“MBE”) & Women Business Enterprise (“WBE”) participation program applies to DCAMM, state agency, and state funded municipal design and construction building projects as mandated by the Massachusetts’ Affirmative Marketing Program (AMP) and other applicable laws and executive orders.
- A Disparity Study provides the legal foundation for the AMP; documents availability of MBE & WBE firms; contains other statistical data and anecdotal evidence, current study published in Dec 2017.
- Building Project Procurement Documents and Contracts for both design and construction services must contain both: 1) customized “project specific” MBE and WBE participation goals set on a project-by-project basis unless such goals are waived; 2) minority and women workforce goals required for building construction projects; and 3) contractual language on program requirements. Workforce goals can not be modified or waived.
- Awarding Authorities are responsible for AMP program administration, monitoring, and reporting on their projects.





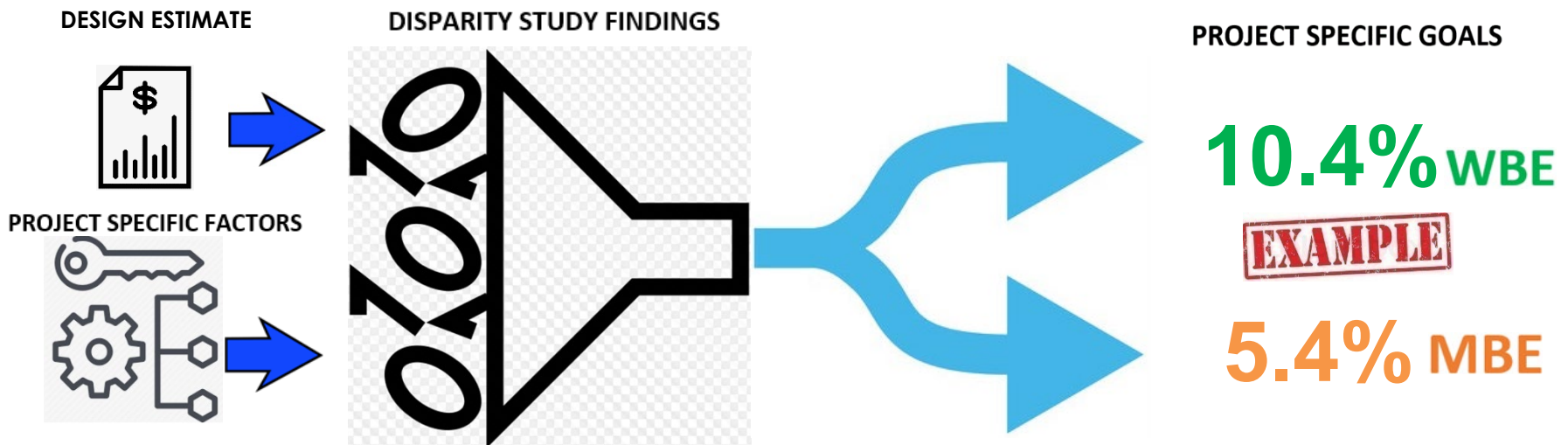
# Affirmative Marketing Program Current Participation Goals

- **Project Specific Goals** are the custom business participation goals set for each individual Construction and Design project on a project-by-project basis.
- Separate goals are established for MBE & WBE business participation and are reported and tracked separately on each project.
- Goals established and included in procurement and contract documents are set utilizing project specific information and specific factors.
- Goals set in procurement documents can only be adjusted downward based on factors limiting subcontracting opportunities or other factors, and must be adjusted prior to bid or proposal submission, with timely notice to all potential bidders/proposers.

# DESIGN INDIVIDUAL PROJECT GOAL SETTING

## Generate Project Specific Goals

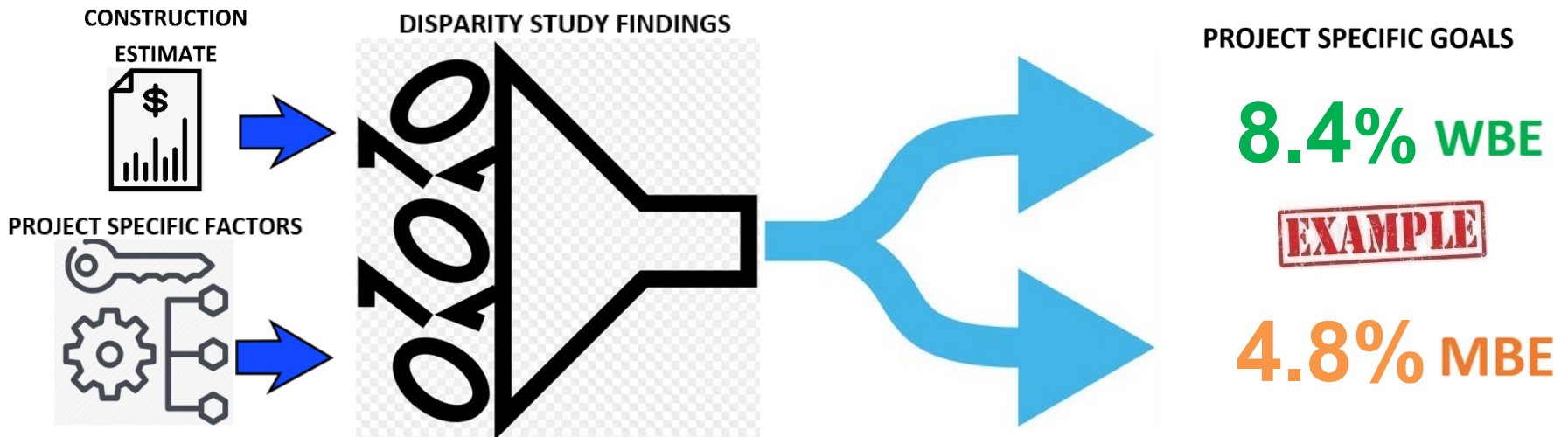
- **Information from Disparity Study** informs project specific goal setting.
- Project specific goals based on **availability of relevant disciplines and project specific factors**.
- **Supports adjustment of project specific goals** when warranted.



# CONSTRUCTION INDIVIDUAL PROJECT GOAL SETTING

## Generate Project Specific Goals

- **Information from Disparity Study** informs project specific goal setting.
- Project specific goals based on **availability of relevant trades and project specific factors**.
- **Supports adjustment of project specific goals** when warranted.

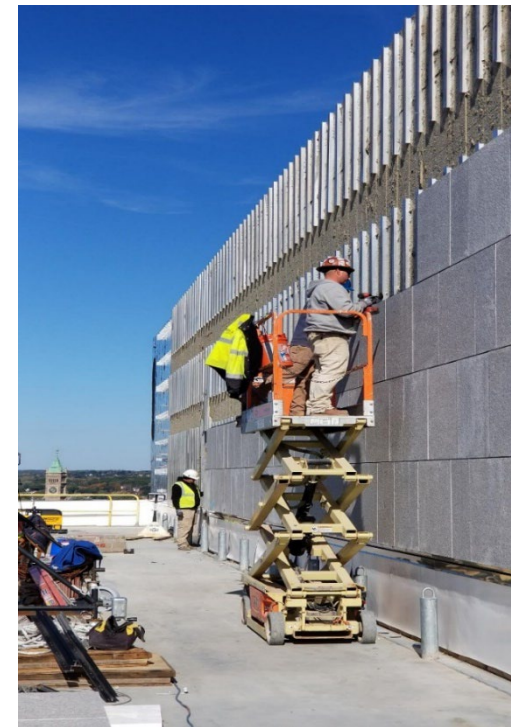


# Compliance Obligations & Oversight

## Real, Meaningful & Enforced MBE/WBE and Workforce Participation Programs

### Awarding Authority responsibilities:

- Establish MBE/WBE project goals working with SDO for municipal projects and DCAMM for state projects. Place prominently in design and construction procurement packages.
- Project MBE/WBE goals with approved Schedule for Participation and Letters of Intent required prior to contract award and potential sanctions for non-compliance.
- Monitor MBE & WBE, VBE contractor, subcontractor, designer participation throughout the life of the project, provide technical assistance to support meeting goals, take corrective action when needed.
- Monitor & track minority & women workforce participation, technical assistance, corrective action and final outcomes.
- Report Project MBE/WBE, VBE & workforce metrics annually on design and construction contracts.





# DCAMM's Overall Annual Spending Goals—effective 7/1/2020

*Never to be used for individual contract-project specific goals*

## DCAMM Design Enhanced Target Goals-Across all Spend

MBE	6.6%
WBE	15.0%
DCAMM Overall Annual Spending Goal	21.6%



## DCAMM Construction Enhanced Target Goals-Across all Spend

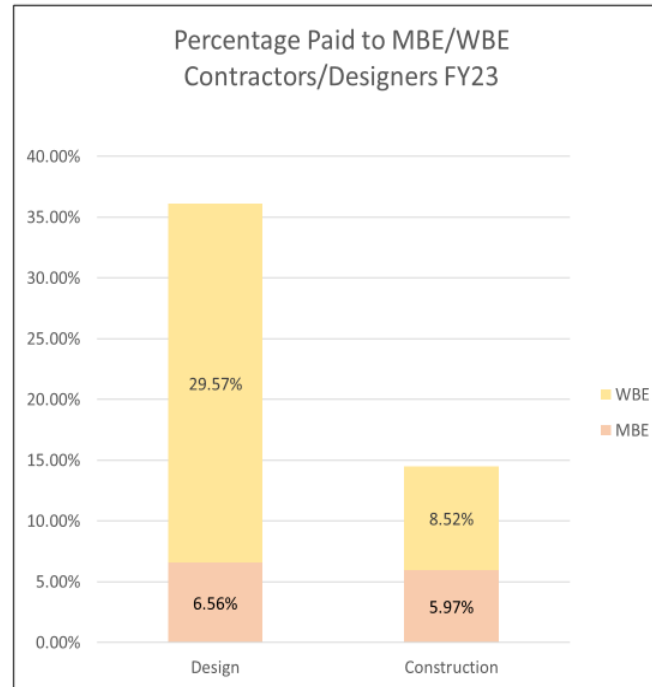
MBE	4.2%
WBE	8.8%
DCAMM Overall Annual Spending Goal	13.0%



# Initiatives to Expand Access and Opportunity

## DCAMM Design & Construction MBE/WBE Payments-FY2023

Design Outcome 2023 - DCAMM	Payments	Percent of Total
Overall Payments	\$ 40.11 M	
MBE Firms Received	\$ 2.63 M	6.56 %
WBE Firms Received	\$ 11.86 M	29.57 %
Total paid to MBE/WBE Firms	\$ 14.49 M	36.13 %
Construction Outcome 2023		
Overall Payments	\$ 378.13 M	
MBE Firms Received	\$ 22.58 M	5.97 %
WBE Firms Received	\$ 32.23 M	8.52 %
Total paid to MBE/WBE Firms	\$ 54.81 M	14.50 %



# Veteran Business Participation

## Minority & Women Workforce Participation

- Service Disabled and Veteran Owned Business Program (SDVOBE & VBE) applies to all executive branch projects. Current combined SDVOBE/VBE business participation benchmark 3%.
- Minority and Women Workforce goals apply to all state agency and state funded municipal projects.
  - Minority and Women Workforce Participation goals for Construction Projects currently:
    - 15.3% minority workers
    - 6.9% women workers
- Workforce monitoring and reporting are required on all public building design and construction projects.
  - Construction - Weekly reporting of worker race/ethnicity and gender with certified payrolls.
  - Design – Monthly reporting of worker race/ethnicity and gender. There are no current numeric goals for design workforce.



# DSB - Diversity Focus Statement and AMP

Current DSB Public Notice, application and selection process includes MBE, WBE and VBE business participation and other diversity, equity and inclusion considerations.

## Evaluation Factors *(excerpt from DSB House Doctor Public Notice)*

Applications will be evaluated based upon the requirements of M.G.L. C. 7C, § 49 and the work listed on DSB Application Form Sections 4 and 5 which illustrate current qualifications in the following areas:

1. The House Doctor, through their Diversity Focus Statement (in Section 5), shall demonstrate their firm's implementation of Equity, Diversity, and Inclusion (EDI) principles within its organization and within the design profession. The Statement shall:
  - a. document the firm's track record for meeting and exceeding EDI goals, including the demonstrated track record of the House Doctor for meeting diversity goals, highlighting in particular prior projects that have met or exceeded these goals;
  - b. specify the firm's approach toward assembling the team for this project, both with internal staff and the inclusion of Minority Owned Business Enterprise (MBE)/Woman Owned Business Enterprise (WBE)/Veteran Owned Business Enterprise (VBE) firms; and
  - c. detail the experience of the working relationships among the team, including a description of the roles and responsibilities among the team members assigned to this project.





# DSB and AMP

## **Affirmative Marketing MBE/WBE Participation (excerpt from DSB House Doctor Public Notice)**

The Commonwealth is committed to helping address the disparity in the participation of minorities and women in design. Along with the MBE and WBE participation goals which reflect ownership status set forth below, the DSB and the Awarding Agency are interested in learning about the applicant firm's approach and commitment to diversity in its HR policy, its overall business practices and in assembling this project team. Firms are encouraged to be creative in assembling their teams by considering dividing the work of a particular discipline, when appropriate, including work it would typically provide in house, partnering, offering opportunities to qualified firms with which it or its consultants have not previously worked or firms that may have less experience working on public projects, and other means that provide additional opportunities for MBE and WBE firms in new ways.

House Doctor applicants should include in their application, under Section 5, a Diversity Focus Statement directly addressing their approach to enhancing diversity in assembling the team for this project, including a clear description of each working relationship, and in their overall HR and business practices. The DSB strongly encourages teams composed of firms that expand the overall breadth of different firms working on Awarding Agency projects. See also the Evaluation Factors listed above.

In accordance with M.G.L. C.7C, §6 and Executive Orders 565 and 592, the **Awarding Agency** has established [minimum MBE and WBE participation goals of X% MBE and Y% WBE](#) of the overall value of the study and final design contracts for this Contract.

Applicants must utilize both MBE and WBE firms whose participation meet these separate participation goals set for the Contract. The separate MBE and WBE participation goals must be met within the list of requested prime and sub-consultants and those MBE and WBE firms with which they team. MBE and WBE firms providing extra services, such as surveying or testing, can also contribute to the MBE and WBE participation on the project.

All applicants must indicate in their applications how it or its consultants will meet these goals and will be evaluated on that basis. Further information about the MBE and WBE participation program appears in the "Participation by Minority Owned Businesses and Woman Owned Businesses," in the [Commonwealth of Massachusetts Contract for House Doctor Services](#) at Exhibit F, and a list of firms currently MBE or WBE certified appears on the [Supplier Diversity Office website](#).

Applications from MBE and WBE firms as prime consultant are encouraged. Applicants that are themselves MBE or WBE certified may use their participation toward meeting the goal for the certification they hold and will be required to bring participation by additional firm(s) that holds the necessary Supplier Diversity Office certifications to meet or exceed the goals on this Contract. Applicants are strongly encouraged to utilize multiple disciplines and firms to meet the MBE and WBE goals. Consultants to the prime can team within their disciplines in order to meet the MBE and WBE goals but must state this relationship in Section 5 of the application form. Please note that only firms that are currently Massachusetts Supplier Diversity Office certified as MBE or WBE can be credited toward meeting project MBE or WBE goals.



# DSB and Additional Diversity Programs

## Additional Diversity Programs *(excerpt DSB House Doctor Public Notice)*

### **Veteran Owned Business Participation Benchmark - c.108 of the Acts of 2012; Executive Order 565**

The Commonwealth encourages the participation of Service-Disabled Veteran-Owned Business Enterprises (“SDVOBE”) and Veteran-Owned Business Enterprises (“VBE”) on its design projects. The benchmark for combined SDVOBE and VBE participation on DCAMM and other Executive Branch agencies design projects is 3% of the contract price. Please note that only firms that are currently Massachusetts Supplier Diversity Office certified as SDBOVE and VBE can be credited toward meeting the project SDBOVE and VBE benchmarks.

In addition, the Commonwealth encourages the participation of Disability-Owned Business Enterprises (DOBEs) and Lesbian, Gay, Bisexual, and Transgender Business Enterprises (LGBTBEs) firms on its design projects (see Executive Order 565 -No. 565: Reaffirming and Expanding the Massachusetts Supplier Diversity Program | Mass.gov).



# IMPORTANT RESOURCES

DCAMM'S Website [www.mass.gov/dcamm](http://www.mass.gov/dcamm)

Information on Contractor Certification, the Affirmative Marketing Program, Disparity Study & Annual AMP Report, Sample Procurement and Contract Documents and more.

Massachusetts Inspector General's Website [www.mass.gov/ig](http://www.mass.gov/ig)

Publication "Designing and Constructing Public Facilities" (2023).  
Information on public procurement processes, bidding and performing work on public construction projects and other guidance documents.

Supplier Diversity Office (SDO) Website [www.mass.gov/sdo](http://www.mass.gov/sdo)

Information and resources for small, minority owned/ women owned/ veteran owned/ and other diverse business. SDO Certification information/application process and more.

Attorney General's Website [www.mass.gov/ag](http://www.mass.gov/ag)

Information on Prevailing Wage, Public Bidding, OSHA 10 Act and more.



## FY 2023 Annual Report

Supplier Diversity – Affirmative Marketing Program for  
Design & Construction

April 8, 2024

MAURA T. HEALEY  
GOVERNOR

KIMBERLEY DRISCOLL  
LIEUTENANT GOVERNOR



MATTHEW J. GORZKOWICZ  
SECRETARY  
ADMINISTRATION & FINANCE

ADAM BAAKE  
COMMISSIONER

# QUESTIONS AND DISCUSSION





# Perspectives on Diversity in Designer Selection

## BosNOMA & DCAMM

### **Presented by:**

Hansy Barraza, Founder of BosNOMA BIPOC Firm Owners Sub-Committee

### **with:**

Susan Goldfischer, DCAMM - Deputy General Counsel for Access and Opportunity  
Charles Kelsey, DCAMM - Director of Access and Opportunity

Prepared by Hansy Better Barraza + Sophie Nahrmann, Studio Luz Architects  
Presented on June 26, 2024

# Meeting with DCAMM: BosNOMA MBE Firm Owners Sub-Committee

## Attendees:

Brenna Sapienza, DCAMM - Regional Planner  
Jennifer E. Burton, DCAMM - Sr. Project Manager  
Simone A. Early, Executive Director, Designer Selection Board  
Susan Goldfischer, DCAMM - Deputy General Counsel  
Charles Kelsey, DCAMM - Director of Access and Opportunity  
Ganesh Ramachandran, DCAMM - Deputy Director of Planning  
Edward Ransom, DCAMM - Deputy Director for Energy & Sustainability  
Hansy Better Barraza, Studio Luz Architects  
Darguin Fortuna, Flow Design Studio  
Marcos Severino, Flow Design Studio  
Michael Chavez, Social Impact Collective  
Killion Mokwete, Social Impact Collective  
Natasha Espada, Studio Enee  
Yanitza Brongers-Marrero, Moody Nolan

Scott Mandeville, Moody Nolan  
Brian Tibbs, Moody Nolan  
Amir Kripper, Kripper Architecture Studio  
Gregory Minott, Dream Collaborative  
Troy Depeiza, Dream Collaborative  
Nick Brooks, Dream Collaborative  
N Jonathan Unaka, Faculty Wentworth Institute of Technology  
David Lee, Stull and Lee  
Jonathan Garland, JGarland Enterprises  
Andres Bernal, JGarland Enterprises  
Susi Sanchez, UX Architecture Studio  
Studio 26 Associates

# Understanding the BosNOMA MBE firm owner Sub-Committee as a resource for DCAMM

We represent:

- **12** Different Architecture Firms
- Firm sizes from **3-45**
- Leaders in **27 Sectors**
  - Aviation
  - Restaurants/ Hospitality
  - Healthcare
  - MultiFamily Residential
  - Mixed Use
  - Commercial
  - Interiors
  - Urban Design
  - Transportation
  - Residential
  - Cultural
  - Civic
  - Institutional
  - Recreation
  - Retail
  - Sports/Athletics
  - Student Life
  - Workplace
  - Preservation
  - Community
  - Religious
  - Museums
  - Branding
  - Interior Design
  - Higher Education
  - Science and Technology
  - K-12 Education

# Design and Construction Payments Made

Table 1.2 - FY 2022 Design and Construction Payments

AMP 2020 Projects  
(Bid On or After July 1, 2020)

	Individual MBE/WBE Target Goals					
	Payments to MBE/WBE Subs	Net MBE/WBE Prime Payments	Total Payments to MBE/WBEs	Total Payments to All Firms	Total Ratio MBE/WBE to Total Design and Contractor Payments	Individual MBE/WBE Goals
Construction						
MBE	\$ 3,630,125	\$ 897,285	\$ 4,527,410		7.6%	4.2%
WBE	\$ 3,542,453	\$ 1,255,918	\$ 4,798,371		8.0%	8.8%
M/WBE Total	\$ 7,172,578	\$ 2,153,203	\$ 9,325,781		15.6%	13.00%
All Firms Total (including Majority)				\$ 59,854,341		
Design						
MBE	\$ 877,186	\$ 25,700	\$ 902,886		6.1%	6.6%
WBE	\$ 1,294,359	\$ 1,271,735	\$ 2,566,094		17.4%	15.0%
M/WBE Total	\$ 2,171,545	\$ 1,297,435	\$ 3,468,980		23.5%	21.60%
All Firms Total (including Majority)				\$ 14,785,227		

Table 1.1 - FY 2023 Design and Construction Payments

AMP 2020 Projects  
(Procurement Commenced On or After July 1, 2020)

	ACTUAL PERFORMANCE							Goals
	Payments to MBE/WBE Subs	Net MBE/WBE Prime Payments	Total Payments to MBE/WBEs	Total Payments to All Firms	Share of Total Construction and Design PMTs Credited to MBE/WBE Firms	AMP 2020 Availability Goals (1)	Based	AMP 2020 Enhanced Target Goals (2)
Construction								
MBE	\$ 7,993,308	\$ 2,986,639	\$ 10,979,947		5.3%	4.0%		4.2%
WBE	\$ 20,178,323	\$ 2,374,220	\$ 22,552,543		10.9%	7.4%		8.8%
MBE/WBE Total	\$ 28,171,631	\$ 5,360,859	\$ 33,532,490		16.2%	11.4%		13.0%
All Firms Total (including Majority)				\$ 207,284,500				
Design								
MBE	\$ 665,724	\$ 77,045	\$ 742,769		5.0%	4.6%		6.6%
WBE	\$ 1,135,534	\$ 1,795,720	\$ 2,931,254		19.6%	12.2%		15.0%
MBE/WBE Total	\$ 1,801,258	\$ 1,872,765	\$ 3,674,023		24.6%	16.8%		21.6%
All Firms Total (including Majority)				\$ 14,983,797				

(1) DCAMM's 2017 disparity study availability percentages are the source for the AMP 2020 availability - based goals established in our contracts with construction and design firms.  
(2) As part of our ongoing efforts to expand MBE/WBE participation, DCAMM established aspirational, "enhanced target goals" which are higher than what is prescribed under the 2017 disparity study.

While the M/WBE Total % has increased by 0.9%, the MBE participation has decreased 1.1% since 2022 and has not meet the 6.6% enhanced target goal either year

# Design and Construction Awards

Table 2 - FY 2022 Construction and Design Awards

AMP 2020 Projects  
(Bid On or After July 1, 2020)

	Individual MBE/WBE Target Goals					
	Awards to MBE/WBE Subs FY22	Net MBE/WBE Prime Awards	Total Net Awards to MBE/WBEs (*)	Total Awards to All Firms	Total Ratio MBE/WBE to Total Design and Contractor Awards	Individual MBE/WBE Goals
Construction						
MBE	\$ 8,634,928	\$ 2,228,880	\$ 10,863,808	\$ 174,334,141	6.2%	4.2%
WBE	\$ 16,745,827	\$ 737,040	\$ 17,482,867		10.0%	8.8%
MBE/WBE Total	\$ 25,380,755	\$ 2,965,920	\$ 28,346,675		16.3%	13.0%
All Firms Total (including Majority)						
Design						
MBE	\$ 93% 409,075	\$ 17% 30,500	\$ 439,575	\$ 6,397,899	6.9%	6.6%
WBE	\$ 46% 528,015	\$ 54% 639,483	\$ 1,167,498		18.2%	15.0%
MBE/WBE Total	\$ 58% 937,090	\$ 42% 669,983	\$ 1,607,073		25.1%	21.60%
All Firms Total (including Majority)						

(\*)Note: These summary calculations include Chapter 149A ("CM at Risk" projects) and certain Chapter 25A energy/infrastructure projects which are typically awarded in phases over multiple fiscal years. To accurately report on these contracts, we have used projections of both final prime award amounts, as well as MBE/WBE subcontract awards where the subcontracting is still a work in progress. In all of these special cases, the MBE/WBE subcontract award amounts for each project reflect the actual awards (where available) plus projected subcontract amounts based on the MBE/WBE commitments in the contract signed by the prime. Report 8 in the appendix provides full details on each of these projects, including any projections assumed in these calculations.

The M/WBE Share of Total Awards increased from 25.1% in 2022 to 47.2% in 2023

Table 2 - FY 2023 Design and Construction Awards

AMP 2020 Projects  
(Procurement Commenced On or After July 1, 2020)

	ACTUAL PERFORMANCE							Goals
	Awards to MBE/WBE Subs	Net MBE/WBE Prime Awards	Total Awards to MBE/WBEs	Total Awards to All Firms	Share of Total Construction and Design AWDS Credited to MBE/WBE Firms	AMP 2020 Availability Goals (1)	Based	AMP 2020 Enhanced Target Goals (2)
Construction								
MBE	\$ 18,087,168	\$ 821,565	\$ 18,908,733	\$ 452,222,636	4.2%	4.0%		4.2%
WBE	\$ 38,391,777	\$ 784,721	\$ 39,176,498		8.7%	7.4%		8.8%
MBE/WBE Total	\$ 56,478,945	\$ 1,606,286	\$ 58,085,231		12.9%	11.4%		13.0%
All Firms Total (including Majority)								
Design								
MBE	\$ 59% 500,952	\$ 41% 362,593	\$ 863,545	\$ 7,910,986	10.9%	4.6%		6.6%
WBE	\$ 26% 730,901	\$ 74% 2,139,175	\$ 2,870,076		36.3%	12.2%		15.0%
MBE/WBE Total	\$ 85% 1,231,853	\$ 67% 2,501,768	\$ 3,733,621		47.2%	16.8%		21.6%
All Firms Total (including Majority)								

(1) DCAMM's 2017 disparity study availability percentages are the source for the AMP 2020 availability - based goals established in our contracts with construction and design firms.  
(2) As part of our ongoing efforts to expand MBE/WBE participation, DCAMM established aspirational, "enhanced target goals" which are higher than what is prescribed under the 2017 disparity study.

In 2023 the majority of awards including M/WBE Firms were given as Prime Awards, increasing from 42% in 2022 to 67% in 2023



# Number of Firms Receiving Payments

Table 3 - No. of MBE/WBE/VBE Firms Receiving Payments - FY 2021 and FY 2022

	No. of MBE/WBE Subs Received Pmts FY21		No. of MBE/WBE Prime Received Pmts FY21		No. of MBE/WBE Subs Received Pmts FY22		No. of MBE/WBE Prime Received Pmts FY22	
Construction								
MBE	40		3		43		2	
WBE	59		10		66		5	
VBE			4		1		3	
MBE/WBE and VBE Total	99		17		110		10	
Design								
MBE	21		3		19		5	
WBE	23		18		27		19	
VBE								
MBE/WBE and VBE Total	44		21		46		24	
Subtotal by Sub/Prime	79%	143	21%	38	156		34	
Overall Totals by FY	181				190			

Figures in gray identify a discrepancy of 16% of prime MWBE firms receiving payment between this report and the 2023 report

While contract dollars may be increasing, the number of M/WBE firms getting opportunities as prime has decreased for the last 3 years.

The number of MBE firms receiving payments as both a prime or sub has declined for the last 3 years.

Table 3 - No. of MBE/WBE/VBE Firms Receiving Payments - FY 2022 and FY 2023

	No. Subs Receiving Pmts FY22		No. Primes Receiving Pmts FY22		No. Subs Receiving Pmts FY23		No. of Primes Receiving Pmts FY23	
Construction								
MBE	43		2		40		3	
WBE	66		5		87		3	
VBE	1		3				3	
MBE/WBE and VBE Total	110		10		127		9	
Design								
MBE	19		3		17		3	
WBE	27		17		32		14	
BOTH (MBE & WBE)							1	
VBE								
MBE/WBE and VBE Total	46		20		49		18	
Subtotal by Sub/Prime	84%	156	-4 from 2022 report	16%	30	87%	176	13%
Overall Totals by FY	186		-20% from 2021		203		-10% from 2022	

PRIME

PRIME

The number of M/WBE firms receiving prime contracts decreased 10% between 2022 and 2023

Only 13% of M/WBE firms receiving payments in 2023 were the prime.

# DCAMM MBE & WBE Period Payments For Legacy Design Projects

## FY2022 vs FY2023 Prime Architects/ Designers

Firm	MBE/ WBE	No. Projects FY 2022	Period Payment FY 2022 [not including M/ WBE Subs]	No. Projects FY 2023	Period Payment FY 2023 [not including M/ WBE Subs]
Annum Architects	MBE	1	\$16,304*	1	\$144,400*
Bargmann Hendrie & Archetype	WBE	1	\$77,342*	1	\$91062*
Cambridge Seven Architects				1	0
Cannon Boston		1	\$604,893	1	\$372,232
Civitects, P.C	WBE	1	\$255,728*	1	\$67,176*
Dietz & Company Architects	WBE	4	\$1,212,191*	3	\$538,586*
Dore & Whittier Architects		1	\$160,695	1	\$266,275
EDM Services Inc		1	\$355,075		
EDM Architecture & Engineering				1	\$117,867
Finegold Alexander Architects, Inc	WBE	2	\$423,691*	2	\$534,286*
Gensler Architecture/Design Inc				1	\$501,794
Goody, Clancy & Assoc.				1	\$5,800
Habeeb & Associates Inc		1	\$440,737	1	\$337,875
HDR Architecture, PC		3	\$203,418	3	\$1,461,970
ICON Architecture, Inc.	WBE	2	\$484,600*	2	\$407,741*
Jones Architecture, Inc		3	\$901,686	2	\$4,640
Kleinfelder Northeast, Inc		2	\$177,762	2	\$231,030
Kallmann, McKinnell & Wood		1	\$68,950		
Leers Weinzapfel Associates	WBE	1	\$9,133*	2	\$375,338*
Miller Dyer Spears, Inc	WBE	1	\$846,064*	2	\$541,885*

\*denotes NET payment to MBE or WBE Prime

## Understanding Compliance 2022 vs 2023

Firm	MBE/ WBE	No. Projects FY 2022	Period Payment FY 2022 [not including M/ WBE Subs]	No. Projects FY 2023	Period Payment FY 2023 [not including M/ WBE Subs]
NBBJ		1	\$2,926,165	1	\$660,462
Payette		3	\$3,248,592	3	\$2,218,613
Perry, Dean, Rogers & Partners	WBE	3	\$169,265*	1	\$315,823*
Pfeufer Richardson Architects		1	\$2,000		
Richard D. Kimball Company				1	\$3,672
Saam Architecture, LLC	WBE	3	\$3,244,559*	3	\$3,837,386*
SASAKI Architects/ Landscape		1	\$1,276,881	1	\$802,578
Simpson Gumpertz & Heger		1	\$418,973	1	\$203,703
Studio G Architects, Inc	WBE	1	\$103,057*	1	\$12,119*
Schwartz/Silver Architects, Inc		1	\$290,956	1	\$503,855
Stantec Architecture and Engineering		1	\$382,819		
STV Incorporated		1	\$73,556		
SMMA				1	\$0
Taylor & Burns, Inc [Interiors]	WBE	1	\$7,947*		
The S/L/A/M Collaborative, Inc		1	\$4,497,481	1	\$2709356
WSP USA Buildings Inc				1	\$20,268

\*denotes NET payment to MBE or WBE Prime

There has only been one MBE receiving payments on Legacy Design Projects as a Prime for 2022 and 2023

# DCAMM MBE & WBE Period Payments For Legacy Design Projects

## FY 2022 vs FY2023 Sub Architects/ Designers

Firm	MBE/ WBE	No. Projects 2022	Net Period Payment 2022	No. Projects 2023	Net Period Payment 2023
Anna Farrington- Signage	WBE	1	\$6,500	1	\$1,500
CGKV Architects, Inc	MBE			1	\$0
Crowley Cottrell Landscape	WBE	2	\$3,610	1	\$0
Deborah Myers Landscape Architect	WBE	1	\$7,480	1	\$0
HC Tangram Design LLC - Healthcare	MBE	1	\$15,000		
Mikyoung Kim, Landscape	WBE	1	\$162,700	1	\$23,846
Studio 2112 Landscape	WBE	2	\$7,050	2	\$57,700
Ground, Inc.- Landscape	WBE	1	\$46,686	2	\$1000
Saam Architecture, LLC- Architect	WBE	1	\$155,935	1	\$67,263
Studio Enee, Inc Architecture	WBE	1	\$151,901	1	\$27,000
Shadley Associates, P.C., Landscape	WBE			2	\$3280
Green International Affiliates Landscape	MBE			2	\$6,722
Brown Richardson & Rowe, Landscape	WBE			1	\$52,935

Two MBE firms received payments on Legacy Design Projects as a Sub for 2023. Total payments made to MBE sub consultants were \$6,722.

# DCAMM MBE & WBE Period Payments For AMP 2020 Projects

## FY2022 vs FY2023 Prime Architects/ Designers

Firm	MBE/ WBE	No. Projects FY 2022	Period Payment FY 2022 [not including M/ WBE Subs]	No. Projects FY 2023	Period Payment FY 2023 [not including M/ WBE Subs]
Clough Harbor and Associates LLP		1	\$738,075	1	\$461,255
Cambridge Seven Architects				2	\$578,436
Cannon Boston		1	\$152,859		
Ellenzweig Associates, Inc				1	\$1,133,102
Gensler Architecture/Design Inc				1	\$405,172
Goody, Clancy & Assoc.				1	\$222,687
Habeeb & Associates Inc				1	\$1,009,771
HDR Architecture, PC		2	\$538,012	2	\$637,680
ICON Architecture, Inc.				1	\$1,104,630
Jones Architecture, Inc		1	\$0	2	\$1,040,650
Lavallee Brensinger PLLC				1	\$191,137
Miller Dyer Spears, Inc	WBE			1	\$621,140*
Payette		1	\$5,783,618	2	\$1,602,054
Perkins Eastman Architects				1	\$694,623
Simpson Gumpertz & Heger		1	\$181,102		
Studio G Architects, Inc	WBE			1	\$54,305*
STV Incorporated				2	\$517,880
WSP USA Buildings Inc		1	\$0	1	\$52,660

\*denotes NET payment to MBE or WBE Prime

For 2022 and 2023 there has not been an MBE architecture or design firm receiving payments on AMP 2020 Design Projects as a Prime. In 2023, only two WBE firms received payments as a Prime. The net period total for all prime payments in 2023 was \$14,983,797. WBE architecture and design firms as prime received 4.5% of the net period total for all prime payments [\$675,445] in 2023.

# DCAMM MBE & WBE Period Payments For AMP 2020 Projects

## FY 2022 vs FY2023 Sub **Architects/ Designers**

Firm	MBE/ WBE	No. Projects 2022	Net Period Payment 2022	No. Projects 2023	Net Period Payment 2023
Brown Richardson & Rowe, Landscape	WBE			1	\$6,878
<b>CGKV Architects, Inc</b>	<b>MBE</b>			<b>1</b>	<b>\$15,000</b>
Copley Wolff Design Group - Landscape	WBE	1	\$0		
Crowley Cottrell Landscape	WBE	1	\$1,140	2	\$39,688
<b>Dream Collaborative</b>	<b>MBE</b>	<b>1</b>	<b>\$10,246</b>		
Dietz & Company Architects, Inc.	WBE			1	\$34,272
Foodservice Design, LLC	WBE			1	\$0
Fennick McCredie Architecture, Ltd	WBE			1	\$3,120 **
Ground, Inc.- Landscape	WBE	1	\$537,800	2	\$173,000
ICON Architecture, Inc.	WBE			1	\$0
Miller Dyer Spears, Inc	WBE			1	\$9,240
Shadley Associates, P.C., Landscape	WBE	1	\$1455	2	\$4050
<b>Sorensen Partners Architects &amp; Planners</b>	<b>MBE</b>			<b>1</b>	<b>\$3,743 **</b>
Stefura Associates, Inc. - Interiors	WBE			1	\$44,700
Studio 2112 Landscape	WBE			2	\$41,983
Stull & Lee Landscape	MBE	1	\$0		
Terraink, Inc- Landscape	WBE			1	\$2,800
Traverse Landscape Architects, LLC	WBE			1	\$37,653
Pieszak Lighting Design	WBE			1	\$0
<b>Total</b>		<b>6</b>	<b>\$550,641</b>	<b>20</b>	<b>\$416,127</b>

**\$91,774 Average**

**\$20,806 Average**

Between 2022 and 2023 the number of AMP 2020 projects with MBE or WBE architectural/ designer subconsultants has increased from 6 to 20, while the net compensation payed to MBE or WBE designer subconsultants has decreased from \$550,641 to \$416,127 [ a 25% decrease].

\*\* payments listed as \$174,000 on report 6

\*\* payments listed as \$99,683 on report 6

## Understanding Compliance 2022 vs 2023



# DCAMM MBE & WBE Design Project Awards

## FY2022 vs FY2023 Prime Architects/ Designers

Prime Firm Name	MBE/ WBE	Awarded Projects FY 2022	Net Prime Award FY 2022	No. Projects FY 2023	Net Prime Award FY 2023
Cambridge Seven Architects				1	\$191,705
Dimella Shaffer Associates Inc				1	\$193,209
Ellenzweig Associates, Inc		2	\$700,240		
Finegold Alexander Architects, Inc	WBE			1	\$746,000
Gensler Architecture/Design Inc		1	\$1,394,439		
Goody, Clancy & Assoc.		1	\$465,000		
Jones Architecture, Inc				1	\$405,961
Miller Dyer Spears, Inc	WBE	1	\$448,700		
Payette				1	\$2,035,895
Perkins Eastman Architects, D.P.C		1	\$811,304		
Saam Architecture, LLC	WBE			1	\$957,000
Studio G Architects, Inc	WBE			1	\$236,800
SMRT Inc				1	\$671,490
<b>Total</b>		<b>6 Projects</b>	<b>\$3,819,683</b>	<b>8 Projects</b>	<b>\$5,438,060</b>

In 2022 and 2023 no MBE design firm was awarded a design project as a Prime. Three WBE firms received a Prime award in 2023, this is an increase from 1 WBE awarded as Prime in 2022.

## FY2022 vs FY2023 Sub Consultant Architects/ Designers

Subconsultant Firm Name	MBE/ WBE	Awarded Projects FY 2022	Net Sub Award FY 2022	No. Projects FY 2023	Net Prime Award FY 2023
Crowley Cottrell Landscape	WBE			1	\$17,200
Dietz & Company Architects, Inc.	WBE			1	\$122,400
Ground, Inc.- Landscape	WBE			1	\$16,200
Horton Lees Brogden Lighting Design	WBE			1	\$7,200
Shadley Associates, P.C., Landscape	WBE	1	\$126,615		
Stefura Associates, Inc. - Interior Space Designer	WBE	1	\$50,000		
Studio 2112 Landscape	WBE	1	\$24,300	1	\$32,500
Studio Luz Architects, Ltd.	M/WBE			1	\$125,600
Traverse Landscape Architects,	WBE	1	\$13,500		
<b>Total</b>		<b>4 Projects</b>	<b>\$214,415</b>	<b>6 Projects</b>	<b>\$321,100</b>

Out of nine MBE/WBE Firms awarded subconsultant contracts, Studio Luz was the only MBE firm awarded as a subconsultant in 2022 and 2023. 60% of MBE /WBE subconsultant contracts were awarded for Landscape Architecture.

# 2023 Disparity Study

**How does this differ from the 2022 and 2023 Supplier Diversity – Affirmative Marketing Program for Design & Construction Annual Reports? **How can we be involved in the surveys and questionnaires mentioned below?****

## **VII. LAUNCHING NEW DISPARITY STUDY IN CALENDAR YEAR 2023**

DCAMM plans to launch its next disparity study during calendar year 2023. DCAMM's most recent Disparity Study of the Massachusetts construction and design marketplace was issued in 2017. Thus we will conduct an updated disparity study in support of the Commonwealth's Affirmative Marketing Program to develop current statistical and anecdotal data in accordance with nation-wide best practices for such studies. The disparity study will be guided by an expert firm which will be competitively procured in partnership with SDO and with input from industry stakeholders.

By their nature, disparity studies require extensive outreach to affected communities and industry representatives. These typically take the form of survey questionnaires, one-on-one interviews, and focus groups, along with detailed statistical analysis to determine current availability of MBEs and WBEs in our design and construction market. The disparity study will also help document specific challenges to participation in public and private contracting, and ways to address those challenges going forward.

**What actionable goals have been put forth in light of the 2022 and 2023 Supplier Diversity – Affirmative Marketing Program for Design & Construction Annual Reports?**

# Compliance Participation Requirements Based on Project Types

“Both the Legacy and AMP 2020 programs feature individual participation goals established for each project. Across both programs, goals may be reduced or waived by DCAMM on an individual project prior to bidding based on scope of work, project size, limited subcontracting opportunities, and other relevant factors.”

- from the 2022 and 2023 Supplier Diversity – Affirmative Marketing Program for Design & Construction Annual Reports

Our understanding is that currently only large capital projects have compliance participation required by law while smaller projects such as Community/State Colleges do not.

In the fall of 2024, 58% of all Community College students in Massachusetts identified as non-white. The largest demographics of community college students are African American [16%] or Latino [25%].

At State Universities, Fall 2024 Enrollment data showed that 38% of students were minorities. The largest demographics of minority state college students are African American [10%] or Latino [16%].

The majority of the work being done for spaces serving these students is not being done by firms representative of the diversity attending these institutions.

# Experience of WBE + MBE Firms with DCAMM Designer Selection

## Studio Luz Architects Experience on 23-12 DSB-09 UMASS Lowell House Doctor Pursuit

- For a contract value not to exceed \$1,500,000, 4 firms were designated out of 26 applicants none with MBE or WBE status were awarded [30% of prime applicants were MBE, WBE, or VBE]
- Awarded firms: Gensler, Jones, BIA, and Matz Design Collaborative
- Applicants Not Awarded: Beacon, CI Design, CSS Architects Inc. [WBE], D21 [MBE], Dimella Schaffer, Gale Associates, Habeeb, HDR, ICON [WBE], Liro Corp, MDS/ Miller Dyer Spears [WBE], Meander Studio, Perkins and Will, Smith Group, Socotec, Solomon Cordwell Buenz, Studio Luz Architect [MBE/WBE], TSKP Studio [MBE], Waldron, West Work [WBE], William Peaver [VBE]\* and William Sloan.

\* William Peaver was identified as VBE in their application but it appears this certification is no longer active when verified in the Massachusetts Diversity Certification Directory <https://www.diversitycertification.mass.gov/BusinessDirectory/BusinessDirectorySearch.aspx>

Projects with a total compensation set at \$1.5 Million in fees are opportunities for M/WBE and Veteran Owned business to access opportunities for state work. In the past it has been up to individual members sitting on the DSB to advocate for small businesses and MBE businesses.

Is there a way to provide training to the DSB board members and as well the reviewers who provide feedback on each application on the importance of providing opportunities to PRIME W/MBE and Veteran owned businesses to be given a chance to do work with state projects?

If not given the opportunity, how are we to develop a portfolio with DCAMM to do future work?

Procurement

### AGENCY COMMENTS

1. UMass Lowell has not worked with Studio Luz and there is no existing contract with them in place at UML. 2. Studio Luz's application was somewhat responsive. They provided some examples in the under \$2 mil. range, they did show experience with infrastructure and key areas but not for public work in MA. 3. No 4. Overall Grade: B Studio Luz's proposal is a collaboration with Arrowstreet. Experience examples did not provide sufficient evidence of the proposed team members' experience for the project types UML is looking for. Examples were either too large or did not contain the proper team members. Massasoit Community College, NOBULL HQ are very large projects (outside the range of what we are looking for) Wellesley College Acorns House is in the right dollar range, but the team, except for the P-I-C is not the team being proposed for UML. Similar comment on the Northeastern restroom study – not the same team. Sociedad Latina has correct P-I-C and Project Architect. This example comes closest as a relevant example to a UML project, however, it is not an example of public bid work. For these reasons UML would not be comfortable with Studio Luz as a HD.

### DSB STAFF COMMENTS

**NONE-** This would have been an opportunity for DSB staff to advocate for the pairing.

In the public review it was said that SLA did a really good job at explaining the pairing with Arrowstreet but it was not elaborated on further.

**\*\* it is important to note that SLA included Arrowstreet as a consulting architect to provide assurance with the areas UMASS Lowell noted as deficiencies in their comments, in particular public bid work**

# **Identifying Pathways to Improve Equitable Procurement**

**How do we reframe the perception of MBE firms as secondary consultants from the DSB perspective?**