

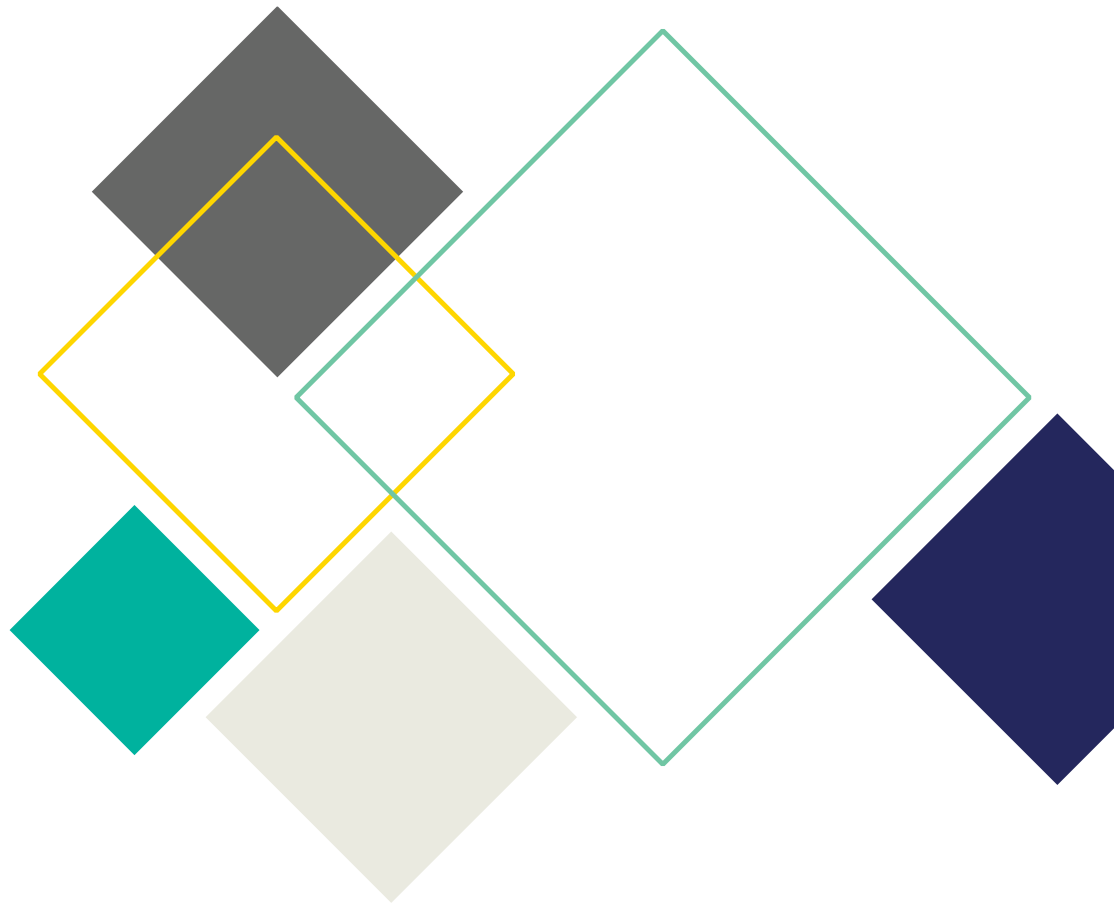
**FINAL REPORT**  
MARCH 29, 2022



# 2022 Disparity Study

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**STATE OF DELAWARE**



# State of Delaware

2022 Disparity Study

MARCH 29, 2022

# Table of Contents

<b>TABLE OF CONTENTS.....</b>	<b>I</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
INTRODUCTION .....	1
KEY FINDINGS .....	2
COMMENDATIONS.....	5
RECOMMENDATIONS.....	6
SELECTED PRACTICES.....	8
CONCLUSION .....	17
<b>1 INTRODUCTION.....</b>	<b>18</b>
1.1 INTRODUCTION .....	18
1.2 MGT PROJECT TEAM .....	18
1.3 OVERVIEW OF STUDY APPROACH .....	21
1.4 REPORT ORGANIZATION .....	22
1.5 GLOSSARY OF TERMS .....	23
<b>2 LEGAL REVIEW .....</b>	<b>27</b>
2.1 INTRODUCTION .....	27
2.2 SCRUTINY STANDARDS FOR RACE- AND GENDER- SPECIFIC PROGRAMS.....	28
2.3 STRICT SCRUTINY ANALYSIS .....	30
2.4 NARROWLY TAILORING .....	40
2.5 DBE PROGRAMS .....	43
2.6 CONCLUSIONS .....	45
<b>3 REVIEW OF POLICIES, PROCEDURES, AND PROGRAMS .....</b>	<b>46</b>
3.1 INTRODUCTION .....	46
3.2 METHODOLOGY .....	46
3.3 PROCUREMENT STRUCTURE AND ENVIRONMENT .....	48
3.4 BUSINESS INCLUSION PROGRAMS .....	61
3.5 CONCLUSIONS.....	66
<b>4 MARKET AREA AND UTILIZATION ANALYSIS .....</b>	<b>67</b>
4.1 INTRODUCTION .....	67
4.2 DATA COLLECTION AND MANAGEMENT .....	67
4.3 MARKET AREA ANALYSIS.....	68

4.4 UTILIZATION ANALYSIS .....	77
<b>5 AVAILABILITY AND DISPARITY ANALYSES .....</b>	<b>84</b>
5.1 INTRODUCTION.....	84
5.2 AVAILABILITY ESTIMATIONS .....	84
5.3 DISPARITY ANALYSES AND SIGNIFICANCE TESTING .....	90
5.4 CONCLUSIONS.....	97
<b>6 PRIVATE SECTOR ANALYSIS .....</b>	<b>98</b>
6.1 INTRODUCTION.....	98
6.2 PRIVATE SECTOR DISPARITIES IN SBO CENSUS DATA .....	99
6.3 PRIVATE SECTOR DISPARITIES IN ABS CENSUS DATA .....	111
6.4 ANALYSIS OF RACE, ETHNICITY, AND GENDER EFFECTS ON SELF-EMPLOYMENT AND EARNINGS.....	120
6.5 ACCESS TO CREDIT .....	127
6.6 CONCLUSIONS.....	132
<b>7 QUALITATIVE ANALYSIS .....</b>	<b>134</b>
7.1 INTRODUCTION.....	134
7.2 METHODOLOGY .....	134
7.3 DEMOGRAPHICS .....	137
7.4 FINDINGS .....	140
7.5 SUGGESTED REMEDIES FROM QUALITATIVE PARTICIPANTS .....	143
7.6 STAKEHOLDER INTERVIEWS.....	144
7.7 CONCLUSIONS.....	145
<b>8 FINDINGS AND RECOMMENDATIONS .....</b>	<b>146</b>
8.1 INTRODUCTION.....	146
8.2 FINDINGS .....	147
8.3 RECOMMENDATIONS .....	152
8.4 CONCLUSIONS.....	155

## TOC CONTINUED

### TABLES

Table E-1. Utilization Analysis By Business Ownership Classification and By Procurement Categories.....	3
Table E-2. Utilization Analysis By Business Ownership Classification and By Procurement Categories.....	3
Table E-3. Estimation of Available Firms .....	4
Table E-4. Disparity Ratio Summary Analysis .....	5
Table E-5. Proposed Diverse Business Aspirational Goals .....	6
Table E-6. Narrowly Tailored M/WBE Program Features .....	8
Table 4-1. Market Area Analysis, Contracts Distribution of Dollars by Business Category, State Market Area .....	71
Table 4-2. Product Market, Distribution of Dollars By NAICS Code, Construction .....	72
Table 4-3. Product Market, Distribution of Dollars By NAICS Code, Construction Related .....	73
Table 4-4. Product Market, Distribution of Dollars By NAICS Code, Goods.....	73
Table 4-5. Product Market, Distribution of Dollars By NAICS Code, Services.....	75
Table 4-6. Utilization Analysis by Business Ownership Classification, All Procurement Categories.....	79
Table 4-7. Utilization Analysis by Business Ownership Classification, Construction .....	80
Table 4-8. Utilization Analysis by Business Ownership Classification, Construction-related .....	80
Table 4-9. Utilization Analysis by Business Ownership Classification, Services.....	81
Table 4-10. Utilization Analysis by Business Ownership Classification, Goods.....	82
Table 5-1. Estimation of Available Firms, All Procurement Categories.....	86
Table 5-2. Estimation of Available Firms, Construction .....	87
Table 5-3. Estimation of Available Firms, Construction Related .....	87
Table 5-4. Estimation of Available Firms, Goods.....	88
Table 5-5. Estimation of Available Firms, Services.....	89
Table 5-6. Estimation of Available IWDBE, VOB, and SDVOBE Firms.....	90
Table 5-7. Disparity Indices and Significance Testing, All Procurement Categories.....	92
Table 5-8. Disparity Indices and Significance Testing, Construction .....	93
Table 5-9. Disparity Indices and Significance Testing, Construction Related .....	94
Table 5-10. Disparity Indices and Significance Testing, Goods.....	94
Table 5-11. Disparity Indices and Significance Testing, Services.....	95
Table 5-12. Disparity Indices and Significance Testing, Estimation of Available IWDBE, VOB, and SDVOBE Firms .....	96
Table 5-13. Disparity Analysis Summary.....	97

Table 6-1. Private Sector Census Disparities NAICS Code 23, Construction U.S. Census 2012 Survey of Business Owners, State of Delaware Marketplace .....	102
Table 6-2. Private Sector Census Disparities NAICS Code 42, Wholesale Trade U.S. Census 2012 Survey of Business Owners, State of Delaware Marketplace .....	104
Table 6-3. Private Sector Census Disparities NAICS Code 54, Professional, Scientific, and Technical Services U.S. Census 2012 Survey of Business Owners, State of Delaware Marketplace .....	106
Table 6-4. Private Sector Census Disparities NAICS Code 56, Administrative and Support/Waste Management and Remediation Services U.S. Census 2012 Survey of Business Owners, State of Delaware Marketplace.....	108
Table 6-5. Private Sector Census Disparities NAICS Code 81, Other Services (Except Public Administration) U.S. Census 2012 Survey of Business Owners, State of Delaware Marketplace .....	110
Table 6-6. Private Sector Census Disparities NAICS Code 23, Construction U.S. Census 2017 Annual Business Survey, State of Delaware Marketplace.....	113
Table 6-7. Private Sector Census Disparities NAICS Code 42, Wholesale Trade U.S. Census 2017 Annual Business Survey, State of Delaware Marketplace.....	114
Table 6-8. Private Sector Census Disparities NAICS Code 54, Professional, Scientific, and Technical Services U.S. Census 2017 Annual Business Survey, State of Delaware Marketplace .....	116
Table 6-9. Private Sector Census Disparities NAICS Code 56, Administrative and Support and Waste Management and Remediation Services, U.S. Census 2017 Annual Business Survey, State of Delaware Marketplace .....	117
Table 6-10. Private Sector Census Disparities NAICS Code 81, Other Services (Except Public Administration) U.S. Census 2017 Annual Business Survey, State of Delaware Marketplace .....	119
Table 6-11. Self-Employment Odds Ratios and Their Inverses For Minority Groups Relative to Nonminority Males After Controlling For Demographic and Economic Characteristics .....	123
Table 6-12. Earnings Elasticities of Minority Groups Relative To Nonminority Males After Controlling For Demographic and Economic Characteristics .....	125
Table 6-13. Observed and Predicted Self-Employment Rates State of Delaware Marketplace .....	126
Table 6-14. Negative Impact From Access to Financial Capital .....	128
Table 6-15. Negative Impact From Cost of Financial Capital .....	128
Table 6-16. Did Not Receive Amount Requested .....	128
Table 6-17. Firms 16+ Years Old Did Not Receive the Amount Requested .....	128
Table 7-1. State Disparate Treatment Identified by Subcontractors.....	143
Table 8-1. Relevant Market Area Analysis Distribution of Dollars By Business Category, State of Delaware Market Area.....	148

Table 8-2. Utilization Analysis By Business Ownership Classification and By Procurement Categories.....	149
Table 8-3. Utilization Analysis By Business Ownership Classification and By Procurement Categories.....	149
Table 8-4. Estimation Of Available Firms.....	150
Table 8-5. Disparity Ratio Summary Analysis.....	151
Table 8-6. Proposed Diverse Business Aspirational Goals.....	153
Table 8-7. Narrowly Tailored M/WBE Program Features.....	155

## FIGURES

Figure 4-1. Summary of Dollars, Total Contracts (Paid) by Procurement Category, Overall Market Area.....	70
Figure 7-1. The State’s Qualitative Business Demographics Proportion of Respondents By Ownership.....	138
Figure 7-2. The State’s Qualitative Business Demographics Proportion of Respondents By Ownership.....	139
Figure 7-3. The State’s Qualitative Business Demographics Proportion of Respondents By Ownership.....	139
Figure 7-4. The State’s Qualitative Business Demographics Proportion of Respondents By Ownership.....	140

## EXHIBITS

Exhibit 3-1. Documents Reviewed During the Policy and Procedures Review.....	47
Exhibit 3-2. State of Delaware Organization Chart.....	49
Exhibit 3-3. Bid Thresholds.....	52
Exhibit 3-4. Solicitation Process.....	54
Exhibit 3-5. Contracting Process.....	56
Exhibit 3-6. Office of Management and Budget.....	57
Exhibit 3-7. Office of Management and Budget/GSS Solicitations.....	58
Exhibit 3-8. Department of Correction.....	59
Exhibit 3-9. Department of Correction Solicitations.....	59
Exhibit 3-10. Department of Health and Social Services.....	60
Exhibit 3-11. Department of Health and Social Services Solicitations.....	60



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# Executive Summary

## Introduction

The State of Delaware (State) retained MGT of America Consulting, LLC (MGT) to conduct an availability and disparity study to determine if there are any disparities between the utilization of minority owned businesses (MBE), women owned businesses (WBE), veteran owned businesses (VOBE), service-disabled veteran owned businesses (SDVOBE), and individuals with disabilities owned businesses (IWDBE) compared to the availability of these firms in the State’s marketplace who are ready, willing, and able to perform work. MGT analyzed data for July 1, 2015 (FY16) through June 30, 2020 (FY20) for Construction, Construction-related services (such as architecture, engineering, etc.), Goods, and Services (Including professional services).

The Study analyzed whether a disparity exists between the number of available MBEs, WBEs, VOBes, SDVOBEs, and IWDBEs providing goods or services in the above business categories (availability) and the number who are contracting with the State as a prime contractor or subcontractor (utilization).

## LEGAL FRAMEWORK

When states or local governments create affirmative action programs in government procurement, they must do so in a manner that comports with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. If a governmental program employs race-based classifications, the program must be narrowly tailored and further a compelling interest. See *Richmond v. J.A. Croson Co.*, 488 U.S. 469, 492, 509 (1989) (“*Croson*”). Local governments have a compelling interest “in assuring that public dollars, drawn from the tax contributions of all citizens, do not serve to finance the evil of private prejudice.” *Id.* at 492. Additionally, cities that can show they have “essentially become a ‘passive participant’ in a system of racial exclusion practiced by elements of the local construction industry,” are able to “take affirmative steps to dismantle such a system.” *Id.* If a governmental program employs gender-based classifications, in those cases the program must demonstrate an “exceedingly persuasive justification.” *United States v. Virginia*, 518 U.S. 533 (1996).

The foundational case for evaluating M/WBE programs is *Croson*. *Croson* indicated what types of data might be sufficient to show that a program was narrowly tailored to further a compelling government interest. “Where 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. The appropriate remedy for such an inference is likely not a “rigid numerical quota,” *id.* at 508 but could be a program that offers “some form of narrowly tailored racial preference,” *id.* at 509.

## STUDY SCOPE AND DATA PARAMETERS

The scope of the disparity study included defining the State’s market area and analyzing payment and contract data from the Division of Government Support Services, Office of Management and Budget, Department of Health & Social Services, and Department of Correction. These agencies were chosen as



the represented most of the State's spend and data was readily available through the State's open-source checkbook portal.

MGT staff compiled and reconciled electronic data provided by the State to merge prime and subcontractor contract data to create a Master Utilization Database to support the needs of the study. MGT utilized the State's financial data via the open checkbook data system as the primary source of the prime financial data and supplemented that data with input from the four departments involved in the study. The prime contract data was combined with the subcontractor data which was collected via a survey of the primes. Based on a common contract ID across both data sets, MGT merged the subcontractor data with the prime data to make up the Master Utilization Database.

## MARKET AREA

In determining a relevant market area, MGT abides by a 75 percent majority rule of agency spending with deference to historic programmatic considerations to prescribe an appropriate geographic boundary. To establish the appropriate geographic boundaries for the study, the "relevant" market area was isolated according to the 75 percent standard. These market areas are defined by geographic units such as counties and states, based on the following considerations: 1) the courts have accepted the use of standard geographic units in conducting equal employment opportunity and disparity studies; 2) geographic units are externally determined, so there are no subjective determinations, and 3) U.S. Census and other federal agencies routinely collect data by geographic unit.

The recommended relevant market area are the 45 counties and independent cities within the State of Delaware Market Area ("Market Area"), or the three counties in Delaware and those that are part of Combined Statistical Areas. The Office of Management and Budget define combined statistical areas as those consisting of various combinations of adjacent metropolitan and micropolitan areas with economic ties measured by commuting patterns geographically adjacent to the State. **Chapter 4** details the exact localities utilized.

## Key Findings

### Finding A: M/WBE Utilization *(Chapter 4, Appendix B)*

In **Table E-1**, the utilization analysis shows that non-M/WBE firms are utilized at higher rates than their M/WBE counterparts. The State's utilization of non-M/WBE firms totaled 91.16 percent, while 8.84 percent went to M/WBE firms. Overall, the highest utilization rates among M/WBE classifications included Asian American firms accounting for 3.54 percent of dollars spent and nonminority females accounting for 2.70 percent of dollars spent. Nonminority female firms had the greatest utilization in Construction at 8.36 percent or \$21.69 million, followed by Asian American firms in Goods at 6.75 percent or \$42.54 million.<sup>1</sup>

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<sup>1</sup> Chapter 4, Market Area and Utilization Analyses

TABLE E-1.  
UTILIZATION ANALYSIS  
BY BUSINESS OWNERSHIP CLASSIFICATION AND BY PROCUREMENT CATEGORIES

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
African Americans	\$17,309,732.93	\$685,711.86	\$0.00	\$141,243.12	\$16,482,777.95
Asian Americans	\$65,628,756.67	\$58,954.85	\$0.00	\$42,539,018.64	\$23,030,783.18
Hispanic Americans	\$29,832,558.46	\$5,243,079.55	\$1,472.00	\$20,171,550.38	\$4,416,456.53
Native Americans	\$839,361.31	\$662,835.49	\$0.00	\$0.00	\$176,525.82
<b>TOTAL MINORITY FIRMS</b>	<b>\$113,610,409.37</b>	<b>\$6,650,581.75</b>	<b>\$1,472.00</b>	<b>\$62,851,812.14</b>	<b>\$44,106,543.48</b>
Nonminority Female Firms	\$50,035,438.78	\$21,686,701.03	\$0.00	\$7,169,281.60	\$21,179,456.15
<b>TOTAL M/WBE FIRMS</b>	<b>\$163,645,848.15</b>	<b>\$28,337,282.78</b>	<b>\$1,472.00</b>	<b>\$70,021,093.74</b>	<b>\$65,285,999.63</b>
TOTAL Non-M/WBE Firms	\$1,688,562,528.36	\$230,930,163.98	\$219,546,015.74	\$560,366,756.19	\$677,719,592.46
<b>TOTAL FIRMS</b>	<b>\$1,852,208,376.51</b>	<b>\$259,267,446.75</b>	<b>\$219,547,487.74</b>	<b>\$630,387,849.92</b>	<b>\$743,005,592.10</b>
BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
African Americans	0.93%	0.26%	0.00%	0.02%	2.22%
Asian Americans	3.54%	0.02%	0.00%	6.75%	3.10%
Hispanic Americans	1.61%	2.02%	0.00%	3.20%	0.59%
Native Americans	0.05%	0.26%	0.00%	0.00%	0.02%
<b>TOTAL MINORITY FIRMS</b>	<b>6.13%</b>	<b>2.57%</b>	<b>0.00%</b>	<b>9.97%</b>	<b>5.94%</b>
Nonminority Female Firms	2.70%	8.36%	0.00%	1.14%	2.85%
<b>TOTAL M/WBE FIRMS</b>	<b>8.84%</b>	<b>10.93%</b>	<b>0.00%</b>	<b>11.11%</b>	<b>8.79%</b>
TOTAL Non-M/WBE Firms	91.16%	89.07%	100.00%	88.89%	91.21%

Source: Chapter 4, Market Area and Utilization Analysis.

In **Table E-2**, the utilization analysis shows the utilization of IWD BE, VOBE, and SDVOBE firms. The utilization shows that the highest percentage of IWD BE firms can be found in Services with 1.82 percent, for VOBE firms it can be found in Construction Related with 3.00 percent; and for SDVOBE firms can be found in Services with 0.82 percent.

TABLE E-2.  
UTILIZATION ANALYSIS  
BY BUSINESS OWNERSHIP CLASSIFICATION AND BY PROCUREMENT CATEGORIES

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
IWD BE	\$14,931,639.13	\$1,385,015.16	\$0.00	\$0.00	\$13,546,623.97
VOBE	\$22,308,915.40	\$7,783,669.88	\$0.00	\$8,334.81	\$14,516,910.71
SDVOBE	\$6,121,126.91	\$0.00	\$0.00	\$0.00	\$6,121,126.91
<b>TOTAL FIRMS</b>	<b>\$1,852,208,376.51</b>	<b>\$259,267,446.75</b>	<b>\$219,547,487.74</b>	<b>\$630,387,849.92</b>	<b>\$743,005,592.10</b>
BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
IWD BE	0.81%	0.53%	0.00%	0.00%	1.82%
VOBE	1.20%	3.00%	0.00%	0.00%	1.95%
SDVOBE	0.33%	0.00%	0.00%	0.00%	0.82%

Source: Chapter 4, Market Area and Utilization Analysis.

## Finding B: Availability Estimates (Chapter 5, Appendix B)

A reliable estimation of the number of firms *willing* and *able* to provide each of the respective services is an essential element in the determination of disparity. Post-*Croscon* case law has not prescribed a single approach to deriving firm availability, and agencies have used various means to estimate pools of available vendors that have withstood legal scrutiny.

MGT calculates availability based on a “custom census” approach. This approach is the most accurate for calculating availability at its most granular level. An in-depth explanation of this approach is provided in **Chapter 5**. Detailed availability results by business category and 4-digit NAICS code are provided in **Appendix B**. The availability estimates by procurement category are illustrated in **Table E-3**.

MGT estimated the availability of IWDBE, VOB, and SDVOBE firms directly from the custom census survey to determine the percentage of available firms in the marketplace.

TABLE E-3.  
ESTIMATION OF AVAILABLE FIRMS

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
African Americans	7.40%	8.00%	1.75%	9.04%	7.46%
Asian Americans	6.97%	3.74%	9.00%	7.78%	6.82%
Hispanic Americans	2.15%	5.39%	3.26%	0.51%	2.09%
Native Americans	0.72%	0.99%	0.05%	0.01%	1.41%
<b>TOTAL MINORITY FIRMS</b>	<b>17.24%</b>	<b>18.12%</b>	14.05%	17.35%	<b>17.79%</b>
Nonminority Female Firms	27.69%	25.25%	20.53%	38.26%	21.68%
<b>TOTAL M/WBE FIRMS</b>	<b>44.93%</b>	<b>43.37%</b>	34.58%	<b>55.61%</b>	39.47%
TOTAL Non-M/WBE Firms	55.07%	56.63%	65.42%	44.39%	60.53%
IWDBE	1.44%	0.43%	1.54%	1.93%	1.72%
VOBE	7.39%	7.07%	12.31%	8.23%	6.46%
SDVOBE	1.33%	0.86%	3.08%	1.23%	1.58%

Source: Chapter 5, Availability and Disparity Analysis.

## Finding C: Disparity (Chapter 5)

This section includes the results of the disparity ratios calculated in **Chapter 5**. MGT’s disparity index methodology yields an easily calculable value, understandable in its interpretation, and universally comparable. A disparity in utilization within the minority- and female-owned firms can be assessed concerning the utilization of nonminority- and male-owned firms.

These overall results show that among M/WBE firms there is disparity in all categories. Only in Goods do you find no disparity for Hispanic American firms. Additionally, as a total M/WBE classification, all procurement categories find substantial and statistically significant disparity. Detailed disparity results by business category and 4-digit NAICS code are provided in **Appendix B**. Additionally, there was substantially significant disparity for IWDBE, VOB, and SDVOBE firms throughout all of the procurement categories except IWDBE firms in Services.

TABLE E-4.  
DISPARITY RATIO SUMMARY ANALYSIS

Procurement Category	ALL	Construction	Construction Related	Goods	Services
African Americans	<b>Disparity</b>	<b>Disparity</b>	Disparity	<b>Disparity</b>	Disparity
Asian Americans	Disparity	Disparity	Disparity	Disparity	Disparity
Hispanic Americans	Disparity	Disparity	Disparity	No Disparity	Disparity
Native Americans	Disparity	Disparity	Disparity	Disparity	Disparity
Total MBE Firms	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	Disparity	<b>Disparity</b>
Nonminority Females	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
Total M/WBE Firms	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
IWDBE	<b>Disparity</b>	No Disparity	<b>Disparity</b>	<b>Disparity</b>	No Disparity
VOBE	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
SDVOBE	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>

**BOLD** indicates substantial statistically significant disparity.

## Commendations

The State of Delaware is commended for investing the resources and providing the guidance, direction, and support to ensure delivery of a study that is legally supportable and actionable. The disparity study conducted by MGT resulted in identifying several initiatives currently in place to increase access and opportunities for the State’s diverse community of minority owned businesses (MBE), women owned businesses (WBE), veteran owned businesses (VOBE), service-disabled veteran owned businesses (SDVOBE), and individuals with disabilities owned businesses (IWDBE) and small businesses that are particularly noteworthy:

1. Executive Order 49 recognizes the importance of an inclusive business environment and the creation and expansion of diverse business enterprises. Executive Order 49 reconstituted the Governor’s Supplier Diversity Council and resulted in the creation of the Office of Statewide Initiatives in the Governor’s Office.
2. The Office of Supplier Diversity (OSD) is charged with increasing access and opportunities by certifying diverse businesses, advising state agencies on the participation and utilization of diverse businesses, and assisting diverse and small businesses to successfully compete for opportunities to provide goods, services, and construction for State departments and agencies.

- Government Support Services (GSS) is responsible for managing all statewide contracts for goods and services. In addition to providing Vendor Day Training programs, GSS provides a wide range of information, tools, and resources necessary for successfully doing business with the State of Delaware. The information, tools, and resources are maintained on GSS’s very comprehensive state-of -the art website that is easily navigated and provides specific guidance and assistance for doing business with the State of Delaware. The GSS website eliminate “information and resource impediments” that tend to limit diverse businesses from participating in contracting opportunities.

Taken overall, the 2022 Disparity Study and efforts being undertaken are significant and important indicators of the State’s commitment to increasing access and opportunities for diverse businesses.

## Recommendations

The following recommendations are based on multiple findings and do not necessarily tie to one finding.

### Recommendation A: Establish a Race- and Gender-Neutral Program

A strong small business program is central to maintaining a narrowly tailored program to promote M/WBE utilization. In particular, the State should focus on using a race- and gender-neutral program to increase M/WBE utilization by race/gender neutral means. The State does not face constitutional restrictions on race- and gender-neutral programs, only those procurement restrictions imposed by state law. This study does not recommend M/WBE prime contractor goals or set-asides because there is limited evidence that the State directly discriminated against M/WBE prime contractors in this study. As such it is recommend that the State also establish an aspirational SBE (Small Business Enterprise) goal of 20 percent to increase the utilization of small businesses of all certifications in a race and gender-neutral manner.

### Recommendation B: Aspirational Goals

Proposed goals are listed in **Table E-5**. The proposed goals are based on a weighted average of utilization and availability. Aspirational goals are based on an accumulation of all spend within the State and should not be applied rigidly to every individual procurement. Future adjustments to statewide aspirational goals should be based on relative availability and adjusted as needed.

TABLE E-5.  
PROPOSED DIVERSE BUSINESS ASPIRATIONAL GOALS

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
M/WBE FIRMS	13%	16%	5%	17%	12%
IWDBE	1%	1%	1%	1%	2%
VOBE	1%	3%	1%	1%	2%
SDVOBE	1%	1%	1%	1%	1%

## Recommendation C: Subcontractor Project Goals

To ensure all firms in the State's relevant market area have opportunities, project specific subcontracting goals should be established where there is availability for specific scopes of work across all procurement categories and based on the historical participation of M/WBE, IWDBE, VOB, and SDVOBE firms on identical or similar projects. Project specific subcontract goals will assist the State in addressing identified disparities found in this report.

## Recommendation D: Implement Rotation System

The State should consider utilizing a vendor rotation system for smaller prime contracts to increase the opportunity for M/WBE, IWDBE, VOB, and SDVOBE firms to do business with the State as a prime contractor. Implementing a vendor rotation system for smaller contracts will maintain a diverse pool of available services providers instead of "locking-in" one vendor for a multi-year contract.

## Recommendation E: Right to Audit Language in Contracts

The State should consider incorporating language in all contracts that prime contractors must maintain subcontract/supplier documentation for all subcontractor firms for a certain period; usually the time will match the State's record retention policy.

## Recommendation F: Enhance Data Collection and Management

The State should implement data systems and processes to monitor and track progress on key performance measures and establish solid processes to collect and analyze M/WBE, IWDBE, VOB, and SDVOBE utilization data by race, ethnicity, and gender to monitor utilization. Data collection could include:

- ◆ Require prime contractors to report subcontractor and supplier utilization.
  - All subcontracting/supplier utilization should be maintained to analyze and report total M/WBE subcontracting participation.
- ◆ Validate subcontractor utilization using compliance reporting. A contract compliance system should allow subcontractors to verify that they received payment for work performed. This feature will allow more accurate reporting of utilization.
- ◆ Consistently collect bid and proposal responses and identify those that are M/WBE, IWDBE, VOB, and SDVOBE firms.
- ◆ Data systems should connect intuitively with the State's payment data system from the beginning of a contract to its completion.
- ◆ Collect and report percentage of spend by each State department.

## Recommendation G: Enhance M/WBE, IWDBE, VOB, and SDVOBE Outreach and Training

The State should enhance outreach to M/WBE, IWDBE, VOB, and SDVOBE firms in the marketplace. This outreach should be focused on providing information regarding upcoming contract opportunities, and other opportunities to do business with the State. Additional outreach can focus on providing information to these business about partnering with the State’s prime contractors. This outreach can occur through emails, social media, vendor expos, trade shows, and pre-bid conferences. Training should focus on the various aspects of doing business with the State and its prime contractors to include policies on procurement practices.

## Recommendation H: Enhance the Current State Supplier Diversity Program to Incorporate Narrowly Tailoring

Any new program modifications implemented to address the findings of this report should be narrowly tailored to specifically address identified disparity in accordance with guidance from case law regarding race- and gender-based procurement programs. Developments in court cases involving federal disadvantaged business enterprise (DBE) programs provide important insight into the design of local supplier diversity programs. Federal courts found have consistently found DBE regulations in 49 CFR 26 to be narrowly tailored.<sup>2</sup> The federal DBE program has the features in **Table E-6** that contribute to this characterization as a narrowly tailored remedial procurement preference program. The State should adopt these features in any enhancements in for the supplier diversity program.

TABLE E-6.  
NARROWLY TAILORED M/WBE PROGRAM FEATURES

	Narrowly Tailored Goal-setting Features	DBE Regulations
1.	The State should not use M/WBE quotas.	49 CFR 26(43)(a)
2.	The State should use race- or gender-conscious set-asides only in extreme cases.	49 CFR 26(43)(b)
3.	The State should meet the maximum amount of M/WBE goals through race-neutral means.	49 CFR 26(51)(a)

Source: Suggested features in a proposed narrowly tailored M/WBE program based on USDOT 49 CFR 26.

## Selected Practices

Most state and local government agencies have policies and practices promoting local small business development. Such assistance may include direct subsidies to businesses, funds for management and technical assistance to small and new entrepreneurs, mentor-protégé programs, diversity training, and bonding assistance, as well as collaboration with and support for organizations that provide management and technical assistance to businesses.

<sup>2</sup> *Adarand v. Slater*, 228 F.3d 1147 (10<sup>th</sup> Cir. 2000), *Gross Seed. v. State of Nebraska*, 345 F.3d 968 (8<sup>th</sup> Cir. 2003); cert denied, 158 L.Ed. 2d 729 (2004).

The following provides selected practices for consideration by the State of Delaware. Some have worked in certain localities, and some have not been as effective in others. Effectiveness can depend on a variety of factors. As such, it is difficult to determine whether a particular policy or practice is solely responsible for the success of a program.

## Selected Practice A: Mandatory Diversity Training

Training designed to specifically address diversity and inclusion related topics for procurement staff and/or individuals involved in the selection process has been a tool utilized by some agencies with success. The goal of the training is to educate personnel on policies and procedures related to diversity as well as to address process related implementation.

**The School Board of Miami-Dade County, Florida.** The School Board of Miami-Dade County, Florida created a Diversity, Equity, and Inclusion in Business Operations and Practices policy.<sup>3</sup> The policy requires that, “The Superintendent or designee shall provide mandatory anti-discrimination, diversity, and inclusion training to all District staff involved in any and all District procurement processes, business operations and practices.”

## Selected Practice B: Small Business Aspirational Goals

Commitment from the top leadership is a core element in effective supplier diversity programs.<sup>1</sup> One starting point for such commitment is setting overall aspirational goals separate from project goals. Some agencies use straightforward methods to calculate aspirational goals and other agencies use more involved methodologies.

**The City of Charlotte, North Carolina.** The City of Charlotte sets annual Citywide Aspirational SBE and MWBE Goals for Prime Contracts. At the beginning of each fiscal year, the Program Manager will recommend to the City Manager annual, Citywide goals for SBEs and MWBEs for certain, designated categories of Prime Contracts. The initial categories shall be Construction, Architecture, Engineering and Surveying, Professional Services, Other Services and Goods & Commodities. The annual SBE and MWBE goals may be combined or separate and are collectively referred to as the “MWSBE Goals.”<sup>4</sup>

**Office of Community Investment and Infrastructure (San Francisco, CA).** In the City and County of San Francisco, the Office of Community and Investment and Infrastructure (OCII) is a state-authorized local entity serving as the successor to the former San Francisco Redevelopment Agency. OCII’s Small Business Enterprise Policy has established SBE participation goals (for prime contracts) at 50% for Construction, Professional Services, and Suppliers.<sup>5</sup> The overall goal may be adjusted either upward or downward on a contract-by-contract basis depending on the availability of SBEs to perform the requested work.

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<sup>3</sup> MDCPS School Board Policy 6320.06.

<sup>4</sup> Section 2.1 of the Charlotte Business Inclusion Program Policy.

<sup>5</sup> See, e.g., National Women’s Business Council, 2006 NWBC Selected Practices Guide: Contracting with Women (June 2006); R. Auskalnis, C. Ketchum and C. Carter, Purchasing From Minority Business Enterprise: Selected Practices, Center For Strategic Supply Research 1995). OCII Small Business Enterprise Policy Paragraph IV (B). Adopted November 16, 2004. Amended and Restated July 21, 2009. Second Amendment July 7, 2015.



**Metropolitan Sewer District of Greater Cincinnati (MSD), Ohio.** At MSD, the annual goal for SBE participation is to award to SBEs, directly or indirectly through contracting, subcontracting and/or procurement activities of Contractors, contracts and procurements that represent at least 30% for Construction, 15% for Supplies/Services, and 10% for Professional Services, of the aggregate dollars spent annually by MSD. Attainment of the annual SBE Goal is based on contract dollars spent and not contracts awarded.<sup>6</sup>

**State of Maryland.** In 2012, the General Assembly in Maryland passed legislation authorizing the Governor's Office of Minority Affairs (GOMA), in consultation with the Maryland Department of Transportation (MDOT) and the Office of the Attorney General, to set the overall aspirational MBE goal every two years. Currently, MBE regulations direct 70 participating State agencies to make every effort to award an overall minimum goal of 29% of the total dollar value of their procurement contracts directly (prime contractors) or indirectly (subcontractors) to certified MBE firms.

**Orange County Government (Orlando, FL).** Orange County Code §17-321 established initial goals for participation each year by MWBEs on County Contract in the following categories: Construction (25%), Professional Services (27%) Goods (10%), and Services (24%).

## Selected Practice C: Small Business Prime Contracting Programs

### Rotation of Bidders

Some political jurisdictions use bidder rotation to limit habit purchases from majority firms and to ensure that all firms have an opportunity to bid along with majority firms. Several agencies, including the City of Indianapolis, Indiana; Fairfax County, Virginia; the Port Authority of New York and New Jersey; and Miami-Dade County, Florida, use bid rotation to encourage utilization, particularly in architecture and engineering. Examples of bidder rotation from these agencies include:

**Metropolitan Sewer District of Greater Cincinnati (MSD), Ohio.** MSD's Small Business Manager shall establish a Small Contract Rotation Pool for certified SBEs, including procedures applicable to construction, supplies/services, and professional services for contracts between \$5,000 and \$50,000. Each certified SBE is grouped by its commodity codes based on the type of business.<sup>7</sup>

**Miami-Dade County, Florida.** Miami-Dade County uses small purchase orders for the Small Business Enterprise program and rotates on that basis. In addition, Miami-Dade County utilizes an Equitable Distribution Program, whereby a pool of qualified architecture and engineering professionals are rotated awards of county miscellaneous architecture and engineering services as prime contractors and subcontractors.

### Small Business Set-Asides/Sheltered Markets

**Miami-Dade County, Florida.** On March 6, 2012, The Board of County Commissioners in Miami, Florida adopted Ordinance No. 12-13, which requires the County to shelter all purchases for goods and services valued up to \$100,000 for competition among certified SBE firms.

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<sup>6</sup> Metropolitan Sewer District of Greater Cincinnati Small Business Enterprise Program Rules and Guidelines Section 4(A).

<sup>7</sup> Metropolitan Sewer District of Greater Cincinnati Small Business Enterprise Program Rules and Guidelines Section 4(F).

**State of New Jersey.** The State of New Jersey Small Business Set-Aside Program was established with the goal of awarding 25 percent of state contracting and purchase order dollars to small businesses.<sup>8</sup>

At least 10 percent of the State contracts shall be awarded to small businesses whose gross revenues do not exceed \$500,000; at least an additional 15 percent shall be awarded to additional categories of small businesses whose gross revenues do not exceed \$12 million or the applicable Federal revenue standards.

**State of Maryland (Small Business Reserve Program).** Maryland's Small Business Reserve Program (SBR) provides prime contracting opportunities in an exclusive environment where small businesses compete against other small businesses. This race- and gender-neutral set aside program applies to 23 designated agencies that are required to spend at least 10 percent of their total fiscal year procurement expenditures with SBR vendors.<sup>9</sup> During Fiscal Year 2016, the SBR Program achieved 7.70 percent participation with total payments of \$301.8 million to SBR vendors.

**City of St. Petersburg, Florida.** The City of St. Petersburg's Sheltered Market program is used when it is determined that there are sufficient SBEs to afford effective competition and where necessary to meet the annual city-wide goals for SBE participation, both for construction and the purchase of supplies and services.<sup>10</sup> For construction sheltered market contracts, SBE prime contractors or subcontractors collectively shall perform at least 20 percent of the contracting effort, including the costs of materials, goods and supplies, with their own organization and resources.

**San Francisco Municipal Transportation Agency (SFMTA).** SFMTA has established an SBE Set-Aside Program for Professional and Technical Services.

## Construction Management, Request For Proposals, and Design-Build

One method of unbundling in construction is through the use of multi-prime construction contracts in which a construction project is divided into several prime contracts which are then managed by a construction manager at risk (CM at Risk or CMAR). For example, this approach has been used on projects where each prime contractor is responsible for installation and repair in particular areas. The construction manager is responsible for obtaining materials at volume discounts based upon total agency purchases. If one contractor defaults, a change order is issued to another prime contractor working in an adjacent area. The construction manager at risk is responsible for cost overruns that result from prime contractor default.

Construction management also facilitates the rotation of contracts within an area of work. For example, if several subcontractors have the capacity of bidding on an extended work activity (e.g., concrete flat work, traffic control, hauling), the construction manager can rotate contracting opportunities over the duration of the activity.

Using a request for proposal process can provide the flexibility for including M/WBE participation in prime contractor requirements and selection. One of the nonfinancial criteria can be the proposer's approach and past history with M/WBE subcontractor utilization as well as women and minority workforce participation.

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<sup>8</sup> N.J.A.C. 17:13.

<sup>9</sup> (Md. Code Ann., State Fin. & Proc. Art. §14-501 – 14-505 (2011 Supp.))

<sup>10</sup> City of St. Petersburg Municipal Code Section 2-239 to 2-246 of Division 4, Article 5, Chapter 2.

A number of agencies around the country, the Charlotte-Mecklenburg School System, Miami-Dade County Public Schools, the Tri-County Metropolitan Transportation District of Oregon, and the City of Columbia, have had some success with this approach.<sup>11</sup>

The Colorado Department of Transportation (DOT) has required DBE and Emerging Small Business (ESB) performance plans for bidders on design-build projects. Colorado DOT achieved \$187 million in DBE utilization on the \$1.2 billion T-REX project using this approach.<sup>12</sup>

## Selected Practice D: Small Business Program for Subcontracts

### Small Business Project Goals

**Cook County Government (Illinois).** In Cook County, the Compliance Contract Director (CCD), following the compilation and stringent review of the most current data that is feasibly and practicably available relative to the availability of MBEs and WBEs who have the capacity to successfully supply the relevant goods and services, and in consultation with the User Agency, shall establish Project Specific Goals for construction, which shall be incorporated into each bid and RFP.<sup>13</sup>

**City of Charlotte, North Carolina.** The City of Charlotte, which includes public utilities, has a comprehensive SBE program including SBE set asides and business assistance.<sup>14</sup> In addition, the City sets department goals for SBE utilization, sets SBE goals on formal and informal contracts, and makes SBE utilization part of department performance review utilization numbers. The City has a waiver provision for bidders but has rejected bids for bidder noncompliance with the SBE program. Charlotte achieved 28.9 percent M/WBE subcontractor utilization in construction and 33.1 percent M/WBE subcontractor utilization in architecture and engineering through small business subcontracting goals.<sup>15</sup>

**The State of Maryland** has goals set for the DBE program for contracts funded by the USDOT. Individual DBE Program goals are only established for each of MDOT's federally funded business units; SHA, MAA, and MTA.

## Selected Practice E: Project Goal Setting

**North Carolina DOT.** The NCDOT regulations emphasize that goals should be set on projects “determined appropriate by the Department [of Transportation].”<sup>16</sup> Individual goals are set based on a project's geographic location, characteristics of the project, the percentage of the type of work typically performed by M/WBEs, the areas in which M/WBEs are known to provide services, and the goals set by the North Carolina General Assembly.<sup>17</sup> The statutes authorizing this program provides that, except to the extent the Secretary determines otherwise, not less than 10 percent of the authorized funds are to be

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<sup>11</sup> Federal Transit Administration, Lessons Learned #45 (May 2002). [www.fta.dot.gov/library/program/II/man/II45.html](http://www.fta.dot.gov/library/program/II/man/II45.html).

<sup>12</sup> D. Wilson, Colorado Department of Transportation Statewide Transportation Disparity Study, 2009, at 3-20.

<sup>13</sup> Cook County Ord. No. 14-1232, 3-12-2014; Ord. No. 16-3598, 6-29-2016; Ord. No. 17-3217, 6-7-2017.

<sup>14</sup> A description of the Charlotte SBE program can be found at [www.charmeck.org/Departments/Economic+Development/Small+Business/Home.htm](http://www.charmeck.org/Departments/Economic+Development/Small+Business/Home.htm).

<sup>15</sup> MGT, The City of Charlotte Update Disparity Study, 2011, Exhibit 7-1.

<sup>16</sup> 19A NCAC 02D.1108(a).

<sup>17</sup> 19A NCAC 02D.1108(a).

expended with DBEs. The NCDOT M/WBE regulations specify (although they do not limit to) particular areas for M/WBE goals: clearing and grubbing, hauling and trucking, storm drainage, concrete and masonry construction, guardrail, landscaping, erosion control, reinforcing steel, utility construction, and pavement marking.

The NCDOT goal setting process begins with an engineering estimate of the project to determine what items might reasonably be subcontracted. Next estimates of the percentage of work that could be potentially performed by DBEs and M/WBEs are developed.<sup>18</sup> These estimates are confidential and made available only to the Estimator (and staff), the Provisions Engineer in the Proposals and Contracts Section (and staff), and members of the DBE/M/WBE Committee at the DBE/M/WBE Committee meetings.

Next NCDOT looks at whether there are M/WBEs available based on the NCDOT DBE/M/WBE directory and the location of the project. The NCDOT Directory is a searchable database that classifies firms by location, prime contractor/subcontractor status and six-digit work type.<sup>19</sup> The Goal Setting Committee is assisted in this process by Equal Employment Opportunity (EEO) Compliance staff in the Office of Civil Rights.

Prime contractors then submit documentation of good faith efforts to achieve the individual project goal. A statement of how they will make efforts to achieve the goal satisfies the good faith effort requirements.

The NCDOT Goal Setting Committee (in collaboration with the EEO Compliance staff) seeks to set goals relative to where there is interest, availability and capacity, beyond mere looking at the certification lists. NCDOT relies on the EEO Compliance staff to provide input on whether existing businesses are fully occupied. However, if EEO Compliance says M/WBEs are not fully occupied, but prime contractors submit evidence that M/WBEs are fully occupied (for example, with invoices), then NCDOT accepts those explanations.

As part of goal setting NCDOT regulations provide:

- ◆ A documented excessive subcontractor bid constitutes a basis for not subcontracting with an M/WBE.
- ◆ A documented record of poor experience constitutes a basis for not subcontracting with an M/WBE.

In addition, a review of NCDOT DBE and M/WBE goals has been a regular topic at the Associated General Contractors (AGC)-DOT Joint Cooperative Committee meetings.

**City of Greensboro** - Evaluation Preference – A Program Element that may be applied by the Goal Setting Committee to Construction, Professional Services, Goods and Other Services contracts that are to be awarded on a basis that includes factors other than lowest price (i.e., Best Value Contracting), and wherein responses that are submitted to the City by M/WBE firms may be awarded additional Points in the evaluation process in the scoring and ranking of their proposals against those submitted by other prime Respondents or Bidder / Participants

**City of Greensboro** - Contract Specification Review Goal Setting Committees assigned to review each prospective bid solicitation in advance of public release for purposes of considering the application of Program Elements to the bid solicitation shall also review proposed bid specifications for purposes of

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<sup>18</sup> NCDOT, Division of Highways, Roadway Design and Design Services Unit, Policy and Procedure Manual, Chapter 10, at 4.

<sup>19</sup> <http://apps.dot.state.nc.us/constructionunit/directory/>.

determining whether they are unnecessarily restrictive and whether they will likely adversely affect the ability of M/WBEs to compete. In making such determinations, the Goal Setting Committees shall especially focus upon unreasonably burdensome experience requirements, proprietary name brand specifications that preclude like grade and quality substitutions, and authorized dealership and distributorship requirements that effectively preclude participation of M/WBE firms. If the Goal Setting Committee determines one or more bid specifications are unnecessarily restrictive or have the effect of giving unfair advantage to incumbent firms, it shall direct the Originating Department to modify the solicitation accordingly to make it more inclusive. In the event no consensus can be reached by the Goal Setting Committee regarding amendment of the specifications to make them more inclusive, the final determination shall be made by the City Manager or his designee.

## **Selected Practice F: Combined Race-Neutral and Race-Conscious Programs**

A number of agencies (Tampa, Florida; Hillsborough County, Florida; Jacksonville, Florida; Port Authority of New York and New Jersey; and State of Connecticut) combine race neutral and race conscious program features.

**City of St. Paul, Minnesota.** The City of Saint Paul Vendor Outreach program requires that contractors document their solicitation of bids from SBEs, MBEs, and WBEs, in addition to listing subcontracting opportunities, attending pre-bid conferences, and seeking assistance from M/WBE organizations.<sup>20</sup> St. Paul achieved 10.4 percent SBE spending (out of \$113.2 million in total spending). In the SBE program, 62.5 percent of SBE spending went to WBEs, 21.2 percent to nonminority males and 16.3 percent to MBEs.

**San Francisco Bay Area Rapid Transit (BART).** BART's goal is to determine the race neutral and race conscious portions of a particular goal and to attain as much of the goal by race neutral means as possible. The basis for BART's methodology centers on the past level of race-neutral DBE attainment and the past level of race-conscious DBE attainment. The race neutral DBE attainment stems from either DBE prime contractors or from DBE participation as subcontractors on contracts without DBE goals.

**City and County of Durham** develop and use race- and gender-neutral measures to facilitate the participation of UBEs in city contracting activities. These measures may include but are not limited to: Page 4 (1) Arranging solicitation times for the presentations of bids, quantities, specifications, and delivery schedules so as to facilitate the participation of interested persons. (2) Providing timely information on contracting procedures, bid preparation, and specific contracting opportunities. (3) Holding pre-bid conferences, where appropriate, to explain the projects and to encourage potential bidders to solicit available UBEs as subcontractors or as joint venturers. (4) Adopting prompt payment procedures, including requiring by contract that contractors pay their direct subcontractors within a stated period of receipt of payment from the city, subject to appropriate exceptions. (5) Reviewing bonding and insurance requirements to eliminate unnecessary barriers to contracting with the city. (6) Maintaining a bidders list, consisting of all persons bidding on city prime contracts and bidding or quoting on city-funded subcontracts. (7) Providing technical assistance.

## Selected Practice G: Outreach

**City of Winston-Salem, North Carolina** expands its outreach by sharing upcoming opportunities with area trade associations and business organizations. In addition, the City sends weekly emails to all registered firms of upcoming opportunities.

**Florida State Minority Supplier Development Council (FSMSDC).** In 2018, FSMSDC in conjunction with various private and public organizations will host its annual Business Expo designed to provide minority-owned and small business enterprises with technical assistance as well as networking opportunities. The Business Expo features hundreds of business appointments, power-packed workshops, and industry group gathering. Programming includes the following:

1. Loan-A-Thon Financing for Business Growth: Vendors can meet one-on-one with bankers and alternative lenders.
2. Elevator Pitch Competition
3. Buyers and Sellers Lounge
4. MasterClasses
5. CEO Forum
6. B2B Trade Fair
7. Youth Entrepreneur Workshops

## Selected Practice H: Service-Disabled Veterans/Veterans Programs

**Miami-Dade County, Government.** Sec. 2-8.5.1 of Miami-Dade County's municipal ordinances establishes procedures to provide preferences to Local Certified Veteran Business Enterprises in County contracts.<sup>20</sup>

In Miami, a Local Certified Veteran Business Enterprise that submits a bid for a contract shall receive a bid preference of five percent of the bid price. Further a local VBE that submits a proposal in response to an RFP, RFQ, RFI, or a Notice to Professional Consultants that assigns weights to evaluation and selection criteria shall receive an additional five percent of the evaluation points scored on the technical portion of such bidder's proposal.

**The City University of New York (CUNY).** Article 17-B of the NYS Executive Law and Parts 252 of Title 9 of the New York Codes, Rules and Regulations require CUNY along with State Agencies and Authorities, and the vendors and contractors with whom they do business, to make good faith efforts to procure contracted labor, services (including legal, financial, and professional services), supplies, equipment, and materials from New York State certified Service Disabled Veteran-Owned Businesses.<sup>21</sup> The participation goal for SDVOBs are set by Executive Law Article 17-B at 6%.

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<sup>20</sup> Ord. No. 09-68, § 1, 9-1-09; Ord. No. 15-24, § 1, 4-21-15.

<sup>21</sup> CUNY Administrative Procedures & Guidance, University Office of Budget and Finance—January 2018.

**State of Tennessee.** The State of Tennessee defines a "Service-disabled veteran" as any person who served honorably on active duty in the armed forces of the United States with at least a twenty percent (20%) disability that is service-connected, meaning that such disability was incurred or aggravated in the line of duty in the active military, naval or air service;

The State further defines as "Service-disabled veteran-owned business" as:

A veteran-owned business that is a continuing, independent, for-profit business located in the state that performs a commercially useful function, and:

- (A) Is at least fifty-one percent (51%) owned and controlled by one (1) or more service-disabled veterans;
- (B) In the case of a business solely owned by one (1) service-disabled veteran and such person's spouse, is at least fifty percent (50%) owned and controlled by the service-disabled veteran; or
- (C) In the case of any publicly owned business, at least fifty-one percent (51%) of the stock of which is owned and controlled by one (1) or more service-disabled veterans and whose management and daily business operations are under the control of one (1) or more service-disabled veterans;<sup>22</sup>

T.C.A. §12-3-1106(b) requires agencies and departments to establish agency internal goals for participation of veteran owned business enterprises.

**City of Gainesville, Florida.** In 2016, to help Service-Disabled Veteran Businesses be more successful, the City of Gainesville adopted the Small and Service-Disabled Veteran Business Program. The program provides significant opportunities for qualified local small businesses to participate on a nondiscriminatory basis in all aspects of the City's contracting and procurement programs as well as providing other needed business services. The program provides SDVB's the following:

1. Listing in the City's online directory of certified firms;
2. Technical assistance in preparing bids;
3. Bid documents available at no cost;
4. Purchases more than \$5,000 and less than \$50,000 require three written quotes and require one of the quotes to come from a certified small and/or service-disabled veteran business, if they exist; and
5. The City's procurement policy includes points at the competitive level (above \$50,000) if you are a certified small and/or service-disabled veteran business (5% of total points).

**City of Orlando, Florida.** Under Florida statutes Section 295.187 a "veteran business enterprise" (VBE) is defined as:

An independently owned and operated business:

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<sup>22</sup> T.C.A. §12-3-1102

1. Employs 200 or fewer permanent full-time employees;
2. Together with its affiliates has a net worth of \$5 million or less or, if a sole proprietorship, has a net worth of \$5 million or less including personal and business investments;
3. Is organized to engage in commercial transactions;
4. Is domiciled in this state;
5. Is at least 51 percent owned by one or more wartime veterans or service-disabled veterans; and
6. the management and daily business operations of which are controlled by one or more wartime veterans or service-disabled veterans or, for a service-disabled veteran having a permanent and total disability, by the spouse or permanent caregiver of the veteran.<sup>23</sup>

For solicitations by competitive sealed bidding and requests for quotations the City of Orlando provides the following bid incentives for VBEs:

1. Fifteen percent (15%) on bids up to \$1,500;
2. Ten percent (10%) non bids from \$1,500.01 to \$19,999.99;
3. Nine percent (9%) on bids from \$20,000 to \$39,999.99;
4. Eight percent (8%) on bids from \$40,000 to \$59,999.99;
5. Seven percent (7%) on bids from \$60,000 to \$79,999.99;
6. Six percent (6%) on bids from \$80,000 to \$99,999.99;
7. Five percent (5%) on bids from \$100,000 to \$149,999.99;
8. Four percent (4%) on bids from \$150,000 to \$249,999.99;
9. Three percent (3%) on bids from \$250,000 to \$499,999.99;
10. Two percent (2%) on bids from \$500,000 to \$999,999.99; and
11. One percent (1%) on bids for \$1,000,000 or more.<sup>24</sup>

## Conclusion

The State of Delaware 2022 Disparity Study provides legally supportable factual predicate evidence for a narrowly tailored Supplier Diversity Program. As documented throughout the entirety of the study, disparities throughout the utilization, private sector, and qualitative analyses were ascertained for minority owned businesses (MBE), women owned businesses (WBE), veteran owned businesses (VOBE), service-disabled veteran owned businesses (SDVOBE), and individuals with disabilities owned businesses (IWDBE) in the State's business markets. Additionally, utilization disparity was identified in all procurement categories, and business ownership classification analyzed, except for Hispanic American firms in Goods and IWDBEs in Services. This evidence is based on quantitative and qualitative data from public and private sources. Any program efforts must be narrowly tailored to rectify the issues identified in this report.

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<sup>23</sup> Fl Stat Sec.295.187(c). Florida Veteran Business Enterprise Opportunity Act.

<sup>24</sup> Orlando Code, Chapter 7, Article XI, Sec. 7.1102(C).



# 1 Introduction

## 1.1 Introduction

In the 2022 Disparity Study, the State of Delaware (State) retained MGT of America Consulting, LLC (MGT) to conduct an availability and disparity study to determine if there are any disparities between the utilization of minority owned businesses (MBE), women owned businesses (WBE), veteran owned businesses (VOBE), service-disabled veteran owned businesses (SDVOBE), and individuals with disabilities owned businesses (IWDBE) compared to the availability of these firms in the State's marketplace who are ready, willing, and able to perform work. MGT examined the statistical data using the following business categories during July 1, 2015 (FY16) through June 30, 2020 (FY20):

Chapter Sections	
1.1	Introduction
1.2	MGT Project Team
1.3	Overview of Study Approach
1.4	Report Organization
1.5	Glossary of Terms

- ◆ Construction
- ◆ Construction-related services (such as architecture, engineering, etc.)
- ◆ Goods
- ◆ Services (Including professional services)

The Study analyzes whether a disparity exists between the number of available MBEs, WBEs, VOBES, SDVOBES, and IWDBEs providing goods or services in the above business categories (availability) and the number who are actually contracting with the State as a prime contractor or subcontractor (utilization).

## 1.2 MGT Project Team

The MGT team who conducted the State's Disparity Study is the most experienced and skilled team in the disparity study business. MGT staff has extensive social science research experience and experience in all aspects of disparity research. The experience of our team enables us to navigate the challenges, obstacles, and volatility associated with conducting a thorough Disparity Study, which can derail even the most well-planned and executed study.

MGT is a Tampa-based research and management consulting firm. Since 1990, MGT has conducted over 225 disparity and disparity-related studies. The team of experts who dedicated their time, attention, and expertise to this study include:

### **Dr. Fred Seamon, Executive Vice President/Qualitative Researcher**

Dr. Seamon was responsible for ensuring the team had the necessary staff and resources to address the deliverables set forth in the scope of work. Dr. Seamon also conducted policy interviews with the State officials and stakeholders. Dr. Seamon has over 30 years of consulting, research, and teaching experience. He has been conducting research related to access and equity since he was a graduate student. Dr. Seamon has been involved in over 100 of MGT's disparity and disparity-related research

studies. His disparity study areas of expertise include qualitative research methods, community engagement, and outreach and policy analysis. He has extensive experience analyzing the structure, operations, and processes of public sector organizations and nonprofit agencies and conducting research studies related to access, equity, and disparities in education, business, and human services. His consulting experience also includes workforce development, organizational development, program evaluation, program auditing, and performance management in workforce development, developmental disabilities, and community philanthropy.

**Mr. Reggie Smith, Vice President/Project Director**

Mr. Smith is the leader of MGT's disparity study business unit and is nationally recognized for managing and directing disparity studies. He has directed over 36 disparity studies since joining MGT and has managed some of the largest disparity studies in the country. Mr. Smith is a highly skilled project manager with the knowledge and skills necessary to manage the complexity of a disparity study. In addition to his disparity study experience, Mr. Smith has extensive experience providing consulting, training, and public relations services to private and public sector agencies, particularly in local government. Mr. Smith also specializes in managing and conducting reengineering, operational assessments, organizational and performance reviews, and administrative technology projects for city, county, and state government agencies.

**Mr. Andres Bernal, Director/Quantitative and Qualitative Methodology Manager**

Mr. Bernal was responsible for developing, refining, and executing MGT's methodology and quality standards for conducting disparity studies. Mr. Bernal is an expert in quantitative research for diversity, equity, inclusion, and disparity studies with over 15 years of experience. He has been the disparity quantitative research leader on over 10 studies, spearheading collection of data, managing all levels of utilization and availability analyses, managing all levels of the various private sector analyses, and implementing new methodologies that incorporate the latest disparity study legal court cases. He is well-practiced in conducting all aspects of disparity study research and has played a major role collecting, developing, refining, and executing MGT's methodology and quality standards for MGT's conducting disparity studies. He has extensive experience in the collection and analysis of large complex data and applying various statistical and mathematical computations to reach reliable and valid conclusions that are used to shape disparity study findings and recommendations. Mr. Bernal has a law degree and an impressive background in economic theories, including Microeconomic Theory, Macroeconomic Theory, Econometrics, Urban Economics, Experimental Economics, Human and Labor Resource Economics, and Regression Analysis.

**Ms. Lara Opheim, Manager/Data Collection Manager**

Ms. Opheim led the data collection and analyses for this study. Ms. Opheim has over 11 years of experience working with data systems and analytical methods and techniques and is a key member of the DEI/disparity data collection and analysis team. Since joining MGT she has worked on a dozen disparity studies. Her experience translating data analysis results to inform decision making about disparity findings and conclusions is critical throughout this project.

Ms. Opheim led the data collection and analyses for this study. She has over 11 years of experience working with data and GIS and an in-depth understanding of how demographic and planning data come together to inform groups and individuals to allow for understanding and mapping equity data. Ms. Opheim utilized several mapping resources to communicate data effectively in the form of maps and diagrams. Using her technical abilities, she was able clearly communicate a broad range of information with data-driven maps and provided visual and spatial analysis.

**Ms. Vernetta Mitchell, Director/Qualitative Research/Subcontractor Manager**

Ms. Mitchell led the qualitative research effort for this study and managed the subcontractor engagements. She has over 20 years of experience in minority business program development, public and private sector SBE, M/WBE program administration, construction, and government procurement. She has successfully managed dozens of disparity studies and has functional knowledge and expertise in project management, project scheduling, analytical reporting, meeting facilitation, and public relations. Ms. Mitchell's extensive experience in procurement, construction, and program administration has enabled Ms. Mitchell to use her expertise in the development and management of qualitative data collection that has led to more efficient analyses and reporting of business participation.

**Mr. Justin Peterson, Analysis Lead and Data Collection**

Mr. Peterson assisted in data collection and led analyses for this study. Mr. Peterson has extensive experience working with data systems and analytical methods and techniques and is a vital member of the disparity data collection and analysis team. His experience translating data analysis results to inform decision-making about disparity findings and conclusions is critical throughout this project.

## 1.2.1 MGT Subconsultants

**Walker Benefit Services (MBE)**

Walker Benefit Services, LLC (WBS), established in 1996, is a certified MBE consulting and communications firm. WBS has over 20 years of experience conducting anecdotal research, including focus groups, interviews, and surveys. They have a team of award-winning, experienced communications consultants with a background in helping organizations communicate with and engage internal stakeholders, including employees, retirees, management, and union leadership, as well as external stakeholders, such as contractors and business owners. WBS prepared the community outreach plan for this study and conducted community outreach.

**SkyBase7 (HUB, DBE, and WBE)**

SkyBase7 is a Florida HUB, DBE, and WBE certified data collection research firm. They work with MGT's clients to build consistent strategies with the brand, deliver results and exceed expectations. Understanding the desired outcome and vision enables us to create strategies and implement relevant and achievable plans. For this project, Skybase7 conducted additional custom census and vendor surveys.

## 1.3 Overview of Study Approach

The State’s study includes procurement activity from July 1, 2015 (FY16) through June 30, 2020 (FY20). The objectives of this study were:

- ◆ Determine whether the State, either in the past or currently, engages in discriminatory practices in the solicitation and award of contracts in Construction, Construction-related services (such as architecture, engineering, etc.), and Goods, Services (including professional services) to MBEs, WBEs, VOBES, SDVOBES, and IWDBES.
- ◆ Determine if a legally justified need exists for the MBEs, WBEs, VOBES, SDVOBES, and IWDBES program in accordance with the guidelines set forth by the Supreme Court and relevant subsequent cases.

The Study analyzed contracting opportunities in these procurement categories in order to identify with particularity whether a statistical disparity exists. A statistical disparity demonstrates whether the State is a passive participant in private sector discrimination and/or lingering effects of past discrimination exist that give rise to a compelling governmental interest for the State’s supplier diversity program.

The work plan consisted of, but was not limited to, the following major tasks:

- ◆ Establish data parameters and finalize the work plan.
- ◆ Conduct a legal review.
- ◆ Review the State’s policies, procedures, and programs.
- ◆ Conduct public engagement meetings.
- ◆ Determine the State’s geographic and product markets.
- ◆ Conduct market area and utilization analyses.
- ◆ Determine the availability of qualified firms.
- ◆ Analyze prime and subcontractor utilization and availability for disparity.
- ◆ Analyze disparities in the private sector.

### RESEARCH QUESTIONS

These research questions are embedded in relevant chapters throughout this report.

1. Is there factual predicate evidence to support a race- and gender-conscious MBE, WBE, VOBES, SDVOBES, and IWDBES program?
2. How does case law inform the research methodology for the State’s disparity study?
3. Are there disparities between the availability and utilization of MBE, WBE, VOBES, SDVOBES, and IWDBES primes and subcontractors?
4. If so, what is the cause of the disparity? Is there other evidence that supports and/or explains why there is disparity?
5. Does the State passively engage in private sector discrimination?
6. Are there statistically significant disparities in the utilization of MBEs, WBEs, VOBES, SDVOBES, and IWDBES by primes on projects where there are no MWBE goals?
7. Is there qualitative/anecdotal evidence of disparate treatment of MBE, WBE, VOBES, SDVOBES, and IWDBES subcontractors by prime contractors?

- ◆ Conduct a survey of business owners.
- ◆ Collect and analyze anecdotal information.
- ◆ Prepare and present draft and final reports for the study.

## 1.4 Report Organization

In addition to this introductory chapter, the State’s 2022 Disparity Study report consists of:

<b>CHAPTER 2</b>	<b>REVIEW OF POLICIES, PROCEDURES, AND PROGRAMS</b> <b>Chapter 2</b> provides MGT’s analysis of the State’s race- and gender-neutral and race- and gender-conscious policies, procedures, and programs.
<b>CHAPTER 3</b>	<b>LEGAL FRAMEWORK</b> <b>Chapter 3</b> presents the legal framework and an overview of the controlling legal precedents that impact remedial procurement programs with a particular concentration on the United States Court of Appeals for the Third Circuit.
<b>CHAPTER 4</b>	<b>MARKET AREA AND UTILIZATION ANALYSES</b> <b>Chapter 4</b> presents the methodology used to determine the State’s relevant market area, and the analyses of vendor utilization by the State.
<b>CHAPTER 5</b>	<b>AVAILABILITY AND DISPARITY ANALYSES</b> <b>Chapter 5</b> presents the availability of M/WBEs in the State’s geographic and product markets and the disparity between the availability and utilization of M/WBEs by the State.
<b>CHAPTER 6</b>	<b>PRIVATE SECTOR ANALYSIS</b> <b>Chapter 6</b> provides an analysis of the disparities present in the private sector and the effect on M/WBEs. This private sector analysis demonstrates why the State’s race and gender-conscious programs and goals are necessary to ensure it does not become a passive participant in private sector discrimination.
<b>CHAPTER 7</b>	<b>ANECDOTAL ANALYSIS</b> <b>Chapter 7</b> contains an analysis of anecdotal data collected from the survey of business owners, one-on-one interviews, and public meetings.
<b>CHAPTER 8</b>	<b>FINDINGS, COMMENDATIONS AND RECOMMENDATIONS</b> <b>Chapter 8</b> provides a summary of the findings, commendations, and recommendations based upon the analyses presented in this study.
<b>APPENDICES</b>	The appendices contain additional analyses and supporting documentation and data.

MGT recommends reading the 2022 Disparity Study in its entirety to understand the basis for the findings and conclusions presented in **Chapter 8, Findings, Commendations and Recommendations**.

## 1.5 Glossary of Terms

This glossary contains definitions of common terms and acronyms used throughout the State’s 2022 Disparity Study. Additional and more detailed definitions can be found in various chapters of the report.

Anecdotal	A personal account of experiences of businesses doing business with or attempting to do business with the State collected through surveys, interviews, and public hearings.
Aspirational Goal	A benchmark percentage of spending by an agency with a particular group over a period of time. The aspirational goal is typically an annual goal.
Anecdotal Database	A compiled list of utilized firms, registered vendors, and certification lists developed from several different sources, including Dun & Bradstreet. This list was used to develop the pool of available firms to participate in the anecdotal activities.
Awards	Awards reflect anticipated dollar amounts a prime contractor or vendor are scheduled to receive upon completion of a contract.
Combined Statistical Area	Combined Statistical Area (CSA) are geographic entities defined by the U.S. Office of Management and Budget (OMB) for use by Federal statistical agencies in collecting, tabulating, and publishing Federal statistics.
Contract	All types of State agreements, to include direct payments and purchase orders, for the procurement of goods and services.
Custom Census	Custom census involves using Dun & Bradstreet as a source of business availability. A short survey is conducted on a random sample of firms supplied by Dun & Bradstreet, requesting specific information, i.e., ethnic and gender status, willingness to work on State projects.
DBE	An acronym for a Disadvantaged Business Enterprise. A DBE is a for-profit business which is at least 51% owned and controlled by one or more socially or economically disadvantaged individuals, whose personal net worth does not exceed the US Department of Transportation’s current threshold.
Direct Payment	Payment made to prime contractors or vendors without the development of a contract.
Disparity Index/ Disparity Ratio	The ratio of the percentage of utilization and the percentage of availability for a particular demographic group times 100. Disparities were calculated for primes and subcontractors for each of the business categories.
Disparity Study	A study that reviews and analyzes the utilization and availability of

	disadvantaged, minority- and women-owned businesses in a particular market area to determine if disparity exists in the awarding of contracts to minority and women business enterprises by a public entity.
Expenditures	Expenditures are payments made by the State to primes and payments made by primes to subcontractors.
Good Faith Efforts	Documented evidence of the primes' efforts to meet established project goals to contract with M/WBE firms.
Intermediate Scrutiny	The second level of federal judicial review to determine whether certain governmental policies are constitutional. Less demanding than "strict scrutiny."
IWDBE	An acronym for individuals with disabilities owned business enterprise that is at least 51% owned and operated by one or more individuals with disabilities.
Lowest Responsible, Responsive Bidder	An entity that provides the lowest price, has responded to the needs of the requestor, and has not violated statutory requirements for vendor eligibility.
M/WBE	An acronym for a minority, or woman-owned business enterprise. An MWBE is a business that is at least 51% owned and operated by one or more individuals who are African American, Asian American, Hispanic American, Native American or Nonminority Women.
Master Utilization Database	A database that maintains firms who have conducted business with the State and were paid by the State for goods and services.
MBE	An acronym for a minority-owned business enterprise. An MBE is a business that is at least 51% owned and operated by one or more individuals who are African American, Asian American, Hispanic American, or Native American.
Non-M/WBE	An acronym for firms not identified as minority- or women-owned.
Passive Discrimination	The act of perpetuating discrimination by awarding contracts to firms that discriminate against minority and women-owned firms.
Prima Facie	Evidence which is legally sufficient to establish a fact or a case unless disproved or rebutted.
Prime	The contractor or vendor to whom a purchase order or contract is issued by the State.
Private Sector	The for-profit part of the national economy that is not under direct government control.
Procurement Category	The type of service or good provided under a contract awarded. The categories analyzed are Construction, Goods, Services (including professional services), and Construction-related services (such as architecture, engineering, etc.).

Project Goals	Goals placed on an individual project or contract, as opposed to aspirational goals placed on overall agency spending.
Public Sector	The non-profit part of the economy that is controlled by the government.
PUMS	An acronym for Public Use Microdata Sample. PUMS contains records for a sample of housing units with information on the characteristics of each unit and each person in it. PUMS files are available from the American Community Survey (ACS) and the Decennial Census.
Purchase Order	A commercial document and first official offer issued by a buyer to a seller, indicating types, quantities, and agreed prices for products or services.
Regression Analysis	A technique for modeling and analyzing several variables when the focus is on the relationship between a dependent variable and one or more independent variables. More specifically, regression analysis helps one understand how the typical value of the dependent variable changes when any one of the independent variables is varied, while the other independent variables are held constant. For this study, a multivariate regression analysis was used to examine the influence of an owner's race and gender on gross revenues reported by firms participating in a survey of vendors administered during the study.
Relevant Geographic Market	The geographical area where the firms that have been awarded most of the State's contract dollars are located.
SDVOBE	An acronym for service-disabled veteran owned business enterprise that is at least 51% owned and operated by one or more individuals who are service-disabled veterans.
Sole Source	The contracting or purchasing of goods or services, without bidding, when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration
Statistically Significant	The likelihood that a result or relationship is caused by something other than mere random chance. Statistical hypothesis testing is traditionally employed to determine if a result is statistically significant or not. This provides a "p-value" representing the probability that random chance could explain the result. In general, a 5% or lower p-value is considered to be statistically significant.
Strict Scrutiny	The highest level of federal judicial review to determine whether certain governmental policies are constitutional. Applies to race-conscious programs.
Subcontractor	A vendor or contractor providing goods or services to a prime contractor or vendor under contract with the State.
Utilization	Examines the expenditures and awards made to primes and subcontractors in the State's geographic market area for each procurement category. The



utilization data is presented as the dollars spent or awarded and the percentage of the total dollars by racial, ethnic, and gender classification.

VOBE An acronym for veteran owned business enterprise that is at least 51% owned and operated by one or more individuals who are veterans.

WBE An acronym for a women-owned business enterprise. A WBE is a business that is at least 51% owned and operated by one or more nonminority women.

## 2 Legal Review

### 2.1 Introduction

This chapter provides legal background for the State’s Disparity Study and a context for the statistical analysis and anecdotal data that are its components. The review's focus is relevant decisions from the U.S. Supreme Court and the Third Circuit Court of Appeals, including Delaware. This chapter is the customary MGT chapter for the Third Circuit on this subject matter, reviewed for recent cases at the time of publishing this chapter. It doesn’t constitute legal advice to the State on their supplier diversity programs, affirmative action, or any other matter. Instead, it provides a context for the statistical and anecdotal analysis that appears in subsequent chapters of this report.

Chapter Sections	
2.1	Introduction
2.2	Scrutiny Standards for Race- and Gender-Specific Programs
2.3	Strict Scrutiny Analysis
2.4	DBE Programs
2.5	Conclusions

The Supreme Court decisions in *Richmond v. Croson Company (Croson)*,<sup>25</sup> *Adarand v. Peña (Adarand III)*<sup>26</sup> established and applied the legal framework that governs race and gender-conscious procurement programs. These cases opined that strict scrutiny should be the standard by which race-conscious governmental programs should be reviewed, including federal, state, and local governments. In particular, the courts held that to survive a constitutional challenge under a strict scrutiny standard, a race-conscious governmental procurement program must be (1) justified by a compelling governmental interest in remedying identified discrimination in the marketplace; and (2) narrowly tailored to remedy that discrimination.

This chapter identifies and discusses those decisions, summarizing how courts evaluate the constitutionality of race-specific and gender-specific programs. Decisions of the Third Circuit offer the most directly binding authority; in particular, the decisions most on point are *Contractors Ass’n of E. Pa. v. City of Philadelphia (CAEP I)*<sup>27</sup> and *Contractors Ass’n v. Philadelphia (CAEP II)*<sup>28</sup>. Other circuit court cases outside of the Third Circuit offer persuasive authority where the Third Circuit does not directly address all aspects of a legally defensible M/WBE program. This review also addresses the most pertinent cases outside of the Third Circuit.

By way of a preliminary outline, the courts have determined that an affirmative action program involving governmental procurement of goods or services must meet the following standards:

- ◆ A remedial race-conscious program is subject to strict judicial scrutiny under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

<sup>25</sup> *Richmond v. J. A. Croson Co.*, 488 U.S. 469 (1989). It should be noted that as it relates to this analysis, Croson refers to the Court’s opinion delivered by Justice O’Connor in Parts I, III-B and IV. Parts II, III-A and V were plurality opinions delivered by Justice O’Connor.

<sup>26</sup> *Adarand Constructors v. Peña*, 515 U.S. 200 (1995).

<sup>27</sup> *Contractors Ass’n of E. Pa. v. City of Phila.*, 6 F.3d 990 (3d Cir. 1993).

<sup>28</sup> *Contractors Ass’n v. Philadelphia* 91 F.3d 586, 605 (3rd Cir. 1996).

- Strict scrutiny has two essential components: a compelling governmental interest in the program and a narrow tailoring of the program to serve or address the government’s compelling interest.
- A remedial race-conscious program must be based on a compelling governmental interest to survive the strict scrutiny standard.
  - “Compelling government interest” means the government must prove past or present racial discrimination requiring remedial attention.
  - There must be a specific “strong basis in the evidence” for the compelling governmental interest.
  - Statistical evidence is preferred and possibly necessary as a practical matter; anecdotal evidence is permissible and can offer substantial support, but it probably cannot stand independently.
- Program(s) designed to address the compelling governmental interest must be narrowly tailored to remedy the identified discrimination.
  - “Narrow tailoring” means the remedy must fit the findings.
  - The evidence showing compelling government interest must guide the tailoring very closely.
  - Race-neutral alternatives must be considered first.
  - A lesser standard, intermediate judicial scrutiny, applies to programs that establish gender preferences.
  - The remedial gender-conscious program must serve important governmental objectives and be substantially related to achieving those objectives to survive the intermediate scrutiny standard.
    - The evidence does not need to be as strong, and the tailoring does not need to be as specified under the lesser standard.

## 2.2 Scrutiny Standards for Race- and Gender-Specific Programs

### 2.2.1 Strict Scrutiny-*Richmond V. J.A. Croson Co.* As Applied to State and Local Governments

Justice O’Connor in *Croson* established the framework for testing the validity of race-based programs in state and local governments. In 1983, the Richmond City Council (Council) adopted a Minority Business Utilization Plan (the Plan) following a public hearing in which seven citizens testified about historical, societal discrimination. In adopting the Plan, the Council also relied on a study indicating that “while the general population of Richmond was 50 percent African American, only 0.67 percent of the city’s

prime construction contracts had been awarded to minority businesses in the five years from 1978 to 1983.”<sup>29</sup>

The evidence before the Council also established that various state and local contractor associations had little or no minority business membership. The Council relied on statements by a Council member whose opinion was that “the general conduct of the construction industry in this area, the state, and around the nation, is one in which race discrimination and exclusion on the basis of race is widespread.”<sup>30</sup> There was, however, no direct evidence of race discrimination on the part of the city in its contracting activities and no evidence that the city’s prime contractors had discriminated against minority-owned subcontractors.<sup>31</sup>

The Plan required the city’s prime contractors to subcontract at least 30 percent of the dollar amount of each contract to one or more minority-owned business enterprises (MBEs). The Plan did not establish any geographic limits for eligibility. Therefore, an otherwise qualified MBE from anywhere in the United States could benefit from the 30 percent set-aside.

J.A. Croson Company, a non-MBE mechanical plumbing and heating contractor, filed a lawsuit against the city of Richmond, alleging that the Plan was unconstitutional because it violated the Equal Protection Clause of the Fourteenth Amendment. After a considerable record of litigation and appeals, the Fourth Circuit struck down the Richmond Plan, and the Supreme Court affirmed this decision.<sup>32</sup> The Supreme Court determined that strict scrutiny was the appropriate standard of judicial review for MBE programs, which means that a race-conscious program must be based on a compelling governmental interest and be narrowly tailored to achieve its objectives. This standard requires a firm evidentiary basis for concluding that the underutilization of minorities is a product of past discrimination.<sup>33</sup>

## 2.2.2 Strict Scrutiny-*Adarand Constructor, Inc V. Pena (Adarand III) As Applied to the Federal Government*

As discussed above, *Croson* held that the strict-scrutiny standard applied to local and state race-conscious governmental programs. In *Adarand III*, this standard was extended to include federal race-conscious programs. Like the local and state requirements, federal race-conscious programs must meet the two-prong standard of (1) compelling governmental interest and (2) being narrowly tailored.

*Adarand III* involved a “subcontractor compensation clause”, which most federal agency contracts at the time contained. The clause gives a prime contractor a financial incentive to hire subcontractors certified as small businesses controlled by socially and economically disadvantaged individuals. It requires the contractor to presume that such individuals include minorities or other individuals found disadvantaged by the Small Business Administration (SBA). *Adarand Constructors, Inc.*, a noncertified business that submitted a low bid on a subcontract, filed suit against Secretary of Transportation at

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<sup>29</sup> *Croson*, 488 U.S. at 476 (1989).

<sup>30</sup> *Id.* at 476.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.* at 511.

<sup>33</sup> *Id.* at 493. Third Circuit ruled similarly as *Croson* in *Contractors Ass’n of E. Pa. v. City of Phila.*, 6 F.3d 990 (3d Cir. 1993) and *Contractors Ass’n v. Philadelphia* 91 F.3d 586, 605 (3rd Cir. 1996).

the time, Federico Peña, claiming that the race-based presumptions used in subcontractor compensation clauses violate the equal protection component of the Fifth Amendment's Due Process Clause. The Supreme Court noted that although it was clear from *Croson* that strict scrutiny applies to local and state race-conscious programs, there was no clear guidance for federal programs. It was held in *Adarand III* that federal programs should be assessed by the same level of scrutiny as local and state programs<sup>34</sup>.

### 2.2.3 Intermediate Scrutiny-*H.B. Rowe Company, Inc V. Tippett*

The Supreme Court has not addressed the specific issue of a gender-based classification in the context of a woman-owned business enterprise (WBE) program. *Croson* was limited to the review of an MBE program. In evaluating gender-based classifications, the Court has used what some call “intermediate scrutiny,” a less stringent standard of review than the “strict scrutiny” applied to race-based classifications. Intermediate scrutiny requires that classifying persons based on sex “must carry the burden of showing an exceedingly persuasive justification for the classification.”<sup>35</sup>

The Fourth Circuit has ruled that the intermediate scrutiny standard is satisfied “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.”<sup>36</sup> The Fourth Circuit in *Rowe* agreed with other federal circuits that intermediate scrutiny “can rest safely on something less than the ‘strong basis in evidence’.”<sup>37</sup> This ‘something less’ can mean that the statute must “present[ ] sufficient probative evidence in support of its stated rationale for enacting a gender preference, i.e., . . . the evidence [must be] sufficient to show that the preference rests on evidence-informed analysis rather than on stereotypical generalizations.”<sup>38</sup>

## 2.3 Strict Scrutiny Analysis

As discussed previously, to survive a constitutional challenge under a strict scrutiny standard, a race-conscious governmental procurement program must be (1) justified by a compelling governmental interest in remedying identified discrimination in the marketplace; and (2) narrowly tailored to remedy that discrimination.

Although Justice O’Connor in *Croson* did not specifically define the methodology used to establish the evidentiary basis required by strict scrutiny, the Court outlined governing principles. Lower courts have expanded the Supreme Court’s *Croson* guidelines and have applied or distinguished these principles when asked to decide the constitutionality of state, county, and city programs to enhance opportunities for minorities and women.

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<sup>34</sup> *Adarand Constructors v. Peña*, 515 U.S. 200 (1995).

<sup>35</sup> *Kirchberg v. Feenstra*, 450 U.S. 455, 461 (1981); *Personnel Administrator of Mass. v. Feeney*, 442 U.S. 256, 273 (1979) *Miss. Univ. for Women v. Hogan*, 458 U.S. 718, 724 (1982).

<sup>36</sup> *Hogan*, 458 U.S. at 724 (internal quotation marks omitted). *H.B. Rowe Co., Inc. v. Tippett*, 615 F.3d 233, 242 (4th Cir. 2010).

<sup>37</sup> *Id.*; see also *Concrete Works*, 321 F.3d at 959-60; *Contractors Ass’n I*, 6 F.3d at 1010; *Coral Constr.*, 941 F.2d at 931-32. *H.B. Rowe Co., Inc. v. Tippett*, 615 F.3d 233, 242 (4th Cir. 2010).

<sup>38</sup> *Eng’g Contractors*, 122 F.3d at 910; *Concrete Works*, 321 F.3d at 959. *H.B. Rowe Co., Inc. v. Tippett*, 615 F.3d 233, 242 (4th Cir. 2010).

### 2.3.1 Compelling Governmental Interest

For government contracting programs, courts have yet to find a compelling governmental interest for affirmative action other than remedying discrimination in the relevant marketplace. Diversity has served as a compelling governmental interest for affirmative action in other areas. For example, the Ninth Circuit upheld race-based admission standards at an experimental elementary school to provide a more real-world education experience.<sup>39</sup> In *Petit v. Chicago*, the Seventh Circuit relied on *Grutter v. Bollinger* (*Grutter*) in stating that urban police departments had “an even more compelling need for diversity” than universities and upheld the Chicago program “under the *Grutter* standards.”<sup>40</sup> The holding that other compelling interests may support affirmative action does not yet appear to have any application to public contracting.<sup>41</sup>

*Croson* identified two necessary factors for establishing racial discrimination sufficiently to demonstrate a compelling governmental interest in establishing an MBE program. First, there needs to be identified discrimination in the relevant market.<sup>42</sup> Second, “the governmental actor enacting the set-aside program must have somehow perpetuated the discrimination to be remedied by the program,”<sup>43</sup> either actively or at least passively with “the infusion of tax dollars into a discriminatory industry.”<sup>44</sup>

#### Burden of Proof

The *Croson* decision imposes the original burden of proof upon the government to demonstrate that a challenged DBE program is supported by documented evidence of past discrimination or current discrimination. The plaintiff then has the burden to prove that the DBE program is unconstitutional through various methods such as the flawed methodology used by the government to show that past or present discrimination exists, the race-neutral reasons for the disparity, or the existence of controverting data.<sup>45</sup>

Additionally, in the Third Circuit the court has held that a challenger to the government’s remedial actions must show credible, particularized evidence of its own that rebuts the government’s showing of a strong basis in evidence for the necessity of the remedial action<sup>46</sup>. *CAEP II*, held that the plaintiff challenging the government bears the burden of proof in persuading a court that government’s remedial actions do not have a compelling interest or that those actions have no strong basis in evidence to concluded that the remedial actions are necessary<sup>47</sup>.

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<sup>39</sup> *Hunter v. Regents of the Univ. of Cal.*, 190 F.3d 1061 (9th Cir. 1999).

<sup>40</sup> *Petit v. City of Chi.*, 352 F.3d 1111 (7th Cir. 2003).

<sup>41</sup> *Grutter v. Bollinger*, 539 U.S. 306 (2003). For an argument that other bases could serve as a compelling interest in public contracting, see Michael K. Fridkin, “The Permissibility of Non-Remedial Justifications for Racial Preferences in Public Contracting,” 24 *N. Ill. U. L. Rev.* 509 (Summer 2004).

<sup>42</sup> *Croson*, 488 U.S. at 492, 509-10.

<sup>43</sup> *Coral Construction v. King County*, 941 F.2d 910, 918 (9th Cir. 1991).

<sup>44</sup> *Id.* at 922.

<sup>45</sup> See, e.g., *Concrete Works of Colo. v. City & Cnty. of Denver*, 321 F.3d 950, 959 (10th Cir. 2003). Citing *Wygant v. Jackson*, 476 U.S. 267, at 277-78 (“The ultimate burden remains with the [plaintiff] to demonstrate the unconstitutionality of an affirmative-action program.”).

<sup>46</sup> *Contractors Ass’n of E. Pa. v. City of Philadelphia*, 91 F.3d 586, 596-598 (3d Cir. 1996).

<sup>47</sup> *Id.* 597.

## Staleness of Data and Time Period of Study

A few cases have addressed the issue of how much and how current data must be to satisfy strict scrutiny. There is no clear guidance from the district courts about how many years should be studied, although there is cautionary language in cases about relying on small data samples.<sup>48</sup> Concerning the age of data, the court in *Rothe* ruled that relying on disparity studies that presented data was not stale with regard to reenacting a federal program in 2006. Whereas agencies could rely on the most current available data, other circuit courts had “relied on studies containing data more than five years old when conducting compelling interest analyses.”<sup>49</sup>

## Statistical Evidence

Justice O’Connor in *Croson* stated that “where gross statistical disparities can be shown, they alone in a proper case may constitute *prima facie* proof of a pattern or practice of discrimination.”<sup>50</sup> But the statistics must go well beyond comparing the rate of minority presence in the general population to the rate of prime construction contracts awarded to MBEs. The Court in *Croson* objected to such a comparison, indicating that the proper statistical evaluation would compare the percentage of qualified MBEs in the relevant market with the percentage of total municipal construction dollars awarded to them.<sup>51</sup>

In *Croson*, Justice O’Connor recognized statistical measures of disparity that compared the number of qualified and available M/WBEs with the rate of state construction dollars actually awarded to M/WBEs to demonstrate discrimination in the local construction industry.<sup>52</sup> To meet this more precise requirement, courts, including the Fourth Circuit, have accepted the use of a disparity index.<sup>53</sup>

## Determining Availability

To perform proper disparity analysis, the government must determine “availability”—the number of qualified minority contractors willing and able to perform a particular service for the state and local government. In *Croson*, Justice O’Connor stated, “Where 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.”<sup>54</sup>

An accurate determination of availability also permits the government to meet the requirement that it “determine the precise scope of the injury it seeks to remedy” by its program.<sup>55</sup> Following *Croson*’s statements on availability, lower courts have considered how legislative bodies may determine the precise scope of the injury sought to be remedied by an MBE program. Nevertheless, the federal courts

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<sup>48</sup> See, e.g., *AGC v. Columbus*, 936 F.Supp 1363, 1393 (SD Ohio 1996)(rev’d on other grounds).

<sup>49</sup> *Rothe Development Corporation v. United States Department of Defense*, 545 F.3d 1023, 1039 (Fed Cir 2008) (citing district court discussion of staleness in *Western States Paving and Sherbrooke Turf*).

<sup>50</sup> *Croson*, 488 U.S. at 501, quoting *Hazelwood School Division v. United States*, 433 U.S. 299, 307-308 (1977).

<sup>51</sup> *Id.* at 501.

<sup>52</sup> *Croson*, 488 U.S. at 503-504.

<sup>53</sup> *H.B. Rowe*, at 11. See also, *Engineering Contractors*, 122 F.3d at 914; *Concrete Works IV*, 321 F.3d at 964-69.

<sup>54</sup> *Croson*, 488 U.S. at 509 (emphasis added).

<sup>55</sup> *Id.*, 488 U.S. at 498.

have not provided clear guidance on the best data sources or techniques for measuring M/WBE availability.

Different forms of data used to measure availability give rise to controversies. In *H.B. Rowe*, subcontractor availability was estimated using NCDOT-approved subcontractors, subcontractor awardees, and prime contractors. The plaintiff's expert argued in the case that subcontractor bidder data should be employed to estimate subcontractor availability rather than a vendor-based approach. The Fourth Circuit in *H.B. Rowe* noted that the available subcontractor bidder data did not change the results of the vendor data.<sup>56</sup>

Further, courts have permitted the use of census data to measure availability. Census data has the benefit of being accessible, comprehensive, and objective in measuring availability. In *CAEP II*, the Third Circuit acknowledged some of the limitations of census data. Nonetheless, it stated that such data could appropriately be used in disparity studies.<sup>57</sup> In that case, the city's consultant calculated a disparity using data showing the total amount of contract dollars awarded by the city, the amount that went to MBEs, and the number of African American construction firms. The consultant combined this data with data from the Census Bureau on the number of construction firms in the Philadelphia Standard Metropolitan Statistical Area.<sup>58</sup> Although the Third Circuit declined to rule on the compelling interest prong, the court's discussion of the data sources indicated that it may be inclined to accept such data sources.<sup>59</sup>

Another potential data source that could be used to determine minority firm availability is the agency's bidder data.<sup>60</sup> However, as pointed out in the National Cooperative Highway Research Program's Report 644, the bidder list approach has several drawbacks, including the fact that minority firms are likely to be underrepresented in such lists because of current and past discrimination.<sup>61</sup> Further, *Croson* does not require the use of bidder data to determine availability.<sup>62</sup> In *Concrete Works IV*, in the context of the plaintiff's complaint that the City of Denver had not used such information, the Tenth Circuit rejected the plaintiff's claim that the availability data was unreliable because it was not based on the city's bidder data.<sup>63</sup> As the court noted, the usefulness of bid information is limited since some firms that bid may not be qualified or able to undertake agency contracts, whereas other firms that do not bid may be qualified and able to do so.<sup>64</sup>

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<sup>56</sup> *H.B. Rowe Co., Inc. v. Tippet*, 615 F.3d 233, 246 (4th Cir. 2010). In *Concrete Works*, in the context of plaintiffs' complaint that the city of Denver had not used such information, the Tenth Circuit noted that bid information also has its limits. Firms that bid may not be qualified or able, and firms that do not bid may be qualified and able, to undertake agency contracts. *Concrete Works II*, 36 F.3d at 89-90; *Concrete Works IV*, 321 F.3d at 983-84.

<sup>57</sup> *Contractors Ass'n of E. Pennsylvania v. City of Philadelphia*, 91 F.3d 586, 605 (3rd Cir. 1996).

<sup>58</sup> *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> George LaNoue, *Who Counts? Determining the Availability of Minority Businesses for Contracting After Croson*, 21 HARV. J. L. AND PUB. POL. 793, 833 (1998).

<sup>61</sup> Jon Wainright and Colette Holt, *National Cooperative Highway Research Program: Report 644: Guidelines for Conducting a Disparity and Availability Study for the Federal DBE Program* (2010).

<sup>62</sup> 488 U.S. at 502.

<sup>63</sup> 321 F.3d at 983-84.

<sup>64</sup> *Id.*



## Relevant Market Area

Another issue in availability analysis is the definition of the relevant market area. Specifically, the question is whether the relevant market area should be defined as the area from which a specific percentage of purchases are made, the area in which a specific percentage of qualified, willing, and able contractors may be located, or the area determined by a fixed geopolitical boundary.

The Supreme Court has not yet established how the relevant market area should be defined. However, some courts of appeal have done so, including the Tenth Circuit in *Concrete Works*<sup>65</sup>. Concrete Works of Colorado, a non-M/WBE construction company, argued that *Croson* precluded consideration of discrimination evidence from the six-county Denver Metropolitan Statistical Area (MSA), and, therefore, Denver should be confined to the use of data within the City and County of Denver alone. However, the Tenth Circuit, interpreting *Croson*, concluded, “The relevant area in which to measure discrimination . . . is the local construction market, but that is not necessarily confined by jurisdictional boundaries.”<sup>66</sup> The court further stated, *It is important that the pertinent data closely relate to the jurisdictional area of the municipality whose program we scrutinize, but here Denver’s contracting activity, insofar as construction work is concerned, is closely related to the Denver MSA.*<sup>67</sup>

The Tenth Circuit ruled that over 80 percent of Denver Department of Public Works construction and design contracts were awarded to firms located within the Denver MSA; therefore, the appropriate market area should be the Denver MSA—not the City and County of Denver alone.<sup>68</sup> Accordingly, data from the Denver MSA was “adequately particularized for strict scrutiny purposes.”<sup>69</sup> In *Concrete Works*, the Court accepted data concerning only construction and construction-related services in determining the relevant market area.

## Firm Qualifications

Another availability consideration is whether M/WBE firms are qualified to perform the required services. In *Croson*, Justice O’Connor noted that although gross statistical disparities may demonstrate prima facie proof of discrimination, “when special qualifications are required to fill particular jobs, comparisons to the general population (rather than to the smaller group of individuals who possess the necessary qualifications) may have little probative value.”<sup>70</sup> The Court, however, did not define the test for determining whether a firm is qualified. In *H.B. Rowe*, the plaintiff’s expert argued that prime contractor assessment of subcontractor qualifications should be used to assess M/WBE subcontractor qualification. But the Fourth Circuit noted that there was no data on prime contractor assessment of subcontractor qualifications.<sup>71</sup>

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<sup>65</sup> *Concrete Works of Colorado, Inc. v. City and County of Denver*, 36 F.3d 1513, 1520 (10th Cir. 1994).

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> *Croson*, 488 U.S. at 501, quoting *Hazelwood School District v. United States*, 433 U.S. 299, 308, n.13 (1977).

<sup>71</sup> *H.B. Rowe*, at 246.

## Ability

Another availability consideration is whether the firms considered are able to perform a particular service. Those who challenge affirmative action often question whether M/WBE firms have the “capacity” to perform particular services, which focuses on the availability determination of firm size. *Concrete Works II* recognized the shortcomings of such a focus.<sup>72</sup> Additionally, the court observed that when a challenger introduces credible evidence of firm capacity, “it becomes a factor that the court should consider.”<sup>73</sup> As the court noted in *Concrete Works IV*, “[the government] is permitted to make assumptions about capacity and qualification of M/WBEs to perform construction services if it can support those assumptions. The assumptions made in this case are consistent with the evidence presented at trial and support the [government’s] position that a firm’s size does not affect its qualifications, willingness, or ability to perform construction services and that the smaller size and lesser experience of M/WBEs are, themselves, the result of industry discrimination”<sup>74</sup>.

## Disparity Index

As in many circuits, the Third Circuit has also ruled in regard to the importance of the Disparity Index<sup>75</sup>. Specifically, to how the disparity index is defined, in the *Rowe* decision from the Fourth Circuit, the plaintiff noted that there was no substantial disparity when the percentage of subcontractors was used compared to their availability. However, the Fourth Circuit stated that “the State pointed to evidence that prime contractors used minority businesses for low-value work to comply with the Department’s goals.”<sup>76</sup> Along these lines, the Fourth Circuit noted that the average subcontract awarded to nonminority male subcontractors was more than double the size of subcontracts won by MBE subcontractors.<sup>77</sup> In particular, the courts have accepted the definition of a disparity index as defined as the ratio of the percent utilization to the percent availability times 100. The rule of thumb is that a disparity index below 80 has been accepted as evidence of adverse impact.

## Statistical Significance in Disparity Studies

While courts have indicated that anecdotal evidence may suffice without statistical evidence, no case without statistical evidence has been given serious consideration by any circuit court. In practical effect, courts require statistical evidence. Further, the statistical evidence needs to be held to appropriate professional standards.<sup>78</sup> In *Rowe*, the court noted that the NCDOT study focused on disparity ratios lower than 80 percent and conducted t-tests of statistical significance.

## Non-Goal Evidence

Another question in the case law is whether evidence of a decline in M/WBE utilization following a change in or termination of a M/WBE program is relevant and persuasive evidence of discrimination.

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<sup>72</sup> *Concrete Works of Colorado, Inc. v. City and County of Denver*, 36 F.3d 1513, 1528-1529 (10th Cir. 1994).

<sup>73</sup> *Id.* 1528.

<sup>74</sup> *Concrete Works of Colo. v. City & Cnty. of Denver*, 321 F.3d 950, 982 (10th Cir. 2003).

<sup>75</sup> *Contractors Ass’n of E. Pa. v. City of Philadelphia*, 91 F.3d 586, 602-603 (3d Cir. 1996) and *Contractors Ass’n of Eastern Pennsylvania, Inc. v. City of Philadelphia*, 6 F.3d 990 at 1005 (3rd Cir. 1993).

<sup>76</sup> *Id.*

<sup>77</sup> *Id.* at 246.

<sup>78</sup> *Contractors Association*, 91 F.3d at 599-601.

The Fourth Circuit in *H.B. Rowe* found that a 38 percent decline in M/WBE utilization following the suspension of the program “surely provides a basis for a fact finder to infer that discrimination played some role in prime contractors’ reduced utilization of these groups during the suspension.”<sup>79</sup> Similarly, the Eighth Circuit in *Sherbrooke Turf Inc. v. Minnesota Department of Transportation* and the Tenth Circuit in *Concrete Works IV* found that such a decline in M/WBE utilization was evidence that prime contractors were not willing to use M/WBEs in the absence of legal requirements.<sup>80</sup>

## Passive Participation to Discrimination

In *Croson*, Justice O’Connor stated, “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 evil of *private* prejudice.”<sup>81</sup> *Croson* provided that the government “can use its spending powers to remedy private discrimination if it identifies that discrimination with the particularity required by the Fourteenth Amendment.”<sup>82</sup> The government agency’s active or passive participation in discriminatory practices in the marketplace may show a compelling interest. Defining passive participation, *Croson* stated, “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.”<sup>83</sup>

The Tenth Circuit decision in *Adarand* concluded that evidence of private sector discrimination provided a compelling interest for a DBE program.<sup>84</sup> Later cases have reaffirmed that the government has a compelling interest in avoiding the financing of private discrimination with public dollars.<sup>85</sup>

Relying on this language in *Croson*, several local agencies have increased their emphasis on evidence of discrimination in the private sector. This strategy has not always succeeded. Evidence of private discrimination presented in litigation was found inadequate in the Philadelphia and Dade County cases<sup>86</sup> The Third Circuit stated, in discussing low MBE participation in a local contractors association in the city of Philadelphia, “racial discrimination can justify a race-based remedy only if the city has somehow participated in or supported that discrimination.”<sup>87</sup> Nevertheless, recently in *Concrete Works IV*, the Tenth Circuit upheld the relevance of data from the private marketplace to establish a factual predicate for M/WBE programs.<sup>88</sup> The courts mainly seek to ensure that M/WBE programs are based on active or passive discrimination findings in the government contracting marketplace and not simply attempts to remedy general societal discrimination.

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<sup>79</sup> *H.B. Rowe*, at 248.

<sup>80</sup> *Concrete Works* at 985; *Sherbrooke Turf*, 345 F.3d 964, 973 (8<sup>th</sup> Cir. 2003).

<sup>81</sup> *Coral Construction*, 941 F.2d at 922 (citing *Croson*, 488 U.S. at 492) (emphasis added).

<sup>82</sup> See *Croson*; see generally I. Ayres and F. Vars, “When Does Private Discrimination Justify Public Affirmative Action?” 98 *Columbia Law Review* 1577 (1998).

<sup>83</sup> *Croson*, 488 U.S. at 492.

<sup>84</sup> *Adarand v. Slater*, 228 F.3d 1147 (10<sup>th</sup> Cir. 2000).

<sup>85</sup> *Associated General Contractors of Ohio, Inc. v. Drabik*, 214 F.3d 730, 734-35 (6<sup>th</sup> Cir. 2000); See also *Concrete Works II*, 36 F.3d at 1529; *Coral Construction*, 941 F.2d at 916; *AGC v. New Haven*, 791 F.Supp. 941, 947 (D. Conn. 1992).

<sup>86</sup> *Contractors Association of Eastern Pennsylvania, Inc.*, 91 F.3d at 602; *Engineering Contractors Association of South Florida, Inc.*, 122 F.3d at 914.

<sup>87</sup> *Contractors Association of Eastern Pennsylvania, Inc.*, 91 F.3d at 602; see also *Webster*, 51 F. Supp. 2d 1354.

<sup>88</sup> *Concrete Works IV*, 321 F.3d at 69.

Courts also seek to find a causal connection between a statistical disparity and actual underlying discrimination. In *Engineering Contractors*, one component of the factual predicate was a study comparing entry rates into the construction business for M/WBEs and non-M/WBEs.<sup>89</sup> The analysis provided statistically significant evidence that minorities and women entered the construction business at rates lower than expected, given their numerical presence in the population and human and financial capital variables. The study argued that those disparities persisting after applying appropriate statistical controls were most likely the result of current and past discrimination. Even so, the Eleventh Circuit criticized this study for reliance on general census data and the lack of particularized evidence of active or passive discrimination by Dade County, holding that the district court was entitled to find that the evidence did not show compelling justification for a M/WBE program.<sup>90</sup>

The Seventh Circuit has perhaps set a higher bar for connecting private discrimination with government action. In the Cook County case, the trial court extensively considered evidence that prime contractors did not solicit M/WBEs as subcontractors and considered carefully whether this evidence on solicitation served as sufficient evidence of discrimination, or whether instead, it was necessary to provide further evidence that there was discrimination in hiring M/WBE subcontractors.<sup>91</sup> The Seventh Circuit held that this evidence was largely irrelevant.<sup>92</sup> Beyond being anecdotal and partial, evidence that contractors failed to solicit M/WBEs on Cook County contracts was not the same as evidence that M/WBEs were denied the opportunity to bid.<sup>93</sup> Furthermore, such activities on the part of contractors did not necessarily implicate the County as being a passive participant in such discrimination as might exist because there was no evidence the county knew about it.<sup>94</sup>

Interestingly, some courts have been willing to see capital market discrimination as part of the required nexus between private and public contracting discrimination, even if capital market discrimination could arguably be seen as simply part of broader societal discrimination. In *Adarand v. Slater*, the Tenth Circuit favorably cited evidence of capital market discrimination as relevant in establishing the factual predicate for the federal DBE program.<sup>95</sup> In *Concrete Works IV*, the same court found that barriers to business formation were relevant insofar as this evidence demonstrated that M/WBEs were “precluded from the outset from competing for public construction contracts.”<sup>96</sup> Along related lines, the court also found a regression analysis of census data to be relevant evidence showing barriers to M/WBE formation.<sup>97</sup>

Courts have come to different conclusions about the effects of M/WBE programs on the private sector evidence itself. For instance, is M/WBE participation in public sector projects higher than on private sector projects simply because the M/WBE program increases M/WBE participation in the public sector, or is such pattern evidence of private sector discrimination? The Seventh Circuit raised the former

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<sup>89</sup> *Engineering Contractors Association of South Florida, Inc.*, 122 F.3d at 921-22.

<sup>90</sup> *Id.* at 922.

<sup>91</sup> *Builders Association of Greater Chicago v. County of Cook*, 123 F. Supp.2d 1087 (ND IL 2000).

<sup>92</sup> *Builders Association of Greater Chicago v. County of Cook*, 256 F.3d 642, 645 (7<sup>th</sup> Cir. 2001).

<sup>93</sup> *Id.*

<sup>94</sup> *Id.*

<sup>95</sup> *Adarand v. Slater*, 228 F.3d at 1169-70 (10<sup>th</sup> Cir. 2000).

<sup>96</sup> *Concrete Works IV*, 321 F.2d at 977. The district court rejected evidence of credit market discrimination as adequate to provide a factual predicate for an M/WBE program. *Concrete Works v. City and County of Denver*, 86 F. Supp. 2d 1042 (D. Colo. 2000) (*Concrete Works I*).

<sup>97</sup> *Id.* at 977.

concern in the Cook County litigation.<sup>98</sup> *Concrete Works IV*, on the other hand, expressly cited as evidence of discrimination that the same prime contractors did not use M/WBE contractors used for business with the city of Denver for private sector contracts.<sup>99</sup>

Finally, is evidence of a decline in M/WBE utilization following a change in or termination of a M/WBE program relevant and persuasive evidence of discrimination? The Eighth Circuit in *Sherbrooke Turf Inc. v. Minnesota Department of Transportation* and the Tenth Circuit in *Concrete Works IV* did find that such a decline in M/WBE utilization was evidence that prime contractors were not willing to use M/WBEs in the absence of legal requirements.<sup>100</sup> Other lower courts have arrived at similar conclusions.<sup>101</sup>

## Anecdotal Evidence

Most disparity studies present anecdotal evidence along with statistical data. Justice O'Connor in *Croson* discussed the relevance of anecdotal evidence. It explained: “[E]vidence of a pattern of individual discriminatory acts can, if supported by appropriate statistical proof, lend support to a local government’s determination that broader remedial relief is justified.”<sup>102</sup>

There was evidence from a telephone survey, interviews, and focus groups in *Rowe*. The Fourth Circuit favorably cited survey evidence of a good old boys’ network excluding MBEs from work, double standards in qualifications, primes viewing MBEs as less qualified, dropping MBEs after contract award, and the firms changing their behavior when not required to use MBEs. This material was affirmed in interviews and focus groups. The Fourth Circuit also seemed to weigh the differences in responses between ethnic/gender groups regarding the aforementioned barriers. The Fourth Circuit concluded that “The surveys in the 2004 study exposed an informal, racially exclusive network that systematically disadvantaged minority subcontractors.”<sup>103</sup>

The plaintiff argued that this data was not verified. To which the Fourth Circuit responded, “a fact finder could very well conclude that anecdotal evidence need not—and indeed cannot—be confirmed because it “is nothing more than a witness’ narrative of an incident told from the witness’ perspective and including the witness’ perceptions.”<sup>104</sup> The Fourth Circuit also commented favorably on the NCDOT study survey oversampling MBEs as long as the sample was random. The Fourth Circuit did state, citing precedent in *Maryland Troopers*, that it was problematic to infer “discrimination from reports of cronyism absent evidence of racial animus.”<sup>105</sup>

In *Engineering Contractors*, the County presented testimony from M/WBE program staff, affidavits from 23 M/WBEs, and a survey of Black-owned firms. The Eleventh Circuit acknowledged that the “picture painted by the anecdotal evidence [was] not a good one.”<sup>106</sup> However, the Eleventh Circuit had a limited

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<sup>98</sup> *Builders Association of Greater Chicago*, 256 F.3d at 645.

<sup>99</sup> *Concrete Works IV*, 321 F.3d at 984-85.

<sup>100</sup> *Concrete Works IV*, 321 F.3d at 985; *Sherbrooke Turf*, 345 F.3d at 973.

<sup>101</sup> See, e.g., *Northern Contracting v. Illinois. DOT.*, No. 00-C-4515.

<sup>102</sup> *Croson*, 488 U.S. at 509.

<sup>103</sup> *H.B. Rowe*, at 251.

<sup>104</sup> *H.B. Rowe*, at 249 (quoting *Concrete Works*, 321 F.3d at 989).

<sup>105</sup> *H.B. Rowe* at 251 (citing *Maryland Troopers*).

<sup>106</sup> *Eng’g Contrs. Ass’n of S. Florida, Inc.*, 122 F.3d at 925.

discussion of the requirements for anecdotal evidence because the statistical evidence was weak. The Court noted that “only in the rare case will anecdotal evidence suffice standing alone.”<sup>107</sup>

Although *Croson* did not expressly consider the form or level of specificity required for anecdotal evidence, the Ninth Circuit has addressed both issues. In *Coral Construction*, the Ninth Circuit discussed the use of anecdotal evidence alone to prove discrimination. Although King County’s anecdotal evidence was extensive, the court noted the absence in the record of any statistical data in support of the program. Additionally, the court stated, “While anecdotal evidence may suffice to prove individual claims of discrimination, rarely, if ever, can such evidence show a *systemic pattern of discrimination necessary for the adoption of an affirmative action plan*.”<sup>108</sup> The court concluded, by contrast, that “the combination of convincing anecdotal and statistical evidence is potent.”<sup>109</sup>

Regarding the appropriate form of anecdotal evidence, the Ninth Circuit in *Coral Construction* noted that the record provided by King County was “considerably more extensive than that compiled by the Richmond City Council in *Croson*.”<sup>110</sup> The King County record contained “affidavits of at least 57 minority or [female] contractors, each of whom complain[ed] in varying degree[s] of specificity about discrimination within the local construction industry”.<sup>111</sup> The *Coral Construction* court stated that the M/WBE affidavits “reflect[ed] a broad spectrum of the contracting community,” and the affidavits “certainly suggest[ed] that ongoing discrimination may be occurring in much of the King County business community.”<sup>112</sup>

In *Associated General Contractors of California v. Coalition for Economic Equity (AGCC II)*, the Ninth Circuit discussed the specificity of anecdotal evidence required by *Croson*.<sup>113</sup> Seeking a preliminary injunction, the contractors contended that the evidence presented by San Francisco lacked the specificity needed for an earlier appeal in that case and by *Croson*.<sup>114</sup> The court held that the City’s findings were based on substantially more evidence than the anecdotes in the two prior cases and “were clearly based upon dozens of specific instances of discrimination that are laid out with particularity in the record, as well as significant statistical disparities in the award of contracts.”<sup>115</sup>

*There is no merit to [the plaintiff’s] argument that witnesses’ accounts must be verified to provide support for Denver’s burden. Anecdotal evidence is nothing more than a witness’ narrative of an incident told from the witness’ perspective and including the witness’ perceptions...Denver was not required to present corroborating evidence and [the plaintiff] was free to present its own witnesses to either refute the incidents described by Denver’s witnesses or to relate their own perceptions on discrimination in the Denver construction industry*

*Concrete Works of Colo. v. City & Cnty. of Denver*, 321 F.3d 950, 989 (10th Cir. 2003).

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<sup>107</sup> *Id.*

<sup>108</sup> *Coral Construction*, 941 F.2d at 919 (emphasis added).

<sup>109</sup> *Id.* See also *AGCC II*, 950 F.2d at 1414-1415.

<sup>110</sup> *Coral Construction*, 941 F.2d at 917.

<sup>111</sup> *Id.* at 917-18.

<sup>112</sup> *Id.*

<sup>113</sup> *AGCC II*, 950 F.2d at 1414-1415.

<sup>114</sup> *Id.* at 1403-1405.

<sup>115</sup> *Id.* at 1416. This evidence came from 10 public hearings and “numerous written submissions from the public.” *Id.* at 1414.

The court also ruled that the City was under no burden to identify specific practices or policies that were discriminatory.<sup>116</sup> Reiterating the City's perspective, the court stated that the City "must simply demonstrate the existence of past discrimination with specificity; there is no requirement that the legislative findings specifically detail each instance that the legislative body ha[d] relied upon in support of its decision that affirmative action is necessary."<sup>117</sup> Not only have courts found that a municipality does not have to identify all the discriminatory practices impeding M/WBE utilization specifically, but the Tenth Circuit in *Concrete Works IV* also held that anecdotal evidence collected by a municipality does not have to be verified.

The Third Circuit in *CAEP I*, found the importance of anecdotal evidence in satisfying strict scrutiny. Although, the court determined that only in exceptional circumstances could anecdotal evidence alone satisfy strict scrutiny, the combination of that evidence with statistical evidence is extremely powerful<sup>118</sup>.

## 2.4 Narrowly Tailoring

The discussion of a compelling interest in the court cases has been extensive, but narrow tailoring may be the more critical issue. Many courts have held that even if a compelling interest for the M/WBE program can be found, the program can still be found not to be narrowly tailored.<sup>119</sup> The Third Circuit has laid out the following factors in determining whether or not a program was narrowly tailored:

*(1) the necessity of the policy and 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; (4) the flexibility of the policy, including the provision of waivers if the goal cannot be met; and (5) the burden of the policy on innocent third parties.*<sup>120</sup>

### 2.4.1 Race-Neutral Alternatives

Concerning race-neutral alternatives, Justice O'Connor in *Croson* concluded that a governmental entity must demonstrate that it has evaluated the use of race-neutral means to increase minority business participation in contracting or purchasing activities. In *Rowe*, the Fourth Circuit noted that NCDOT had a Small Business Enterprise program and had undertaken all the race-neutral methods suggested by the DOT DBE program regulations. The court pointed out that the plaintiff had identified "no viable race-neutral alternatives that North Carolina has *failed* to consider and adopt"<sup>121</sup> (emphasis in the original). The Court further noted that disparities persisted despite NCDOT employing these race-neutral initiatives.

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<sup>116</sup> Id. at 1416, n.11.

<sup>117</sup> Id. at 1416.

<sup>118</sup> *Contractors Ass'n of E. Pa. v. City of Phila.*, 6 F.3d 990, 1002-1003 (3rd. Cir. 1993).

<sup>119</sup> *Contractors Association*, 91 F.3d at 605; *Engineering Contractors*, 122 F.3d at 926-929; *Virdi v. Dekalb Cnty. Sch. Dist.*, 135 F. App'x 262 (11th Cir. 2005).

<sup>120</sup> *Contractors Ass'n of E. Pa. v. City of Philadelphia*, 91 F.3d 586, 605-610 (3d. Cir. 1996) and *Contractors Ass'n of E. Pa. v. City of Philadelphia*, 6 F.3d 990, 1008-1009 (3d. Cir. 1993).

<sup>121</sup> *H.B. Rowe*, at 252.

## 2.4.2 Duration of the Remedy

Concerning program duration, in *Adarand v. Peña*, the Supreme Court wrote that a program should be “appropriately limited such that it will not last longer than the discriminatory effects it is designed to eliminate.”<sup>122</sup> In *Rowe*, the Fourth Circuit stated that “the district court found two facts particularly compelling in establishing that it was narrowly tailored: the statute’s provisions (1) setting a specific expiration date and requiring a new disparity study every five years.”... We agree.”<sup>123</sup> Other appellate courts have noted possible mechanisms for limiting program duration: required termination if goals have been met<sup>124</sup>, decertification of MBEs who achieve certain levels of success, or mandatory review of MBE certification at regular, relatively brief periods.<sup>125</sup>

## 2.4.3 Relationship of Goals to Availability

Narrow tailoring under the *Croson* standard requires that remedial goals be in line with measured availability. Merely setting percentages without a carefully selected basis in statistical studies, as the City of Richmond did in *Croson* itself, has played a strong part in decisions finding other programs unconstitutional.<sup>126</sup>

By contrast, the Eighth, Ninth, and Tenth Circuits have approved the goal-setting process for the DOT DBE program, as revised in 1999.<sup>127</sup> The approved DOT DBE regulations require that goals be based on one of several methods for measuring DBE availability.<sup>128</sup> The Eighth Circuit noted that the “DOT has tied the goals for DBE participation to the relevant labor markets,” insofar as the regulations “require grantee States to set overall goals based upon the likely number of minority contractors that would have received federally assisted highway contracts but for the effects of past discrimination.”<sup>129</sup> The Eighth Circuit acknowledged that goal setting was not exact but also stated:

*The exercise requires the States to focus on establishing realistic goals for DBE participation in the relevant contracting markets. This stands in stark contrast to the program struck down in Croson, which rested upon the completely unrealistic assumption that minorities will choose a particular trade in lockstep proportion to their representation in the local population.*<sup>130</sup>

Moreover, the approved DBE regulations use built-in mechanisms to ensure that DBE goals are not set excessively high relative to DBE availability. For example, the approved DBE goals are to be set aside if the overall goal has been met for two consecutive years by race-neutral means. The approved DBE contract goals also must be reduced if overall goals have been exceeded with race-conscious means for two consecutive years. The Eighth Circuit courts found these provisions to be narrowly tailored,

<sup>122</sup> *Adarand*, 515 U.S. at 238 (internal quotations and citations omitted).

<sup>123</sup> *H.B. Rowe*, at 253 (quoting *H.B. Rowe, Inc.*, 589 F. Supp. 2d at 597).

<sup>124</sup> *Sherbrooke*, 354 F.3d at 972.

<sup>125</sup> *Adarand v. Slater*, 228 F.3d at 1179, 1180.

<sup>126</sup> See, e.g., *Builders Association of Greater Chicago*, 256 F.3d at 647; *Kohlbeck v. Omaha*, 447 F.3d at 556.

<sup>127</sup> *Adarand v. Slater*, 228 F.3d at 1182; *Sherbrooke Turf*, 345 F.3d at 972; *Western States*, 407 F.3d at 995.

<sup>128</sup> 49 CFR Section 26 Part 45.

<sup>129</sup> *Sherbrooke Turf*, at 972 (citing 49 C.F.R. § 26.45(c)-(d) (Steps 1 and 2)).

<sup>130</sup> *Id.* at 972 (citing *Croson*, 488 U.S. at 507).



particularly when implemented according to local disparity studies that carefully calculate the applicable goals.<sup>131</sup>

## 2.4.4 Flexibility

In The federal courts have also found that “the revised DBE program has substantial flexibility.”<sup>132</sup>

*A State may obtain waivers or exemptions from any requirement and is not penalized for a good faith failure to meet its overall goal. In addition, the program limits preferences to small businesses falling beneath an earnings threshold, and any individual whose net worth exceeds \$750,000 cannot qualify as economically disadvantaged.*<sup>133</sup>

DBE and M/WBE programs achieve flexibility by using waivers and variable project goals to avoid merely setting a quota. *Croson* favorably mentioned the contract-by-contract waivers in the federal DOT DBE program.<sup>134</sup> Virtually all successful MBE programs have this waiver feature in their enabling legislation. As for project goals, the approved DBE provisions set aspirational, not mandatory, goals; expressly forbid quotas; and use overall goals simply as a framework for setting local contract goals, if any, based on local data. All of these factors have impressed the courts that have upheld the constitutionality of the revised DOT DBE program.<sup>135</sup>

With respect to program duration, in *Adarand v. Peña*, the Supreme Court wrote that a program should be “appropriately limited such that it will not last longer than the discriminatory effects it is designed to eliminate.”<sup>136</sup> The Eighth Circuit also noted the limits in the DBE program, stating that “the DBE program contains built-in durational limits,” in that a state “may terminate its DBE program if it meets its annual overall goal through race-neutral means for two consecutive years.”<sup>137</sup> The federal courts have found durational limits in the fact that “TEA-21 is subject to periodic congressional reauthorization. Periodic legislative debate assures all citizens that the deviation from the norm of equal treatment of all racial and ethnic groups is a temporary matter, a measure taken in the service of the goal of equality itself.”<sup>138</sup>

Other appellate courts have noted possible mechanisms for limiting program duration: required termination if goals have been met<sup>139</sup> and decertification of MBEs who achieve certain levels of success, or mandatory review of MBE certification at regular, relatively brief periods.<sup>140</sup> Governments thus have some duty to ensure that they update their evidence of discrimination regularly enough to review the need for their programs and to revise programs by narrowly tailoring them to fit the fresh evidence.<sup>141</sup> Whether all of these provisions are necessary in every case remains an open question.

<sup>131</sup> *Id.* at 973, 974.

<sup>132</sup> *Sherbrooke Turf*, at 972.

<sup>133</sup> *Id.* at 972 (citing 49 C.F.R. § 26.67(b)).

<sup>134</sup> *Croson*, 488 U.S. at 489; *Coral Construction*, 941 F.2d at 925.

<sup>135</sup> *Id.*

<sup>136</sup> *Id.*, 515 U.S. at 238 (internal quotations and citations omitted).

<sup>137</sup> *Sherbrooke Turf*, at 972 (citing 49 C.F.R. § 26.51(f)(3)).

<sup>138</sup> *Id.* (citing *Grutter*, 123 S.Ct. at 2346).

<sup>139</sup> *Sherbrooke*, 345 F.3d at 972.

<sup>140</sup> *Adarand v. Slater*, 228 F.3d at 1179, 1180.

<sup>141</sup> *Rothe*, 262 F.3d at 1324 (commenting on the possible staleness of information after 7, 12, and 17 years).

## 2.4.5 Burden on Third Parties

Narrow tailoring also requires minimizing the burden of the program on third parties waivers. Good faith compliance is a tool that serves the purpose of reducing the burden on third parties.<sup>142</sup> The plaintiff in *Rowe* argued that the solicitation requirements were burdensome and that it was forced to subcontract out work that could be self-performed. The Fourth Circuit noted that the solicitation requirements could be met with existing staff and the M/WBE program did not require subcontracting out work that could be self-performed.<sup>143</sup>

## 2.4.6 Over-inclusion

Finally, narrow tailoring involves limiting the number and type of program beneficiaries. As noted above, there has to be evidence of discrimination to justify a group-based remedy, and over-inclusion of uninjured individuals or groups can endanger the entire program. However, the statute in question limited relief “those racial or ethnicity classifications . . . that have been subjected to discrimination in the relevant marketplace and that have been adversely affected in their ability to obtain contracts with the Department.”<sup>144</sup>

## 2.5 DBE Programs

### 2.5.1 Over-inclusion Factual Predicate for DBE Programs

The Ninth Circuit in *Western States Paving Co. v. Washington State Department of Transportation* cited the following evidence that Congress considered in finding a factual predicate supporting the federal DBE program:

- ◆ Minority business ownership percentage does not reflect the percentage of the population.
- ◆ MBEs have gross receipts that are approximately one-third of firms owned by non-minorities on average.
- ◆ MBEs own 9 percent of all businesses but receive only 4.1 percent of federal contracting dollars.
- ◆ WBEs constitute almost a third of all small businesses but receive less than 3 percent of federal contracting dollars.
- ◆ Majority-owned construction firms receive more than 50 times as many loan dollars per dollar of equity capital as Black firms with the same borrowing characteristics.
- ◆ After many state and local governments stopped their M/WBE programs, there was a significant drop in M/WBE utilization in the construction industry.

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<sup>142</sup> 49 CFR, Section 26, Part 53.

<sup>143</sup> *H.B. Rowe*, at 254.

<sup>144</sup> N.C. Gen. Stat. § 136-28.4(c)(2).

- ♦ The U.S. Department of Justice study *The Compelling Interest for Affirmative Action in Federal Procurement: A Preliminary Survey* found discrimination by trade unions, financial lenders, prime contractors, business networks, suppliers, bonding companies, and “old boys’ network.”<sup>145</sup>

The Ninth Circuit also concurred with the ruling of the federal circuit in *Rothe Development Corp. v. Department of Defense* and the Eighth Circuit in *Sherbrooke Turf* that Congress did not need to possess evidence of discrimination in every state to enact the national DBE program.<sup>146</sup>

## 2.5.2 “As Applied” Challenge in Western States Paving

The Washington DOT DBE program was struck down in *Western States Paving* not because the federal DBE program had no factual predicate and not because the federal DBE program lacked narrowly tailored program features. Instead, the Ninth Circuit ruled that the Washington DOT DBE program was not narrowly tailored “as applied.”<sup>147</sup> While a state does not have to provide a factual predicate for its DBE program independently, the Ninth Circuit found that “it cannot be said that TEA-21 is a narrowly tailored remedial measure unless its application is limited to those States in which the effects of discrimination are actually present.”<sup>148</sup> In effect, while the Washington DOT was not required to produce a separate factual predicate for a DBE program, it was still necessary to produce a factual predicate (of sorts) to justify race-conscious elements in the local implementation of its DBE program.

While the Washington DOT conceded that it had no studies of discrimination in highway contracting, it argued that there was evidence of discrimination in the fact that DBEs received 9 percent of subcontracting dollars on state-funded projects where there were no DBE goals and 18 percent of federally funded projects where there were DBE goals. But the Ninth Circuit stated that “even in states in which there has never been discrimination, the proportion of work that DBEs receive on contracts that lack affirmative action requirements will be lower than the share that they obtain on contracts that include such measures because minority preferences afford DBEs a competitive advantage.”<sup>149</sup>

In contrast, the Eighth Circuit in *Sherbrooke Turf* and the Tenth Circuit in *Adarand v. Slater* found that a decline in DBE utilization following a change in or termination of a DBE program was relevant evidence of discrimination in subcontracting.<sup>150</sup> The Tenth Circuit stated that while this evidence “standing alone is not dispositive, it strongly supports the government’s claim that there are significant barriers to minority competition in the public subcontracting.”<sup>151</sup>

The Ninth Circuit also dismissed the disparity between the proportion of DBE subcontractors and the proportion of DBE dollars on state-funded contracts because “DBE firms may be smaller and less

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<sup>145</sup> *Western States Paving*, 407 F.3d at 992.

<sup>146</sup> *Id.* (citing *Rothe Development Corporation v. United States Department of Defense*, 262 F.3d 1306, 1329 (Fed. Cir. 2001)).

<sup>147</sup> The Ninth Circuit distinguished a previous case which did not involve an ‘as applied’ challenge to the federal DBE program. *Milwaukee County Pavers Association v. Fiedler*, 922 F.2d 419 (7th Cir. 1991). The Seventh Circuit disagreed with the Ninth Circuit’s reading of *Milwaukee County Pavers*. See *Northern Contracting*, 473 F.3d 715, 721 *fn.* 5 (7th Cir. 2007).

<sup>148</sup> *Western States Paving*, 407 F. 3d at 998.

<sup>149</sup> *Western States Paving*, 407 F. 3d at 1000.

<sup>150</sup> *Sherbrooke Turf*, 345 F.3d 964.

<sup>151</sup> *Adarand v. Slater*, 228 F.3d at 1174; see also *Concrete Works IV*, 321 F.3d at 985.

experienced than non-DBE firms (especially if they are new businesses started by recent immigrants) or they may be concentrated in certain geographic areas of the State, rendering them unavailable for a disproportionate amount of work.”<sup>152</sup> The Ninth Circuit quoted the D.C. Circuit in *O’Donnell* to the effect that:

*. . . minority firms may not have bid on . . . construction contracts because they were generally small companies incapable of taking on large projects, or they may have been fully occupied on other projects, or the District’s contracts may not have been as lucrative as others available in the Washington metropolitan area, or they may not have had the expertise needed to perform the contracts, or they may have bid but were rejected because others came in with a lower price.*<sup>153</sup>

The Ninth Circuit noted further that “if this small disparity has any probative value, it is insufficient, standing alone, to establish the existence of discrimination against DBEs.” The Ninth Circuit contrasted this minor disparity with the Ninth Circuit’s decision in *Associated General Contractors of California, Inc. v. Coalition for Economic Equity*, where “discrimination was likely to exist where minority availability for prime contracts was 49.5%, but minority dollar participation was only 11.1%.”<sup>154</sup>

## 2.6 Conclusions

As summarized earlier, when governments develop and implement a contracting program sensitive to race and gender, they must understand the case law developed in the federal courts. These cases establish specific requirements that must be addressed so that such programs can withstand judicial review for constitutionality and prove to be just and fair. Given current trends in applying the law, local governments must engage in specific fact-finding processes to compile a thorough, accurate, and specific evidentiary foundation to determine whether there is, in fact, discrimination sufficient to justify an affirmative action plan. Further, state and local governments must continue to update this information and revise their programs accordingly.

While the Supreme Court has yet to return to this exact area of law to sort out some of the conflicts, the Third Circuit has provided some guidance on core standards. Ultimately, MBE and WBE programs can withstand challenges if state and local governments comply with the requirements outlined by the courts.

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<sup>152</sup> *Western States Paving*, 407 F.3d at 1001.

<sup>153</sup> *Id.* (quoting *O’Donnell Construction Co. v. District of Columbia*, 963 F.2d 420, 426 (D.C. Cir. 1992)).

<sup>154</sup> *Western States Paving*, 407 F.3d at 1001 (quoting *Associated General Contractors of California, Inc.*, 950 F.2d at 1414).

# 3 Review of Policies, Procedures, and Programs

## 3.1 Introduction

The agencies included in the State of Delaware’s (State) Disparity Study are the Office of Management and Budget (OMB), Department of Correction (DOC), and Department of Health and Social Services (DHSS). **Chapter 3** examines policies and procedures designed to ensure that all interested parties have the opportunity to participate in the State’s procurement and contracting. In addition, this chapter examines the State’s efforts to remove barriers to participation in procurement by businesses owned by minorities, women, or other socially and economically disadvantaged individuals in the categories of construction, goods and services (including professional services), and construction-related services (such as architecture and engineering).

Chapter Sections	
3.1	Introduction
3.2	Methodology
3.3	Procurement Structure and Environment
3.4	Business Inclusion Programs
3.5	Conclusions

MGT’s review of policies and procedures is presented in five sections. Section 2 describes the methodology used to conduct the review of the State’s procurement policies, procedures, and programs. The remaining sections summarize procurement policies, the State’s procurement structure and environment and efforts to facilitate participation in procurement. The review and examination of policies in this chapter is intended to provide the foundation for the analysis of utilization and availability in **Chapter 4 & 5** and the findings and recommendations in **Chapter 8**.

## 3.2 Methodology

This section summarizes the steps undertaken to review the State’s procurement policies utilizing a methodology MGT has refined over the course of 200 disparity studies. In examining the routine application of policies and procedures, MGT focused on developing an understanding of procurement and contracting in the Office of Management and Budget, Department of Correction, and Department of Health and Social Services. The policy review was conducted with complete cooperation of agency staff. To conduct the policy review and to prepare this chapter, MGT’s approach included collecting and reviewing source documents related to procurement and contracting. Procurement policies and practices were also reviewed and discussed with staff to better understand procurement operations and the procurement cycle. The review included the following major steps:

- ◆ Navigating the State of Delaware’s website and the websites of OMB, DOC and DHSS to help inform areas of inquiry and to identify information and resources available to vendors seeking opportunities with the State.
- ◆ Collection, review, and summarization of policies, information, and resources currently in use and accessible to staff and vendors.

- ◆ Interviews and meetings with OMB, DOC, and DHSS staff to discuss roles and responsibilities and the procurement and contracting cycle.
- ◆ Interviews and meetings with other key stakeholders.
- ◆ Review of Title 29, Chapter 69 in the Delaware Code, and other applicable chapters.
- ◆ Analysis and summarization of data, information, and input gathered throughout the policy review.
- ◆ Preparation of the policy review chapter for inclusion in the State of Delaware 2022 Disparity Study Report.

Interviews and meetings for the policy review started in March 2021 and continued until July 2021. COVID restrictions limited in person meetings and all interviews and meetings were conducted virtually. Preparation for interviews and meetings included reviewing source documents and information collected from websites and preparing questions and issues to be addressed. Overall, the interviews and meetings resulted in information, perceptions and opinions being shared regarding the State’s procurement and contracting and the structure and environment in which procurement and contracting take place. As needed follow-up contacts were made to seek clarification, ask additional questions, and obtain additional information. The cooperation and assistance received by MGT was important in completing the policy review. At no time did MGT not get the cooperation and responsiveness that was critical to the policy review. Without the support and cooperation received by MGT, completing the policy review and other components of this study would have been difficult.

MGT’s methodology also included reviewing a variety of source documents and information pertinent to the policy review. Major source documents and information collected and reviewed are itemized in **Exhibit 3-1**.

**EXHIBIT 3-1.**  
**DOCUMENTS REVIEWED DURING THE POLICY AND PROCEDURES REVIEW**

INDEX	DESCRIPTION
<b>Procurement Related Documents</b>	
1.	Administration and Analysis of the YRBS, SHP, and YTS Surveys Request for Proposal HSS 21 021 for Division of Public Health May 19, 2021
2.	Advertisement for Bids OMB/DFM Contract No.MC1002000469R-Delaware State Police Headquarters-Maintenance Garage Roof Replacement
3.	Advertisement for Bids OMB/DFM Contract No. MC3501000088-Holloway Campus-Controls Consolidation Phase IV Specifications for Controls Consolidation Phase IV at Herman Holloway Campus New Castle, Delaware Prepared by DEDC Issued for Bid May 2021 DEDC Project # 20P291
4.	Ammunition and Targets Invitation to Bid Contract No. GSS21043-Ammunition June 7,2021
5.	Contract and Procurement Process Overview/Government Support Services, last updated 2017
6.	Delaware Code Title 19, Chapter 7
7.	Delaware Code Title 29, Chapter 69
8.	Department of Correction DOC Crisis Intervention Team (Program Training Request for Proposal Contract No. DOC21023-CIT_TRNG June 15,2021
9.	Department of Facilities Management Department of Management and Budget Contract # MC1002000469R Specifications for Delaware State Police Headquarters Garage Roof Replacement in Dover, Delaware Prepared by Becker Morgan Group, Inc. Issued for Bidding June 11, 2021
10.	Department of Health and Social Services, Division of Management Services, Contracts Management & Procurement (CM&P) Contract/Amendment Checklist
11.	Division Substance Abuse and Mental Health (DSAMH) Contract/Amendment Checklist

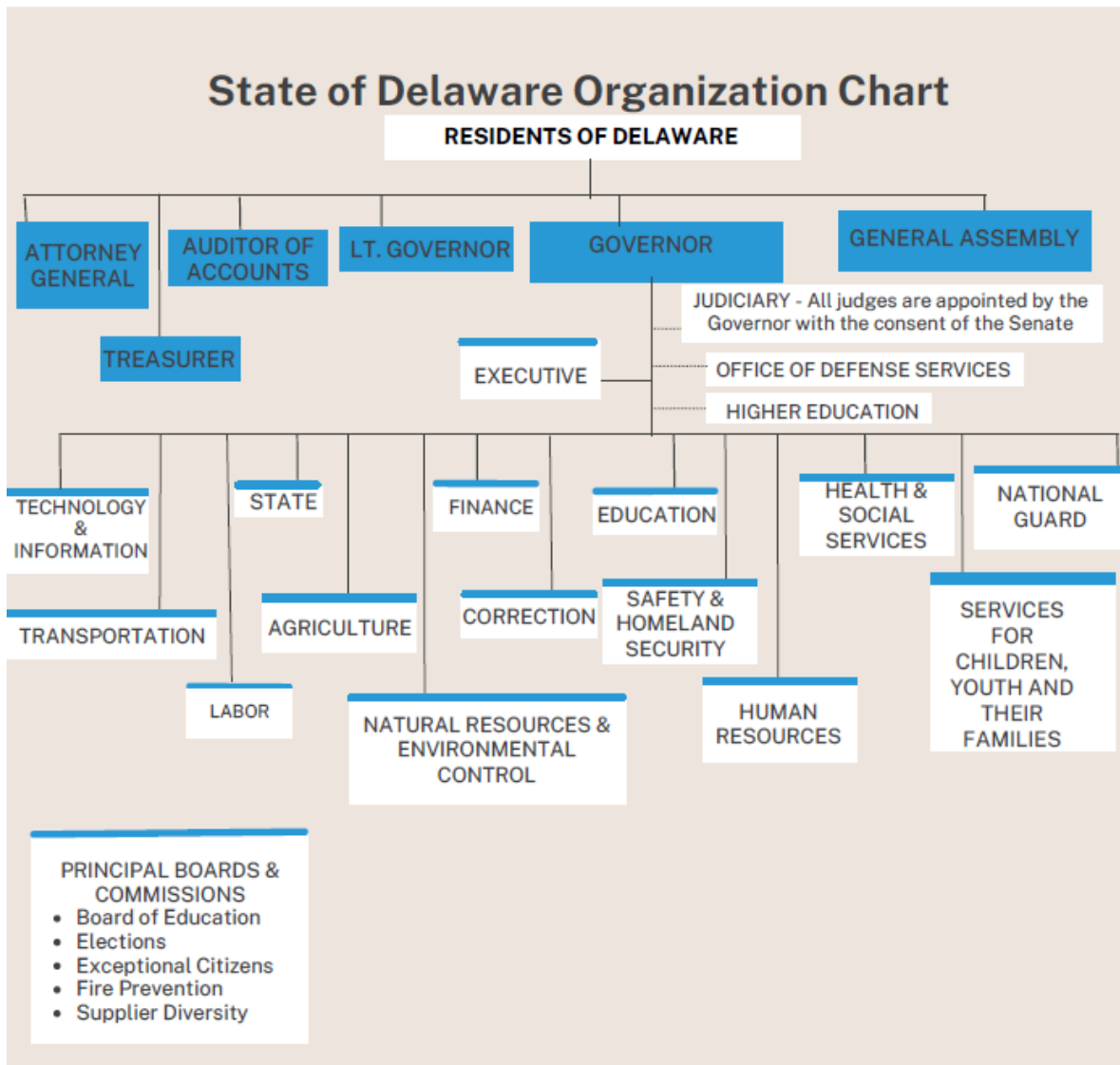
INDEX	DESCRIPTION
12.	eMarketplace Shopping Division Administrator Handbook
13.	eMarketplace User Handbook
14.	Monthly Usage Report
15.	Office of Supplier Diversity, Policy, Eligibility, Application, and Affidavit/Certification as Diverse Business (MBE, WBE, VOB, SDVOB, IWDBE) and Small Business (SBF) Enterprises
16.	Office of Supplier Diversity Recertification Affidavit
17.	Office of Supplier Diversity Recertification Affidavit
18.	Open and Continuous Request for Proposals for Professional Services Home & Community Based Services for Individuals with Intellectual & Developmental Disabilities Issued by Division of Developmental Disabilities Services Contract Number #HSS 20-003E
19.	Proposal Reply Requirements
20.	Request for Proposal Contract No. GSS21748-Electrician June 28,2021
21.	Request for Proposals for Professional Services The Senior Companion Program Issued by Department of Health and Social Services, Division of State Service Centers Contract Number HSS 21-034
22.	Subcontractor Information Form
23.	Subcontracting (2 <sup>nd</sup> tier) Quarterly Report
	<b><i>Other Related Documents</i></b>
24.	Executive Order #6 issued by Governor Carney Establishing a Uniform Statewide Anti-Discrimination Policy
25.	Executive Order #78 issued by Governor Carper Establishing Temporary Goals for State Agencies in Awarding Public Works Contracts and Making Changes to the Membership of the Building and Trade Council

### 3.3 Procurement Structure and Environment

Developing an understanding of the structure and environment in which procurement and contracting take place was an important part of the policy review. Within this context, understanding the role of organizational units within OMB, DOC, and DHSS was also important.

Procurement is an essential and necessary activity in meeting the operations needs of the State of Delaware. The organizational units shown in **Exhibit 3-2** purchase a variety of goods and services for internal use and to provide programs and services. To operate efficiently and effectively and provide essential services, procurement is an ongoing activity. As such, the organization units shown in **Exhibit 3-2** engage in procurement and contracting on a regular basis.

EXHIBIT 3-2.  
STATE OF DELAWARE ORGANIZATION CHART



Source: 2022 Division of Small Business-State of Delaware

### 3.3.1 Title 29, Chapter 69

The State’s procurement laws are codified in Title 29, Chapter 69 of the Delaware Code. Per Section 6901, the importance of Title 29, Chapter 69 is emphasized in its purpose statement:

“Create a more efficient procurement process to better enable the State to obtain the highest quality goods, materials and services at the best possible price, thereby maximizing the purchase value of public moneys; and create a single forum in which the procurement needs of state agencies and the technical and legal requirements of the Government Support Services are addressed simultaneously so as to increase mutual



understanding, respect, trust and fair and equitable treatment for all persons who deal with the state procurement process.”<sup>155</sup>

To provide procurement and contracting guidance Title 29, Chapter 69<sup>156</sup> is organized as follows:

◆ Subchapter I – General Provisions

General provisions in Subchapter I include key definitions for “contractor,” “material,” “on-line bidding method,” “professional services,” “public works contract,” “third tier contractor,” and other definitions pertinent to provisions throughout Chapter 69. In addition to Section 6902, other key sections include:

- Section 6903 Violations and penalties;
- Section 6904 Exceptions;
- Section 6905 Failure to comply with contract, new award, supervision;
- Section 6906 Rental and purchase of motor vehicles, exceptions;
- Section 6907 Emergency procedures and critical need for professional services;
- Section 6908 Section powers and duties;
- Section 6909 Special requirements for contracts involving environmental statutes;
- Section 6909A Lifecycle costing analysis; and
- Section 6909B Fair background check practices.

◆ Subchapter II – Central Contracting

Section 6910 in Subchapter II apply to all covered agencies and any organization, entity or person designated as the recipient of grant-in-aid provided the organization, entity, or person received an appropriation of at least \$100,000 and the organization, entity or person has a staff of at least 5 people. Central contract responsibilities in Section 6911 include the following:

- Assembling the bid specification package;
- Conducting the advertising, bidding, and awarding of each contract;
- Resolving disagreements between vendors and agencies; and
- Assuring vendors and products meet the requirements of awarded contracts.

◆ Subchapter III – Materiel and Nonprofessional Services

Section 6922 outline procedures for obtaining competitive prices for small purchases whereas Section 6923 contain procedures for competitive sealed bidding. Competitive sealed bidding procedures are included for advertising, bid openings, vendor eligibility, invitation to bid, pre-bid conferences, withdrawal of bids, late bids and late modifications, receipt, opening and recording of bids, bid evaluation and award, and other provisions.

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<sup>155</sup> Delaware Code Title 29, Chapter 69.

<sup>156</sup> Delaware Code Title 29, Chapter 69.

According to Section 6924 competitive sealed proposals are used “when the agency head makes a determination that the use of competitive sealed bidding is either not practical or not in the best interest of the State. Several key provisions are contained in Section 6924 including advertising, RFPs, pre-proposal conferences, evaluation of proposals, best and final offers, and responsibility of offerors.

Provisions for sole source procurement are found in Section 6925. Pursuant to Section 6925 an agency seeking a sole source must prepare written documentation and ideally should negotiate a contract advantageous to the agency. Subchapter II also includes requirements for bid and contract security (Section 6927), authorization for cooperative purchasing (Section 6933), and purchases using federal contracts (6934). It was noted that procurement of information and telecommunication systems (Section 6931 must be submitted to the Office of Information Systems in accordance information systems procedures in Title 63.

- ◆ Subchapter IV – Public Works Contracting

The procedures outlined in Subchapter IV apply to any contract, unless:

- there is only one available source for the contract as documented in writing by the agency head;
- there is an emergency situation that does not permit sufficient time to obtain formal bids;
- there is a change order to an existing public works contract that is required due to changed situations, unforeseen conditions, strikes or acts of God.

Section 6960 contain prevailing wage requirements for public works projects in excess of \$500,000 for new construction or \$45,000 for alteration, repair, renovation, rehabilitation, demolition, or reconstruction. Contract managers are responsible for monitoring compliance and employers are subject to financial penalties for failing to pay prevailing wages. Procedures for large public works projects are found in Section 6962. Included in 6962 are procurement cycle procedures from advertising to contract award. Section 6963 contain provisions for emergencies and change orders necessitated by changed situations, unforeseen conditions, strikes and acts of God. Provisions related to contract performance are found in Section 6964 and sole source procurement provisions are in Section 6965.

- ◆ Subchapter V – The Energy Performance Contracting Act

Subchapter V refer to energy conservation measures designed to reduce energy consumption by building or renovating existing facilities to minimize energy consumption and maximize energy savings. Section 6973 contain provisions related to agencies entering into energy performance contracts to reduce energy or operational costs. Section 6975 include provisions for monitoring and reporting on energy performance contracts.

- ◆ Subchapter VI – Professional Services

Subchapter VI include procedures for small professional services contracts (Section 6980) and large professional services contracts (Section 6981). Section 6981 require public announcement of professional services contracts and written evaluation procedures. Procedures for selection and negotiation for professional services are found in Section 6982. Procedures are very explicit and include procedures for adjustments and exceptions.

◆ Subchapter VII – Pay for Success Contracts

Pursuant to Section 6991 “an agency may enter into a pay for success contract if the agency head determines that the contract will produce a quantifiable public benefit or financial benefit to the State.” Quantifiable public benefit or financial benefit include reducing or avoiding costs, increasing economic productivity, improving client outcomes, creating high wage jobs.

The importance of Title 29, Chapter 69, relative to procurement policies and practices cannot be understated. Based on MGT’s review Title 29, Chapter 69, provide ample policy guidance for procurement and contracting from conception to completion of the procurement cycle. MGT did not find any provisions in Title 29, Chapter 69 that are designed to inhibit participation in the State’s procurement.

To examine alignment with Title 29, Chapter 69, in addition to reviewing source documents and meetings with staff in OMB, DOC, and DHSS, MGT navigated the State’s Procurement Portal. Particular attention was paid to bid thresholds utilized by OMB, DOC, DHSS, and other state agencies. **Exhibit 3-3** includes bid thresholds for Materiel and Non-Professional Services, Public Works, and Professional Services. MGT noted that effective September 1 thresholds will significantly increase, a change viewed as much needed by staff who indicated current thresholds constrain and limit flexibility.

EXHIBIT 3-3.  
BID THRESHOLDS

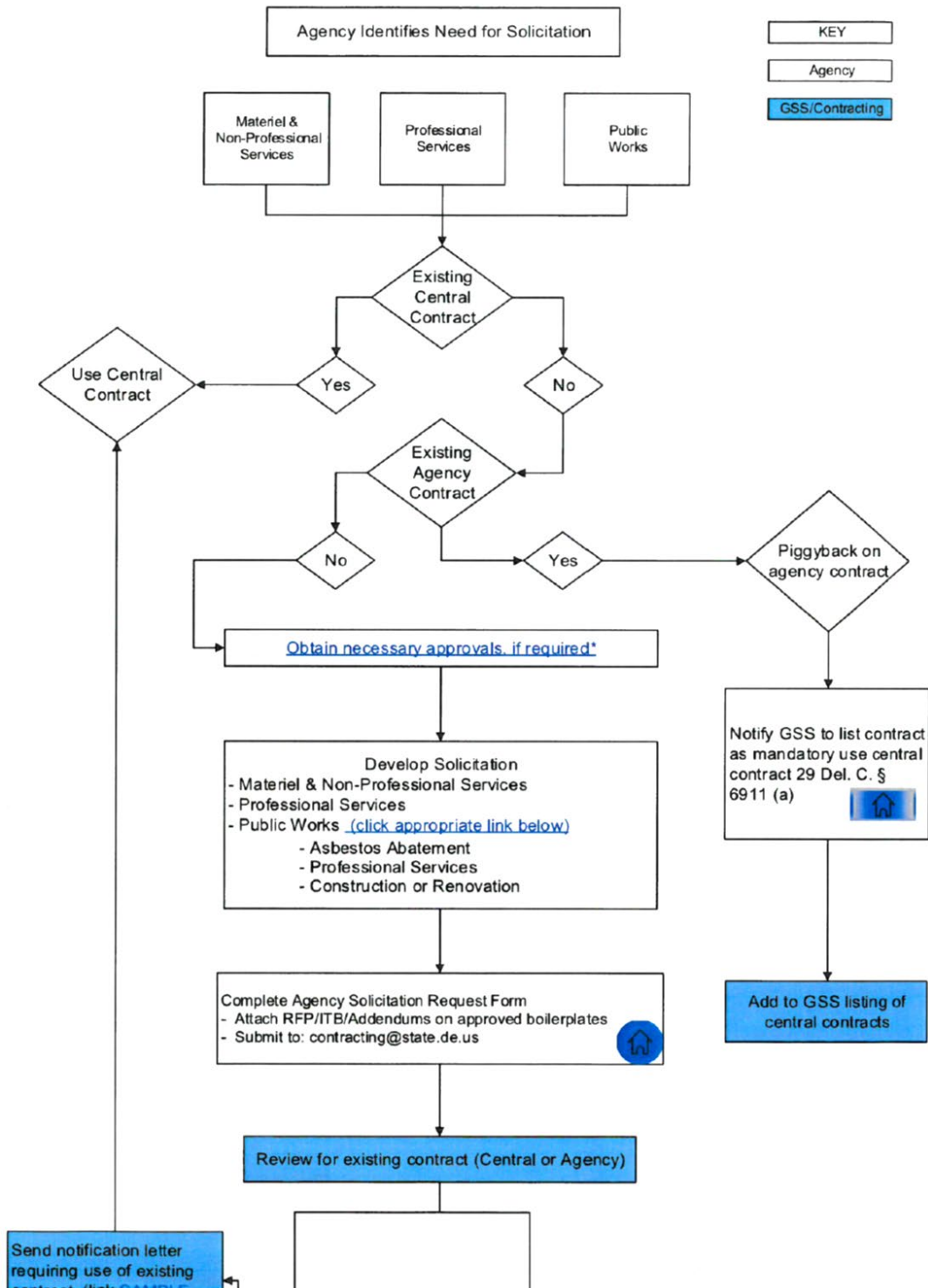
Materiel and Non-Professional Services
<ul style="list-style-type: none"> <li>◆ Less than \$10,000-Open Market Purchase</li> <li>◆ \$10,000-\$24,999-3 Written Quotes</li> <li>◆ \$25,000 and over-Formal Bid</li> </ul> <p>Effective September 1, 2021, thresholds will increase as follows:</p> <ul style="list-style-type: none"> <li>◆ Less than \$10,000-Open Market Purchase</li> <li>◆ \$10,000-\$49,999.99-3 Written Quotes</li> <li>◆ \$50,000 and over Formal Bid</li> </ul>
Public Works
<ul style="list-style-type: none"> <li>◆ Less than \$50,000-Open Market Purchase</li> <li>◆ \$50,000 -\$99,999-3 Letter Bids</li> <li>◆ \$100,000 and over-Formal Bid</li> </ul> <p>Effective September 1,2021 thresholds will increase as follows:</p> <ul style="list-style-type: none"> <li>◆ Less than \$50,000-Open Market Purchase</li> <li>◆ \$50,000-\$149,999.99-3 Letter Bids</li> <li>◆ \$150,000 and over -Formal Bid</li> </ul>
Professional Services
<ul style="list-style-type: none"> <li>◆ Less than \$50,000-Open Market</li> <li>◆ \$50,000 and over-Formal RFP Process</li> </ul> <p>Effective September 1,2021 thresholds will increase as follows:</p>

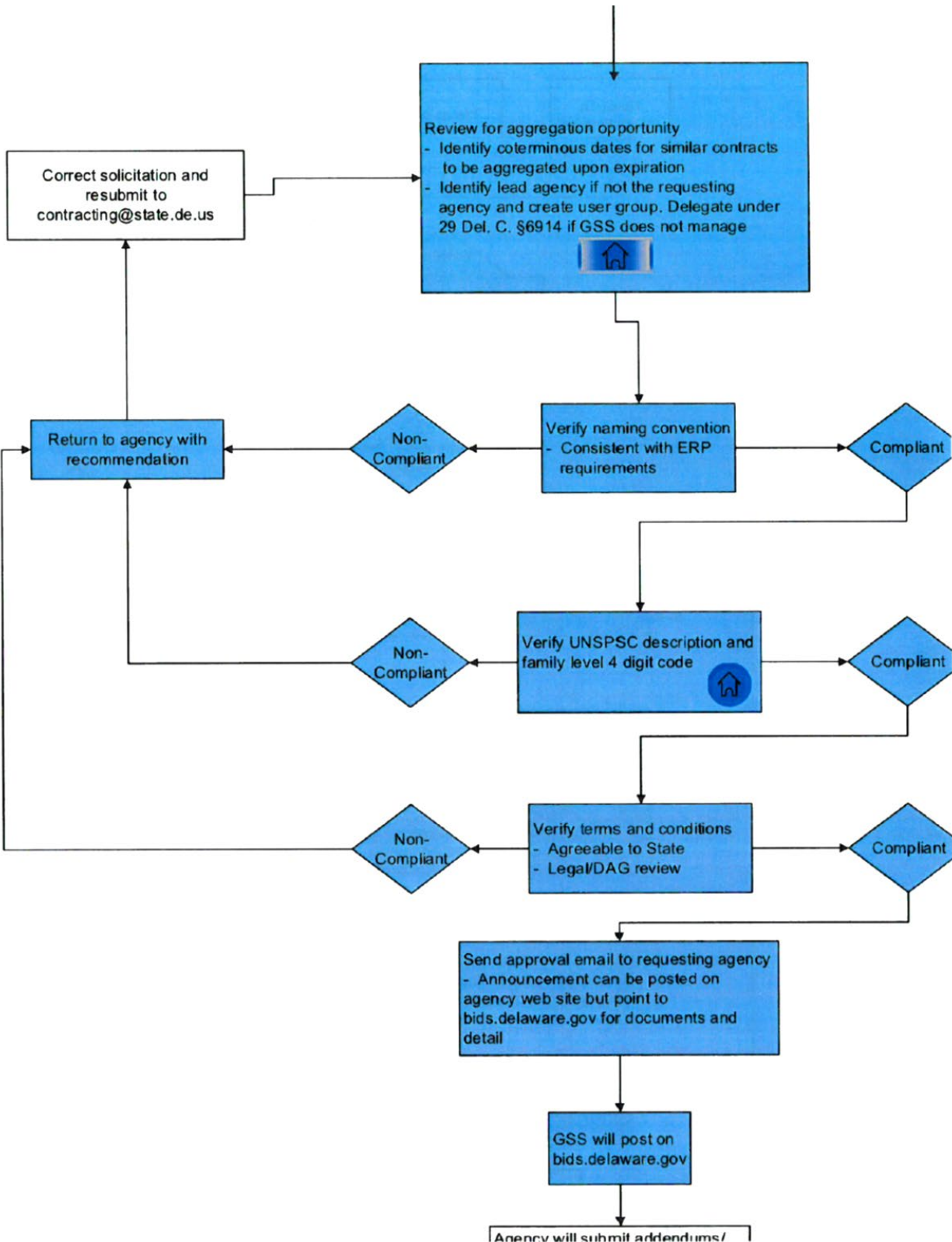
- ◆ Less than \$100,000-Open Market
- ◆ \$100,000 and over-Formal RFP Process

Source: Delaware Office of Management and Budget website, 2021.

**Exhibit 3-4** reflects the solicitation process that is typically followed unless otherwise specified in Title 29, Chapter 69.

EXHIBIT 3-4.  
SOLCITATION PROCESS



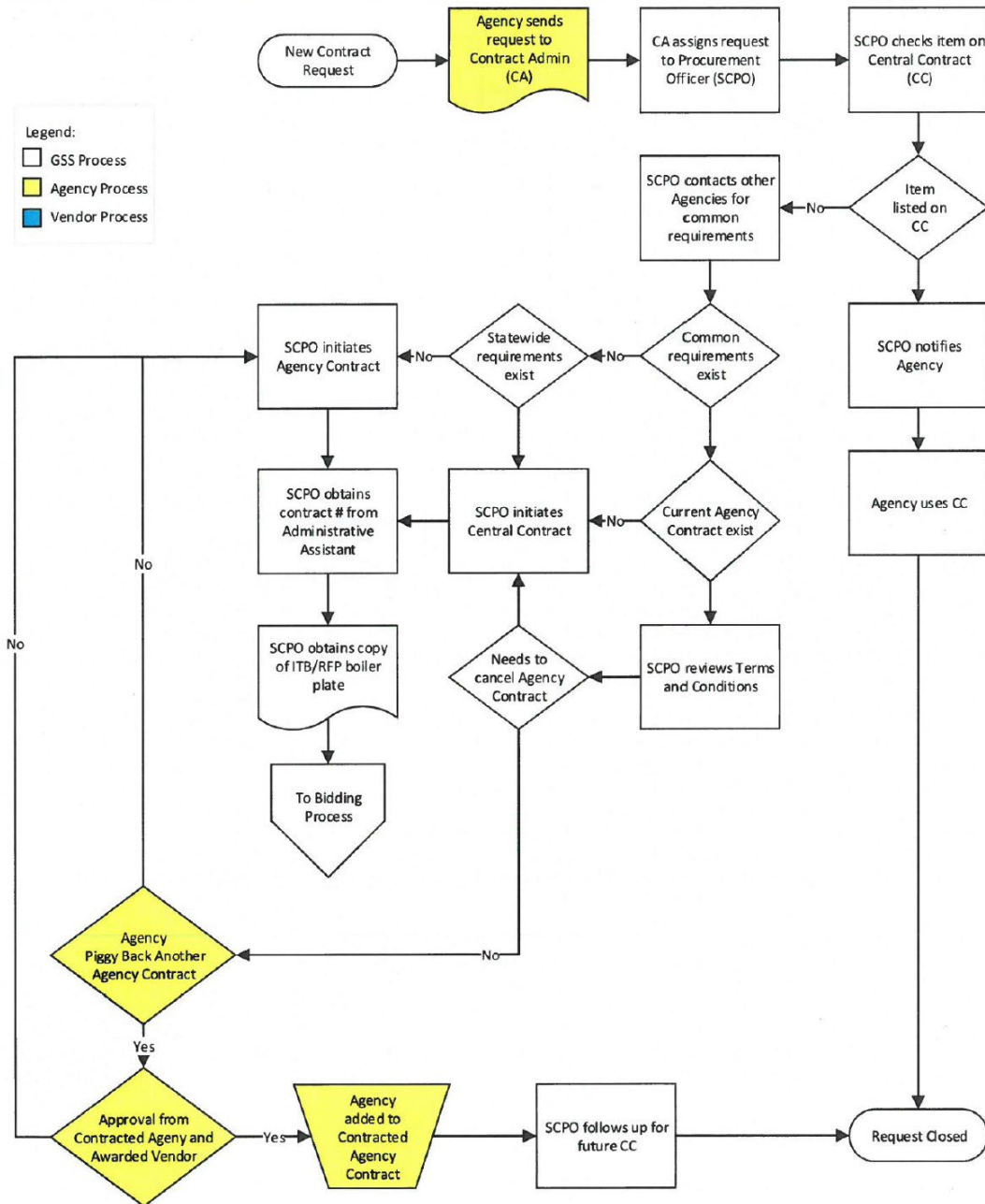


Source: Delaware Government Support Services website, 2021.

Exhibit 3-5 shows the contract process for new contracts

EXHIBIT 3-5.  
CONTRACTING PROCESS

Contract Process – New Contract

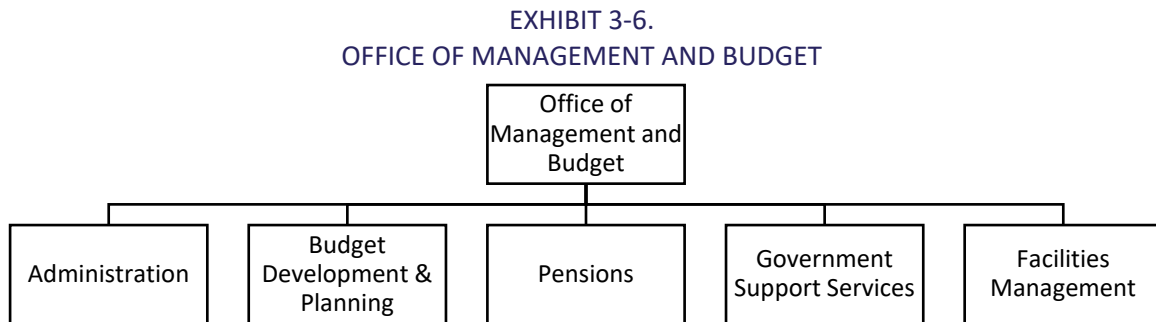


Source: Delaware Government Support Services website, 2021.

According to staff the processes shown in **Exhibits 3-4** and **3-5** are generally followed with few exceptions. It was also noted the COVID environment has resulted in some adaptations and adjustments which may continue Post-COVID.

### 3.3.2 Office of Management and Budget

The Office of Management and Budget shown in **Exhibit 3-6** was established by Title 29, Chapter 63A. Pursuant to Section 6303A 14, OMB may enter into contracts and agreements for the services of private and public consultants, research and technical personnel for consulting, research, technical, and other services and facilities.



Source: Fiscal Year 2022 Governor’s Recommended Budget Operating Book, 2021.

As shown in **Exhibit 3-6**, OMB is comprised of five divisions. For the purpose of the disparity study, MGT focused on Government Support Services (GSS) and the Division of Facilities Management (DFM). GSS is the State’s central contracting unit and manages all statewide contracts for goods and services and also administers certain agency contracts. As discussed later in this chapter GSS is responsible for providing procurement and contracting information and resources used by State agencies and by vendors seeking opportunities with the State.

DFM is responsible for public works construction projects from conception to completion including planning, design, and management of all public works construction projects other than construction projects administered by the Department of Transportation, Department of Education and the State’s higher education institutions.<sup>157</sup> As discussed earlier, public works contracting is governed by Title 29, Subchapter IV and V of the Delaware Code and include renovations to existing structures and new construction.

For the policy review, MGT met with OMB, GSS, and DFM staff. MGT also met with staff in the Office of Supplier Diversity (OSD) which was part of GSS and is now in the Division of Small Business (DSB). The role of OSD is discussed later in the chapter. MGT’s meetings with OMB staff focused on procurement roles and responsibilities throughout the procurement cycle, applicable policies and procedures, and coordination with OSD. MGT found OMB staff to be very knowledgeable about the procurement cycle and applicable policies and procedures and was open to discussing opportunities for improvement.

<sup>157</sup> Delaware Division of Facilities Management website, 2021.



In addition to MGT’s research and meetings with staff MGT also reviewed solicitations in **Exhibit 3-7**. The review of solicitations was important for determining alignment with Title 29, Chapter 69, the solicitation process in **Exhibit 3-4** and staff input regarding the procurement cycle from conception to completion.

EXHIBIT 3-7.  
OFFICE OF MANAGEMENT AND BUDGET/GSS SOLICITATIONS

Solicitation	Type
102 Lloyd Lane HVAC Replacement at Stockley Center	ITB
Delaware State Police Headquarters -Maintenance Garage Roof Replacement	RFP
Electrical Contractor (GSS)	RFP
Ammunition and Targets (GSS)	ITB
Boiler Replacement at Ellendale Crisis Center	RFP
Secured Document Destruction (GSS)	RFP
Roof Replacement at Sussex County Fire School	RFP

Source: Created by MGT, 2021.

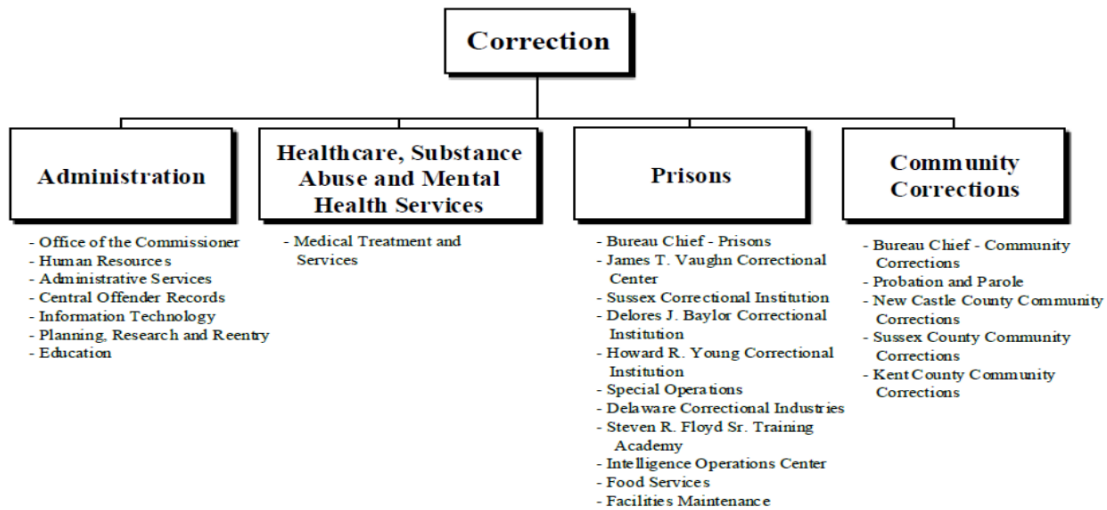
The solicitations in **Exhibit 3-7** represent a small sample of source selection methods available to the State. MGT’s review found the solicitations to be similarly formatted and constructed and included clear scope of work and other requirements in the body of the solicitation and the appendices. Throughout the solicitation documents Title 29, Chapter 69 is appropriately referenced in addition to other applicable requirements.

### 3.3.3 Department of Correction

The Department of Correction shown in **Exhibit 3-8** was established by Title 29, Chapter 89. Section 8903 5 empowers DOC to enter into contracts and agreements for consulting, research, technical, and other services and facilities. As shown in **Exhibit 3-8**, DOC is comprised of four major organization units. With over 2500 employees DOC is the second largest agency in the State and its facilities house and supervise up to 5,000 inmates.<sup>158</sup> DOC institutions housing inmates operate 24 hours a day, 365 days a year. To sustain institution and community-based operations DOC purchase a diverse range of goods and services including renovation and construction. MGT’s discussions with DOC staff focused primarily on the procurement cycle and some of the challenges doing business with DOC because of background check requirements for goods and services provided to DOC facilities. According to staff, some contractors have difficulties hiring people who can pass a background check. In regard to doing more business with M/WBEs, according to staff greater flexibility to purchase from M/WBEs instead of mandatory purchasing off the State Contract would be helpful.

<sup>158</sup> Delaware Department of Correction website, 2021.

EXHIBIT 3-8.  
DEPARTMENT OF CORRECTION



Source: Fiscal Year 2022 Governor’s Recommended Budget Operating Book, 2021.

The sample of DOC’s solicitations shown in **Exhibit 3-9** were reviewed to determine alignment with Title 29, Chapter 69 and practices discussed by staff.

EXHIBIT 3-9.  
DEPARTMENT OF CORRECTION SOLICITATIONS

Solicitation	Type
DOC Crisis Intervention Team (Program Training)	RFP
Validation of Security Classification	RFP
Prison Research Innovation Network Manager	RFP
Transition Accountability Plan	RFP
Sex Offender Treatment and Evaluation	RFP

Source: Created by MGT, 2021.

The DOC solicitations in **Exhibit 3-9** were all organized and formatted in a similar manner and included all necessary submission requirements. References to Title 29, Chapter 69 are found throughout the solicitations in **Exhibit 3-9**. The documents clearly indicate the solicitation is being issued pursuant to Title 29, Chapter 69, and other relevant requirements. Minimum experience and qualification requirements are succinctly spelled out along with scope of work requirements, evaluation procedures and other essential information. The Crisis Intervention Team RFP contained nine attachments including information on OSD and subcontracting.

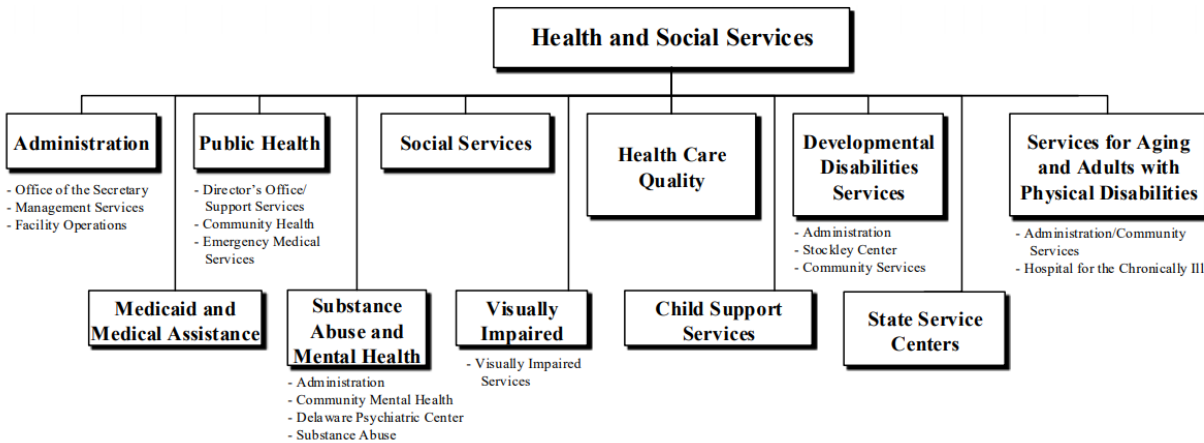
### 3.3.4 Department of Health and Social Services

The Department of Health and Social Services shown in **Exhibit 3-10** was established by Title 29, Chapter 79. Pursuant to Subchapter 1 Section 7903 DHSS may contract for consulting, research, technical, and other services and facilities. Interviews and meetings were conducted with staff in the Division of Public

Health (DPH) Division of Substance Abuse and Mental Health (DSAMH), and the Division of Social Services (DSS).

Organized into twelve divisions, DHSS is the State’s largest and most complex agency responsible for diverse range of services and programs to protect the State’s most vulnerable and at-risk populations.<sup>159</sup> For the purpose of the policy review, MGT focused on DHSS’s Contract Management & Procurement (CM&P) which is responsible for managing the bidding process from conception to completion for goods and services and professional services other than construction.

EXHIBIT 3-10.  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES



Source: Fiscal Year 2022 Governor’s Recommended Budget Operating Book, 2021.

EXHIBIT 3-11.  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES SOLICITATIONS

Solicitation	Type
Family SHADE Initiative for Children and Youth with Special Needs	RFP
Ryan White Quality Management Program	RFP
Statewide Sexuality Education Training Institute (SETI)	RFP
HHCBS Services for Individuals with Intellectual/Developmental Disabilities	RFP
Health Care Services	RFP
Senior Community Service Employment Program	RFP
Master Lease and Housing Management Services	RFP

Source: Created by MGT, 2021.

The DHSS solicitations in **Exhibit 3-11** were all RFPs for professional services. As such, they were formatted and organized in the same manner. The body of each RFP contained a brief overview pertaining to requested services and a description of the scope of services. Detailed scope of work and technical requirements is included in the appendix along with minimum mandatory submission

<sup>159</sup> Delaware Department of Health and Social Services website, 2021.

requirements. Like the other solicitation documents reviewed by MGT, Title 29, Chapter 69 and other applicable requirements are referenced throughout.

MGT's experience, has shown that efficient and effective procurement processes are largely dependent upon well-defined and consistently followed policies for advertisement, solicitation, vendor evaluation/selection, contract negotiation and approval executed and supported by knowledgeable and skilled staff. Based upon MGT's review, staff appear to be very knowledgeable about procurement operations and processes which are executed to:

- ◆ Ensure fair and open competition.
- ◆ Provide equitable treatment for all vendors seeking to do business with the State.
- ◆ Maintain a responsive and responsible procurement system; and
- ◆ Procure the materials, services, and construction required by the State in a cost-effective manner.

The above factors tend to be reflected in staff procurement roles and responsibilities in OMB, DOC, DHSS, and solicitation and other source documents reviewed by MGT. MGT's review concluded that the State has detailed procurement policies and procedures to guide departments and vendors seeking procurement opportunities. Overall, MGT found policies and procedures to be comprehensive and user-friendly and the resources and information available on the State's website to all vendors was also comprehensive and user-friendly.

## 3.4 Business Inclusion Programs

This section focuses on the State's business inclusion efforts which are premised on a multi-pronged equity, inclusion, and outreach strategy executed by several entities that play a key role in the State's commitment to equity and inclusion. MGT's experience has shown that equity and inclusion is dependent upon strong executive leadership and commitment, policies and procedures that are consistently followed, strong enforcement and compliance mechanisms, effective outreach, easily accessible resources and assistance, and staff who are supportive and sensitive to the inclusion of minority and women-owned businesses (M/WBEs) or other socially and economically disadvantaged individuals.

### 3.4.1 The Office of the Governor

The Governor's Office has played a major role in recognizing the importance of an inclusive business environment and maximizing the participation of the diverse businesses in state contractual work. Leadership from the Governor's Office has been pivotal and essential to supplier diversity and equity and inclusion in general. Initiatives designed to foster and promote equity and inclusion include the following:

- Hiring the State's first Chief Diversity Officer to lead efforts related to diversity, equity, and inclusion;
- Establishing an anti-discrimination policy across state government;

- Creation of the Office of Statewide Equity housed in the Governor's Office to lead the State's equity and inclusion initiatives;
- Establishing EDGE Grants to facilitate access to credit and capital to assist small businesses including diverse businesses;
- Executive Order 49 reconstituted the Governor's Supplier Diversity Council charged with developing and implementing a Small Business Focus Program designed to increase opportunities for small businesses to participate in state procurement and contracting.

The above represent a sample of initiatives by the Governor's Office that are indicative of the Governor Office role and commitment to supplier diversity and enhancing opportunities for the State's diverse business community. Executive Order 49 is particularly important in spelling out the equity and inclusion responsibilities of Government Support Services and the Office of Supplier Diversity discussed in the sections which follow.

### **3.4.2 Office of Management and Budget-Government Support Services**

The Office of Management and Budget and Government Support Services (OMB/GSS) were highlighted in a previous section of this chapter. The discussion in this section focusses on GSS's role relative to equity and inclusion. GSS plays a very critical role for all businesses seeking opportunities with the State including diverse businesses. Because GSS is the major point of contact for businesses seeking opportunities its role relative to equity and inclusion is critical. The services, resources, and assistance provided by GSS are specifically designed and executed to facilitate participation in procurement and contracting.

- The State's Procurement Portal is an essential resource that support equity and inclusion by providing accurate and up to date information on how to do business with state;
- A diverse array of vendor resources support equity and inclusion by providing information on vendor registration, contracting, bid thresholds and other essential information. In addition GSS also provides vendor training;
- Policies and procedures related to bids and contracts and a wide range of other resources enable all vendors to be aware of and understand requirements for doing business with the state.

GSS also support the efforts of the Office of Supplier Diversity(OSD) which is discussed in the following section. In addition to ensuring that OSD is fully cognizant of the resources and support GSS can provide to diverse businesses, per Executive Order 49 GSS provide quarterly reports to OSD on progress related to enhancing opportunities for diverse businesses.

### **3.4.3 Office of Supplier Diversity**

The Office of Supplier Diversity (OSD) is housed in the Division of Small Business (DSB) and is responsible for coordinating and collaborating with departments to facilitate greater participation of diverse and small businesses in procurement and contracting. OSD's mission is "to assist the entire supplier diversity community of minority, women, veteran, service disabled veteran, and individuals with disabilities owned businesses as well as small businesses of a unique size in competing for the provision of

commodities, services, and construction to State departments, agencies, authorities, school districts, higher education institutions and all businesses.”<sup>160</sup> The Office of Supplier Diversity serves as a vital link for business inclusion by providing the following:

- ◆ Diverse Small Business Certification valid for three years
- ◆ Diverse Small Business Recertification
- ◆ Directory of Certified Businesses
- ◆ Accessing and Utilizing the State of Delaware Procurement Site

## GENERAL GUIDELINES FOR ELIGIBILITY:

Certification serve as the gateway for diverse and small businesses seeking opportunities with the State. Certification is met when applicant(s) own and control a minimum of 51% of the firm, including the daily operation of the business for which customers pay the firm. Control may not be demonstrated if it is by others who are not the 51% owners, or if the 51% owners do not hold independent knowledge and ability, which may include licensure, to perform the operations for which customers pay the firm. The control must rest with the owners applying for certification. If owners perform only or primarily administrative tasks, which are not services offered to clients, or if owners do not hold current requisite Delaware licenses or certifications for services provided to customers, then control may not be met.<sup>161</sup>

General guidelines regarding eligibility are provided below.

All Business Applicants:<sup>162</sup>

- a. A for profit business with “useful business function(s).”
- b. Ownership must be held by U.S. Citizen(s) or Permanent Resident(s).
- c. Meet the specific eligibility requirements of the certification being applied for. Diverse Business Applicants - Minority, Women, Veteran, Service Disabled Veteran, and/or Individual with Disability owned business (sole-proprietorship, partnership, corporation or joint venture) must meet general guidelines for all business at items a, b, and c above, as well as the following criteria:
- d. Minority groups include: African Americans, Asian/Pacific Americans, Hispanic Americans, Native Americans, and Subcontinent Asian Americans, and
- e. At least 51 percent owned, controlled, and actively managed by: minorities, women, veterans, service disabled veterans, and/or individuals with Disability.

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<sup>160</sup> Delaware Office of Supplier Diversity website, 2021.

<sup>161</sup> Office of Supplier Diversity, Policy, Eligibility, Application and Affidavit/Certification as Diverse Business (MBE, WBE, VOB, SDVOBE, IWDBE) and Small Business (SBE) Enterprises.

<sup>162</sup> Id.

Small Business Applicants<sup>163</sup> – a Small Business must meet general guidelines for all business at items a, b, and c above, as well as the following criteria:

- f. Be within one of the six industry sectors and at or under the eligibility size caps identified in the chart below; and
- g. Operate free from the control of a business larger than the eligibility size caps identified below.

Small Business Certification Industries	NAICS <sup>1</sup> sectors* (initial code numbers)	Small business eligibility and graduation point size caps	
		FTE (full time equivalents)	Gross sales
		Based upon a 3 year average	
Architecture & Engineering Services	541	none	< \$3,500,000
	237		
Construction	23	< 250	< \$7,000,000
Manufacturing	31	< 250	none
	32		
	33		
Retail	42	< 25	< \$3,500,000
	44		
	45		
Service	various	< 50	< \$3,500,000
Wholesale	42	< 50	none

Source: Office of Supplier Diversity, Policy, Eligibility, Application and Affidavit/Certification as Diverse Business (MBE, WBE, VOB, SDVOBE, IWDBE) and Small Business (SBE) Enterprises, 2021.

The size cap is both an eligibility guideline and a graduation point. The size eligibility criteria are based upon one or all of the following three-year averages: (1) gross sales, (2) number of full-time equivalents (employees), or (3) both (if both categories have a cap then either/both apply). The Small Business Focus Program is for business enterprises that are 50% of the SBA<sup>2</sup> and Delaware DOT DBE size caps for the smallest size cap within each industry sector. Those numbers are identified in the chart above.

OSD’s website include a section titled I’m Certified. Now What?<sup>164</sup> that provide links for doing business with the State, searching current and archived contracts, registering for contracting opportunities, doing business with schools, fire departments, and municipalities as well as other services and information. Businesses can also subscribe to OSD’s list serv to receive notice of networking events, workshops, and business engagement activities. In addition, OSD provide access to agency supplier diversity plans for over a dozen state agencies and contact information for the Agency Minority and Women Business Liaison.

As explained to MGT, OSD’s goal is to improve participation and minimize and/or eliminate barriers to participation by:

<sup>163</sup> Id.

<sup>164</sup> Delaware Office of Supplier Diversity website, 2021.

- ◆ Monitoring and assessing utilization and participation.
- ◆ Advocating and promoting equal opportunity and access to contracting and procurement opportunities.
- ◆ Promoting awareness of procurement and contracting opportunities.
- ◆ Advocating for removal of impediments or barriers to participation.
- ◆ Providing information, resources, and assistance.

Based on MGT's experience these goals are achievable given the resources and partners supporting the State's Diversity & Inclusion programs. In addition to the Office of Supplier Diversity, which is responsible for outreach, certification, recertification, Government Support Services (GSS) provide a variety of web-based resources and vendor day training sessions that may help to increase participation of diverse and small businesses. MGT noted that Governor Carney re-established and appointed members to Delaware's Supplier Diversity Council and created and staffed the Office of Statewide Equity Initiatives in the Governor's Office to lead the State's equity and inclusion initiatives. Collectively working in partnership these entities are ideally positioned to significantly impact the State's Diversity & Inclusion programs including participation of diverse and small businesses in procurement and contracting.

### **3.4.4 Doing Business with the State**

Navigating the procurement process is essential for doing business with any governmental entity. As such, the guidance, direction, and support provided to diverse and small businesses is a critical success factor. In today's environment, the information available on an organization's website and access to staff who are willing to provide assistance is extremely important. Typically, an organization's website is the starting point for seeking information about procurement processes and procurement opportunities. As part of this review, MGT navigated the OMB and GSS's website to determine what information is provided regarding procurement processes, resources, and assistance available to all vendors. Overall, MGT found the information about procurement processes, opportunities, and resources to be very comprehensive, provided in a user-friendly manner, and superior to websites reviewed by MGT in other disparity studies.

MGT also noted the value of resources and information to encourage and support business development, business diversity and inclusion. The State's website has robust links that include downloadable information and resources that support all businesses. Information and resources pertaining to the State's procurement process is thorough and comprehensive and accessible to all businesses.

The information on the State's website about doing business with the State coupled with the resources and information from the Office of Supplier Diversity, provide valuable guidance and direction for businesses seeking procurement opportunities for the first time and businesses with more experience with the State's procurement. Based on MGT's review, information about the procurement process and available resources is provided in a manner that is relatively easy to digest and follow.



### 3.5 Conclusions

MGT's review focused on the State's procurement policies, procedures, and practices and increasing procurement opportunities for M/WBEs within OMB/GSS, DOC, and DHSS. As detailed herein, MGT's review clearly shows that the State has policies and procedures that govern all aspects of procurement. Based on MGT's review, policy source documents provide ample guidance to department end users and vendors seeking procurement opportunities. MGT's review did not uncover any inherent or built-in barriers that intentionally restrain or constrain any businesses from participating in procurement and contracting. Based on MGT's experience the extent to which the State increases participation of minority-and women-owned firms will be determined by the results of organization-wide execution and departments working collaboratively to increase awareness, interest, and participation in procurement and contracting. Ultimately all Agencies can play a role in promoting the State as an entity committed to business diversity and inclusion. Advancing business diversity and inclusion will require continuously encouraging diversity and inclusion in all State procurement and contracting. Our experience has shown that keeping departments informed about opportunities to utilize diverse businesses and educating the vendor community and outreach to the vendor community can pay huge dividends if consistently and effectively executed.

# 4 Market Area and Utilization Analysis

## 4.1 Introduction

This chapter presents the results of MGT Consulting’s (MGT) market area and utilization analyses of firms used on State of Delaware (State) procurements in the categories of Construction, Construction-related services (such as architecture, engineering, etc.), Goods, and Services (including professional services) sectors between July 1, 2015 through June 30, 2020 (FY2016 – FY2020) for the Division of Government Support Services, Office of Management and Budget, Department of Health & Social Services, and Department of Corrections.

Chapter Sections	
4.1	Introduction
4.2	Data Collection and Management
4.3	Market Area Analysis
4.4	Utilization Analysis

The market area is essential to establishing the universe of available vendors and spending that will be considered in identification of any disparate treatment of assorted classifications of firms. Utilization data are central to defining this market area and thus are first presented as a means of identifying the market area for consideration, and then are examined within that market area to assess assorted levels of contracting activity as the first step in the quantitative determination of disparity.

## 4.2 Data Collection and Management

MGT staff compiled and reconciled electronic data provided by the State to develop a master set of prime and subcontractor contract data into a Master Utilization Database to support the needs of the study. MGT utilized the State’s financial data via the open checkbook data system as the primary source of the prime financial data and supplemented that data with input from the four departments involved in the study. The prime contract data was combined with the subcontractor data which was collected via a survey of the primes. Based on a common contract ID across both data sets, MGT merged the subcontractor data with the prime data to make up the Master Utilization Database.

### 4.2.1 Study Period

The preliminary market area analysis is based on contract transactions between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

### 4.2.2 Procurement Categories and Exclusions

MGT analyzed the procurement categories competitively bid by the State, encompassing four sectors: Construction, Construction-related services (such as architecture, engineering, etc.), Goods, and Services (including professional services) for the Division of Government Support Services, Office of Management and Budget, Department of Health & Social Services, and Department of Corrections. These procurement categories are defined as:

- ◆ Construction: Services provided for the construction, renovation, rehabilitation, repair, alteration, improvement, demolition, and excavation of physical structures, excluding the performance of routine maintenance.
- ◆ Construction-related (Such as architecture, engineering, etc.): A class of services specifically related to the preparation of plans and specifications for construction projects.
- ◆ Goods: This category includes all purchases of physical items, including but not limited to equipment and materials, excluding land or a permanent interest in land.
- ◆ Services (including professional services): Services that require the provider to possess specialized skills, including the holding of advanced degrees and exercise of independent judgement, and other services that do not typically require a provider to have experience in a specialized field or hold an advanced degree.

The following types of transactions were excluded from the analysis:

- ◆ Transactions outside of the study period.
- ◆ Transactions associated with non-procurement activities, for example:
  - Administrative items such as utility payments, leases for real estate, or insurance.
  - Salary and fringe benefits, training, parking, postage, or conference fees.
- ◆ Transactions associated with nonprofit organizations, universities, medical facilities, and governmental agencies.

## 4.3 Market Area Analysis

As prescribed by *Croson* and subsequent cases, a disparity study requires definition of a market area to ensure that a relevant pool of vendors is considered in analyzing the availability and utilization of firms. If these boundaries are stretched too far, the universe of vendors becomes diluted with firms with no interest or history in working with the governmental entity, and thus their demographics and experiences have little relevance to actual contracting activity or policy. On the other hand, a boundary set too narrowly risks the opposite circumstance of excluding a high proportion of firms who have contracted with, or bid for work with, the governmental entity, and thus may also skew the prospective analyses of disparity.

### 4.3.1 Methodology

In determining a relevant market area, MGT abides by a 75 percent majority rule of agency spending with deference to historic programmatic considerations to prescribe an appropriate geographic boundary. The use of 75 percent as a measure of determining the relevant market area has been accepted by antitrust cases in the 2<sup>nd</sup> Circuit and serves as persuasive precedent. One example is *James*

*C. Jones v. New York County Human Resources Administration (James C. Jones)*<sup>165</sup>, which affirms findings and policies on market area definitions encompassing approximately 75 percent of agency spending. In *James C. Jones*, the court accepted less than 100 percent of data when it was reasonable to assume that the missing data would not significantly change the analysis results.

To establish the appropriate geographic boundaries for the study, the “relevant” market area was isolated according to the 75 percent standard. These market areas are defined by geographic units such as counties and states, based on the following considerations: 1) the courts have accepted the use of standard geographic units in conducting equal employment opportunity and disparity studies; 2) geographic units are externally determined, so there are no subjective determinations, and 3) U.S. Census and other federal agencies routinely collect data by geographic unit. The following presents the methodology used to determine the relevant market area.

- ♦ **Relevant Market Area.** Once the overall market area was established, the geographic areas where most of its purchases are procured. Based on the market area analysis results conducted for each business category, the recommended relevant market area are the 45 counties and independent cities within the State of Delaware Market Area (“Market Area”) or the three counties in Delaware and those that are part of Combined Statistical Areas<sup>166</sup> geographically adjacent to the State.

The dollars paid were summarized by county according to the location of each firm and by the services they provided to the State: Construction, Construction-related services (such as architecture, engineering, etc.),

State of Delaware Relevant Market Area	
Anne Arundel County, MD	Fairfax County, VA
Arlington County, VA	Frederick County, MD
Atlantic County, NJ	Gloucester County, MD
Baltimore County, MD	Howard County, MD
Berks County, PA	Kent County, DE
Bucks County, PA	Loudoun County, VA
Burlington County, NJ	Montgomery County, MD
Camden County, NJ	Montgomery County, PA
Cape May County, NJ	New Castle County, DE
Caroline County, MD	Ocean County, NJ
Carroll County, MD	Philadelphia County, PA
Cecil County, MD	Prince George’s County, MD
Chester County, PA	Prince William County, VA
City of Baltimore, MD	Queen Anne’s County, MD
City of Fairfax, VA	Salem County, NJ
City of Falls Church, VA	Stafford County, VA
City of Manassas Park, VA	Sussex County, DE
City of Manassas, VA	Talbot County, MD
Clarke County, VA	Warren County, VA
Culpeper County, VA	Washington, DC
Cumberland County, NJ	Wicomico County, MD
Delaware County, PA	Worcester County, MD
Dorchester County, MD	

<sup>165</sup> MGT uses the “75 percent rule” to determine the relevant market area. This rule is generally accepted in antitrust cases. In another relevant case, *James C. Jones v. New York County Human Resources Administration*, 528 F.2d 696 (F.2d Cir. 1976), the court accepted less than 100 percent of the data when it was reasonable to assume that the missing data would not significantly change the results of the analysis. Not sure why this is both in the text and here? Really important to do proofing.

<sup>166</sup> The Office of Management and Budget define combined statistical areas as those consisting of various combinations of adjacent metropolitan and micropolitan areas with economic ties measured by commuting patterns.

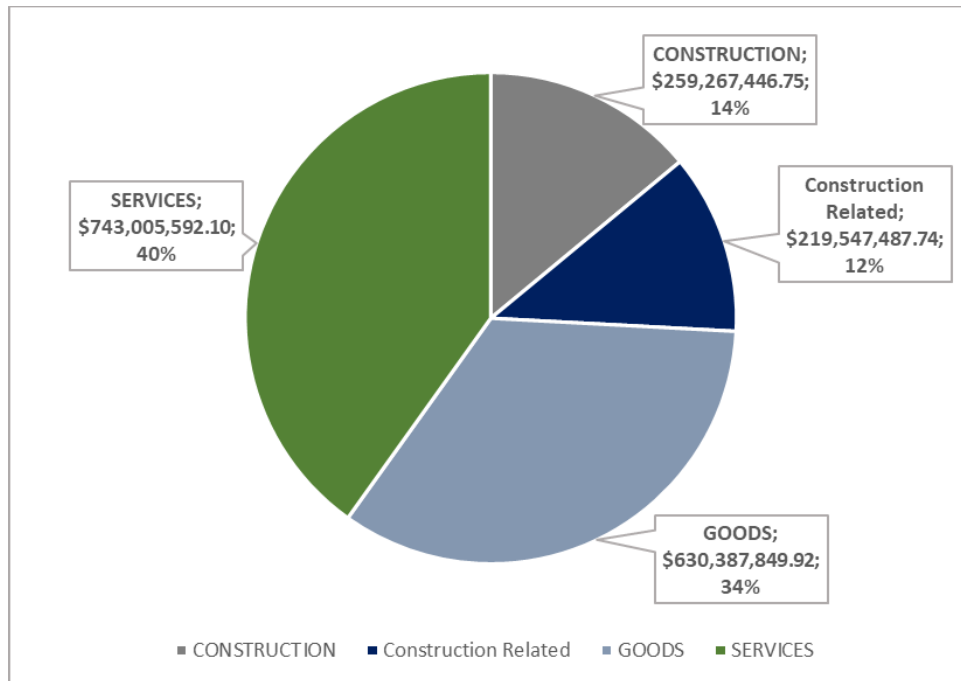
Goods, and Services (including professional services). Corresponding market area analyses showing the dollars paid by county within each procurement category are presented in **Appendix A**.

### 4.3.2 Analysis and Identification and Relevant Market Area

As described in the preceding section, an overall market area was first established to account for all relevant State payments, after which more specific regions were analyzed to arrive at a relevant market area to support the goals of the study. Detailed information supporting this market area analyses are presented in **Appendix A** to this report.

**Figure 4-1** shows **\$1,852,208,376.51** was paid to firms located within the overall market area of the State.

FIGURE 4-1. SUMMARY OF DOLLARS,  
TOTAL CONTRACTS (PAID) BY PROCUREMENT CATEGORY,  
OVERALL MARKET AREA



Source: MGT developed a Master Prime File based on the State's system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

Narrowing the geographic scope, **Table 4-1** shows that firms located within the relevant market area accounted for **72.59** percent of spend across all procurement categories. When broken down by procurement categories, firms located within the relevant market area accounted for:

- ◆ **91.78** percent of the dollars awarded in Construction;
- ◆ **98.84** percent of the dollars awarded in Construction-Related;
- ◆ **50.27** percent of the dollars awarded in Goods; and
- ◆ **77.06** percent of the dollars awarded in Services.

TABLE 4-1. MARKET AREA ANALYSIS,  
CONTRACTS DISTRIBUTION OF DOLLARS BY BUSINESS CATEGORY,  
STATE MARKET AREA

CONSTRUCTION	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$237,968,021.77	91.78%
Outside Delaware Marketplace	\$21,299,424.98	8.22%
<b>CONSTRUCTION, TOTAL</b>	<b>\$259,267,446.75</b>	<b>100.00%</b>
CONSTRUCTION RELATED	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$217,009,998.31	98.84%
Outside Delaware Marketplace	\$2,537,489.43	1.16%
<b>CONSTRUCTION-RELATED, TOTAL</b>	<b>\$219,547,487.74</b>	<b>100.00%</b>
GOODS	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$316,927,411.51	50.27%
Outside Delaware Marketplace	\$313,460,438.41	49.73%
<b>GOODS, TOTAL</b>	<b>\$630,387,849.92</b>	<b>100.00%</b>
SERVICES	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$572,554,262.45	77.06%
Outside Delaware Marketplace	\$170,451,329.65	22.94%
<b>SERVICES, TOTAL</b>	<b>\$743,005,592.10</b>	<b>100.00%</b>
ALL BUSINESS CATEGORIES	Amount	Percent
<i>Inside Delaware</i>	\$1,344,459,694.04	72.59%
Outside Delaware Marketplace	\$507,748,682.47	27.41%
<b>ALL BUSINESS CATEGORIES, TOTAL</b>	<b>\$1,852,208,376.51</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on the State's system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

Corresponding market area analyses showing the dollars awarded by county for each procurement category are presented in **Appendix A**.

### 4.3.3 Analysis and Identification of Product Market

Based on the major categories and description of work on each contract, MGT assigned NAICS codes to each of the payments for both primes and subcontractors. MGT assigned both NAICS code industry groups (4-digit level) and NAICS code industries (6-digit level). **Table 4-2** through **Table 4-5** shows the payments and their associated weights for Construction, Construction-related services (such as architecture, engineering, etc.), Goods, and Services (including professional services). **Appendix A** shows the NAICS code industries (6-digit level) for the four procurement categories.

Overall, State procurements occur in 111 NAICS industry groups. In Construction, State procurements occur in 32 NAICS industry groups. In Construction Related, State procurements occur in 7 NAICS industry groups. In Goods, State procurements occur in 35 NAICS industry groups. In Services, State procurements occur in 76 NAICS industry groups.

Table 4-2 shows that for Construction, nearly 85 percent of the payments are distributed among only four industry groups (2382, 2362, 2383, and 2381), with most of the payments occurring in one industry group (2382).

TABLE 4-2. PRODUCT MARKET,  
DISTRIBUTION OF DOLLARS BY NAICS CODE,  
CONSTRUCTION

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
2382	Building equipment contractors	\$85,261,246.59	32.89%
2362	Nonresidential building construction	\$50,773,632.96	19.58%
2383	Building finishing contractors	\$47,767,235.10	18.42%
2381	Building foundation and exterior contractors	\$36,489,089.76	14.07%
2371	Utility system construction	\$24,868,560.73	9.59%
2389	Other specialty trade contractors	\$7,034,298.67	2.71%
3371	Household and institutional furniture mfg.	\$1,444,166.76	0.56%
2379	Other heavy construction	\$1,411,083.89	0.54%
5616	Investigation and security services	\$673,197.00	0.26%
2373	Highway, street, and bridge construction	\$651,014.46	0.25%
8113	Commercial machinery repair and maintenance	\$607,105.00	0.23%
4233	Lumber and const. supply merchant wholesalers	\$388,795.48	0.15%
5419	Other professional and technical services	\$252,127.73	0.10%
3323	Architectural and structural metals mfg.	\$236,962.00	0.09%
5324	Machinery and equipment rental and leasing	\$229,013.81	0.09%
4931	Warehousing and storage	\$205,369.00	0.08%
4234	Commercial equip. merchant wholesalers	\$193,360.00	0.07%
3339	Other general purpose machinery manufacturing	\$159,040.00	0.06%
3329	Other fabricated metal product manufacturing	\$122,313.00	0.05%
5617	Services to buildings and dwellings	\$103,666.47	0.04%
3359	Other electrical equipment and component mfg.	\$94,182.00	0.04%
4238	Machinery and supply merchant wholesalers	\$85,856.22	0.03%
5629	Remediation and other waste services	\$48,025.05	0.02%
8111	Automotive repair and maintenance	\$46,032.00	0.02%
5413	Architectural and engineering services	\$33,245.00	0.01%
5415	Computer systems design and related services	\$32,107.00	0.01%
4441	Building material and supplies dealers	\$30,939.00	0.01%
3399	Other miscellaneous manufacturing	\$14,495.08	0.01%
5619	Other support services	\$7,572.00	0.00%
4842	Specialized freight trucking	\$2,255.00	0.00%
3241	Petroleum and coal products manufacturing	\$870.00	0.00%

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
3279	Other nonmetallic mineral products	\$590.00	0.00%
	<b>TOTAL</b>	<b>\$259,267,446.75</b>	

For Construction Related, **Table 4-3** shows that nearly all of the payments occurred in one industry group (5413).

TABLE 4-3. PRODUCT MARKET,  
DISTRIBUTION OF DOLLARS BY NAICS CODE,  
CONSTRUCTION RELATED

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
5413	Architectural and engineering services	\$219,418,360.98	99.94%
2382	Building equipment contractors	\$87,305.00	0.04%
2362	Nonresidential building construction	\$22,109.76	0.01%
5415	Computer systems design and related services	\$7,765.00	0.00%
2381	Building foundation and exterior contractors	\$7,660.00	0.00%
5419	Other professional and technical services	\$2,175.00	0.00%
2389	Other specialty trade contractors	\$2,112.00	0.00%
	<b>TOTAL</b>	<b>\$219,547,487.74</b>	

**Table 4-4** shows that for Goods, nearly percent of the payments are distributed among only seven industry groups (4234, 4231, 4411, 4232, 3342, 4244 and 4543), with a majority of the payments occurring in one industry group (4234).

TABLE 4-4. PRODUCT MARKET,  
DISTRIBUTION OF DOLLARS BY NAICS CODE,  
GOODS

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
4234	Commercial equip. merchant wholesalers	\$337,567,491.74	53.55%
4231	Motor vehicle and parts merchant wholesalers	\$54,599,832.10	8.66%
4411	Automobile dealers	\$41,160,867.66	6.53%
4232	Furniture and furnishing merchant wholesalers	\$37,383,424.92	5.93%
3342	Communications equipment manufacturing	\$26,074,237.08	4.14%
4244	Grocery and related product wholesalers	\$24,142,284.24	3.83%
4543	Direct selling establishments	\$20,067,332.46	3.18%
4238	Machinery and supply merchant wholesalers	\$18,610,095.17	2.95%



NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
4246	Chemical merchant wholesalers	\$14,358,784.37	2.28%
4236	Appliance and electric goods merchant whls.	\$10,912,205.83	1.73%
4237	Hardware and plumbing merchant wholesalers	\$9,839,813.67	1.56%
4241	Paper and paper product merchant wholesalers	\$7,075,927.63	1.12%
4239	Misc. durable goods merchant wholesalers	\$6,942,341.64	1.10%
4412	Other motor vehicle dealers	\$4,148,036.84	0.66%
4532	Office supplies, stationery, and gift stores	\$3,843,401.91	0.61%
4249	Misc. nondurable goods merchant wholesalers	\$3,203,745.91	0.51%
3231	Printing and related support activities	\$1,629,304.24	0.26%
3391	Medical equipment and supplies manufacturing	\$1,513,972.01	0.24%
2389	Other specialty trade contractors	\$1,475,926.00	0.23%
4842	Specialized freight trucking	\$1,362,348.67	0.22%
4235	Metal and mineral merchant wholesalers	\$992,000.00	0.16%
3116	Animal slaughtering and processing	\$943,101.73	0.15%
3339	Other general purpose machinery manufacturing	\$503,571.09	0.08%
3366	Ship and boat building	\$440,612.91	0.07%
4242	Druggists' goods merchant wholesalers	\$395,627.49	0.06%
2383	Building finishing contractors	\$317,403.93	0.05%
4243	Apparel and piece goods merchant wholesalers	\$282,066.67	0.04%
3119	Other food manufacturing	\$181,603.11	0.03%
3253	Agricultural chemical manufacturing	\$168,005.37	0.03%
4413	Auto parts, accessories, and tire stores	\$92,771.00	0.01%
2382	Building equipment contractors	\$85,990.00	0.01%
8111	Automotive repair and maintenance	\$70,200.00	0.01%
4539	Other miscellaneous store retailers	\$2,172.56	0.00%
5413	Architectural and engineering services	\$1,350.00	0.00%
	<b>TOTAL</b>	<b>\$630,387,849.92</b>	

For Services, **Table 4-5** shows the payments are distributed more evenly across all of the industry groups. With that said, five industry groups account for over 60 percent of the payments (5415, 5416, 6223, 6221, and 5419).

TABLE 4-5. PRODUCT MARKET,  
DISTRIBUTION OF DOLLARS BY NAICS CODE,  
SERVICES

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
5415	Computer systems design and related services	\$183,304,910.59	24.67%
5416	Management and technical consulting services	\$70,127,484.35	9.44%
6223	Other hospitals	\$68,518,590.06	9.22%
6221	General medical and surgical hospitals	\$66,575,776.06	8.96%
5419	Other professional and technical services	\$61,442,503.48	8.27%
5616	Investigation and security services	\$44,019,709.88	5.92%
7223	Special food services	\$43,405,652.41	5.84%
5613	Employment services	\$37,009,635.97	4.98%
5182	Data processing, hosting and related services	\$16,226,644.87	2.18%
5617	Services to buildings and dwellings	\$15,995,694.69	2.15%
8111	Automotive repair and maintenance	\$14,889,481.95	2.00%
8121	Personal care services	\$14,393,898.52	1.94%
5629	Remediation and other waste services	\$13,787,325.12	1.86%
5324	Machinery and equipment rental and leasing	\$12,439,247.71	1.67%
5418	Advertising, PR, and related services	\$10,818,976.47	1.46%
5621	Waste collection	\$9,672,484.07	1.30%
8123	Drycleaning and laundry services	\$8,841,085.12	1.19%
5413	Architectural and engineering services	\$7,627,375.88	1.03%
5614	Business support services	\$6,455,087.73	0.87%
4881	Support activities for air transportation	\$5,700,047.64	0.77%
8113	Commercial machinery repair and maintenance	\$4,939,009.27	0.66%
6214	Outpatient care centers	\$3,839,300.29	0.52%
6215	Medical and diagnostic laboratories	\$3,695,324.59	0.50%
4842	Specialized freight trucking	\$2,750,811.06	0.37%
5111	Newspaper, book, and directory publishers	\$1,480,217.46	0.20%
6114	Business, computer and management training	\$1,339,680.38	0.18%
7225	Restaurants and other eating places	\$1,273,835.00	0.17%
5412	Accounting and bookkeeping services	\$1,204,319.50	0.16%
5411	Legal services	\$879,768.76	0.12%
6211	Offices of physicians	\$863,413.32	0.12%
5121	Motion picture and video industries	\$838,862.33	0.11%

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
4921	Couriers and express delivery services	\$783,767.72	0.11%
5174	Satellite telecommunications	\$663,190.00	0.09%
6116	Other schools and instruction	\$632,339.38	0.09%
3231	Printing and related support activities	\$627,027.60	0.08%
6241	Individual and family services	\$615,644.91	0.08%
8112	Electronic equipment repair and maintenance	\$571,377.92	0.08%
5619	Other support services	\$543,337.95	0.07%
8114	Household goods repair and maintenance	\$521,233.15	0.07%
8122	Death care services	\$416,015.87	0.06%
2382	Building equipment contractors	\$403,708.40	0.05%
6212	Offices of dentists	\$391,619.25	0.05%
4236	Appliance and electric goods merchant whls.	\$360,650.00	0.05%
4884	Support activities for road transportation	\$223,464.90	0.03%
8133	Social advocacy organizations	\$208,805.24	0.03%
2383	Building finishing contractors	\$201,142.67	0.03%
1129	Other animal production	\$171,673.84	0.02%
5122	Sound recording industries	\$159,328.80	0.02%
6213	Offices of other health practitioners	\$136,430.56	0.02%
5313	Activities related to real estate	\$122,100.00	0.02%
6113	Colleges and universities	\$114,234.34	0.02%
4931	Warehousing and storage	\$112,007.19	0.02%
9231	Administration of human resource programs	\$90,609.74	0.01%
5622	Waste treatment and disposal	\$67,945.62	0.01%
6232	Residential mental health facilities	\$67,042.91	0.01%
4911	Postal service	\$60,044.45	0.01%
1125	Aquaculture	\$51,510.00	0.01%
2381	Building foundation and exterior contractors	\$47,561.00	0.01%
6219	Other ambulatory health care services	\$43,356.36	0.01%
1119	Other crop farming	\$42,386.51	0.01%
2371	Utility system construction	\$37,470.00	0.01%
8139	Professional and similar organizations	\$34,040.81	0.00%
5414	Specialized design services	\$31,582.11	0.00%
4233	Lumber and const. supply merchant wholesalers	\$16,777.00	0.00%
6239	Other residential care facilities	\$15,626.18	0.00%
3399	Other miscellaneous manufacturing	\$15,322.00	0.00%
3371	Household and institutional furniture mfg.	\$13,357.00	0.00%
7115	Independent artists, writers, and performers	\$12,580.00	0.00%

NAICS INDUSTRY GROUP	NAICS DESCRIPTION	AMOUNT	NAICS WEIGHT
4244	Grocery and related product wholesalers	\$8,505.20	0.00%
5417	Scientific research and development services	\$4,500.00	0.00%
8134	Civic and social organizations	\$4,500.00	0.00%
2389	Other specialty trade contractors	\$3,025.00	0.00%
5321	Automotive equipment rental and leasing	\$825.70	0.00%
4511	Sporting goods and musical instrument stores	\$725.00	0.00%
7113	Promoters of performing arts and sports	\$650.00	0.00%
5179	Other telecommunications	\$395.33	0.00%
	<b>TOTAL</b>	<b>\$743,005,592.10</b>	

### 4.3.4 Market Area Conclusions

Based on the market area analysis of the State’s procurement activity, the 45 counties in the Market Area should be used as the market area. This 44-County and Independent City Market Area represents a majority of the State’s procurement activity, with 72.59 percent of the payments to vendors within this market area. All the categories, except for Goods, represent a majority of the State’s procurement activity within the corresponding categories. Construction Related has the highest spend in the market area with 98.84 percent of payments; and Goods with the smallest at 50.27 percent. The definition of the relevant market area allows for detailed examinations of contracting activity with local vendors. The following section describes the results of this utilization analysis for the State.

The product market shows that for the State, there are a number of industry groups that make payments across the four procurement categories. Although these payments occur in 111 industry categories, about ten industry groups make up a majority of all payments. The associated weights seen in the tables will be used to calculate estimates in the availability analysis.

### 4.4 Utilization Analysis

The utilization analysis presents a summary of payments within the scope of the study and an initial assessment of the effectiveness of initiatives in promoting the inclusion of M/WBEs in the State’s contracting and procurement activities.

The utilization analysis is based on the defined relevant market area, as described in the preceding sections of this chapter. The payments data included within this analysis encompass both (1) total dollars paid to primes located within the market area (excluding all subcontracting payments) and (2) dollars allocated to subcontractors located within the market area, independent of their respective prime contractor location. Analysis of these data is broken down by the procurement categories of Construction, Goods, Services (including professional services), and Construction-related services (such as architecture, engineering, etc.) and encompasses payments between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

## 4.4.1 Classification of Firms

Firms included in the utilization analysis have been assigned to business owner classifications according to the definitions provided below.<sup>167</sup>

- ◆ **M/WBE Firms.** In this study, businesses classified as minority- and women-owned firms (M/WBE) are firms that are at least 51 percent owned and controlled by members of one of five groups: African Americans, Asian Americans, Hispanic Americans, Native Americans, or nonminority women. These groups were defined according to the United States (U.S.) Census Bureau as follows:
  - **African Americans:** U.S. citizens or lawfully admitted permanent residents having an origin in any of the black racial groups of Africa.
  - **Asian Americans:** U.S. citizens or lawfully admitted permanent residents who originate from the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.
  - **Hispanic Americans:** U.S. citizens or lawfully admitted permanent residents of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese cultures or origins regardless of race.
  - **Native Americans:** U.S. citizens or lawfully admitted permanent residents who originate from any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
  - **Nonminority Female:** U.S. citizens or lawfully admitted permanent residents who are non-Hispanic white female. Minority females were included in their respective minority category.
  - Minority female- and male-owned firms were classified and assigned to their corresponding minority groups. For example, a Hispanic American female- or Hispanic American male-owned firm was assigned to the Hispanic American-owned firm minority group.
- ◆ **Non-M/WBE Firms.** Firms that were identified as nonminority male or majority-owned were classified as non-M/WBE firms. If there was no indication of business ownership, these firms were also classified as non-M/WBE firms.
- ◆ **MBE Firms.** All minority-owned firms, regardless of gender.
- ◆ **IWDBE Firms.** An acronym for individuals with disabilities owned business enterprise that is at least 51% owned and operated by one or more individuals with disabilities.
- ◆ **VOBE Firms.** An acronym for veteran owned business enterprise that is at least 51% owned and operated by one or more individuals who are veterans.
- ◆ **SDVOBE Firms.** An acronym for service-disabled veteran owned business enterprise that is at least 51% owned and operated by one or more individuals who are service-disabled veterans.

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<sup>167</sup> Business ownership classification was based on the race, ethnicity, and gender classification of the owner during the study period.

## 4.4.2 Overall Utilization

**Table 4-6** shows the M/WBE utilization amounted to **91.16** percent of total awards. Corresponding detailed analyses showing the utilization of firms by business ownership classification are presented in **Appendix B**.

TABLE 4-6.  
UTILIZATION ANALYSIS BY BUSINESS OWNERSHIP CLASSIFICATION,  
ALL PROCUREMENT CATEGORIES

BUSINESS OWNERSHIP CLASSIFICATION	ALL PROCUREMENT CATEGORIES	
	Dollars (\$)	Percent (%)
African American	\$17,309,732.93	0.93%
Asian American	\$65,628,756.67	3.54%
Hispanic American	\$29,832,558.46	1.61%
Native American	\$839,361.31	0.05%
<b>Total MBE Firms</b>	<b>\$113,610,409.37</b>	<b>6.13%</b>
Non-Minority Female	\$50,035,438.78	2.70%
<b>Total M/WBE Firms</b>	<b>\$163,645,848.15</b>	<b>8.84%</b>
Non-MWBE	\$1,688,562,528.36	91.16%
<b>TOTAL</b>	<b>\$1,852,208,376.51</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on the State's system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

## 4.4.3 Utilization by Procurement Category

The next series of tables show the summary results of MGT's utilization analysis of each of the procurement categories. Corresponding detailed analyses, showing the utilization of firms by business ownership classification for each procurement category, are presented in **Appendix B**.

Beginning with an examination of Construction, **Table 4-7** shows the utilization of M/WBE firms was 10.93 percent. Otherwise, utilization for specific classifications was:

- ◆ 0.26 percent for African American firms;
- ◆ 0.02 percent for Asian American firms;
- ◆ 2.02 percent for Hispanic American firms;
- ◆ 0.26 percent for Native American firms;
- ◆ 2.57 percent for MBE firms;
- ◆ 8.36 percent for Nonminority female firms; and

- ◆ 89.07 percent for Non-M/WBE firms.

TABLE 4-7.  
UTILIZATION ANALYSIS BY BUSINESS OWNERSHIP CLASSIFICATION,  
**CONSTRUCTION**

BUSINESS OWNERSHIP CLASSIFICATION	CONSTRUCTION	
	Dollars (\$)	Percent (%)
African American	\$685,711.86	0.26%
Asian American	\$58,954.85	0.02%
Hispanic American	\$5,243,079.55	2.02%
Native American	\$662,835.49	0.26%
<b>Total MBE Firms</b>	<b>\$6,650,581.75</b>	<b>2.57%</b>
Non-Minority Female	\$21,686,701.03	8.36%
<b>Total M/WBE Firms</b>	<b>\$28,337,282.78</b>	<b>10.93%</b>
Non-MWBE	\$230,930,163.98	89.07%
<b>TOTAL</b>	<b>\$259,267,446.75</b>	<b>100.00</b>

Source: MGT developed a Master Prime File based on the State's system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

**Table 4-8** shows the utilization of M/WBE firms was 0.00 percent in Construction-Related. Utilization for specific classifications was:

- ◆ 0.00 percent for African American firms;
- ◆ 0.00 percent for Asian American firms;
- ◆ 0.00 percent for Hispanic American firms;
- ◆ 0.00 percent for Native American firms;
- ◆ 0.00 percent for MBE firms;
- ◆ 0.00 percent for Nonminority female firms; and
- ◆ 100.00 percent for Non-M/WBE firms.

TABLE 4-8.  
UTILIZATION ANALYSIS BY BUSINESS OWNERSHIP CLASSIFICATION,  
**CONSTRUCTION-RELATED**

BUSINESS OWNERSHIP CLASSIFICATION	Construction Related	
	Dollars (\$)	Percent (%)
African American	\$0.00	0.00%
Asian American	\$0.00	0.00%
Hispanic American	\$1,472.00	0.00%
Native American	\$0.00	0.00%

<b>Total MBE Firms</b>	<b>\$1,472.00</b>	<b>0.00%</b>
Non-Minority Female	\$0.00	0.00%
<b>Total M/WBE Firms</b>	<b>\$1,472.00</b>	<b>0.00%</b>
Non-MWBE	\$219,546,015.74	100.00%
<b>TOTAL</b>	<b>\$219,547,487.74</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on State’s system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

**Table 4-9** shows the utilization of M/WBE firms was 8.79 percent in Services (including professional services). Individually, the M/WBE utilization was:

- ◆ 2.22 percent for African American firms;
- ◆ 3.10 percent for Asian American firms;
- ◆ 0.59 percent for Hispanic American firms;
- ◆ 0.02 percent for Native American firms;
- ◆ 5.94 percent for MBE firms;
- ◆ 2.85 percent for Nonminority female firms; and
- ◆ 91.21 percent for Non-M/WBE firms.

TABLE 4-9.  
UTILIZATION ANALYSIS BY BUSINESS OWNERSHIP CLASSIFICATION,  
SERVICES

BUSINESS OWNERSHIP CLASSIFICATION	SERVICES	
	Dollars (\$)	Percent (%)
African American	\$16,482,777.95	2.22%
Asian American	\$23,030,783.18	3.10%
Hispanic American	\$4,416,456.53	0.59%
Native American	\$176,525.82	0.02%
<b>Total MBE Firms</b>	<b>\$44,106,543.48</b>	<b>5.94%</b>
Non-Minority Female	\$21,179,456.15	2.85%
<b>Total M/WBE Firms</b>	<b>\$65,285,999.63</b>	<b>8.79%</b>
Non-MWBE	\$677,719,592.46	91.21%
<b>TOTAL</b>	<b>\$743,005,592.10</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on the State’s system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

**Table 4-10** shows the utilization of M/WBE firms was 11.11 percent in Goods. Individually, the M/WBE utilization was:

- ◆ 0.02 percent for African American firms;



- ◆ 6.75 percent for Asian American firms;
- ◆ 3.20 percent for Hispanic American firms;
- ◆ 0.00 percent for Native American firms;
- ◆ 9.97 percent for MBE firms;
- ◆ 1.14 percent for Nonminority female firms; and
- ◆ 88.89 percent for Non-M/WBE firms.

TABLE 4-10.  
UTILIZATION ANALYSIS BY BUSINESS OWNERSHIP CLASSIFICATION,  
GOODS

BUSINESS OWNERSHIP CLASSIFICATION	GOODS	
	Dollars (\$)	Percent (%)
African American	\$141,243.12	0.02%
Asian American	\$42,539,018.64	6.75%
Hispanic American	\$20,171,550.38	3.20%
Native American	\$0.00	0.00%
<b>Total MBE Firms</b>	<b>\$62,851,812.14</b>	<b>9.97%</b>
Non-Minority Female	\$7,169,281.60	1.14%
<b>Total M/WBE Firms</b>	<b>\$70,021,093.74</b>	<b>11.11%</b>
Non-MWBE	\$560,366,756.19	88.89%
<b>TOTAL</b>	<b>\$630,387,849.92</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on the State's system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

**Table 4-11** shows the utilization of IWDBE, VOB, and SDVOBE firms. Being that there is significant overlap of the race, ethnicity, and gender classifications within these certificates the utilization is shown at the total IWDBE, VOB, and SDVOBE categories and not by race, ethnicity, and gender.

- ◆ Overall, 0.81 percent for IWDBE firms;
- ◆ Overall, 1.20 percent for VOB firms;
- ◆ Overall, 0.33 percent for SDVOBE firms;
- ◆ Highest percentage of IWDBE firms can be found in Services with 1.82 percent;
- ◆ Highest percentage of VOB firms can be found in Construction Related with 3.00 percent; and
- ◆ Highest percentage of SDVOBE firms can be found in Services with 0.82 percent.

TABLE 4-11.  
ESTIMATION OF AVAILABLE IWDBE, VOB, AND SDVOBE FIRMS

BUSINESS OWNERSHIP CLASSIFICATION	ALL	CONSTRUCTION	CONSTRUCTION RELATED	GOODS	SERVICES
IWDBE	\$14,931,639.13	\$1,385,015.16	\$0.00	\$0.00	\$13,546,623.97
VOBE	\$22,308,915.40	\$7,783,669.88	\$0.00	\$8,334.81	\$14,516,910.71
SDVOBE	\$6,121,126.91	\$0.00	\$0.00	\$0.00	\$6,121,126.91
<b>TOTAL FIRMS</b>	<b>\$1,852,208,376.51</b>	<b>\$259,267,446.75</b>	<b>\$219,547,487.74</b>	<b>\$630,387,849.92</b>	<b>\$743,005,592.10</b>
BUSINESS OWNERSHIP CLASSIFICATION	ALL	CONSTRUCTION	CONSTRUCTION RELATED	GOODS	SERVICES
	(%)	(%)	(%)	(%)	(%)
IWDBE	0.81%	0.53%	0.00%	0.00%	1.82%
VOBE	1.20%	3.00%	0.00%	0.00%	1.95%
SDVOBE	0.33%	0.00%	0.00%	0.00%	0.82%
<b>TOTAL FIRMS</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on the State’s system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

#### 4.4.1 Utilization Conclusions

The utilization analysis shows that M/WBE firms are utilized at lower rates than their non-M/WBE counterparts. Overall, **8.84** percent of the State’s awards went to M/WBE firms, while **91.16** percent went to non-M/WBE firms. While M/WBE utilization is low throughout the views on utilization that have been presented in this chapter, the proportion of firms willing and able to provide services to the State are a critical qualifying context in any determinations of disparity. Additionally, IWDBE, VOB, and SDVOBE firms are used at lower levels similar to their M/WBE firm counterparts. Availability and resulting disparity ratios are presented in **Chapter 5**, which follows, to provide more definitive conclusions in this respect.

# 5 Availability and Disparity Analyses

## 5.1 Introduction

This chapter presents the results of MGT’s **availability** and **disparity analyses**. Availability measures the numbers and proportions of vendors willing and able to work with an agency. At the same time, the disparity is an observed statistically significant difference between the utilization of minority- and female-owned firms (as discussed in **Chapter 4**) relative to their respective availability. Consistent with previous chapters, this analysis focuses on procurements in the categories of Construction, Construction-related services, Goods, and Services sectors between July 1, 2015, through June 30, 2020 (FY2016 – FY2020) for the Division of Government Support Services, Office of Management and Budget, Department of Health & Social Services, and Department of Corrections.

Chapter Sections	
5.1	Introduction
5.2	Availability Estimations
5.3	Disparity Analyses and Significance Testing
5.4	Conclusions

## 5.2 Availability Estimations

The sections that follow describe the approach and methodology used by MGT to estimate availability, followed by the data collection and estimation process results.

### 5.2.1 Availability Methodology

Justice O’Connor in *Croson* stated,

*“Where 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.”*

**Courts define availability** as to whether a firm is **willing and able** to work with the agency in question as a method of constructing the universe of firms that might be considered in that agency’s procurement activities. Due to the statistical limitations of deriving a vendor’s ability, MGT’s methodology focuses on the willingness of the vendors instead of adjusting availability due to capacity.

- ♦ **Willing** is reasonably presumed via the vendors’ active pursuit of registration to work with any public (government) agency or a registration in Dun & Bradstreet with a NAICS code utilized by the public sector entity.
- ♦ **Able**, or capability to perform work, is more loosely defined due to two obscuring factors: (1) the scalable nature of firms, who may reasonably add capacity to handle jobs beyond previous performance, and (2) the inherent concern that discrimination may have influenced the historic or existing scale of operation of the firms within the market. Therefore, the only confining measure of “ability” used to cull the universe of available vendors is that they have some presence within the defined market area.

Thus, a reliable estimation of the number of firms *willing* and *able* to provide each of the respective services under examination is an element in determining disparity. Post-*Croson* case law has not prescribed a single, approach to deriving vendor availability, and agencies have used a variety of means to estimate pools of available vendors that have withstood legal scrutiny; however, among the array of methods utilized, what is known as a “custom census” has received favorable endorsement. The steps used to calculate availability are as follows:

1. Create a database of State of Delaware (State) contracts to identify utilization for the Division of Government Support Services, Office of Management and Budget, Department of Health & Social Services, and Department of Corrections.
2. Identify the relevant geographic market based on the utilization data.
3. Identify the relevant product markets based on the utilization data.
4. Count all businesses in those relevant markets.
5. Identify listed minority- and female-owned businesses in those markets.
6. Verify the ownership status of listed minority- and female-owned businesses (misclassification).
7. Verify the ownership status of all other firms (non-classification).

MGT’s data assessment and evaluation of alternative methods for measuring the numbers of firms of the types and classifications available to work with the State confirmed that a version of a custom census of firms in the relevant market area would provide the most accurate representation of available firms. The custom census approach used by MGT in this instance required the development of representative samples of firms within each of the four procurement categories identified for the study, each of which had to cover the defined 45-county geographic boundaries of the relevant market area.

First, an intensive examination of the State’s procurements was required to define the appropriate characteristics of the universe of prospective vendors regarding the types of goods and services offered. the State procurements were assigned North American Industry Classification System (NAICS) codes that Dun & Bradstreet uses to classify firms’ primary lines of business. These industry selections were then used to establish weighting criteria in random samples of vendors to be surveyed. Target response thresholds were selected for each industry and NAICS code subsector to ensure a 95 percent confidence interval and +/-5 percent margin of error for findings. Second, a survey was designed and administered to sampled firms by telephone and email to verify the ownership status of listed minority- and female-owned businesses (misclassification) or verify the ownership status of all other firms (non-classification).

The survey results were then extrapolated to the full scale of the applicable universe to arrive at an estimation of available firms by ethnicity/gender classification and procurement category.

## 5.2.2 Availability Analysis

Following the methodology prescribed in the previous section, MGT derived estimates for proportions of available firms for the racial, ethnic, and gender ownership classes and four defined procurement categories. Corresponding detailed analyses showing the availability of firms by race, ethnicity, and gender are presented in **Appendix B**.

**Table 5-1** presents availability estimates spanning across all procurement categories in aggregate. We observe that:

- ◆ 7.40 percent for African American firms;
- ◆ 6.97 percent for Asian American firms;
- ◆ 2.15 percent for Hispanic American firms;
- ◆ 0.72 percent for Native American firms;
- ◆ 17.24 percent for MBE firms;
- ◆ 27.69 percent for Nonminority female firms; and
- ◆ 55.07 percent for Non-M/WBE firms.

**TABLE 5-1.**  
**ESTIMATION OF AVAILABLE FIRMS, ALL PROCUREMENT CATEGORIES**

BUSINESS OWNERSHIP CLASSIFICATION	% OF AVAILABLE FIRMS
African Americans	7.40%
Asian Americans	6.97%
Hispanic Americans	2.15%
Native Americans	0.72%
<b>Total MBE Firms</b>	<b>17.24%</b>
Nonminority Females	27.69%
<b>Total M/WBE Firms</b>	<b>44.93%</b>
Non-M/WBE Firms	55.07%
<b>TOTAL</b>	<b>100.00%</b>

Source: Custom Census Analysis. Due to rounding, it may not add up to 100%  
Study Period: July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

In the **Construction** category, we observe the following availability proportions (**Table 5-2**):

- ◆ 8.00 percent for African American firms;
- ◆ 3.74 percent for Asian American firms;
- ◆ 5.39 percent for Hispanic American firms;
- ◆ 0.99 percent for Native American firms;
- ◆ 18.12 percent for MBE firms;
- ◆ 22.25 percent for Nonminority female firms; and
- ◆ 56.63 percent for Non-M/WBE firms.

TABLE 5-2.  
ESTIMATION OF AVAILABLE FIRMS, **CONSTRUCTION**

BUSINESS OWNERSHIP CLASSIFICATION	% OF AVAILABLE FIRMS
African Americans	8.00%
Asian Americans	3.74%
Hispanic Americans	5.39%
Native Americans	0.99%
<b>Total MBE Firms</b>	<b>18.12%</b>
Nonminority Females	25.25%
<b>Total M/WBE Firms</b>	<b>43.37%</b>
Non-M/WBE Firms	56.63%
<b>TOTAL</b>	<b>100.00%</b>

Source: Custom Census Analysis. Due to rounding, it may not add up to 100%  
Study Period: July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

Within the **Construction Related** category (**Table 5-3**), availability estimates are as follows:

- ◆ 1.75 percent for African American firms;
- ◆ 9.00 percent for Asian American firms;
- ◆ 3.26 percent for Hispanic American firms;
- ◆ 0.05 percent for Native American firms;
- ◆ 14.05 percent for MBE firms;
- ◆ 20.53 percent for Nonminority female firms; and
- ◆ 34.58 percent for Non-M/WBE firms.

TABLE 5-3.  
ESTIMATION OF AVAILABLE FIRMS, **CONSTRUCTION RELATED**

BUSINESS OWNERSHIP CLASSIFICATION	% OF AVAILABLE FIRMS
African Americans	1.75%
Asian Americans	9.00%
Hispanic Americans	3.26%
Native Americans	0.05%
<b>Total MBE Firms</b>	<b>14.05%</b>
Nonminority Females	20.53%
<b>Total M/WBE Firms</b>	<b>34.58%</b>
Non-M/WBE Firms	65.42%
<b>TOTAL</b>	<b>100.00%</b>

Source: Custom Census Analysis. Due to rounding, it may not add up to 100%  
Study Period: July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

In **Goods (Table 5-4)**, availability estimates were as follows:

- ◆ 9.04 percent for African American firms;
- ◆ 7.78 percent for Asian American firms;
- ◆ 0.51 percent for Hispanic American firms;
- ◆ 0.01 percent for Native American firms;
- ◆ 17.35 percent for MBE firms;
- ◆ 38.26 percent for Nonminority female firms; and
- ◆ 44.39 percent for Non-M/WBE firms.

TABLE 5-4.  
ESTIMATION OF AVAILABLE FIRMS, **GOODS**

BUSINESS OWNERSHIP CLASSIFICATION	% OF AVAILABLE FIRMS
African Americans	9.04%
Asian Americans	7.78%
Hispanic Americans	0.51%
Native Americans	0.01%
<b>Total MBE Firms</b>	<b>17.35%</b>
Nonminority Females	38.26%
<b>Total M/WBE Firms</b>	<b>55.61%</b>
Non-M/WBE Firms	44.39%
<b>TOTAL</b>	<b>100.00%</b>

Source: Custom Census Analysis. Due to rounding, it may not add up to 100%  
Study Period: July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

Finally, in the **Services (7.46 percent** for African American firms;

- ◆ 6.82 percent for Asian American firms;
- ◆ 2.09 percent for Hispanic American firms;
- ◆ 1.41 percent for Native American firms;
- ◆ 17.79 percent for MBE firms;
- ◆ 21.68 percent for Nonminority female firms; and
- ◆ 60.53 percent for Non-M/WBE firms.

TABLE 5-5.  
ESTIMATION OF AVAILABLE FIRMS, **SERVICES**

), availability estimates consisted of:

- ◆ 7.46 percent for African American firms;
- ◆ 6.82 percent for Asian American firms;
- ◆ 2.09 percent for Hispanic American firms;
- ◆ 1.41 percent for Native American firms;
- ◆ 17.79 percent for MBE firms;
- ◆ 21.68 percent for Nonminority female firms; and
- ◆ 60.53 percent for Non-M/WBE firms.

TABLE 5-5.  
ESTIMATION OF AVAILABLE FIRMS, **SERVICES**

BUSINESS OWNERSHIP CLASSIFICATION	% OF AVAILABLE FIRMS
African Americans	7.46%
Asian Americans	6.82%
Hispanic Americans	2.09%
Native Americans	1.41%
<b>Total MBE Firms</b>	<b>17.79%</b>
Nonminority Females	21.68%
<b>Total M/WBE Firms</b>	<b>39.47%</b>
Non-M/WBE Firms	60.53%
<b>TOTAL</b>	<b>100.00%</b>

Source: Custom Census Analysis. Due to rounding, it may not add up to 100%  
Study Period: July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

MGT estimated the availability of IWDBE, VOB, and SDVOBE firms directly from the custom census survey to determine the percentage of available firms in the marketplace. It was noted that there is significant overlap of the race, ethnicity, and gender classifications within these certificates. The estimates are shown for the total IWDBE, VOB, and SDVOBE categories and not by race, ethnicity, and gender. **Table 5-6** illustrates these estimates, and shows:

- ◆ Overall, 1.44 percent for IWDBE firms;
- ◆ Overall, 7.39 percent for VOB firms;
- ◆ Overall, 1.33 percent for SDVOBE firms;
- ◆ Highest percentage of IWDBE firms can be found in Goods with 1.93 percent;
- ◆ Highest percentage of VOB firms can be found in Construction Related with 12.31 percent; and
- ◆ Highest percentage of SDVOBE firms can be found in Construction Related with 3.08 percent.



TABLE 5-6.  
ESTIMATION OF AVAILABLE IWDDBE, VOB, AND SDVOB FIRMS

BUSINESS OWNERSHIP CLASSIFICATION	TOTAL	CONSTRUCTION	CONSTRUCTION RELATED	GOODS	SERVICES
IWDDBE	1.44%	0.43%	1.54%	1.93%	1.72%
VOB	7.39%	7.07%	12.31%	8.23%	6.46%
SDVOB	1.33%	0.86%	3.08%	1.23%	1.58%
<b>TOTAL</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

Source: Custom Census Survey. Due to rounding, it may not add up to 100%  
Study Period: July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

### 5.3 Disparity Analyses and Significance Testing

Building on our understanding of the State’s vendor utilization (**Chapter 4**) and the availability estimates presented in the previous section of this chapter (**Section 5.2**), we used this information to identify potential disparities in the State’s procurement. A summary of the approach is provided in **Section 5.3.1**, followed by the results of these disparity calculations, and associated statistical significance testing in **Section 5.3.2**.

#### 5.3.1 Disparity Analysis Methodology

Disparity, in this context, is the analysis of the differences between the utilization of minority- and female-owned firms (as presented in **Chapter 3**) and the respective availability of those firms (**Section 4.2**). Thus, MGT calculated disparity indices to examine whether minority- and woman-owned firms received a proportional share of dollars based on the respective availability of minority- and female-owned firms located in the study’s defined relevant market area (as presented in **Chapter 4**).

MGT’s disparity index methodology yields a value that is easily calculable, understandable in its interpretation, and universally comparable such that a disparity in utilization within the minority- and female-owned firms can be assessed concerning the utilization of nonminority- and male-owned firms.

The **disparity index** is a simple proportional calculation that divides utilization rates (percent of dollars awarded to firms by class) by their associated availability (percent of firms available to work, within that same class) and multiplies this value by 100. Thus, a disparity index value of zero (0.00) indicates absolutely no utilization and, therefore, absolute disparity. A disparity index of 100 indicates that

utilization is perfectly proportionate to availability, indicating the absence of disparity (all things being equal). Alternately, firms are considered **underutilized** if the disparity indices are less than 100 and **overutilized** if the indices are above 100.

Since there is no standardized measurement to evaluate the levels of underutilization or overutilization within a procurement context, MGT’s methodology to measure disparity, if the disparity is found, is based on the Equal Employment

**Disparity Index =**  
 **$\%U_{m,p_i} \div \%A_{m,p_i} \times 100$**

**$U_{m,p_i}$**  = utilization of minorities- and female-owned firms<sub>i</sub> for procurement<sub>i</sub>

**$A_{m,p_i}$**  = availability of minorities- and female-owned firms<sub>i</sub> for procurement<sub>i</sub>

Opportunity Commission’s (EEOC) “80 percent rule.”<sup>168</sup> An employment disparity index below 80 indicates a “substantial disparity.” The Supreme Court has accepted the use of the “80 percent rule” in *Connecticut v. Teal (Teal)*, 457 U.S. 440 (1982).<sup>169</sup> Therefore, following a similar pattern, firms are considered substantially underutilized (substantial disparity) if the disparity indices are 80 or less.

Standard deviation tests or testing for **statistical significance**, in this context, is the analysis to determine the significance of the difference between the utilization of minority- and female-owned firms and the availability of those firms. This analysis can determine whether the disparities are substantial or statistically significant, which lends further statistical support to a finding of discrimination. The following explains MGT’s methodology.

Standard deviation measures the probability that a result is a random deviation from a predicted outcome. The greater the number of standard deviations, the lower the probability that the result is random.

Regarding the use of statistical significance in the disparity study context, the National Cooperative Highway Research Program Report 644<sup>170</sup> notes that:

- ♦ “. . . for statistical disparities to be taken as legally dispositive in the discrimination context, they should be (a) statistically significant and (b) “substantively” significant. Substantive significance is taken to mean, for example, a DBE utilization measure that is less than or equal to 80% of the corresponding DBE availability measure.”

### Statistical Significance Testing

$$t = \frac{u - a}{\sqrt{\frac{a * (1 - a) * \sum c_i^2}{(\sum c_i)^2}}}$$

t = the t-statistic

u = the ratio of minorities- and female-owned firms' dollars compared to total dollars

a = the ratio of M/W/DBE firms to all firms

c<sub>i</sub> = the dollar amount.

Note that p-values are used to determine whether the differences between two populations feature legitimate differences (that would be sustained if we continued to collect more observations) or if the variation between them is simply a product of normal random variation between observations that would be washed out if we collected more data. As persuasive authority, the Fourth Circuit approved using the t-test to calculate p-values for disparity indices in *H.B. Rowe v. Tippett*, 615 F.3d 233, 244-45 (4<sup>th</sup> Cir 2010).

Thus, MGT applies two significant tests to determine statistical significance: (1) whether the disparity index is less than or equal to 80 percent of respective M/WBE availability, which is labeled “substantial disparity,” and (2) whether the disparity index passes the t-test determination of statistical significance. In cases where one, or especially both, measures hold true, a remedy is typically deemed justifiable by courts, making these results critical outcomes of the subsequent analyses.

<sup>168</sup> Equal Employment Opportunity Commission, *Uniform Guidelines on Employee Selection Procedures*, Section 4, Part D, “Adverse impact and the ‘four-fifths rule.’”

<sup>169</sup> In *Teal* and other affirmative action cases, the terms “adverse impact,” “disparate impact,” and “discriminatory impact” are used interchangeably to characterize values of 80 and below.

<sup>170</sup> Transportation Research Board of the National Academies, *National Cooperative Highway Research Program Report 644, Guidelines for Conducting a Disparity and Availability Study for the Federal DBE Program* (2010), pages 49-50.

### 5.3.2 Disparity Analyses and Statistical Significance Testing

This section includes inputs and calculations of disparity indices and significance testing for each of the procurement categories and ownership classifications. Corresponding detailed analyses showing the disparity analysis of firms by race, ethnicity, and gender are presented in **Appendix B**. Analysis of disparities across all procurement categories in **Table 5-7** reveals:

- ◆ African American firms were underutilized with a substantial and statistically significant disparity index of 12.63;
- ◆ Asian American firms were substantially underutilized, with a disparity index of 50.80;
- ◆ Hispanic American firms were substantially underutilized, with a disparity index of 74.78;
- ◆ Native American firms were substantially underutilized, with a disparity index of 6.34;
- ◆ MBE firms were underutilized, with a substantial and statistically significant disparity index of 35.57;
- ◆ Nonminority Female firms were underutilized, with a substantial and statistically significant disparity index of 9.76; and
- ◆ M/WBEs firms were underutilized, with a substantial and statistically significant disparity index of 19.67.

TABLE 5-7. DISPARITY INDICES AND SIGNIFICANCE TESTING,  
ALL PROCUREMENT CATEGORIES

Ethnic/Gender Classification	Utilization	Availability	Disparity Index	Disparity Impact	Statistical Significance	Disparity Conclusion
<b>African Americans</b>	<b>0.93%</b>	<b>7.40%</b>	<b>12.63</b>	<b>Underutilization</b>	<b>***</b>	<b>Disparity</b>
Asian Americans	3.54%	6.97%	50.80	Underutilization		Disparity
Hispanic Americans	1.61%	2.15%	74.78	Underutilization		Disparity
Native Americans	0.05%	0.72%	6.34	Underutilization		Disparity
<b>Total MBE Firms</b>	<b>6.13%</b>	<b>17.24%</b>	<b>35.57</b>	<b>Underutilization</b>	<b>***</b>	<b>Disparity</b>
<b>Nonminority Females</b>	<b>2.70%</b>	<b>27.69%</b>	<b>9.76</b>	<b>Underutilization</b>	<b>***</b>	<b>Disparity</b>
<b>Total M/WBE Firms</b>	<b>8.84%</b>	<b>44.93%</b>	<b>19.67</b>	<b>Underutilization</b>	<b>***</b>	<b>Disparity</b>
Non-M/WBE Firms	91.16%	55.07%	165.54	Overutilization	<b>***</b>	

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* Indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence). **BOLD** indicates substantial statistically significant disparity.

Disparity indices and significance testing for **Construction** appear in **Table 5-8**. Noteworthy observations include:

- ◆ African American firms were underutilized, with a substantial and statistically significant disparity index of 3.31;
- ◆ Asian American firms were substantially underutilized, with a disparity index of 0.61;

- ◆ Hispanic American firms were substantially underutilized, with a disparity index of 37.49;
- ◆ Native American firms were substantially underutilized, with a disparity index of 25.86;
- ◆ MBE firms were underutilized, with a substantial and statistically significant disparity index of 14.15;
- ◆ Nonminority Female firms were underutilized, with a substantial and statistically significant disparity index of 33.13; and
- ◆ M/WBEs firms were underutilized, with a substantial and statistically significant disparity index of 25.20.

TABLE 5-8. DISPARITY INDICES AND SIGNIFICANCE TESTING,  
CONSTRUCTION

Ethnic/Gender Classification	Utilization	Availability	Disparity Index	Disparity Impact	Statistical Significance	Disparity Conclusion
<b>African Americans</b>	0.26%	8.00%	3.31	<b>Underutilization</b>	***	<b>Disparity</b>
Asian Americans	0.02%	3.74%	0.61	Underutilization		Disparity
Hispanic Americans	2.02%	5.39%	37.49	Underutilization		Disparity
Native Americans	0.26%	0.99%	25.86	Underutilization		Disparity
<b>Total MBE Firms</b>	<b>2.57%</b>	<b>18.12%</b>	<b>14.15</b>	<b>Underutilization</b>	***	<b>Disparity</b>
<b>Nonminority Females</b>	<b>8.36%</b>	<b>25.25%</b>	<b>33.13</b>	<b>Underutilization</b>	***	<b>Disparity</b>
<b>Total M/WBE Firms</b>	<b>10.93%</b>	<b>43.37%</b>	<b>25.20</b>	<b>Underutilization</b>	***	<b>Disparity</b>
Non-M/WBE Firms	89.07%	56.63%	157.29	Overutilization	***	

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* Indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence). **BOLD** indicates substantial statistically significant disparity.

The calculation of disparity indices and significance testing for the **Construction Related** procurement category are depicted in **Table 5-9**. Relevant findings include:

- ◆ African American firms were substantially underutilized with a disparity index of 0.00;
- ◆ Asian American firms were substantially underutilized, with a disparity index of 0.00;
- ◆ Hispanic American firms were substantially underutilized, with a disparity index of 0.02;
- ◆ Native American firms were substantially underutilized, with a disparity index of 0.00;
- ◆ MBE firms were underutilized, with a substantial and statistically significant disparity index of 0.00;
- ◆ Nonminority Female firms were underutilized, with a substantial and statistically significant disparity index of 0.00; and
- ◆ M/WBEs firms were underutilized, with a substantial and statistically significant disparity index of 0.00.

TABLE 5-9. DISPARITY INDICES AND SIGNIFICANCE TESTING,  
CONSTRUCTION RELATED

Ethnic/Gender Classification	Utilization	Availability	Disparity Index	Disparity Impact	Statistical Significance	Disparity Conclusion
African Americans	0.00%	1.75%	0.00	Underutilization		Disparity
Asian Americans	0.00%	9.00%	0.00	Underutilization		Disparity
Hispanic Americans	0.00%	3.26%	0.02	Underutilization		Disparity
Native Americans	0.00%	0.05%	0.00	Underutilization		Disparity
<b>Total MBE Firms</b>	<b>0.00%</b>	<b>14.05%</b>	<b>0.00</b>	<b>Underutilization</b>	*	<b>Disparity</b>
<b>Nonminority Females</b>	<b>0.00%</b>	<b>20.53%</b>	<b>0.00</b>	<b>Underutilization</b>	**	<b>Disparity</b>
<b>Total M/WBE Firms</b>	<b>0.00%</b>	<b>34.58%</b>	<b>0.00</b>	<b>Underutilization</b>	***	<b>Disparity</b>
Non-M/WBE Firms	100.00%	65.42%	152.86	Overutilization	***	

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* Indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*" indicates significance at a 5% level or better (95% confidence). **BOLD** indicates substantial statistically significant disparity.

Disparity indices and significance testing for the **Goods** sector are presented in **Table 5-10**. Some findings include that:

- ♦ African American firms were underutilized, with a statistically and substantially significant disparity index of 0.25;
- ♦ Asian American firms were underutilized, with a disparity index of 86.70;
- ♦ Native American firms were substantially underutilized, with a disparity index of 0.00;
- ♦ MBE firms were underutilized, with a substantial and statistically significant disparity index of 57.46;
- ♦ Nonminority Female firms were underutilized, with a substantial and statistically significant disparity index of 2.97; and
- ♦ M/WBEs firms were underutilized, with a substantial and statistically significant disparity index of 19.98.

TABLE 5-10. DISPARITY INDICES AND SIGNIFICANCE TESTING,  
GOODS

Ethnic/Gender Classification	Utilization	Availability	Disparity Index	Disparity Impact	Statistical Significance	Disparity Conclusion
<b>African Americans</b>	<b>0.02%</b>	<b>9.04%</b>	<b>0.25</b>	<b>Underutilization</b>	**	<b>Disparity</b>
Asian Americans	6.75%	7.78%	86.70	Underutilization		Disparity
Hispanic Americans	3.20%	0.51%	628.00	Overutilization	***	
Native Americans	0.00%	0.01%	0.00	Underutilization		Disparity
Total MBE Firms	9.97%	17.35%	57.46	Underutilization		Disparity
<b>Nonminority Females</b>	<b>1.14%</b>	<b>38.26%</b>	<b>2.97</b>	<b>Underutilization</b>	***	<b>Disparity</b>
<b>Total M/WBE Firms</b>	<b>11.11%</b>	<b>55.61%</b>	<b>19.98</b>	<b>Underutilization</b>	***	<b>Disparity</b>
Non-M/WBE Firms	88.89%	44.39%	200.24	Overutilization	***	

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* Indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*" indicates significance at a 5% level or better (95% confidence). **BOLD** indicates substantial statistically significant disparity.

**Table 5-11** presents disparity indices and significance testing for the **Services** sector.

- ♦ African American firms were substantially underutilized, with a disparity index of 29.73;
- ♦ Asian American firms were substantially underutilized, with a disparity index of 45.45;
- ♦ Hispanic American firms were substantially underutilized, with a disparity index of 28.40;
- ♦ Native American firms were substantially underutilized, with a disparity index of 1.68;
- ♦ MBE firms were underutilized, with a substantial and statistically significant disparity index of 33.38;
- ♦ Nonminority Female firms were underutilized, with a substantial and statistically significant disparity index of 13.15; and
- ♦ M/WBEs firms were underutilized, with a substantial and statistically significant disparity index of 22.26.

TABLE 5-11. DISPARITY INDICES AND SIGNIFICANCE TESTING,  
**SERVICES**

Ethnic/Gender Classification	Utilization	Availability	Disparity Index	Disparity Impact	Statistical Significance	Disparity Conclusion
African Americans	2.22%	7.46%	29.73	Underutilization		Disparity
Asian Americans	3.10%	6.82%	45.45	Underutilization		Disparity
Hispanic Americans	0.59%	2.09%	28.40	Underutilization		Disparity
Native Americans	0.02%	1.41%	1.68	Underutilization		Disparity
<b>Total MBE Firms</b>	<b>5.94%</b>	<b>17.79%</b>	<b>33.38</b>	<b>Underutilization</b>	<b>**</b>	<b>Disparity</b>
<b>Nonminority Females</b>	<b>2.85%</b>	<b>21.68%</b>	<b>13.15</b>	<b>Underutilization</b>	<b>***</b>	<b>Disparity</b>
<b>Total M/WBE Firms</b>	<b>8.79%</b>	<b>39.47%</b>	<b>22.26</b>	<b>Underutilization</b>	<b>***</b>	<b>Disparity</b>
Non-M/WBE Firms	91.21%	60.53%	150.69	Overutilization	***	

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* Indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence). **BOLD** indicates substantial statistically significant disparity.

As previously stated, MGT calculated disparity of IWDBE, VOB, and SDVOB at the total level given there is significant overlap of the race, ethnicity, and gender classifications within these classifications. The disparities are shown at the total IWDBE, VOB, and SDVOB categories and not by race, ethnicity, and gender. **Table 5-12** illustrates these estimates, and shows:

- ♦ Overall, IWDBE firms were underutilized, with a substantial and statistically significant disparity index of 0.25
- ♦ Overall, VOB firms were underutilized, with a substantial and statistically significant disparity index of 0.25;
- ♦ Overall, SDVOB firms were underutilized, with a substantial and statistically significant disparity index of 0.25;
- ♦ By business category all classifications had substantial and statistically significant disparities except for IWDBE firms in Construction and Services.

TABLE 5-12. DISPARITY INDICES AND SIGNIFICANCE TESTING,  
ESTIMATION OF AVAILABLE IWDBE, VOB, AND SDVOBE FIRMS

UTILIZATION					
BUSINESS OWNERSHIP CLASSIFICATION	TOTAL	CONSTRUCTION	CONSTRUCTION RELATED	GOODS	SERVICES
IWDBE	0.81%	0.53%	0.00%	0.00%	1.82%
VOBE	1.20%	3.00%	0.00%	0.00%	1.95%
SDVOBE	0.33%	0.00%	0.00%	0.00%	0.82%
<b>TOTAL</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>
AVAILABILITY					
BUSINESS OWNERSHIP CLASSIFICATION	TOTAL	CONSTRUCTION	CONSTRUCTION RELATED	GOODS	SERVICES
IWDBE	1.44%	0.43%	1.54%	1.93%	1.72%
VOBE	7.39%	7.07%	12.31%	8.23%	6.46%
SDVOBE	1.33%	0.86%	3.08%	1.23%	1.58%
<b>TOTAL</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>
DISPARITY					
BUSINESS OWNERSHIP CLASSIFICATION	TOTAL	CONSTRUCTION	CONSTRUCTION RELATED	GOODS	SERVICES
IWDBE	<b>55.81***</b>	124.74	<b>0.00***</b>	<b>0.00***</b>	105.90
VOBE	<b>16.30***</b>	<b>42.49***</b>	<b>0.00***</b>	<b>0.02***</b>	<b>30.26***</b>
SDVOBE	<b>24.79***</b>	<b>0.00***</b>	<b>0.00***</b>	<b>0.00***</b>	<b>52.20***</b>

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. “\*\*\*” indicates significance at a 5% level or better (95% confidence).

**BOLD** indicates substantial statistically significant disparity.

## 5.4 Conclusions

The calculations of availability and disparity within this chapter and the utilization results serve as the foundation for the future of the State’s supplier diversity program. These analyses provide quantitative legal justification for any current or future remedies to assist M/WBE enterprises within the market. As summarized in the table below (**Table 5-13**), disparities between utilization and availability have been observed for most procurement and M/WBE categories included within the scope of the study, both in terms of the order of magnitude (Disparity Indices less than or equal to 80) and statistical significance. As well as for IWDBE, VOB, and SDVOB firms.

TABLE 5-13. DISPARITY ANALYSIS SUMMARY

Procurement Category	All	Construction	Construction Related	Goods	Services
African Americans	<b>Disparity</b>	<b>Disparity</b>	Disparity	<b>Disparity</b>	Disparity
Asian Americans	Disparity	Disparity	Disparity	Disparity	Disparity
Hispanic Americans	Disparity	Disparity	Disparity	No Disparity	Disparity
Native Americans	Disparity	Disparity	Disparity	Disparity	Disparity
Total MBE Firms	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	Disparity	<b>Disparity</b>
Nonminority Females	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
Total M/WBE Firms	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
IWDBE	<b>Disparity</b>	No Disparity	<b>Disparity</b>	<b>Disparity</b>	No Disparity
VOB	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
SDVOB	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>

**BOLD** indicates substantial statistically significant disparity.



# 6 Private Sector Analysis

## 6.1 Introduction

The **Legal Framework** presented in **Chapter 2** documents how a government entity must document active or passive discrimination to justify race and gender conscious remedies promoted through the institution of a minority- and female-owned business enterprise (M/WBE) program. Courts further require a *compelling interest* analysis showing a connection between the government or agency and the public or private discrimination that may exist within their jurisdiction. This chapter focuses on the overarching question:

- ◆ ***Do disparities exist in the private sector marketplace, which gives rise to a compelling governmental interest, thus supporting the state of Delaware’s (State) continuance of its supplier diversity program to avoid becoming a passive participant in discrimination?***

Chapter Sections	
6.1	Introduction
6.2	Private Sector Disparities in SBO Census Data
6.3	Private Sector Disparities in ABS Census Data
6.4	Analysis of Race, Ethnicity, and Gender Effects on Self-Employment Rates
6.5	Access to Credit
6.6	Conclusion

*Passive discrimination* describes a circumstance where a public entity resides in a market with measurably disparate circumstances in the public and private sector but fails to take proactive actions to implement remedies within the domain of its control. Substantiating the relevance of an analysis of the private sector courts have favorably looked upon private sector analyses as support to determine *compelling interest* in M/WBE programs:

- ◆ Defining passive participation, Justice O’Connor in *Croson* stated, “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.”<sup>171</sup>
- ◆ In *Adarand*, the Tenth Circuit favorably cited evidence of capital market discrimination as relevant in establishing the factual predicate for the federal DBE program.<sup>172</sup>
- ◆ *Concrete Works IV* found that barriers to business formation were relevant insofar as the evidence demonstrated that M/WBEs were “precluded from the outset from competing for public construction contracts.”<sup>173</sup>
- ◆ In *Adarand*, the courts concluded a compelling interest for a government Disadvantaged Business Enterprise (DBE) program in part on evidence of private-sector discrimination.<sup>174</sup>

<sup>171</sup> *Richmond v. J. A. Croson Co.*, 488 U.S. 469, 492 (1989).

<sup>172</sup> *Adarand Constructors, Inc. v. Slater*, 228 F.3d 1147, 1168-70 (10th Cir. 2000).

<sup>173</sup> *Concrete Works of Colo. v. City & Cnty. of Denver*, 321 F.3d 950, 977 (10th Cir. 2003).

<sup>174</sup> *Adarand Constructors, Inc. v. Slater*, 228 F.3d 1147 (10th Cir. 2000)

- ♦ Along related lines, a court found regression analysis of census data to be relevant evidence showing barriers to M/WBE formation.<sup>175</sup>

Thus, discriminatory practices in the private marketplace may, in many circumstances, show or serve to support the *compelling interest* required by courts to support an agency's program to intervene to prevent the agency from becoming a *passive participant* in discrimination.

These decisions support an investigation into this private sector domain to develop a comprehensive framework and set of perspectives traditionally used to justify M/WBE programs. This chapter provides an accumulation of evidence for the overarching question of whether the State has a continued compelling interest to maintain its supplier diversity program based on circumstances observed in the private sector. This is investigated using three specific sources of data leveraged to address particular questions substantiating the overarching research question regarding disparities in the private sector:

- ♦ **2012 Census Survey of Business Owners (SBO) and 2017 Census Annual Business Survey (ABS) data**, which are used to determine:
  1. *Do marketplace disparities exist in the private sector regarding revenue within similar state of Delaware procurement categories for firms owned by minorities or females?*
- ♦ **2015-2019 Census American Community Survey (ACS) Public Used Microdata Sample (PUMS) data**, which are used to determine:
  1. *Are racial, ethnic, and gender minority groups less likely than nonminority males (non-M/WBEs) to be self-employed? If so, does race, ethnicity, or gender have a role in the disparity?*
  2. *Does racial, ethnic, and gender status impact self-employed individuals' earnings?*
  3. *Suppose minority and female-owned business enterprises (M/WBEs) and nonminority male-owned firms shared similar traits and marketplace "conditions" (i.e., similar "rewards" in terms of capital and asset accrual), what would be the effect on rates of self-employment by race, ethnicity, and gender?*

In answering these questions, the private sector analysis mirrors many of the same anecdotal comments offered in **Chapter 7, Anecdotal Analysis**, regarding difficulties M/WBE firms have in securing work on private sector projects.

## 6.2 Private Sector Disparities in SBO Census Data

To answer the research question regarding the existence of disparities in the private sector, as well as the specific question (1) of whether these disparities exist in procurement categories relevant to the State contracting domain, MGT obtained and analyzed the U.S. Census Bureau's 2012 Survey of Business Owners (SBO) data to measure private sector disparities.<sup>176</sup> SBO provides data on economic and demographic characteristics for businesses and business owners by geography (such as states and metropolitan areas), categorized by industries defined by North American Industry Classification System

<sup>175</sup> *Concrete Works IV*, 321 F.3d 950, 967-69 (10th Cir. 2003).

<sup>176</sup> These represent the most recent available data provided through the SBO program and were released in 2016.

(NAICS) codes, and supporting information including firm receipts (sales),<sup>177</sup> firm employment size, and business ownership classification. The survey has been administered every five years since 1972 as part of the economic census.

The SBO gathers and reports data on (1) firms with paid employees, including workers on the payroll (employer firms), and (2) firms without paid employees, including sole proprietors and partners of unincorporated businesses that do not have any other employees on the payroll (nonemployer firms), as well as (3) in aggregate across all firms. MGT calculated private sector disparity indices to examine whether M/WBE firms in any of these categories received a proportionate share of firm sales based on the availability of M/WBE firms. Disparity indices were reviewed for all firms and employer firms. It should be noted that all the disparity indices in the SBO tables are statistically significant within a **95 percent** confidence interval.

The following NAICS codes<sup>178</sup> were analyzed because they align with the categories of utilization analyzed for the state of Delaware

- ◆ NAICS Code 23, Construction
- ◆ NAICS Code 42, Wholesale Trade
- ◆ NAICS Code 54, Professional, Scientific, and Technical Services
- ◆ NAICS Code 56, Administrative and Support and Waste Management and Remediation Services
- ◆ NAICS Code 81, Other Services (Except Public Administration)

## 6.2.1 Results of Analysis

This private sector analysis presents disparity results based on the following geographic market areas: (1) the state of Delaware and (2) the Maryland portions of the Baltimore MSA. These marketplaces were chosen because they are the area's most readily available in the SBO data that allow for similar comparison to the public-sector utilization. The results are presented below.

## 6.2.2 State of Delaware Marketplace

**Tables 6-1** through **6-5** show the measures of private sector disparities based on U.S. Census, 2012 SBO data for the population of available firms in the state of Delaware by race, ethnicity, and gender for construction; wholesale trade; professional, scientific, and technical services; administrative and support and waste management and remediation services; and other services (except public administration).

Based on the analysis of the U.S. Census, 2012 SBO data, overall, there remains a significant gap between the market share of M/WBE firms and their share of the state of Delaware business population, where data were available.

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<sup>177</sup> Sales includes total shipments, receipts, revenue, or business done by the firm.

<sup>178</sup> The two-digit NAICS code level was utilized as those codes are the most prevalent level across all the 2012 SBO data.

## NAICS Code 23: Construction, State Marketplace

**Table 6-1** shows the availability, sales, and disparity results for construction. The results were derived from those firms which provide construction or construction-related services based on the NAICS Code 23.

There was a total of 7,814 construction firms (all firms<sup>179</sup>) in the state of Delaware marketplace in 2012, of which 11.76 percent were owned by minorities.

- ◆ African American firms (disparity index of 7.24) were substantially underutilized, accounting for 4.42 percent of all firms and 0.32 percent of sales.
- ◆ American Indian or Alaska Native firms (disparity index of 12.92) were substantially underutilized, accounting for 0.44 percent of all firms and 0.06 percent of sales.
- ◆ Asian firms (disparity index of 28.23) were substantially underutilized, accounting for 0.92 percent of all firms and 0.26 percent of sales.
- ◆ Hispanic American firms (disparity index of 24.11) were substantially underutilized, accounting for 5.99 percent of all firms and 1.44 percent of sales.
- ◆ Data for Native Hawaiian/Pacific Islander firms was insufficient for analysis.

There was a total of 2,132 construction employer firms<sup>180</sup> in the state of Delaware marketplace in 2012, of which 5.53 percent were owned by minorities.

- ◆ African American firms (disparity index of 14.33) were substantially underutilized, accounting for 1.22 percent of employer firms and 0.17 percent of sales.
- ◆ Asian firms (disparity index of 19.79) were substantially underutilized, accounting for 1.22 percent of employer firms and 0.24 percent of sales.
- ◆ Hispanic American firms (disparity index of 24.11) were substantially underutilized, accounting for 5.99 percent of employer firms and 1.44 percent of sales.
- ◆ Nonminority female firms (disparity index of 94.33) were underutilized, accounting for 6.43 percent of employer firms and 6.06 percent of all sales.
- ◆ Data for American Indian or Alaska Native firms, Hispanic firms, Native Hawaiian/Pacific Islander firms was insufficient for analysis.

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<sup>179</sup> All firms, a compilation of employer firms and nonemployer firms, were examined since nonemployer firms can provide services at the subcontractor/subconsultant level, as well hire independent contractors to increase capacity.

<sup>180</sup> Employer firms include firms with payroll at any time during 2012.

TABLE 6-1. PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 23, CONSTRUCTION  
U.S. CENSUS 2012 SURVEY OF BUSINESS OWNERS, STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	ALL FIRMS (#)	ALL FIRMS, SALES (\$1,000)	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	7,814	3,946,770	2,132	3,530,515
Nonminority Male	6,445	3,634,115	1,877	3,301,816
Minority	919	82,084	118	14,691
African American	345	12,616	26	6,169
American Indian or Alaska Native <sup>1</sup>	34	2,219	1	S
Asian <sup>2</sup>	72	10,268	26	8,522
Hispanic	468	56,981	65	S
Native Hawaiian or Pacific Islander <sup>3</sup>	S	S	S	S
Nonminority Female <sup>4</sup>	450	230,571	137	214,008
PERCENTAGE OF MARKETPLACE				
All Firms	100.00%	100.00%	100.00%	100.00%
Nonminority Male	82.48%	92.08%	88.04%	93.52%
Minority	11.76%	2.08%	5.53%	0.42%
African American	4.42%	0.32%	1.22%	0.17%
American Indian or Alaska Native <sup>1</sup>	0.44%	0.06%	0.05%	N/A
Asian <sup>2</sup>	0.92%	0.26%	1.22%	0.24%
Hispanic	5.99%	1.44%	3.05%	N/A
Native Hawaiian or Pacific Islander <sup>3</sup>	N/A	N/A	N/A	N/A
Nonminority Female <sup>4</sup>	5.76%	5.84%	6.43%	6.06%
DISPARITY RATIOS <sup>5</sup>				
All Firms		100.00		100.00
Nonminority Male		111.64		106.23
Minority		17.68		7.52
African American		7.24		14.33
American Indian or Alaska Native <sup>1</sup>		12.92		-
Asian <sup>2</sup>		28.23		19.79
Hispanic		24.11		-
Native Hawaiian or Pacific Islander <sup>3</sup>		-		-
Nonminority Female <sup>4</sup>		101.44		94.33

Source: MGT of America, Inc. conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2012 Survey of Business Owners (SBO) data.

<sup>1</sup> Native American consists of American Indian- and Alaska Native-owned firms.

<sup>2</sup> Asian American consists of Asian-owned firms.

<sup>3</sup> Native Hawaiian and Pacific Islander consists of Native Hawaiian and Other Pacific Islander-owned firms.

<sup>4</sup> Nonminority Women consists of White Women-owned.

<sup>5</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

N/A denotes data on business ownership classification group was not available.

## NAICS Code 42: Wholesale Trade, State Marketplace

Table 6-2 **Table 6-2** shows the availability, sales, and disparity results for wholesale trade firms. The results were derived from those firms which sell capital or durable goods to other businesses based on NAICS Code 42.

There was a total of 1,935 wholesale trade firms (all firms) in the State of Delaware marketplace in 2012, of which 12.92 percent were owned by minorities.

- ◆ African American firms (disparity index of 1.08) were substantially underutilized, accounting for 4.70 percent of all firms and 0.05 percent of sales.
- ◆ Asian firms (disparity index of 10.85) were substantially underutilized, accounting for 5.63 percent of all firms and 0.61 percent of sales.
- ◆ Nonminority female firms (disparity index of 6.92) were substantially underutilized, accounting for 12.71 percent of all firms and 0.88 percent of sales.
- ◆ Data for American Indian or Alaska Native firms, Hispanic firms, Native Hawaiian/Pacific Islander firms was insufficient for analysis.

There was a total of 921 wholesale trade employer firms in the State of Delaware marketplace in 2012, of which 7.60 percent were owned by minorities.

- ◆ Asian firms (disparity index of 9.44) were substantially underutilized, accounting for 5.86 percent of employer firms and 0.55 percent of sales.
- ◆ Nonminority female firms (disparity index of 9.65) were substantially underutilized, accounting for 8.90 percent of employer firms and 0.86 percent of sales.
- ◆ Data for African American firms, American Indian or Alaska Native firms, Hispanic firms, Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-2. PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 42, WHOLESALE TRADE  
U.S. CENSUS 2012 SURVEY OF BUSINESS OWNERS, STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	ALL FIRMS (#)	ALL FIRMS, SALES (\$1,000)	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	1,935	21,163,817	921	21,057,171
Nonminority Male	1,439	20,837,558	769	20,759,648
Minority	250	140,014	70	116,527
African American	91	10,703	2	S
American Indian or Alaska Native <sup>1</sup>	3	S	S	S
Asian <sup>2</sup>	109	129,311	54	116,527
Hispanic	46	S	14	S
Native Hawaiian or Pacific Islander <sup>3</sup>	1	S	S	S
Nonminority Female <sup>4</sup>	246	186,245	82	180,996
<b>PERCENTAGE OF MARKETPLACE</b>				
All Firms	100.00%	100.00%	100.00%	100.00%
Nonminority Male	74.37%	98.46%	83.50%	98.59%
Minority	12.92%	0.66%	7.60%	0.55%
African American	4.70%	0.05%	0.22%	N/A
American Indian or Alaska Native <sup>1</sup>	0.16%	N/A	N/A	N/A
Asian <sup>2</sup>	5.63%	0.61%	5.86%	0.55%
Hispanic	2.38%	N/A	1.52%	N/A
Native Hawaiian or Pacific Islander <sup>3</sup>	0.05%	N/A	N/A	N/A
Nonminority Female <sup>4</sup>	12.71%	0.88%	8.90%	0.86%
<b>DISPARITY RATIOS<sup>5</sup></b>				
All Firms		100.00		100.00
Nonminority Male		132.40		118.07
Minority		5.12		7.28
African American		1.08		-
American Indian or Alaska Native <sup>1</sup>		-		-
Asian <sup>2</sup>		10.85		9.44
Hispanic		-		-
Native Hawaiian or Pacific Islander <sup>3</sup>		-		-
Nonminority Female <sup>4</sup>		6.92		9.65

Source: MGT of America, Inc. conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2012 Survey of Business Owners (SBO) data.

<sup>1</sup> Native American consists of American Indian- and Alaska Native-owned firms.

<sup>2</sup> Asian American consists of Asian-owned firms.

<sup>3</sup> Native Hawaiian and Pacific Islander consists of Native Hawaiian and Other Pacific Islander-owned firms.

<sup>4</sup> Nonminority Women consists of White Women-owned.

<sup>5</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

N/A denotes data on business ownership classification group was not available.

## NAICS Code 54: Professional, Scientific and Technical Services, State Marketplace

**Table 6-3** shows the availability, sales, and disparity results for professional, scientific, and technical services. Professional, scientific, and technical services, which require a high degree of expertise and training, were derived from those firms specializing in performing professional, scientific, and technical activities (such as legal advice, accounting, architecture, engineering, computer services, consulting services, advertising services) for others in NAICS Code 54.

There was a total of 10,578 professional, scientific, and technical services firms (all firms) in the State of Delaware marketplace, of which 15.96 percent were owned by minorities.

- ◆ African American firms (disparity index of 6.09) were substantially underutilized, accounting for 6.49 percent of all firms and 0.40 percent of sales.
- ◆ Asian firms (disparity index of 68.72) were substantially underutilized accounting for 6.64 percent of all firms and 4.56 percent of all sales.
- ◆ Hispanic American firms (disparity index of 12.45) were substantially underutilized, accounting for 2.16 percent of all firms and 0.27 percent of sales.
- ◆ Native Hawaiian or Pacific Islander firms (disparity index of 1.43) were substantially underutilized, accounting for 0.33 percent of all firms and 0.00 percent of sales.
- ◆ Nonminority female firms (disparity index of 16.37) were substantially underutilized, accounting for 24.39 percent of all firms and 3.99 percent of sales.
- ◆ Data for American Indian or Alaska Native firms was insufficient for analysis.

There was a total of 2,421 professional, scientific, and technical services employer firms in the State of Delaware marketplace in 2012, of which 2.19 percent were owned by minorities.

- ◆ African American firms (disparity index of 9.35) were substantially underutilized, accounting for 1.15 percent of employer firms and 0.11 percent of sales.
- ◆ Asian firms (disparity index of 50.18) were substantially underutilized, accounting for 8.39 percent of employer firms and 4.21 percent of sales.
- ◆ Hispanic American firms (disparity index 17.55) were substantially underutilized, accounting for 1.03 percent of employer firms and 0.18 percent of sales.
- ◆ Nonminority female firms (disparity index 21.49) were substantially underutilized, accounting for 14.85 percent of employer firms and 3.19 percent of sales.
- ◆ Data for American Indian or Alaska Native firms, and Native Hawaiian/Pacific Islander firms was insufficient for analysis.



TABLE 6-3. PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 54, PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES  
U.S. CENSUS 2012 SURVEY OF BUSINESS OWNERS, STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	ALL FIRMS (#)	ALL FIRMS, SALES (\$1,000)	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	10,578	6,791,026	2,431	6,361,280
Nonminority Male	6,310	6,164,663	1,809	5,872,118
Minority	1,688	355,219	261	286,195
African American	687	26,876	28	6,853
American Indian or Alaska Native <sup>1</sup>	35	S	4	S
Asian <sup>2</sup>	702	309,714	204	267,862
Hispanic	229	18,308	25	11,480
Native Hawaiian or Pacific Islander <sup>3</sup>	35	321	S	S
Nonminority Female <sup>4</sup>	2,580	271,144	361	202,967
PERCENTAGE OF MARKETPLACE				
All Firms	100.00%	100.00%	100.00%	100.00%
Nonminority Male	59.65%	90.78%	74.41%	92.31%
Minority	15.96%	5.23%	10.74%	4.50%
African American	6.49%	0.40%	1.15%	0.11%
American Indian or Alaska Native <sup>1</sup>	0.33%	N/A	0.16%	N/A
Asian <sup>2</sup>	6.64%	4.56%	8.39%	4.21%
Hispanic	2.16%	0.27%	1.03%	0.18%
Native Hawaiian or Pacific Islander <sup>3</sup>	0.33%	0.00%	N/A	N/A
Nonminority Female <sup>4</sup>	24.39%	3.99%	14.85%	3.19%
DISPARITY RATIOS <sup>5</sup>				
All Firms		100.00		100.00
Nonminority Male		152.18		124.05
Minority		32.78		41.90
African American		6.09		9.35
American Indian or Alaska Native <sup>1</sup>		-		-
Asian <sup>2</sup>		68.72		50.18
Hispanic		12.45		17.55
Native Hawaiian or Pacific Islander <sup>3</sup>		1.43		-
Nonminority Female <sup>4</sup>		16.37		21.49

Source: MGT of America, Inc. conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2012 Survey of Business Owners (SBO) data.

<sup>1</sup> Native American consists of American Indian- and Alaska Native-owned firms.

<sup>2</sup> Asian American consists of Asian-owned firms.

<sup>3</sup> Native Hawaiian and Pacific Islander consists of Native Hawaiian and Other Pacific Islander-owned firms.

<sup>4</sup> Nonminority Women consists of White Women-owned.

<sup>5</sup> The disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

N/A denotes data on business ownership classification group was not available.

## NAICS Code 56: Administrative and Support and Waste Management and Remediation Services, State Marketplace

**Table 6-4** shows the availability, sales, and disparity results for administrative and support and waste management and remediation services (such as office administration, hiring and placing of personnel, document preparation and similar clerical services, solicitation, collection, security and surveillance services, cleaning, and waste disposal services) in NAICS Code 56.

There was a total of 5,855 administrative and support and waste management and remediation services firms (all firms) in the State of Delaware marketplace in 2012, of which 22.29 percent were owned by minorities.

- ◆ African American firms (disparity index of 15.51) were substantially underutilized, accounting for 12.93 percent of all firms and 2.01 percent of sales.
- ◆ American Indian or Alaska Native firms (disparity index of 10.50) were substantially underutilized, accounting for 0.58 percent of all firms and 0.06 percent of sales.
- ◆ Asian firms (disparity index of 45.54) were substantially underutilized accounting for 1.49 percent of all firms and 0.68 percent of all sales.
- ◆ Hispanic American firms (disparity index of 12.99) were substantially underutilized, accounting for 7.17 percent of all firms and 0.93 percent of sales.
- ◆ Native Hawaiian or Pacific Islander firms (disparity index of 1.49) were substantially underutilized, accounting for 0.12 percent of all firms and 0.00 percent of sales.
- ◆ Nonminority female firms (disparity index of 38.41) were substantially underutilized, accounting for 30.16 percent of all firms and 11.59 percent of sales.

There was a total of 1,282 administrative and support and waste management and remediation services employer firms in the State of Delaware marketplace in 2012, of which 8.67 percent were owned by minorities.

- ◆ African American firms (disparity index of 25.54) were substantially underutilized, accounting for 5.93 percent of employer firms and 1.51 percent of sales.
- ◆ American Indian or Alaska Native firms (disparity index of 9.77) were substantially underutilized, accounting for 0.23 percent of employer firms and 0.02 percent of sales.
- ◆ Asian firms (disparity index of 34.92) were substantially underutilized, accounting for 1.40 percent of employer firms and 0.49 percent of sales.
- ◆ Hispanic American firms (disparity index 12.06) were substantially underutilized, accounting for 2.73 percent of employer firms and 0.33 percent of sales.
- ◆ Nonminority female firms (disparity index 62.63) were substantially underutilized, accounting for 16.38 percent of employer firms and 10.26 percent of sales.
- ◆ Data for Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-4. PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 56, ADMINISTRATIVE AND SUPPORT/WASTE MANAGEMENT AND REMEDIATION SERVICES  
U.S. CENSUS 2012 SURVEY OF BUSINESS OWNERS, STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	ALL FIRMS (#)	ALL FIRMS, SALES (\$1,000)	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	5,855	1,850,160	1,282	1,719,751
Nonminority Male	2,784	1,567,755	940	1,502,803
Minority	1,305	68,033	132	40,527
African American	757	37,108	76	26,041
American Indian or Alaska Native <sup>1</sup>	34	1,128	3	393
Asian <sup>2</sup>	87	12,520	18	8,431
Hispanic	420	17,244	35	5,662
Native Hawaiian or Pacific Islander <sup>3</sup>	7	33	S	S
Nonminority Female <sup>4</sup>	1,766	214,372	210	176,421
PERCENTAGE OF MARKETPLACE				
All Firms	100.00%	100.00%	100.00%	100.00%
Nonminority Male	47.55%	84.74%	73.32%	87.38%
Minority	22.29%	3.68%	10.30%	2.36%
African American	12.93%	2.01%	5.93%	1.51%
American Indian or Alaska Native <sup>1</sup>	0.58%	0.06%	0.23%	0.02%
Asian <sup>2</sup>	1.49%	0.68%	1.40%	0.49%
Hispanic	7.17%	0.93%	2.73%	0.33%
Native Hawaiian or Pacific Islander <sup>3</sup>	0.12%	0.00%	N/A	N/A
Nonminority Female <sup>4</sup>	30.16%	11.59%	16.38%	10.26%
DISPARITY RATIOS <sup>5</sup>				
All Firms		100.00		100.00
Nonminority Male		178.21		119.18
Minority		16.50		22.89
African American		15.51		25.54
American Indian or Alaska Native <sup>1</sup>		10.50		9.77
Asian <sup>2</sup>		45.54		34.92
Hispanic		12.99		12.06
Native Hawaiian or Pacific Islander <sup>3</sup>		1.49		-
Nonminority Female <sup>4</sup>		38.41		62.63

Source: MGT of America, Inc. conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2012 Survey of Business Owners (SBO) data.

<sup>1</sup> Native American consists of American Indian- and Alaska Native-owned firms.

<sup>2</sup> Asian American consists of Asian-owned firms.

<sup>3</sup> Native Hawaiian and Pacific Islander consists of Native Hawaiian and Other Pacific Islander-owned firms.

<sup>4</sup> Nonminority Women consists of White Women-owned.

<sup>5</sup> The disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

N/A denotes data on business ownership classification group was not available.

<sup>5</sup> The disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity

## NAICS Code 81: Other Services (Except Public Administration), State Marketplace

**Table 6-5** shows the availability, sales, and disparity results for other services (except Public Administration) firms in NAICS Code 81. Firms in this sector primarily engage in equipment and machinery repairing, automotive repair services, electronic and precision equipment repair and maintenance services, providing laundry services, personal care services, and photofinishing services.

There was a total of 8,061 other services (except Public Administration) firms (all firms) in the State of Delaware marketplace in 2012, of which 31.45 percent were owned by minorities.

- ◆ African American firms (disparity index of 18.42) were substantially underutilized, accounting for 17.79 percent of all firms and 3.28 percent of sales.
- ◆ American Indian or Alaska Native firms (disparity index of 42.43) were substantially underutilized, accounting for 0.46 percent of all firms and 0.19 percent of sales.
- ◆ Asian firms (disparity index of 76.06) were substantially underutilized accounting for 7.57 percent of all firms and 5.76 percent of all sales.
- ◆ Hispanic American firms (disparity index of 26.44) were substantially underutilized, accounting for 5.56 percent of all firms and 1.47 percent of sales.
- ◆ Native Hawaiian or Pacific Islander firms (disparity index of 11.09) were substantially underutilized, accounting for 0.07 percent of all firms and 0.01 percent of sales.
- ◆ Nonminority female firms (disparity index of 44.29) were substantially underutilized, accounting for 30.65 percent of all firms and 13.58 percent of sales.

There was a total of 1,126 administrative and support and waste management and remediation services employer firms in the State of Delaware marketplace in 2012, of which 5.13 percent were owned by minorities.

- ◆ African American firms (disparity index of 54.33) were substantially underutilized, accounting for 2.40 percent of employer firms and 1.30 percent of sales.
- ◆ Asian firms (disparity index of 31.14) were substantially underutilized, accounting for 10.57 percent of employer firms and 3.29 percent of sales.
- ◆ Hispanic American firms (disparity index 49.96) were substantially underutilized, accounting for 1.07 percent of employer firms and 0.53 percent of sales.
- ◆ Nonminority female firms (disparity index 49.73) were substantially underutilized, accounting for 25.22 percent of employer firms and 12.54 percent of sales.
- ◆ Data for American Indian or Alaska Native firms and Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-5. PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 81, OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)  
U.S. CENSUS 2012 SURVEY OF BUSINESS OWNERS, STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	ALL FIRMS (#)	ALL FIRMS, SALES (\$1,000)	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	8,061	884,748	1,126	659,947
Nonminority Male	3,055	669,916	683	543,333
Minority	2,535	94,707	159	33,832
African American	1,434	28,985	27	8,598
American Indian or Alaska Native <sup>1</sup>	37	1,723	1	S
Asian <sup>2</sup>	610	50,925	119	21,720
Hispanic	448	13,001	12	3,514
Native Hawaiian or Pacific Islander <sup>3</sup>	6	73	S	S
Nonminority Female <sup>4</sup>	2,471	120,125	284	82,782
PERCENTAGE OF MARKETPLACE				
All Firms	100.00%	100.00%	100.00%	100.00%
Nonminority Male	37.90%	75.72%	60.66%	82.33%
Minority	31.45%	10.70%	14.12%	5.13%
African American	17.79%	3.28%	2.40%	1.30%
American Indian or Alaska Native <sup>1</sup>	0.46%	0.19%	0.09%	N/A
Asian <sup>2</sup>	7.57%	5.76%	10.57%	3.29%
Hispanic	5.56%	1.47%	1.07%	0.53%
Native Hawaiian or Pacific Islander <sup>3</sup>	0.07%	0.01%	N/A	N/A
Nonminority Female <sup>4</sup>	30.65%	13.58%	25.22%	12.54%
DISPARITY RATIOS <sup>5</sup>				
All Firms		100.00		100.00
Nonminority Male		199.79		135.73
Minority		34.04		36.30
African American		18.42		54.33
American Indian or Alaska Native <sup>1</sup>		42.43		-
Asian <sup>2</sup>		76.06		31.14
Hispanic		26.44		49.96
Native Hawaiian or Pacific Islander <sup>3</sup>		11.09		-
Nonminority Female <sup>4</sup>		44.29		49.73

Source: MGT of America, Inc. conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2012 Survey of Business Owners (SBO) data.

<sup>1</sup> Native American consists of American Indian- and Alaska Native-owned firms.

<sup>2</sup> Asian American consists of Asian-owned firms.

<sup>3</sup> Native Hawaiian and Pacific Islander consists of Native Hawaiian and Other Pacific Islander-owned firms.

<sup>4</sup> Nonminority Women consists of White Women-owned.

<sup>5</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

N/A denotes data on business ownership classification group was not available.

### 6.2.3 SBO Conclusion

The SBO analysis shows consistent underutilization of M/WBE firms relative to their availability in the market area, validating the overarching research question of whether these disparities exist for the broader private sector, compelling for the State to maintain associated remedies to avoid passive participation in discrimination, irrespective of circumstances in the public sector.

Further, each of the five procurement categories analyzed showed substantial disparity among defined M/WBE classes where sufficient data were available.

## 6.3 Private Sector Disparities in ABS Census Data

As described above, SBO data is a vital resource in helping to answer the overarching research question regarding the existence of disparities in the private sector and the specific question (1) of whether these disparities exist in procurement categories relevant to the state of Delaware contracting domain. A limitation with the SBO data is, of course, the age of it. In 2017, the Census Bureau replaced the SBO data with the American Business Survey (ABS). Essentially this dataset is the same as the SBO with one caveat. ABS data no longer provides information for all firms, only employer firms. This data is still valuable for determining more recent private sector disparities, but it excludes a sector usually dominated by smaller businesses that are the beneficiary of any supplier diversity program.

As with the SBO data, ABS gathers and reports data on (1) firms with paid employees, including workers on the payroll (employer firms). MGT calculated private sector disparity indices to examine whether M/WBE firms in any of these categories received a proportionate share of firm sales based on the availability of M/WBE firms. Disparity indices were reviewed for employer firms. It should be noted that all the disparity indices in the ABS tables are statistically significant within a **95 percent** confidence interval. The same NAICS codes as the SBO analysis were analyzed for the ABS data and the same marketplace.

### 6.3.1 Results of Analysis

**Tables 6-6** through **6-10** show the measures of private sector disparities based on U.S. Census, 2017 ABS data for the population of available firms in the state of Delaware marketplace by race, ethnicity, and gender for construction; wholesale trade; professional, scientific, and technical services; administrative and support and waste management and remediation services; and other services (except public administration).

Based on the analysis of the U.S. Census, 2017 ABS data, overall, there remains a significant gap between the market share of M/WBE firms and their share of the state of Delaware marketplace business population, where data was available.

#### 6.3.1.1 NAICS Code 23: Construction, state of Delaware Marketplace

**Table 6-6** shows the construction availability, sales, and disparity results (NAICS Code 23).

There were 5,616 construction employer firms<sup>181</sup> in the state of Delaware marketplace in 2017.

- ◆ African American firms (disparity index 63.30) were substantially underutilized, accounting for 0.82 percent of all firms and 0.52 percent of sales.
- ◆ Hispanic American firms (disparity index of 32.71) were substantially underutilized, accounting for 1.82 percent of all firms and 0.59 percent of sales.
- ◆ Nonminority female firms (disparity index of 87.79) were underutilized, accounting for 17.72 percent of all firms and 15.55 percent of sales.
- ◆ Data for American Indian or Alaska Native firms and Native Hawaiian/Pacific Islander firms was insufficient for analysis.

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<sup>181</sup> Employer firms include firms with payroll at any time during 2017.

TABLE 6-6.  
PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 23, CONSTRUCTION  
U.S. CENSUS 2017 ANNUAL BUSINESS SURVEY,  
STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	5,616	11,681,874
Nonminority Male	4,445	9,647,301
African American	46	60,568
American Indian and Alaska Native	S	S
Asian	28	87,556
Hispanic <sup>4</sup>	102	69,392
Native Hawaiian and Other Pacific Islander	S	S
Nonminority Female	995	1,817,057
PERCENTAGE OF MARKETPLACE		
All Firms	100.00%	100.00%
Nonminority Male	79.15%	82.58%
African American	0.82%	0.52%
American Indian and Alaska Native	N/A	N/A
Asian	0.50%	0.75%
Hispanic <sup>4</sup>	1.82%	0.59%
Native Hawaiian and Other Pacific Islander	N/A	N/A
Nonminority Female	17.72%	15.55%
DISPARITY RATIOS <sup>3</sup>		
All Firms		100.00
Nonminority Male		104.34
African American		63.30
American Indian and Alaska Native		-
Asian		150.33
Hispanic <sup>4</sup>		32.71
Native Hawaiian and Other Pacific Islander		-
Nonminority Female		87.79

Source: MGT Consulting Group, LLC conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2017 Annual Business Survey (ABS) data.

<sup>1</sup> Employer firms include firms with payroll at any time during 2017.

<sup>2</sup> Sales includes total shipments, receipts, revenue, or business done by the firm.

<sup>3</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity.

<sup>4</sup> Hispanic firms are considered an ethnicity in this Census data and therefore may be double counted in race categories, which leads to percentages equaling greater than 100%.

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.



## NAICS Code 42: Wholesale Trade, state of Delaware Marketplace

Table 6-7 shows wholesale trade availability, sales, and disparity results (NAICS Code 42).

There was a total of 2,084 wholesale trade employer firms in the state of Delaware marketplace in 2017.

- ◆ Hispanic American firms (disparity index of 18.19) were substantially underutilized, accounting for 1.92 percent of all firms and 0.35 percent of sales.
- ◆ Nonminority female firms (disparity index of 29.02) were substantially underutilized, accounting for 9.02 percent of all firms and 2.62 percent of sales.
- ◆ Data for African American firms, American Indian or Alaska Native firms, Asian firms, and Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-7.  
PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 42, WHOLESALE TRADE  
U.S. CENSUS 2017 ANNUAL BUSINESS SURVEY,  
STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	2,084	26,820,776
Nonminority Male	1,856	26,025,100
African American	S	S
American Indian and Alaska Native	S	S
Asian	S	S
Hispanic <sup>4</sup>	40	93,618
Native Hawaiian and Other Pacific Islander	S	S
Nonminority Female	188	702,058
PERCENTAGE OF MARKETPLACE		
All Firms	100.00%	100.00%
Nonminority Male	89.06%	97.03%
African American	N/A	N/A
American Indian and Alaska Native	N/A	N/A
Asian	N/A	N/A
Hispanic <sup>4</sup>	1.92%	0.35%
Native Hawaiian and Other Pacific Islander	N/A	N/A
Nonminority Female	9.02%	2.62%
DISPARITY RATIOS <sup>3</sup>		
All Firms		100.00
Nonminority Male		108.95
African American		-
American Indian and Alaska Native		-
Asian		-
Hispanic <sup>4</sup>		18.19
Native Hawaiian and Other Pacific Islander		-
Nonminority Female		29.02

Source: MGT Consulting Group, LLC conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2017 Annual Business Survey (ABS) data.

<sup>1</sup> Employer firms include firms with payroll at any time during 2017.

<sup>2</sup> Sales includes total shipments, receipts, revenue, or business done by the firm.

<sup>3</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity.

<sup>4</sup> Hispanic firms are considered an ethnicity in this Census data and therefore may be double counted in race categories, which leads to percentages equaling greater than 100%.

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

## NAICS Code 54: Professional, Scientific, and Technical Services, state of Delaware Marketplace

**Table 6-8** shows the availability, sales, and disparity results for professional, scientific, and technical services (NAICS Code 54).

There was a total of 7,225 professional, scientific, and technical services employer firms in the state of Delaware marketplace in 2017.

- ◆ African American firms (disparity index 22.95) were substantially underutilized, accounting for 1.62 percent of all firms and 0.37 percent of sales.
- ◆ Asian American firms (disparity index of 80.41) were substantially underutilized, accounting for 6.75 percent of all firms and 5.43 percent of sales.
- ◆ Hispanic American firms (disparity index of 23.66) were substantially underutilized, accounting for 1.15 percent of all firms and 0.27 percent of sales.
- ◆ Nonminority female firms (disparity index of 43.08) were substantially underutilized, accounting for 15.70 percent of all firms and 6.76 percent of sales.
- ◆ Data for American Indian or Alaska Native firms and Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-8.  
PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 54, PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES  
U.S. CENSUS 2017 ANNUAL BUSINESS SURVEY,  
STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	7,225	13,943,411
Nonminority Male	5,403	12,153,527
African American	117	51,820
American Indian and Alaska Native	S	S
Asian	488	757,314
Hispanic <sup>4</sup>	83	37,900
Native Hawaiian and Other Pacific Islander	S	S
Nonminority Female	1,134	942,850
PERCENTAGE OF MARKETPLACE		
All Firms	100.00%	100.00%
Nonminority Male	74.78%	87.16%
African American	1.62%	0.37%
American Indian and Alaska Native	N/A	N/A
Asian	6.75%	5.43%
Hispanic <sup>4</sup>	1.15%	0.27%
Native Hawaiian and Other Pacific Islander	N/A	N/A
Nonminority Female	15.70%	6.76%
DISPARITY RATIOS <sup>3</sup>		
All Firms		100.00
Nonminority Male		116.56
African American		22.95
American Indian and Alaska Native		-
Asian		80.41
Hispanic <sup>4</sup>		23.66
Native Hawaiian and Other Pacific Islander		-
Nonminority Female		43.08

Source: MGT Consulting Group, LLC conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2017 Annual Business Survey (ABS) data.

<sup>1</sup> Employer firms include firms with payroll at any time during 2017.

<sup>2</sup> Sales includes total shipments, receipts, revenue, or business done by the firm.

<sup>3</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity.

<sup>4</sup> Hispanic firms are considered an ethnicity in this Census data and therefore may be double counted in race categories, which leads to percentages equaling greater than 100%.

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

## NAICS Code 56: Administrative and Support and Waste Management and Remediation Services, state of Delaware Marketplace

Table 6-9 shows the availability, sales, and disparity results for administrative and support and waste management and remediation services (NAICS Code 56).

There were 3,361 administrative and support and waste management and remediation services employer firms in the state of Delaware marketplace in 2017.

- ◆ African American firms (disparity index 38.48) were substantially underutilized, accounting for 2.50 percent of all firms and 0.96 percent of sales.
- ◆ Asian American firms (disparity index of 53.69) were substantially underutilized, accounting for 3.21 percent of all firms and 1.73 percent of sales.
- ◆ Hispanic American firms (disparity index of 28.32) were substantially underutilized, accounting for 6.96 percent of all firms and 1.97 percent of sales.
- ◆ Nonminority female firms (disparity index of 92.87) were underutilized, accounting for 7.56 percent of all firms and 7.02 percent of sales.
- ◆ Data for American Indian or Alaska Native firms and Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-9.  
PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 56, ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION  
SERVICES, U.S. CENSUS 2017 ANNUAL BUSINESS SURVEY,  
STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	3,361	4,246,263
Nonminority Male	2,681	3,750,418
African American	84	40,835
American Indian and Alaska Native	S	S
Asian	108	73,260
Hispanic <sup>4</sup>	234	83,733
Native Hawaiian and Other Pacific Islander	S	S
Nonminority Female	254	298,017
PERCENTAGE OF MARKETPLACE		
All Firms	100.00%	100.00%
Nonminority Male	79.77%	88.32%
African American	2.50%	0.96%
American Indian and Alaska Native	N/A	N/A
Asian	3.21%	1.73%
Hispanic <sup>4</sup>	6.96%	1.97%
Native Hawaiian and Other Pacific Islander	N/A	N/A
Nonminority Female	7.56%	7.02%

DISPARITY RATIOS <sup>3</sup>		
All Firms		100.00
Nonminority Male		110.72
African American		38.48
American Indian and Alaska Native		-
Asian		53.69
Hispanic <sup>4</sup>		28.32
Native Hawaiian and Other Pacific Islander		-
Nonminority Female		92.87

Source: MGT Consulting Group, LLC conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2017 Annual Business Survey (ABS) data.

<sup>1</sup>Employer firms include firms with payroll at any time during 2017.

<sup>2</sup>Sales includes total shipments, receipts, revenue, or business done by the firm.

<sup>3</sup>Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity.

<sup>4</sup>Hispanic firms are considered an ethnicity in this Census data and therefore may be double counted in race categories, which leads to percentages equaling greater than 100%.

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

## NAICS Code 81: Other Services (Except Public Administration), state of Delaware Marketplace

**Table 6-10** shows the availability, sales, and disparity results for NAICS Code other services (except public administration).

There was a total of 3,663 other services (except public administration) employer firms in the state of Delaware marketplace in 2017.

- ◆ African American firms (disparity index 83.83) were underutilized, accounting for 2.07 percent of all firms and 1.74 percent of sales.
- ◆ Asian American firms (disparity index of 53.22) were substantially underutilized, accounting for 8.14 percent of all firms and 4.33 percent of sales.
- ◆ Hispanic American firms (disparity index of 59.56) were substantially underutilized, accounting for 1.64 percent of all firms and 0.98 percent of sales.
- ◆ Nonminority female firms (disparity index of 77.01) were substantially underutilized, accounting for 26.18 percent of all firms and 20.16 percent of sales.
- ◆ Data for American Indian or Alaska Native firms and Native Hawaiian/Pacific Islander firms was insufficient for analysis.

TABLE 6-10.  
PRIVATE SECTOR CENSUS DISPARITIES  
NAICS CODE 81, OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)  
U.S. CENSUS 2017 ANNUAL BUSINESS SURVEY,  
STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	EMPLOYER FIRMS (#)	EMPLOYER FIRMS SALES (\$1,000)
All Firms	3,663	2,148,096
Nonminority Male	2,270	1,563,668
African American	76	37,361
American Indian and Alaska Native	S	S
Asian	298	93,012
Hispanic <sup>4</sup>	60	20,958
Native Hawaiian and Other Pacific Islander	S	S
Nonminority Female	959	433,097
PERCENTAGE OF MARKETPLACE		
All Firms	100.00%	100.00%
Nonminority Male	61.97%	72.79%
African American	2.07%	1.74%
American Indian and Alaska Native	N/A	N/A
Asian	8.14%	4.33%
Hispanic <sup>4</sup>	1.64%	0.98%
Native Hawaiian and Other Pacific Islander	N/A	N/A
Nonminority Female	26.18%	20.16%
DISPARITY RATIOS <sup>3</sup>		
All Firms		100.00
Nonminority Male		117.46
African American		83.83
American Indian and Alaska Native		-
Asian		53.22
Hispanic <sup>4</sup>		59.56
Native Hawaiian and Other Pacific Islander		-
Nonminority Female		77.01

Source: MGT Consulting Group, LLC conducted private sector disparities marketplace analyses based on U.S. Census Bureau, 2017 Annual Business Survey (ABS) data.

<sup>1</sup> Employer firms include firms with payroll at any time during 2017.

<sup>2</sup> Sales includes total shipments, receipts, revenue, or business done by the firm.

<sup>3</sup> Disparity index is the ratio of the percentage of sales to percentage of available firms multiplied by 100.00. A disparity index below 80.00 indicates a substantial level of disparity.

<sup>4</sup> Hispanic firms are considered an ethnicity in this Census data and therefore may be double counted in race categories, which leads to percentages equaling greater than 100%.

S denotes findings were withheld as the estimates did not meet U.S. Census publication standards.

### 6.3.2 ABS Conclusion

Like the SBO analysis, the ABS analysis shows consistent underutilization of M/WBE firms relative to their availability in the marketplace. These results further help answer the overarching research

question that disparities exist for the broader private sector, thus compelling state of Delaware to maintain associated remedies to avoid passive participation in discrimination, irrespective of circumstances in the public sector.

As with the SBO results, the ABS results for each of the five procurement categories analyzed showed substantial disparity among defined M/WBE classes where sufficient data were available

## 6.4 Analysis of Race, Ethnicity, and Gender Effects on Self-Employment and Earnings

This section examines further evidence regarding the overarching research question of whether disparities exist in the private sector and addresses the three more specific questions:

1. *Are racial, ethnic, and gender minority groups less likely than nonminority males (non-M/WBEs) to be self-employed? If so, does race, ethnicity, or gender have a role in the disparity?*
2. *Does racial, ethnic, and gender status impact self-employed individuals' earnings?*
3. *Suppose minority and female-owned business enterprises (M/WBEs) and nonminority male-owned firms shared similar traits and marketplace "conditions" (i.e., similar "rewards" in terms of capital and asset accrual), what would be the effect on rates of self-employment by race, ethnicity, and gender?*

This is achieved by examining the effects of race, ethnicity, and gender, alongside controls for individual economic and demographic characteristics, on individuals' participation in the private sector as self-employed business operators and the effects of these variables on their earnings. The analysis is targeted to four categories of private sector business activity (Construction, Professional Services, Goods & Services) that generally align with the state of Delaware procurement categories defined for the study, noting that Construction also encompasses Architecture and Engineering, due to observations in this category being too limited in this subset to support separate analysis.

Adopting the methodology and variables employed by a City of Denver disparity study (see *Concrete Works v. City and County of Denver*<sup>182</sup>), MGT used Public Use Microdata Samples (PUMS) data derived from the 2015-2019 American Community Survey (ACS), to which MGT applied appropriate regression statistics to draw conclusions.

### 6.4.1 Links to Business Formation and Maintenance

Economics research consistently finds group differences by race, ethnicity, and gender in business formation rates.<sup>183</sup> MGT knows, for instance, that most minorities and female have a lower median age than nonminority males (ACS PUMS, 2015-2019). In general, the likelihood of being self-employed increases with age (ACS PUMS, 2015-2019). An examination of these variables within the context of a

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<sup>182</sup> *Concrete Works of Colo. v. City & Cnty. of Denver*, 321 F.3d 950 (10th Cir. 2003).

<sup>183</sup> See *Journal of Econometrics*, Vol. 61, Issue 1, devoted entirely to the econometrics of labor market discrimination and segregation.

disparity study, therefore, seeks to control for these other important demographic and economic variables in conjunction with race, ethnicity, and gender – since they also influence group rates of business formation – to determine if MGT can assert that inequities specific to minorities and female are demonstrably present to warrant consideration of public sector remedies. Questions about marketplace dynamics affecting self-employment—or, more specifically, the odds of forming one’s own business and then excelling (i.e., generate earnings growth)—are at the heart of disparity analysis research.

## 6.4.2 Statistical Models and Methods

MGT employed two multivariate regression techniques to answer the research questions identified for this section: (1) logistic regression and (2) linear regression. Logistic regression is an econometric method that allows for analyzing dichotomous dependent variables. The results can then be translated into log-likelihoods that examine how likely one variable is to be true compared to another variable. Linear regression is an econometric method that helps explain the linear relationship between the dependent variable and the independent variables – how substantially and in what direction each independent variable influences the dependent variable. This will help analyze the direct impact of being part of a specific minority or gender group on earnings.

To understand the appropriate application of these regression techniques, it is helpful to explore the variables inherent in these questions in greater detail. There are two general categories of variables employed in the regression techniques: (1) dependent variables and (2) independent variables.

- ◆ Dependent variables are the phenomena to be explained by influences such as age, race, gender, and disability status (i.e., the independent or “explanatory” variables).
- ◆ The first dependent variable is the probability of self-employment status, which is a binary, categorical variable based on two possible values: 0 (not self-employed) versus 1 (self-employed).
- Logistic regression is appropriately used to perform an analysis in which the dependent variable is binary and categorical and therefore was employed to analyze self-employment.<sup>184</sup>
- ◆ The second dependent variable is self-employment earnings, a continuous variable with many possible values.
- Continuous variables are best explained using simple linear regression.

## 6.4.3 The Influences of Race, Ethnicity, and Gender on Self-Employment

To derive a set of variables known to predict employment status (self-employed/not self-employed), MGT used the 2015-2019 U.S. Census ACS 5 percent PUMS data. Logistic regression was used to

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<sup>184</sup> Logistical regression, or logit, models generate predicted probabilities that are almost identical to those calculated by a probit procedure, used in *Concrete Works v. City and County of Denver* case. Logit, however, has the added advantage of dealing more effectively with observations at the extremes of a distribution. For a complete explanation, see *Interpreting Probability Models* (T.F. Liao, Text 101 in the Sage University series).



calculate the probability of being self-employed, the dependent variable, concerning socioeconomic and demographic characteristics selected for their potential to influence the likelihood of self-employment. The sample for the analysis was limited to labor force participants who met the following criteria:

- ◆ Resident of the state of Delaware marketplace.
- ◆ Self-employed in construction, professional services, architecture, and engineering<sup>185</sup>, or goods and services.
- ◆ Employed full-time (more than 35 hours a week).
- ◆ Eighteen years of age or older.
- ◆ Employed in the private sector.

Next, MGT derived the following variables<sup>186</sup> hypothesized as predictors of employment status:

- ◆ **Race and Gender:** African American, Asian American, Hispanic American, Native American, nonminority woman, nonminority male.
- ◆ **Availability of Capital:** Homeownership, home value, mortgage rate, unearned income, residual income.
- ◆ **Marital Status.**
- ◆ **Ability to Speak English Well.**
- ◆ **Disability Status:** From individuals’ reports of health-related disabilities.
- ◆ **Age and Age Squared:** Squaring the age variable acknowledges the positive, curvilinear relationship between each year of age and earnings.
- ◆ **Owner’s Level of Education.**
- ◆ **Number of Individuals Over the Age of 65 Living in Household.**
- ◆ **Number of Children Under the Age of 18 Living in Household.**

This analysis examined the statistical effects of these variables on the likelihood of being self-employed in the state of Delaware marketplace. MGT can interpret a likelihood value of its impact on self-employment from the inverse of this value. The results are interpretable based on the inverse of the “odds ratios.” For example, the “odds ratio” for an African American is 0.616, as seen in the top portion of **Table 6-11**, while the inverse of this is 1.623, as seen in the lower portion of this table. This inverse value means that a nonminority male is 1.623 times more likely to be self-employed than an African American. Comparisons are made to nonminority males as a control group, where the influence of any of the race, ethnicity, or gender variables is considered absent. In this sense, the circumstance of the nonminority male is deemed to be a baseline for what might be expected for self-employment rates for this market – with race, ethnicity, or gender variables being tested for their positive or negative

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<sup>185</sup> Due to inadequate sample size for all races in the architecture and engineering PUMS 2015 data, the architecture and engineering categories were merged with the professional services category.

<sup>186</sup> The variables used in this analysis were modeled after those incorporated in the same analysis from *Concrete Works v. City and County of Denver*.

influence. The results in the following tables present rates for the groups after variables such as age and education have been factored out of the equation. Results of logistic regression can be found in **Appendix C**.

TABLE 6-11.  
SELF-EMPLOYMENT ODDS RATIOS AND THEIR INVERSES FOR MINORITY GROUPS RELATIVE TO  
NONMINORITY MALES AFTER CONTROLLING FOR DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS

BUSINESS OWNERSHIP CLASSIFICATION	ALL INDUSTRIES	CONSTRUCTION	GOODS	SERVICES
African American Firms	<b>0.616</b>	<b>0.620</b>	<b>0.472</b>	<b>0.449</b>
Hispanic American Firms	<b>0.829</b>	<b>0.711</b>	<b>0.697</b>	<b>0.589</b>
Asian American Firms	<b>0.903</b>	<b>0.596</b>	<b>1.769</b>	<b>0.554</b>
Native American Firms	0.660	0.524	0.438	<b>0.245</b>
Nonminority Female Firms	<b>0.648</b>	<b>0.481</b>	0.864	<b>0.426</b>
INVERSE OF ODDS-RATIOS				
African American Firms	<b>1.623</b>	<b>1.613</b>	<b>2.120</b>	<b>2.227</b>
Hispanic American Firms	<b>1.207</b>	<b>1.407</b>	<b>1.436</b>	<b>1.697</b>
Asian American Firms	<b>1.108</b>	<b>1.679</b>	<b>0.565</b>	<b>1.806</b>
Native American Firms	1.514	1.907	2.281	<b>4.082</b>
Nonminority Female Firms	<b>1.544</b>	<b>2.080</b>	1.158	<b>2.349</b>

Source: PUMS data from 2015-2019 American Community Survey (state of Delaware marketplace) and MGT Consulting Group LLC, calculations using SPSS Statistics software.

Note: Shading and **bold** indicate that the group's estimated "odds ratio" was statistically significant at a 95% confidence interval.<sup>187</sup> The architecture and engineering business industry was excluded from this analysis because of insufficient data.

Are racial, ethnic, and gender minority groups less likely than nonminority males to be self-employed? The findings show that racial, ethnic, and gender minority groups are nearly universally less likely than nonminority males to be self-employed after adjusting for the effects of age, education, etc. For example, nonminority males were 4.082 times more likely than Native Americans to be self-employed in Services; and nonminority males were 2.080 times more likely than nonminority females to be self-employed in the Construction industry.

These findings again communicate that disparities exist in the market concerning the overarching research question. Within this circumstance and in response to the specific research question, it is also evident that racial, ethnic, and gender variables have a statistically significant negative impact on self-employment rates after other factors are controlled for.

<sup>187</sup> Statistically significant is the likelihood that a relationship between two or more variables is caused by something other than random chance. MGT incorporates the statistical 95% confidence interval. This means that if the same population is sampled on numerous occasions and interval estimates are made on each occasion, the resulting intervals would bracket the true population parameter in approximately 95% of the cases.

## 6.4.4 The Influences of Race, Ethnicity, and Gender on Individual Earnings

To explore whether there are any measurable impacts on earnings, MGT compared self-employed, minority, and female entrepreneurs' earnings to those of nonminority males in the state of Delaware marketplace, when the effect of other demographic and economic characteristics was controlled or neutralized. MGT used earnings as the dependent variable as it includes all income earned for an individual and not just their wages. MGT was able to examine the earnings of self-employed individuals of similar education levels, ages, etc., to permit earnings comparisons more purely by race, ethnicity, and gender.

First, MGT derived a set of independent variables known to predict earnings, including:

- ◆ **Race and Gender:** African American, Asian American, Hispanic American, Native American, nonminority woman, nonminority males.
- ◆ **Availability of Capital:** Homeownership, home value, mortgage rate, unearned income, residual income.
- ◆ **Marital Status.**
- ◆ **Ability to Speak English Well.**
- ◆ **Disability Status:** From individuals' reports of health-related disabilities.
- ◆ **Age and Age Squared:** Squaring the age variable acknowledges the positive, curvilinear relationship between each year of age and earnings.
- ◆ **Owner's Level of Education.**

MGT used 2015-2019 wages from employment for self-employed individuals for the dependent variable, as reported in the 5 percent PUMS data.

This analysis examined the statistical effects of these variables on income from self-employment for business owners in the state of Delaware marketplace. As the linear regression analysis yielded, each number in **Table 6-12** represents a percent change in earnings associated with introducing the variable (business ownership classification) in the left-hand column. For example, across all industries, the adjustment factor for an African American is -0.539, meaning that an African American would be predicted to earn 53.39 percent less than a nonminority male, all other variables considered or controlled for. Complete results of linear regression outputs can be found in **Appendix C**.

TABLE 6-12.  
EARNINGS ELASTICITIES OF MINORITY GROUPS RELATIVE TO NONMINORITY MALES AFTER  
CONTROLLING FOR DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS

BUSINESS OWNERSHIP CLASSIFICATION	ALL INDUSTRIES	CONSTRUCTION	GOODS	SERVICES
African American Firms	<b>-0.539</b>	<b>-0.293</b>	<b>-0.451</b>	<b>-0.721</b>
Hispanic American Firms	<b>-0.571</b>	<b>-0.407</b>	<b>-0.355</b>	<b>-0.535</b>
Asian American Firms	<b>-0.446</b>	-0.218	<b>-0.300</b>	<b>-0.249</b>
Native American Firms	-0.208	0.580	-0.857	-0.103
Nonminority Female Firms	<b>-0.479</b>	<b>-0.174</b>	<b>-0.579</b>	<b>-0.569</b>

Source: PUMS data from 2015-2019 American Community Survey (state of Delaware marketplace) and MGT Consulting Group, LLC, calculations using SPSS Statistics software.

Note: Shading and **bold** indicate that the group's estimated "elasticities" were statistically significant at a 95% confidence interval. The architecture and engineering business industry was excluded from this analysis because of insufficient data. The regression "elasticity" means the percent change resulting from being a member of one of the M/WBE groups.

The findings provide further positive evidence that disparities exist in the private sector of state of Delaware's marketplace, compelling the continuation of remedies in the domain of the government's influence. The findings also provide affirmative evidence to the more specific questions regarding impacts on earning, demonstrating that self-employed racial, ethnic, and gender minority groups earn less than their nonminority male counterparts, all variables considered.

### 6.4.5 Disparities in Rates of Self-Employment: How Much Can Be Attributed to Discrimination?

The analyses of self-employment rates and 2015-2019 ACS self-employment earnings revealed general disparities between minority and nonminority self-employed individuals whose businesses were located in the state of Delaware marketplace.

**Table 6-13** presents the results of these analyses. Column A reports observed employment rates for each racial, ethnic, and gender group, calculated directly from the PUMS 2015-2019 data. To obtain values in columns B and C, MGT calculated two predicted self-employment rates using the following equation:

$$Pr ob(y = 1) = \sum_{k=1}^K (e^{\beta_k x_k} / 1 + e^{\beta_k x_k})$$

**Where:**

- $Pr ob(y = 1)$  = represents the probability of being self-employed
- $\beta_k$  = coefficient corresponding to the independent variables used in the logistic regression analysis of self-employment probabilities
- $x_k$  = the mean values of these same variables

The first of these predicted self-employment rate calculations (in column B) presents nonminority male self-employment rates as they would be if their characteristics (i.e.,  $x_k$ , or mean values for the independent variables) were applied to minority market structures (represented for each race by their  $\beta_k$  or odds coefficient values). The second self-employment rate calculation (in column C) presents minority self-employment rates as they would be if minorities were rewarded similarly as nonminority males in the nonminority male market structure, by multiplying the minority means (i.e., characteristics) by the estimated nonminority coefficients for both race and the other independent variables.

TABLE 6-13.  
OBSERVED AND PREDICTED SELF-EMPLOYMENT RATES  
STATE OF DELAWARE MARKETPLACE

BUSINESS OWNERSHIP CLASSIFICATION	OBSERVED SELF-EMPLOYMENT RATES (A)	WHITE CHARACTERISTICS AND OWN MARKET STRUCTURE (B)	OWN CHARACTERISTICS AND WHITE MARKET STRUCTURE (C)	DISPARITY RATIO (COLUMN A DIVIDED BY COLUMN C) (D)	PORTION OF DIFFERENCE DUE TO DISCRIMINATION (E)
Overall					
Non-M/WBE Firms	15.52%	15.52%	15.52%	100.00	
African American Firms	5.77%	13.06%	12.22%	47.27	66.10%
Hispanic American Firms	9.53%	13.49%	14.69%	64.91	86.09%
Asian American Firms	11.62%	18.04%	17.87%	65.05	
Native American Firms	5.13%	13.87%	12.63%	40.61	72.18%
Nonminority Female Firms	7.09%	13.64%	14.20%	49.91	84.37%
Construction					
Non-M/WBE Firms	17.81%	17.81%	17.81%	100.00	
African American Firms	10.53%	19.88%	20.47%	51.45	
Hispanic American Firms	12.38%	22.14%	24.34%	50.85	
Asian American Firms	14.14%	19.24%	30.08%	47.02	
Native American Firms	9.52%	17.34%	29.34%	32.46	
Nonminority Female Firms	8.98%	16.13%	27.40%	32.76	
Goods					
Non-M/WBE Firms	10.44%	10.44%	10.44%	100.00	
African American Firms	3.66%	7.79%	7.28%	50.20	53.48%
Hispanic American Firms	5.60%	11.09%	10.29%	54.43	97.04%
Asian American Firms	17.50%	24.06%	15.89%	110.09	22.71%
Native American Firms	3.57%	7.28%	7.47%	47.79	56.84%
Nonminority Female Firms	8.06%	13.40%	11.05%	72.92	
Services					
Non-M/WBE Firms	17.68%	17.68%	17.68%	100.00	
African American Firms	5.53%	12.89%	13.82%	40.03	68.23%
Hispanic American Firms	7.10%	16.27%	16.73%	42.48	91.01%
Asian American Firms	8.83%	15.44%	19.35%	45.61	
Native American Firms	3.45%	7.47%	11.15%	30.93	54.11%
Nonminority Female Firms	6.50%	12.31%	16.95%	38.36	93.49%

PUMS data from 2015-2019 American Community Survey (state of Delaware marketplace) and MGT Consulting Group, LLC, calculations using SPSS Statistics software.

Using these calculations, MGT was able to determine a percentage of the disparities in self-employment between minorities and nonminority males attributable to discrimination by dividing the observed self-employment rate for a particular minority group (column A) by the predicted self-employment rate as it would be if minority groups faced the same market structure as nonminority males (column C). Next, MGT calculated the difference between the predicted self-employment rate as it would be if minority groups faced the same market structure as nonminority males and the observed self-employment rate for that minority group and divided this value by the difference between the observed self-employment rate for nonminority males and the self-employment rate for a particular minority group. In the absence of discrimination, this number is zero, which means disparities in self-employment rates between minority groups and nonminority males can be attributed to differences in group characteristics not associated with discrimination. Conversely, as this value approaches 1.0, MGT can attribute disparities increasingly to discrimination in the marketplace.

The findings provide evidence that for M/WBEs, many barriers exist to achieving the same level of self-employment rates as their Non-M/WBE counterparts. The results further show that discriminatory factors are the primary cause of these differences in numerous instances. It should be noted that although in several cases, MGT was able to determine that discrimination was a factor, there remain historical discriminatory factors that are baked into the resulting low levels of self-employment that aren't easily teased out.

## 6.5 Access to Credit

Although this section does not provide direct evidence of private sector discrimination in the state of Delaware marketplace, it offers illustrative evidence of M/WBE firms' barriers in accessing credit. This information provides guidance to the results provided throughout the private-sector analysis.

### 6.5.1 Small Business Administration, Office of Advocacy

In February 2018, Alicia Robb, Ph.D., conducted a study on behalf of the Small Business Administration entitled, *"Financing Patterns and Credit Market Experiences: A Comparison by Race and Ethnicity For U.S. Employer Firms."* The study used U.S. Census Bureau 2014 data from the Annual Survey of Entrepreneurs. Ms. Robb examined differences in financing and access to capital for small firms. The findings in her report were similar to other work showing disparities in the access and cost of capital between minority and nonminority-owned firms. Additionally, her report pointed to the barriers to access to affordable credit have a negative impact on the profitability and stability of minority-owned firms.

The report showed that among Blacks or African Americans who chose not to apply for financing despite needing it, nearly 60 percent said they didn't apply because they didn't think the lender would approve them.

Here MGT provides some summary statistics from this report.

TABLE 6-14.  
NEGATIVE IMPACT FROM ACCESS TO FINANCIAL CAPITAL

	Minority	Nonminority
Construction	18.2%	11.5%
Professional Services	13.6%	7.2%

Source: Table 17, *Financing Patterns And Credit Market Experiences: A Comparison by Race and Ethnicity For U.S. Employer Firms.*

TABLE 6-15.  
NEGATIVE IMPACT FROM COST OF FINANCIAL CAPITAL

	Minority	Nonminority
Construction	15.8%	11.7%
Professional Services	12.3%	7.1%

Source: Table 17, *Financing Patterns And Credit Market Experiences: A Comparison by Race and Ethnicity For U.S. Employer Firms.*

TABLE 6-16.  
DID NOT RECEIVE AMOUNT REQUESTED

	Percentage
White	24.50%
Black	53.00%
Asian	34.20%
Hispanic	39.00%
Minority	38.60%
Nonminority	23.60%

Source: Table 9, *Financing Patterns And Credit Market Experiences: A Comparison by Race and Ethnicity For U.S. Employer Firms.*

TABLE 6-17.  
FIRMS 16+ YEARS OLD DID NOT RECEIVE THE AMOUNT REQUESTED

	Percentage
Minority	30.20%
Nonminority	14.30%

Source: Table 11, *Financing Patterns And Credit Market Experiences: A Comparison by Race and Ethnicity For U.S. Employer Firms.*

Ms. Robb also provides information found in the 2015 study entitled, “Rejected, Shackled, and Alone: The Experience of Systematic Restricted Consumer Choice Among Minority Entrepreneurs.”<sup>188</sup> This study reports on testing that was done regarding applying for business credit using testers as applicants. Findings included:

In comparison to white testers, minorities were more often asked to provide:

- ◆ business financial statements - 83% vs. 50%
- ◆ income-tax returns – 86% vs. 52%
- ◆ bank account information – 25% vs. 0%
- ◆ personal financial asset details – 60% vs. 22 %
- ◆ credit-card debt information – 42% vs. 13%

She writes, “Overall; minorities were consistently offered less assistance and subjected to greater scrutiny compared to the white testers” (p. 37).

## 6.5.2 Minority Business Development Agency

The U.S. Department of Commerce, Minority Business Development Agency published a report in January 2010 entitled, “*Disparities in Capital Access between Minority and Non-Minority-Owned Businesses: The Troubling Reality of Capital Limitations Faced by MBEs.*” Findings pointed to access to affordable credit remains one of the main impediments to minority-owned firm growth.

General findings show that minority-owned businesses: pay higher interest rates on loans, are more likely to be denied credit, and are less likely to apply for loans because they fear their applications will be rejected.

- ◆ Among high sales firms, 52% of nonminority firms received loans compared with 41% of minority firms.
- ◆ The average loan amount for all high sales minority firms was \$149,000. The nonminority average was more than twice this amount at \$310,000.
- ◆ Among firms with gross receipts under \$500,000, loan denial rates for minority firms were about three times higher, at 42%, compared to those of non-minority-owned firms, at 16%.
- ◆ Among firms with gross receipts under \$500,000, 33% of minority firms did not apply for loans because of fear of rejection compared to 17% of nonminority firms.
- ◆ For all firms, minority firms paid 7.8% on average for loans compared with 6.4% for nonminority firms.

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<sup>188</sup> Bone, S., Christensen, G., and Williams, J. 2015. Rejected, shackled, and alone: The experience of systematic restricted consumer choice among minority entrepreneurs, *Journal of Consumer Research*.



### 6.5.3 The Federal Reserve Small Business Credit Survey

The Small Business Credit Survey (SBCS) is a national collaboration of the 12 Reserve Banks of the Federal Reserve System. This survey has been conducted annually since 2015. Survey responses are collected from firms throughout the United States. While statistics are provided regarding how many responses are from each census region and division, the data provided online does not report race by division. The reports vary somewhat from year to year. For example, the 2016 reports include specific reports for minority and female-owned firms; and the 2018 reports included one regarding disaster-affected firms. Overall, each year's report documents that minority- and female-owned firms, particularly Black-owned firms, have less access to credit and pay more for credit than similarly situated white-owned firms. Data from four consecutive years documents the continuing challenge that minority-owned firms, particularly Black-owned firms, face regarding access to, and cost of, credit. Summary information from reports for employer firms is provided below.<sup>189</sup>

#### SBCS 2016

##### Report on Minority-Owned Firms

The 2016 SBCS fielded in Q3, and Q4 2016 yielded 7,916 responses from employer firms with race/ethnicity information in 50 states and the District of Columbia.

- ◆ Black-owned firm application rates for new funding are ten percentage points higher than White-owned firms, but their approval rates are 19 percentage points lower.
- ◆ 40% of Black-owned firms did not apply for financing because they were discouraged (i.e., they did not think they would be approved), compared with 14% of White-owned firms.
- ◆ Looking at just firms that were approved for at least some financing, when comparing minority- and nonminority-owned firms with good credit scores, 40% of minority-owned firms received the total amount sought compared to 68% of nonminority-owned firms.
- ◆ Black-owned firms report more credit availability challenges (58% vs. 32%) and difficulty obtaining funds for expansion (62% vs. 31%) than White-owned firms.

##### Report on female-Owned Firms

- ◆ Low credit risk female-owned firms were less likely to be approved for business loans than their low credit risk male counterparts (68% compared to 78%).
- ◆ Sixty-four percent of female-owned firms reported a funding gap, receiving only some or none of the financing sought, compared to 56% of men-owned firms.
- ◆ Fewer female-owned firms received all of the funding sought than men-owned firms, and more females received none. Among low credit risk firms, 48% of female-owned firms received all of the financing requested, compared to 57% of men-owned firms.

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<sup>189</sup> Source: Small Business Credit Survey, Federal Reserve Banks.

## SBCS 2017

### Report on Employer Firms

Fielded in Q3 and Q4 2017, the survey yielded 8,169 responses from small employer firms in the 50 states and the District of Columbia.

- ◆ Minority-owned firms report higher rates of financial challenges in the previous 12 months due to credit availability than white-owned firms. For firms with revenues less than \$1M, Black-owned firms (58%) are at almost twice the rate of white-owned firms (32%) (Asian 42%, Hispanic 45%). MGT sees the same ratio for firms with revenues at more than \$1M: Black-owned firms, 49%, and White-owned firms, 24% (Asian 38%, Hispanic 34%).
- ◆ Rates of firms reporting receiving at least some of the financing requested: for Black-owned firms, 61%, and White-owned firms 80% (Asian 73%, Hispanic 74%).
- ◆ For low credit risk firms, 85% of nonminority-owned firms received at least some of the financing requested compared with only 75% for similarly situated minority-owned firms.
- ◆ For low credit risk firms receiving total financing, 68% of nonminority-owned firms were approved compared to only 40% of minority-owned firms.

## SBCS 2018

### Report on Employer Firms

There were 8,072 responses received for this survey from firms throughout the United States.

- ◆ Minority-owned firms report higher rates of financial challenges in the prior 12 months due to credit availability than white-owned firms. Rates were: Black-owned firms, 50%; Asian, 33%; Hispanic, 41%; and White-owned firms, 28%.
- ◆ Rates of firms receiving at least some of the financing requested ranged from a high of 80% for White-owned firms to a low of 59% for Black-owned firms.
- ◆ Rates of firms receiving the full amount requested ranged from a high of 49% for White-owned firms to a low of 23% for Black-owned firms.
- ◆ 38% of black-owned firms did not apply for financing because they were discouraged (i.e., they did not think they would be approved), compared with 12% of white-owned firms.

## SBCS 2019

### Report on Minority-Owned Firms & Report on Employer Firms

The annual survey of businesses was fielded in the third and fourth quarters of 2018 and generated 6,614 responses from employer firms.

- ◆ Minority-owned firms report higher rates of financial challenges in the prior 12 months due to credit availability than white-owned firms. Rates were: Black-owned firms, 51%; Asian, 36%; Hispanic, 40%; and White-owned firms, 30%.
- ◆ Rates of firms receiving at least some of the financing requested ranged from a high of 80% for White-owned firms to a low of 62% for Black-owned firms.
- ◆ Rates of firms receiving the full amount requested ranged from a high of 49% for White-owned firms to a low of 31% for Black-owned firms.
- ◆ 28% of black-owned firms did not apply for financing because they were discouraged (i.e., they did not think they would be approved), compared with 13% of white-owned firms.
- ◆ On average, Black- and Hispanic-owned firm applicants received approval for smaller shares of the financing they sought compared to White-owned small businesses that applied for financing.
- ◆ Larger shares of Black- and Hispanic-owned firm applicants did not receive any of the financing they applied for—38% and 33%, respectively—compared to 20% of White-owned business applicants.
- ◆ A larger share of White-owned business applicants received approval for all the financing they applied for: 49%, compared to 39% of Asian-, 35% of Hispanic-, and 31% of Black-owned firm applicants.

## 6.6 Conclusions

Analysis of the U.S. Census 2012 SBO data, 2017 ABS data, and the PUMS 2015-2019 data demonstrate, in response to the overarching research question driving this analysis, that disparities do exist for M/WBE firms operating in the private sector within the state of Delaware's marketplace. Thus, based on the guidance offered by the courts into this domain, the state of Delaware may have a compelling interest in continuing its current supplier diversity program.

To the more specific research questions:

- ◆ Findings from the U.S. Census 2012 SBO and 2017 ABS data indicate that there are substantial disparities for most M/WBE firms across industry sectors resembling the procurement categories identified for this study.
- ◆ Findings from the 2015-2019 PUMS data indicate that:
  - M/WBE firms were significantly less likely than nonminority males to be self-employed.

- Overall, nonminority male firms were over 1.6 times as likely as African Americans to be self-employed.
- The most egregious business category was Services, where nonminority male firms were over four times as likely as Native Americans to be self-employed.
- If they were self-employed, M/WBE firms earned significantly less in 2015-2019 than did self-employed nonminority males.
  - Overall, Hispanic firms earned far less than their nonminority male counterparts; 57.10 percent less.
  - The most egregious businesses category is Services, where African American firms earned 72.10 percent less than nonminority male firms.
- Analysis of observed vs. predicted self-employment rates show that there are instances that discrimination had an impact on these rates. Further, this analysis shows that holding all factors consistent, race, ethnicity, and gender plays a role in lower level of self-employment for M/WBEs.

A review of access to credit indicates that minorities and females tend to receive less than the requested amount, when they are approved, than nonminority men; that they are approved for credit less often than nonminority males; and that credit costs them more than nonminority males. In light of these findings, credence may be given to the proposition established by Justice O'Connor in *Croson*, which suggested a government could be a passive participant in private-sector discrimination if it did not act to counter these dynamics, at least within the domain of its influence. This evidence stands alongside the disparities observed in public sector contracting to illustrate the substantial inequities that continue to exist in state of Delaware's marketplace, underscoring its compelling interest in continuing to pursue remedies to address these extant gaps.

# 7 Qualitative Analysis

## 7.1 Introduction

This chapter examines qualitative evidence of conditions and obstacles faced by M/WBE firms in the study market area in their experiences working with the State, the State’s prime contractors, and the private sector. The collection and analysis of qualitative data focused on firms registered to do business with the State and helps to explain and provide context for the quantitative data analyses found in **Chapter 3, Market Area and Utilization Analyses** and **Chapter 4, Availability and Disparity Analyses**. In conjunction with the quantitative data, MGT also was able to draw inferences from the qualitative data as to the prevalence of obstacles perceived as limiting the participation of M/WBEs and other firms in the State’s procurement transactions.

Chapter Sections	
7.1	Introduction
7.2	Methodology
7.3	Demographics
7.4	Findings
7.5	Suggested Remedies from Anecdotal Participants
7.6	Stakeholder Interviews
7.7	Conclusions

Qualitative or anecdotal comments in this chapter detail the perceptions and opinions of individuals, and whether these opinions rise to the surface depends on how much they are corroborated by statements of others and the quantitative data that has been compiled to substantiate these perceptions. Unlike conclusions derived from other types of analysis in this report, the conclusions derived from qualitative analyses do not rely solely on quantitative data. Rather, the analysis in this chapter utilizes qualitative data to describe the context of the examined social, and economic environment in which all businesses and other relevant entities applicable to the study operate.

The qualitative analysis seeks to answer MGT’s research question: *Is there qualitative/anecdotal evidence of disparate treatment of MBE, WBE, VOB, SDVOB, and IWDBE subcontractors by prime contractors?* The collective anecdotal activities gathered input from business owners or representatives regarding their opinions and perceptions of their experiences working with the State, or on State projects as subcontractors.

## 7.2 Methodology

The blueprint for collecting and analyzing anecdotal information for this Study was provided by the U.S. Supreme Court in *City of Richmond v. J.A. Croson*, 488 U.S. 469, 109 S.Ct. 706 (1989) (*Croson*). In that case, the Court held that race-conscious programs must be supported by strong documentation of discrimination, including evidentiary findings that go beyond the demographics of a community. Qualitative information can bolster the quantitative analyses of contract expenditures to explain whether minority business creation, growth, and retention are negatively affected by discrimination. In *Croson*, the Court held that anecdotal accounts of discrimination could help establish a compelling interest for a local government to institute a race-conscious remedy. Moreover, such information can provide a local entity with a firm basis for fashioning a program that is narrowly tailored to remedy identified forms of marketplace discrimination and other barriers to M/WBE participation in contract

opportunities. Further discussion regarding the basis and motivation for collection and analysis of anecdotal data is contained in **Chapter 2, Legal Framework**.

MGT used a combination of surveys, community meetings, and one-on-one interviews with businesses to collect anecdotal information that is analyzed to identify issues and concerns that were common to businesses in the market area. In addition to the anecdotal data collection from area businesses, MGT conducted in-depth interviews with area trade associations, and business organizations to gather anecdotes on their perceptions of the State's procurement process and impact of the M/WBE program to firms in the market area, both MWBEs and non-MWBEs. While the collection of these anecdotes is not required by the courts, input from advocacy and professional development organizations give a third-party perspective of M/WBE issues and broadens the collection of M/WBE firms experiences doing business or attempting to do business with the State.

### 7.2.1 Community Outreach

MGT developed a master vendor database of firms that incorporated data sets from the State's vendor and certification lists; membership lists from area trade associations and business organizations, if provided; and vendor and certification lists collected from other public agencies to establish a base for the outreach efforts. This database was created to ensure that a broad range of firms in the marketplace were notified about the qualitative data collection activities.

MGT worked with the State to create a community outreach plan that included various outreach methods geared to inform and encourage the business community's involvement and engagement for anecdotal data collection activities. Outreach methods included:

- ◆ MGT and the State identified area trade associations and business organizations, referred to as stakeholders for purposes of this report, whose insights would be valuable to understanding the dynamics and perceptions of the vendor community. The stakeholders were notified via e-mail blasts of anecdotal data collection activities and asked to encourage their members to participate.
- ◆ Email blasts to the business community to increase awareness and engagement.

### 7.2.2 Sampling

MGT's sampling methodology for the in-depth interviews, and business surveys was to randomly select firms from the study's master vendor database. Each sample pulled included diverse businesses and non-diverse firms in each procurement category studied in this report. To avoid contacting businesses multiple times the database was cross referenced with previous extractions to ensure that firms did not participate in more than one qualitative data collection activity.

### 7.2.3 Business Survey

The business survey asked respondents to provide information on business ownership, demographics and structure; work bid or performed as prime contractors with the State; work bid or performed as subcontractors to the State's prime contractors; whether the respondent firm bid or performed work in

the private sector; and any perceived barriers to doing business with the State or its primes that the respondents believed they had experienced during the study period. The survey was administered via telephone to a randomly selected list of firms.

Disparity study survey analyses are commonly plagued by sample size limitations, especially where the size of the minority business population is insufficient to permit a valid and representative sample. This problem is compounded when analyses are stratified further by business category. Insufficient sample size can pose problems for the statistical confidence of the results. MGT attempted to collect data in proportion to the distribution of M/WBEs and non-M/WBEs in the relevant market area. Although MGT's goal is to report data that can satisfy the 95 percent confidence level, this does not mean that data should not be reported because of slightly reduced confidence intervals, especially when extreme due diligence has been exercised in attempting to meet the 95 percent standard. For this reason, our conclusions from the responses received do not reflect a statistical finding for Native American firms in the anecdotal findings. The survey of vendors questionnaire is included in this report as **Appendix D, Business Survey Instrument**.

The data from the survey responses were analyzed to determine the types of firms represented in the findings included within this chapter. These survey demographics are included as **Appendix G, Demographics of Business Survey Respondents**.

## 7.2.4 Community Meetings

Due to the COVID-19 pandemic, MGT conducted these meetings via webinar that enabled virtual attendees to provide anecdotal comments. Area businesses and stakeholders were invited to attend one of the two virtual community meetings that were held on Monday 18, 2021. The community meetings were designed to provide information about the study and allow attendees to provide their input on doing business with the State and in the marketplace. Each community meeting began with a presentation outlining the study's objectives, work tasks, and methods by which anecdotal input can be received. Following the presentation, attendees who wanted to provide comments did so individually.

## 7.2.5 In-Depth Interviews

The in-depth interviews were one-on-one interviews with diverse businesses and non-diverse business owners or representatives to gather information about the firms' experiences in attempting to do, and conducting, business with the State (both directly as a prime and/or as a subcontractor). During the interviews we gathered demographic information such as the firm's primary line of business, ethnicity, gender, education/training background of the owner, business history, size and gross revenues during study's fiscal years, and information. The in-depth interviews were structured settings in which an interviewer or facilitator used an interview guide (**Appendix F**) to obtain input from participants. The interviews provided more latitude for additional information gathering on issues that are unique to the respondents' experiences than the community meetings or surveys. The interviewer made no attempt to prompt or guide responses from the participants, although follow-up questions were asked to obtain further clarification or information as necessary and appropriate. Before the interviews began, each participant attested that their responses were given freely and were true and accurate reflections of their experience with the State or its prime contractors.

## 7.2.6 Stakeholder Outreach

Outreach to stakeholders (trade associations and business organizations) was beneficial to the outreach efforts because their assistance extended communication efforts to inform and engage the business community in qualitative data collection activities. Stakeholders were asked to provide their feedback on the Office of Supplier Diversity business inclusion programs and on procurement processes from the perspective of the objectives of the organization.

## 7.3 Demographics

As mentioned, the use of a multi-pronged approach to collecting qualitative data provided a broader reach within the relevant market area. The self-reported demographic characteristics of anecdotal participants by data collection activity type are presented in the sections below.

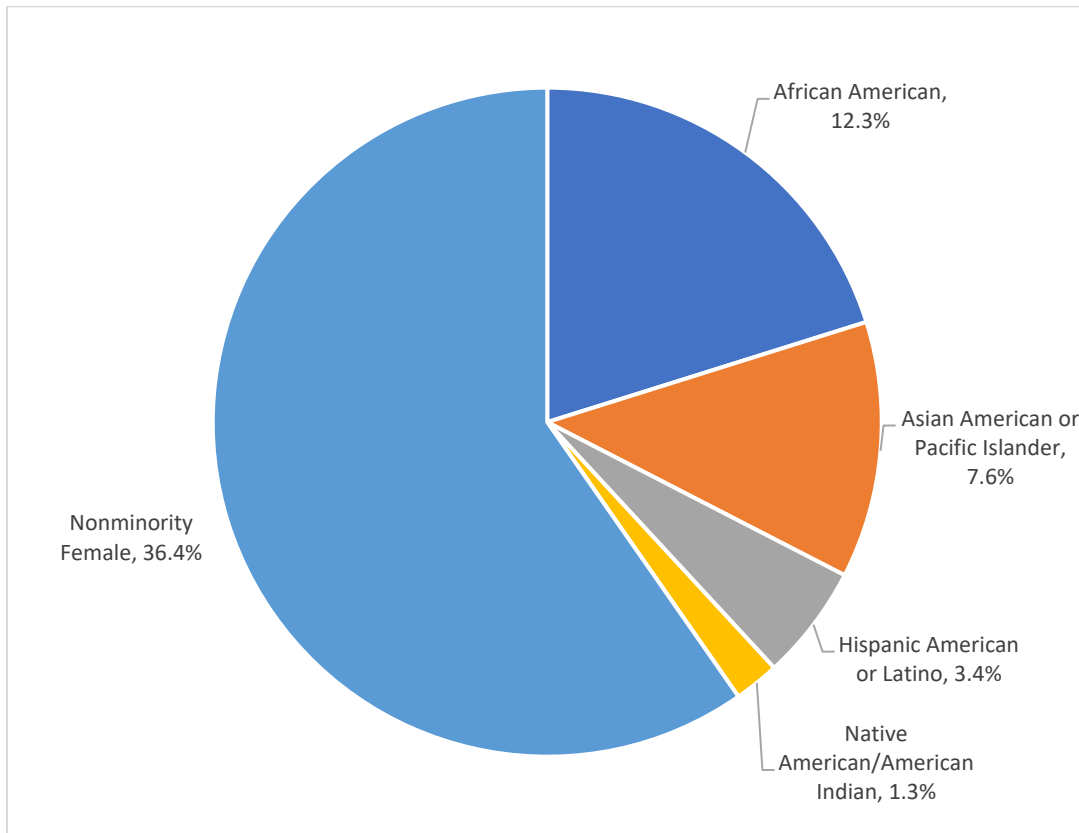
### 7.3.1 Collective Anecdotal Data

This section provides demographic data of firms that participated in the various data collection activities such as the number of M/WBE firms and the industries the firms represent in comparison to non-M/WBE firms.

**Figure 7-1** Figure 7-1. The State's Qualitative Business Demographics Proportion of Respondents By Ownership illustrates the overall participation of M/WBE and non-M/WBE firms in all qualitative collection activities. Nonminority Women (36.4% of participants), African American (12.3% of participants), Asian American or Pacific Islander (7.6% of participants), Hispanic American or Latino (3.4% of participants), Native American or American Indian (1.3% of participants), respectively, represented the largest group of participants.



FIGURE 7-1. THE STATE'S QUALITATIVE BUSINESS DEMOGRAPHICS  
PROPORTION OF RESPONDENTS BY OWNERSHIP

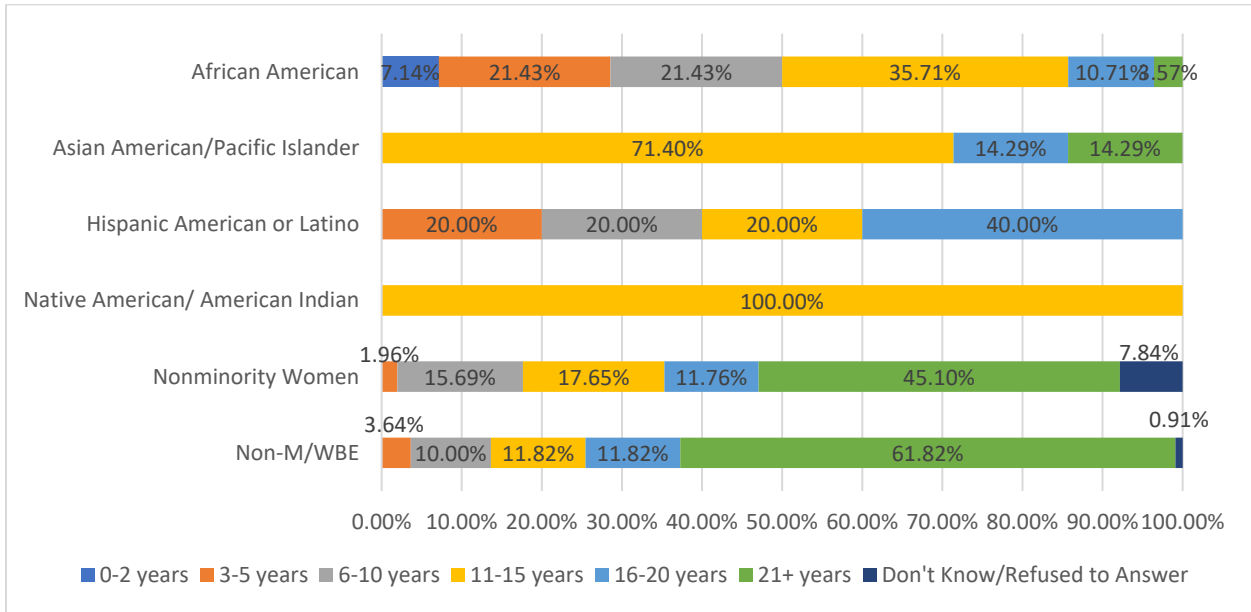


Source: Qualitative participants from in-depth interviews and business surveys.

### 7.3.2 Qualitative Analysis

Business survey respondents provided detailed information on the state of their business in terms of size, revenue as well as, barriers to doing business. **Figure 7-2** illustrates the years in business by ownership classification. Non-M/WBE and Nonminority women businesses that responded have been in business longer than minority business participants with 21 or more years in business.

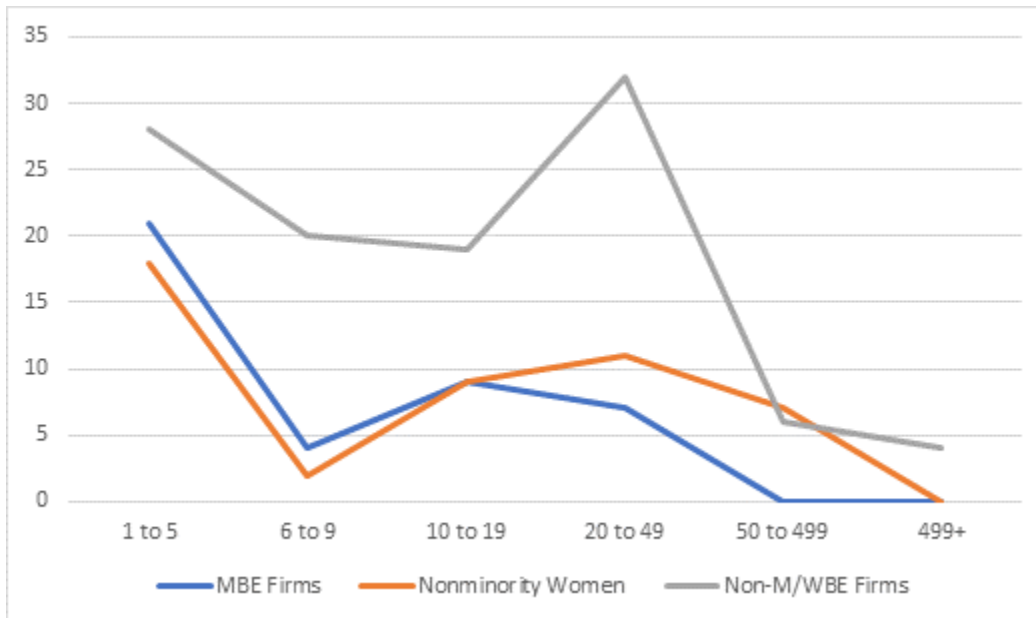
FIGURE 7-2. THE STATE'S QUALITATIVE BUSINESS DEMOGRAPHICS  
PROPORTION OF RESPONDENTS BY OWNERSHIP



Source: 2022 Business Surveys SkyBase7.

Minority businesses also have fewer employees overall than Nonminority women and Non-M/WBE firms as illustrated in **Figure 7-3**.

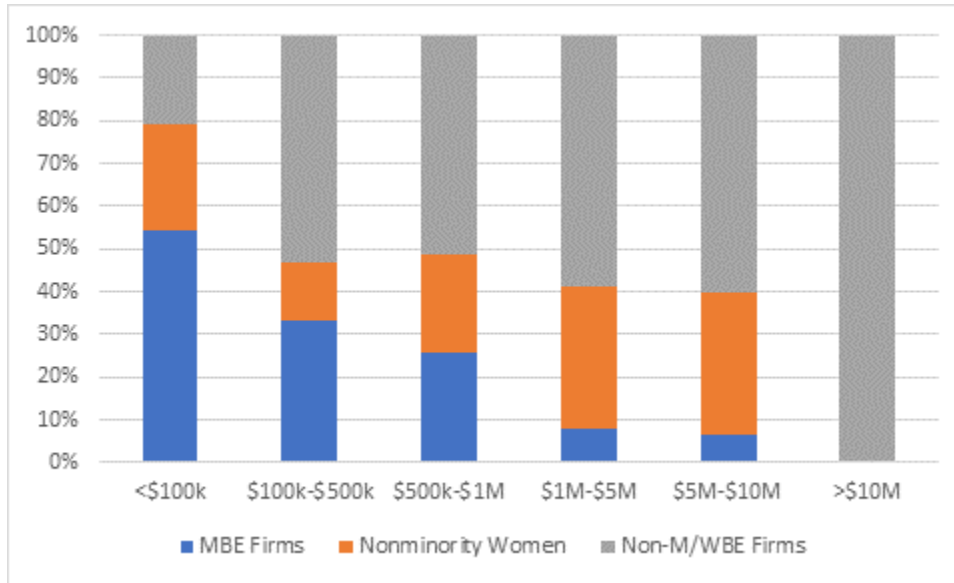
FIGURE 7-3. THE STATE'S QUALITATIVE BUSINESS DEMOGRAPHICS  
PROPORTION OF RESPONDENTS BY OWNERSHIP



Source: 2022 Business Surveys SkyBase7.

The average annual revenue for MBE firms were over 50 percent in the less than \$100,000 range while Nonminority women had average annual revenues more often between \$1M and \$10M. Non-M/WBE businesses gained greater average annual revenues than both MBE and non-M/WBE business as shown in **Figure 7-4**.

**FIGURE 7-4. THE STATE’S QUALITATIVE BUSINESS DEMOGRAPHICS  
PROPORTION OF RESPONDENTS BY OWNERSHIP**



Source: 2022 Business Surveys SkyBase7.

## 7.4 Findings

The findings below reflect the opinions and perceptions of anecdotal participants. In the sections which follow, findings are organized around themes or concerns expressed by vendors, with evidence divided between (1) items identified through qualitative input from anecdotal research participants (interviews and open-ended comments) and (2) quantitative summaries of perceptions collected through the custom census business surveys. In some cases, content is limited to one category of findings based on the information collected through various mediums.

### 7.4.1 Procurement Process Issues and Challenges of M/WBEs

Procurement process issues and challenges are frequent issues of concern among vendors in the relevant market. The fair and equal opportunity to bid or propose on the State’s contracts is critical to the growth and success of all firms, and particularly those of disadvantaged, social, or economic circumstances.

Included below is a sampling of comments from participants reflecting their experiences attempting to do business or doing business with the State of Delaware:

- ◆ *“I did work for the Navy for years and the federal government takes better care of M/WBEs than the State. The 'good old boy' network is a major issue in my line of business. I am aware of solicitations and contracting opportunities after the fact. Sometimes, I only have ten (10) days after the bids has been posted to prepare a bid package.”*
- ◆ *“I do not have a lot of information on contracting opportunities and how to find them in order to work with the State of Delaware.”*
- ◆ *“I find that as a business owner in Delaware, the vendor system is not fair. They need to make it easier or more feasible for more companies to get work with the State of Delaware.”*
- ◆ *“I have applied to work with the State of Delaware but have not received the chance. I have a hard time understanding the documentation that is required to apply for jobs. It is a challenge, and many documents are required when applying, which takes a long time. I would like to understand the documentation and why so much is required.”*
- ◆ *“It is unfair that our vendors here in Delaware are cut out by giving the work opportunities to business's out of the state. Something needs to be done to turn this around. We can do the same thing, if given the opportunities.”*

## 7.4.2 Business Inclusion Program

Whether participants were certified as MBE, WBE, IWBE, VBE, etc. provided insight into how these certifications assisted in identifying opportunities and winning contracts or subcontracts. Included below is a sampling of comments from participants regarding diverse certifications:

- ◆ *“Everything goes through the DMV and the State of Delaware Transportation Department. So far so good. I have never had an issue.”*
- ◆ *“Having this certification has helped my business to get work with the State of Delaware. They have purchased some of my goods since I received this designation.”*
- ◆ *“I have been given more opportunities to bid with larger companies and received some small jobs.”*
- ◆ *“I have had an easier time applying to work with the State of Delaware and I have gotten more contracts with them through my certifications.”*
- ◆ *“I don't see many solicitations and RFP's that require our services in Delaware. In turn, it has limited our opportunities to advance with them.”*
- ◆ *“I was able to increase my bottom line before COVID. I was allowed to bid on large contracts that I wasn't afforded the opportunity to in the past.”*
- ◆ *“I have not seen any more opportunities come from being certified.”*

### 7.4.3 Financial Barriers

Limited access to capital and inconsistent cash flow impacts M/WBE and small firms' ability to successfully complete projects, apply for and receive bonds, hire employees, and operate their businesses. Similarly, cash flow becomes a barrier for M/WBE firms, particularly smaller M/WBE firms, because it limits the amount of work they can bid. Data extracted from the survey indicates that approximately 6.37 percent of qualitative respondents stated that credit availability was a financial challenge in the previous 12 months. Participants that did not face financial barriers during the same period 39 percent stated that they have sufficient financing to operate their business. Comments from participants included:

- ◆ *"Applied for the Paycheck Protection Program Loan to keep my business opened."*
- ◆ *"I do not know who to call to apply for credit or which banks will give me a loan."*
- ◆ *"We do not have enough contracts or revenue coming in to apply for credit. They need to see your financials and mine are not good at this time since business is down."*

### 7.4.4 Prime Contracting Behavior

Subcontracting offers M/WBE firms a way to grow their businesses. Primes that treat M/WBEs unfairly or deny the opportunity to bid on contracts impacts the local economy but also potentially negatively impacts the growth of M/WBEs in the marketplace. Thirty-seven percent of the survey respondents indicated that prime seldomly or never utilized their firm on projects without M/WBE goals. Specific issues and challenges noted in this area include:

- ◆ *"Delaware doesn't have minority quotas so prime companies only go for the lowest bid, thus disregarding minority, specifically black-minority businesses. So, they are being excluded from contracts."*

### 7.4.5 Discrimination and Disparate Treatment

Prime firms were asked if they experienced discrimination or disparate treatment when bidding or working on State contracts. More often prime respondents indicated that unfair or unequal treatment, double standards in performance, denial of opportunity to bid, and unfair denial of contract award were experienced with the State. M/WBEs indicating such experiences were as follows:

- ◆ *"The State of Delaware gives contracts to who they want to give them to and no one else. It's the 'good ole boy' and family network."*
- ◆ *"Provide more work for smaller companies and revamp the bidding process so everyone can have a seat at the table. Also, get rid of the 'good ole boy' network."*
- ◆ *"They award all of the contracts to larger companies and their friends. The small and minority owned companies are left out of the bidding process and never receive any contracts from the State of Delaware."*

The categories included in the table below were provided as options for describing types of disparate or discriminatory treatment by primes. Subcontractor firms that experienced disparate treatment stated that verbal comments are how they became aware of discrimination against their company. Specific comments and experiences noted in this area include:

- ♦ *“I am unable to lock in lower prices for supply brands that contracts specify to use while bigger companies are able to.”*
- ♦ *“The discrimination was shown from the requirements of my company versus others. It was nothing too blatant, it is just something I have had to deal with.”*
- ♦ *“[They] requires double standards when it comes to small businesses. So, this is a way to exclude you from bidding on projects.”*

In **Table 7-1** Error! Reference source not found., M/WBE survey respondents further elaborated on how they experienced various forms of disparate treatment by primes as subcontractors.

TABLE 7-1. STATE DISPARATE TREATMENT IDENTIFIED BY SUBCONTRACTORS

	African American	Asian American	Hispanic American	Native American	Nonminority Women
Harassment	8.33%	0.00%	0.00%	0.00%	7.69%
Unequal or unfair treatment	8.33%	0.00%	0.00%	0.00%	0.00%
Bid shopping or bid manipulation	0.00%	0.00%	0.00%	0.00%	7.69%
Double standards in performance	8.33%	0.00%	0.00%	0.00%	7.69%
Denial of opportunity to bid	8.33%	0.00%	0.00%	0.00%	15.38%
Unfair denial of contract award	8.33%	0.00%	0.00%	0.00%	7.69%
Unfair termination	8.33%	0.00%	0.99%	0.00%	0.00%
Unequal price quotes from suppliers	0.00%	0.00%	0.00%	0.00%	7.69%

Source: 2022 Business SurveysSkyBase7.

## 7.4.6 Barriers to Doing Business

Barriers to doing business with the State, primes contracted with the State, or in the prime sector marketplace can cause a disparate impact on business capacity and growth. Survey respondents stated that competing with large companies is their primary barrier to doing business (17.30% of respondents) and the informal network of businesses or “good ole boy” system (5.71% of respondents) is closely tied to the primary barrier.

## 7.5 Suggested Remedies from Qualitative Participants

All qualitative data collection activities included the opportunity for participants to express their ideas and recommendations for improving the procurement process, Business Inclusion Program, or to increase diverse business participation in State procurement. The suggestions do not consider whether the State currently provides or has addressed these suggestions. A few recurring ideas and/or suggested remedies provided by participants were:

- ◆ *“Offer more work for minority owned small businesses.”*
- ◆ *“It would be nice if smaller jobs got paid upfront. I am still waiting on payment from a job I did over eight (8) months ago.”*
- ◆ *“I would like better communication with the State of Delaware. Typically, the company works on police vehicles, but we tried for a contract in printing and graphics and did not win. I reached out to better understand why we lost when we had better pricing than the winner and received no response or any feedback.”*
- ◆ *“Simplify the[procurement] process.”*
- ◆ *“[Be] more open to look at smaller companies. Does the State want to take on the risk of buying something from a smaller business?”*
- ◆ *“Really like to see the whole way we teach and educate in start-up training programs.”*
- ◆ *“Bring in disadvantaged firms and walk them through the project requirements to make sure bid is complete. Put them in touch with primes that they can meet and work with. Set aside contracts to get feet wet and compete among themselves and learn then compete with primes.”*

## 7.6 Stakeholder Interviews

Stakeholders were identified as area trade associations and business organizations that have a stake in the development and growth of area businesses, including minority- women, veteran, and disabled-owned businesses. MGT invited stakeholders to encourage their members to participate in qualitative data collection activities and to participate in interviews with their organization. The stakeholder organizations that participated in the interviews provide capacity building, advocacy, and technical and/or business development to their members. The common themes expressed by stakeholders included:

- ◆ **Procurement and contracting practices**
  - *“That’s a good old boy network right there you if you ask me. I mean, they’re getting better. I’m not saying they’re not. But yeah, that’s a good old boy network. Who you know, not what you know.”*
  - *“Aside from all other challenges, trying to compete with “good ole boys” to penetrate the market.”*
  - *“Understanding how the procurement process works and how to submit bids – need to make sure that it is complete; need education around submitting proper bid that holds up during bid process.”*
- ◆ **Barriers their members face when doing business or attempting to do business with the State or their primes.**
  - *“The biggest challenge for small contractors is the fact that they have to pay a registration fee as high as the largest contractors. [they put policies in place that they think they’re trying*

- to help the small businesses by making it equal across the board. But what they're doing is they're creating barriers, additional barriers for small businesses, especially minority contractors.”*
- *“We can be onerous at times and sluggish, specifically the State, but the large corporations as well in cutting through red tape.”*
    - ◆ **Barriers to self-employment**
  - *“We know that women, in general, are given less access to funding, to loans. I think that for women of color, it adds an even greater challenge. The percentage of women entrepreneurs that get venture capital is a crazy statistic. Like 10% of women get venture capital, but 85% of men do.”*
  - *“In general, there needs to be more done to prepare people for starting a business.”*
  - *“Difficult to purchase a home – banks won’t lend to people with I-10 numbers.”*
    - ◆ **Describe the economic state of minority- and women-owned firms in the State**
  - *“There is a big need in terms of resources for the Latino community – there are language and cultural barriers – below poverty level on average – this community are the largest small business partners in state of DE but there is a big shortage of resources for them.”*
  - *“Our state has not been very inclusive and equitable for minorities. When it comes to contracting and bids and those procurement opportunities, we have a very small percentage of minority representation. A study that was conducted last year for 2021 for earnings and revenues for people of color in the state of Delaware, less than 1% of African Americans are making over \$200,000 a year in revenue. So, the economic stability here for minorities is very poor. African Americans represent 22% of the population statewide, but the revenue for these individuals is very, very low because of lack of opportunity, because we're not being inclusive and equitable.”*

## 7.7 Conclusions

Qualitative data were collected using multiple methods and included diverse businesses and business industries. Overall, both business owners and stakeholders suggested that the State can improve its business inclusion program and procurement processes through education and targeted strategic actions that encourage more participation in contracting with diverse businesses and shaping policies and procedures that could meet the needs of businesses in the market area. The qualitative data suggested that there is disparate treatment of diverse firms in contracting, opportunities to compete, and denial of opportunities by primes.



# 8 Findings and Recommendations

## 8.1 Introduction

The State of Delaware (State) retained MGT of America Consulting, LLC (MGT) to conduct its 2022 Disparity Study. The goal of the Disparity Study is to determine if there are any disparities between the utilization of minority owned businesses (MBE), women owned businesses (WBE), veteran owned businesses (VOBE), service-disabled veteran owned businesses (SDVOBE), and individuals with disabilities owned businesses (IWDBE) compared to the availability of these firms in the State's marketplace who are ready, willing, and able to perform work. MGT examined the statistical data using the following business categories between July 1, 2015, through June 30, 2020 (FY 2016 - FY 2020) for the Division of Government Support Services, Office of Management and Budget, Department of Health & Social Services, and Department of Corrections:

- ◆ Construction
- ◆ Construction-related services (such as architecture, engineering, etc.)
- ◆ Services (Including professional services)
- ◆ Goods

The 2022 Disparity Study analyze procurement trends and practices during the study period regarding the utilization of minority and women business enterprises, and to evaluate various options for future program development. Within the context of studying the State's procurement practices, the study must be conducted consistent with disparity study best practices, controlling local legal precedents and constitutional law to properly advise the State about the legal basis for potential remedies, if necessary.

The Study found that there are disparities between the number of viable minority- and female-owned businesses that are willing and able to perform Construction, Construction-related services, Services, and Goods contracts and purchases, and the numbers of these same business types who are participating in these same types of contracts with the State. The sections which follow summarize the evidence in answer to the study's central research question: *is there factual predicate evidence for the State's supplier diversity program?*

As discussed throughout this study, courts have determined that a race-conscious program involving governmental procurement of goods or services is subject to strict judicial scrutiny under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and must be narrowly tailored to remedy the identified discrimination.

MGT's methodology included a review of disparity studies legal framework, a policy and procedures review, analyses of utilization, availability, and statistical disparity, anecdotal research, private sector analyses, and findings, establishing aspirational goals, and best practices. The results of this study and conclusions drawn are presented in detail in **Chapters 2** through **7** of this report.

Chapter Sections	
8.1	Introduction
8.2	Findings
8.3	Recommendations
8.4	Conclusions

## 8.2 Findings

### Finding A: Relevant Geographic Area and Product Market Analysis

(Chapter 4, Appendix A)

The entire universe of expenditure data was utilized to determine the relevant geographic market area for the study.<sup>190</sup> This included both expenditures to prime contractors and subcontractors. Based on the market area analysis results for each business category, the recommended relevant market area are the 45 counties and independent cities within the State of Delaware Market Area (“Market Area”), as seen in the right-hand graph. The spending in the relevant geographic market area is represented in **Table 8-1**. The entire NAICS codes that made up the State’s product market are shown in **Appendix A**.

State of Delaware Relevant Market Area	
Anne Arundel County, MD	Fairfax County, VA
Arlington County, VA	Frederick County, MD
Atlantic County, NJ	Gloucester County, MD
Baltimore County, MD	Howard County, MD
Berks County, PA	Kent County, DE
Bucks County, PA	Loudoun County, VA
Burlington County, NJ	Montgomery County, MD
Camden County, NJ	Montgomery County, PA
Cape May County, NJ	New Castle County, DE
Caroline County, MD	Ocean County, NJ
Carroll County, MD	Philadelphia County, PA
Cecil County, MD	Prince George’s County, MD
Chester County, PA	Prince William County, VA
City of Baltimore, MD	Queen Anne’s County, MD
City of Fairfax, VA	Salem County, NJ
City of Falls Church, VA	Stafford County, VA
City of Manassas Park, VA	Sussex County, DE
City of Manassas, VA	Talbot County, MD
Clarke County, VA	Warren County, VA
Culpeper County, VA	Washington, DC
Cumberland County, NJ	Wicomico County, MD
Delaware County, PA	Worcester County, MD
Dorchester County, MD	

<sup>190</sup> Chapter 4, Market Area and Utilization Analyses

TABLE 8-1.  
RELEVANT MARKET AREA ANALYSIS  
DISTRIBUTION OF DOLLARS BY BUSINESS CATEGORY,  
STATE OF DELAWARE MARKET AREA

CONSTRUCTION	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$237,968,021.77	91.78%
Outside Delaware Marketplace	\$21,299,424.98	8.22%
<b>CONSTRUCTION, TOTAL</b>	<b>\$259,267,446.75</b>	<b>100.00%</b>
CONSTRUCTION RELATED	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$217,009,998.31	98.84%
Outside Delaware Marketplace	\$2,537,489.43	1.16%
<b>CONSTRUCTION-RELATED, TOTAL</b>	<b>\$219,547,487.74</b>	<b>100.00%</b>
GOODS	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$316,927,411.51	50.27%
Outside Delaware Marketplace	\$313,460,438.41	49.73%
<b>GOODS, TOTAL</b>	<b>\$630,387,849.92</b>	<b>100.00%</b>
SERVICES	Amount	Percent
<i>Inside Delaware Marketplace</i>	\$572,554,262.45	77.06%
Outside Delaware Marketplace	\$170,451,329.65	22.94%
<b>SERVICES, TOTAL</b>	<b>\$743,005,592.10</b>	<b>100.00%</b>
ALL BUSINESS CATEGORIES	Amount	Percent
<i>Inside Delaware</i>	\$1,344,459,694.04	72.59%
Outside Delaware Marketplace	\$507,748,682.47	27.41%
<b>ALL BUSINESS CATEGORIES, TOTAL</b>	<b>\$1,852,208,376.51</b>	<b>100.00%</b>

Source: MGT developed a Master Prime File based on the State's system between July 1, 2015, through June 30, 2020 (FY2016 – FY2020).

## Finding B: M/WBE Utilization *(Chapter 4, Appendix B)*

In **Table 8-2**, the utilization analysis shows that non-M/WBE firms are utilized at higher rates than their M/WBE counterparts. The State's utilization with non-M/WBE firms totaled 91.16 percent, while 8.84 percent went to M/WBE firms. Overall, the highest utilization rates among M/WBE classifications included Asian American firms accounting for 3.54 percent of dollars paid and nonminority females accounting for 2.70 percent of dollars spent. Further analyzing the individual procurement categories, nonminority female firms had the greatest utilization in Construction at 8.36 percent or \$21.69 million, followed by Asian American firms in Goods at 6.75 percent or \$42.54 million.<sup>191</sup>

<sup>191</sup> Chapter 4, Market Area and Utilization Analyses

TABLE 8-2. UTILIZATION ANALYSIS  
BY BUSINESS OWNERSHIP CLASSIFICATION AND BY PROCUREMENT CATEGORIES

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
African Americans	\$17,309,732.93	\$685,711.86	\$0.00	\$141,243.12	\$16,482,777.95
Asian Americans	\$65,628,756.67	\$58,954.85	\$0.00	\$42,539,018.64	\$23,030,783.18
Hispanic Americans	\$29,832,558.46	\$5,243,079.55	\$1,472.00	\$20,171,550.38	\$4,416,456.53
Native Americans	\$839,361.31	\$662,835.49	\$0.00	\$0.00	\$176,525.82
<b>TOTAL MINORITY FIRMS</b>	<b>\$113,610,409.37</b>	<b>\$6,650,581.75</b>	<b>\$1,472.00</b>	<b>\$62,851,812.14</b>	<b>\$44,106,543.48</b>
Nonminority Female Firms	\$50,035,438.78	\$21,686,701.03	\$0.00	\$7,169,281.60	\$21,179,456.15
<b>TOTAL M/WBE FIRMS</b>	<b>\$163,645,848.15</b>	<b>\$28,337,282.78</b>	<b>\$1,472.00</b>	<b>\$70,021,093.74</b>	<b>\$65,285,999.63</b>
TOTAL Non-M/WBE Firms	\$1,688,562,528.36	\$230,930,163.98	\$219,546,015.74	\$560,366,756.19	\$677,719,592.46
<b>TOTAL FIRMS</b>	<b>\$1,852,208,376.51</b>	<b>\$259,267,446.75</b>	<b>\$219,547,487.74</b>	<b>\$630,387,849.92</b>	<b>\$743,005,592.10</b>
BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
African Americans	0.93%	0.26%	0.00%	0.02%	2.22%
Asian Americans	3.54%	0.02%	0.00%	6.75%	3.10%
Hispanic Americans	1.61%	2.02%	0.00%	3.20%	0.59%
Native Americans	0.05%	0.26%	0.00%	0.00%	0.02%
<b>TOTAL MINORITY FIRMS</b>	<b>6.13%</b>	<b>2.57%</b>	<b>0.00%</b>	<b>9.97%</b>	<b>5.94%</b>
Nonminority Female Firms	2.70%	8.36%	0.00%	1.14%	2.85%
<b>TOTAL M/WBE FIRMS</b>	<b>8.84%</b>	<b>10.93%</b>	<b>0.00%</b>	<b>11.11%</b>	<b>8.79%</b>
TOTAL Non-M/WBE Firms	91.16%	89.07%	100.00%	88.89%	91.21%

Source: Chapter 4, Market Area and Utilization Analysis.

In **Table 8-3**, the utilization analysis shows the utilization of IWDBE, VOB, and SDVOBE firms. The utilization shows that the highest percentage of IWDBE firms can be found in Services with 1.82 percent, for VOB firms it can be found in Construction Related with 3.00 percent; and for SDVOBE firms can be found in Services with 0.82 percent.

TABLE 8-3. UTILIZATION ANALYSIS  
BY BUSINESS OWNERSHIP CLASSIFICATION AND BY PROCUREMENT CATEGORIES

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
IWDBE	\$14,931,639.13	\$1,385,015.16	\$0.00	\$0.00	\$13,546,623.97
VOB	\$22,308,915.40	\$7,783,669.88	\$0.00	\$8,334.81	\$14,516,910.71
SDVOBE	\$6,121,126.91	\$0.00	\$0.00	\$0.00	\$6,121,126.91
<b>TOTAL FIRMS</b>	<b>\$1,852,208,376.51</b>	<b>\$259,267,446.75</b>	<b>\$219,547,487.74</b>	<b>\$630,387,849.92</b>	<b>\$743,005,592.10</b>
BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
IWDBE	0.81%	0.53%	0.00%	0.00%	1.82%
VOB	1.20%	3.00%	0.00%	0.00%	1.95%
SDVOBE	0.33%	0.00%	0.00%	0.00%	0.82%

Source: Chapter 4, Market Area and Utilization Analysis.

## Finding C: Availability Estimates (Chapter 5, Appendix B)

A reliable estimation of the number of firms *willing* and *able* to provide each of the respective services under the examination scope is an incumbent element in the determination of disparity. Post-*Croscon* case law has not prescribed a single approach to deriving firm availability, and agencies have used various means to estimate pools of available vendors that have withstood legal scrutiny.

MGT calculates availability based on a “custom census” approach. This approach is the most accurate for calculating availability at its most granular level. An in-depth explanation of this approach is provided in **Chapter 5**. Detailed availability results by business category and 4-digit NAICS code are provided in **Appendix B**. The availability estimates by procurement category are illustrated in **Table 8-4**.

MGT estimated the availability of IWDBE, VOB, and SDVOBE firms directly from the custom census survey to determine the percentage of available firms in the marketplace. Being that there is significant overlap of the race, ethnicity, and gender classifications within these certificates.

TABLE 8-4.  
ESTIMATION OF AVAILABLE FIRMS

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
African Americans	7.40%	8.00%	1.75%	9.04%	7.46%
Asian Americans	6.97%	3.74%	9.00%	7.78%	6.82%
Hispanic Americans	2.15%	5.39%	3.26%	0.51%	2.09%
Native Americans	0.72%	0.99%	0.05%	0.01%	1.41%
<b>TOTAL MINORITY FIRMS</b>	<b>17.24%</b>	<b>18.12%</b>	14.05%	17.35%	<b>17.79%</b>
Nonminority Female Firms	<b>27.69%</b>	<b>25.25%</b>	20.53%	<b>38.26%</b>	21.68%
<b>TOTAL M/WBE FIRMS</b>	<b>44.93%</b>	<b>43.37%</b>	34.58%	<b>55.61%</b>	39.47%
TOTAL Non-M/WBE Firms	55.07%	56.63%	65.42%	44.39%	60.53%
IWDBE	1.44%	0.43%	1.54%	1.93%	1.72%
VOBE	7.39%	7.07%	12.31%	8.23%	6.46%
SDVOBE	1.33%	0.86%	3.08%	1.23%	1.58%

Source: Chapter 5, Availability and Disparity Analysis.

## Finding D: Disparity (Chapter 5)

This section includes the results of the disparity ratios calculated in **Chapter 5**. MGT’s disparity index methodology yields an easily calculable value, understandable in its interpretation, and universally comparable. A disparity in utilization within the minority- and female-owned firms can be assessed concerning the utilization of nonminority- and male-owned firms. MGT applies two significant tests to determine statistical significance: (1) whether the disparity index is less than or equal to 80 percent of respective M/WBE availability, which is labeled “substantial disparity,” and (2) whether the disparity index passes the t-test determination of statistical significance. In cases where one, or especially both, measures hold true, a remedy is typically deemed justifiable by courts, making these results critical outcomes of the subsequent analyses.

These overall results show that among M/WBE firms there is disparity for all categories. Only in Goods do you find no disparity for Hispanic American firms. Additionally, as a total M/WBE classification, all procurement categories find substantial and statistically significant disparity. Detailed disparity results by business category and 4-digit NAICS code are provided in **Appendix B**. Additionally, there was substantially significant disparity for IWDBE, VOB, and SDVOBE firms throughout all of the procurement categories except IWDBE firms in Services.

TABLE 8-5.  
DISPARITY RATIO SUMMARY ANALYSIS

Procurement Category	ALL	Construction	Construction Related	Goods	Services
African Americans	<b>Disparity</b>	<b>Disparity</b>	Disparity	<b>Disparity</b>	Disparity
Asian Americans	Disparity	Disparity	Disparity	Disparity	Disparity
Hispanic Americans	Disparity	Disparity	Disparity	No Disparity	Disparity
Native Americans	Disparity	Disparity	Disparity	Disparity	Disparity
Total MBE Firms	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	Disparity	<b>Disparity</b>
Nonminority Females	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
Total M/WBE Firms	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
IWDBE	<b>Disparity</b>	No Disparity	<b>Disparity</b>	<b>Disparity</b>	No Disparity
VOBE	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>
SDVOBE	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>	<b>Disparity</b>

**BOLD** indicates substantial statistically significant disparity.

## Finding E: Private Sector Disparities in Census SBO and ABS Data (Chapter 6)

Based on US Census 2012 Small Business Ownership (SBO) and 2017 American Business Survey (ABS) data, MGT attempted to answer the research question; “Do marketplace disparities exist in the private sector regarding revenue within similar State of Delaware procurement categories for firms owned by minorities or females?”. Both data sets gather and report firm information for firms with paid employees, including workers on the payroll (employer firms). SBO data is the only data set that provides firms without paid employees, including sole proprietors and partners of unincorporated businesses that do not have any other employees on the payroll (nonemployer firms). This is an important distinction because it provides a more encompassing picture of the private sector. SBO is limited in the age of the data, but it can be supplemented with more recent ABS data. It should also be

noted that all the disparity indices in the SBO tables are statistically significant within a 95 percent confidence interval.

According to the findings, the SBO and ABS data analysis show consistent underutilization of M/WBE firms relative to their availability in the marketplace. Further, each of the procurement categories analyzed showed substantial disparity among defined M/WBE classes where sufficient data were available.

## **Finding F: Disparities In Self-Employment and Earnings**

*(Chapter 6)*

Findings from the Public Use Microdata Sample (PUMS) from 2015-2019 data indicate minorities were significantly less likely than nonminority males to be self-employed. If they were self-employed, they earned significantly less than did self-employed nonminority males. When self-employment rates were stratified by race and by business type, trends varied within individual race-by-type cells, but disparities persisted, in general, for all minorities and nonminority females. When group self-employment rates were submitted to MGT's disparity-due-to-minority-status analysis, findings supported the conclusion that disparities for these groups (of adequate sample size to permit interpretation) were likely the result of differences in the marketplace due to race, gender, and ethnicity. Additionally, analysis of observed vs. predicted self-employment rates shows that there are instances that discrimination impacted these rates.

## **Finding G: Anecdotal Comments** *(Chapter 7)*

The collective qualitative data was gathered input through community engagement meetings, in-depth interviews, and surveys from business community regarding their opinions and perceptions of their experiences working with the State or State projects as subcontractors. The respondents' participation included M/WBE and Non-M/WBE firms. The data collection also VOB, SDVOB, and IWO.

According to the survey data, diverse firms earned less revenue, had fewer employees, and have been in business less longer than non-diverse firms. These indicators suggest that the primary barrier of competing with large firms contributes to diverse firms growing their business.

Prime and subcontractor perceptions are that there is an informal or good 'ole boy network that precludes their firms from doing business and create a disparate impact to their success.

## **8.3 Recommendations**

Most of the following recommendations are based on multiple findings and do not necessarily tie to one finding.

### **Recommendation A: Establish a Race- and Gender-Neutral Program**

A strong small business program is central to maintaining a narrowly tailored program to promote M/WBE utilization. In particular, the State should focus on using a race- and gender-neutral program to increase M/WBE utilization by race/gender neutral means. The State does not face constitutional

restrictions on race- and gender-neutral programs, only those procurement restrictions imposed by state law. This study does not recommend M/WBE prime contractor goals or set asides because there is limited evidence that the State directly discriminated against M/WBE prime contractors in this study. As such it is recommend that the State also establish an aspirational SBE goal of 20% to increase the utilization of small businesses of all certifications in a race and gender-neutral manner.

## Recommendation B: Aspirational Goals

Proposed goals are listed in **Table 8-6**. The proposed goals are based on a weighted average of utilization and availability. Aspirational goals are an accumulation of all spend within the State and should not be applied rigidly to every individual procurement. Instead, project specific goals should be calculated a participation achievement counted towards the State’s aspirational goals. Future adjustments to statewide aspirational goals should be based on relative availability and adjusted as needed.

TABLE 8-6.  
PROPOSED DIVERSE BUSINESS ASPIRATIONAL GOALS

BUSINESS OWNERSHIP CLASSIFICATION	ALL	Construction	Construction Related	Goods	Services
M/WBE FIRMS	13%	16%	5%	17%	12%
IWDBE	1%	1%	1%	1%	2%
VOBE	1%	3%	1%	1%	2%
SDVOBE	1%	1%	1%	1%	1%

## Recommendation C: Subcontractor Project Goals

To ensure all firms in the State’s relevant market area have opportunities, project specific subcontracting goals should be established where there is availability for specific scopes of work across all procurement categories and based on the historical participation of M/WBE, IWDBE, VOB, and SDVOBE firms on identical or similar projects. Project specific subcontract goals will assist the State in addressing identified disparities found in this report.

## Recommendation D: Implement Rotation System

The State should consider utilizing a vendor rotation system for smaller prime contracts to increase the opportunity for M/WBE, IWDBE, VOB, and SDVOBE firms to do business with the State as prime. Implementing a vendor rotation model on smaller contracts will maintain a diverse pool of available services providers instead of “locking-in” one vendor for a multi-year contract.



## Recommendation E: Right to Audit Language in Contracts

The State should consider incorporating language in all contracts that primes must maintain subcontractor/supplier documentation for all subcontractor firms for a certain period; usually the time will match the State's record retention policy.

## Recommendation F: Enhance Data Collection and Management

The State should implement data systems and processes to monitor and track progress on key performance measures and establish solid processes to collect and analyze M/WBE, IWDBE, VOB, and SDVOBE utilization data by race, ethnicity, and gender to monitor utilization. Data collection could include:

- ◆ Require primes to report subcontractor and supplier utilization.
- All subcontracting/supplier utilization should be maintained to analyze and report total M/WBE subcontracting participation.
  - ◆ Validate subcontractor utilization using compliance reporting. A contract compliance system should allow subcontractors to verify that they received payment for work performed. This feature will allow more accurate reporting of utilization.
  - ◆ Consistently collect bid and proposal responses and identify those that are M/WBE, IWDBE, VOB, and SDVOBE firms.
  - ◆ Data system should connect intuitively with the State's payment data system from the beginning of a contract to its completion.
  - ◆ Collect and report spend and percentage of spend by each State department.

## Recommendation G: Enhance M/WBE, IWDBE, VOB, and SDVOBE Outreach and Training

The State should enhance outreach to M/WBE, IWDBE, VOB, and SDVOBE firms in the marketplace. This outreach should be focused on providing information regarding upcoming contract opportunities, and other opportunities to do business with the State. Additional outreach can focus on providing information to these business about partnering with the State's prime contractors. This outreach can occur through emails, social media, vendor expos, trade shows, and pre-bid conferences. Training should focus on the various aspects of doing business with the State and its prime contractors to include policies on procurement practices.

## Recommendation H: Enhance the Current State Supplier Diversity Program to Incorporate Narrowly Tailoring

Any new program modifications implemented to address the findings of this report should be narrowly tailored to specifically address identified disparity in accordance with guidance from case law regarding race- and gender-based procurement programs. Developments in court cases involving federal disadvantaged business enterprise (DBE) programs provide important insight into the design of local

supplier diversity programs. Federal courts found have consistently found DBE regulations in 49 CFR 26 to be narrowly tailored.<sup>192</sup> The federal DBE program has the features in **Table 8-7** that contribute to this characterization as a narrowly tailored remedial procurement preference program. The State should adopt these features in any enhancements in for the supplier diversity program.

TABLE 8-7.  
NARROWLY TAILORED M/WBE PROGRAM FEATURES

	Narrowly Tailored Goal-setting Features	DBE Regulations
1.	The State should not use M/WBE quotas.	49 CFR 26(43)(a)
2.	The State should use race- or gender-conscious set-asides only in extreme cases.	49 CFR 26(43)(b)
3.	The State should meet the maximum amount of M/WBE goals through race-neutral means.	49 CFR 26(51)(a)

Source: Suggested features in a proposed narrowly tailored M/WBE program based on USDOT 49 CFR 26.

## 8.4 Conclusions

This study provides factual predicate evidence, the compelling governmental interest, legal defensibility for a narrowly tailored Supplier Diversity Program. Disparity was identified in all procurement categories, and business ownership classification analyzed, except for Hispanic American firms in Goods and IWDBEs in Services as illustrated in **Table 8-5**. This evidence is based on quantitative and qualitative data from public and private sources. Any program efforts must be narrowly tailored to rectify the issues identified in this report.

<sup>192</sup> *Adarand v. Slater*, 228 F.3d 1147 (10<sup>th</sup> Cir. 2000), *Gross Seed. v. State of Nebraska*, 345 F.3d 968 (8<sup>th</sup> Cir. 2003); cert denied, 158 L.Ed. 2d 729 (2004).

# State of Delaware

2022 Disparity Study

MARCH 29, 2022

# Table of Contents

<b>TABLE OF CONTENTS</b> .....	<b>I</b>
<b>APPENDIX A</b> .....	<b>2</b>
A. DETAILED MARKET AREA ANALYSES .....	2
<b>APPENDIX B</b> .....	<b>36</b>
B. DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES.....	36
<b>APPENDIX C</b> .....	<b>65</b>
C. PRIVATE SECTOR ANALYSIS IN DEPTH RESULTS - (PUMS) REGRESSION ANALYSIS.....	65
<b>APPENDIX D</b> .....	<b>75</b>
D. COMBINED CENSUS AND VENDOR QUESTIONNAIRE .....	75
<b>APPENDIX E</b> .....	<b>99</b>
E. VENDOR SURVEY RESULTS .....	99
<b>APPENDIX F</b> .....	<b>167</b>
F. IN-DEPTH INTERVIEW GUIDE .....	167
<b>APPENDIX G</b> .....	<b>172</b>
G. STATE OF DELAWARE STAKEHOLDER INTERVIEW GUIDE .....	172



## TOC CONTINUED

### TABLES

Table A-1. State of Delaware Geographic Market Area All Firms.....	2
Table A-2. State of Delaware Geographic Market Area Construction Firms .....	8
Table A-3. State of Delaware Geographic Market Area Construction-Related Firms.....	9
Table A-4. State of Delaware Geographic Market Area Goods.....	9
Table A-5. State of Delaware Geographic Market Area Services.....	13
Table A-6. State of Delaware Product Market Area All NAICS Codes.....	17
Table A-7. State of Delaware Product Market Area Construction NAICS Codes.....	25
Table A-8. State of Delaware Product Market Area Construction Related NAICS Codes .....	27
Table A-9. State of Delaware Product Market Area Goods NAICS Codes.....	28
Table A-10. State of Delaware Product Market Area Services NAICS Codes.....	32
Table B-1. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction African American Firms.....	36
Table B-2. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction Asian American Firms.....	37
Table B-3. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction Hispanic American Firms .....	37
Table B-4. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction Native American Firms .....	38
Table B-5. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction MBE Firms .....	39
Table B-6. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction Nonminority Female Firms .....	40
Table B-7. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Construction M/WBE Firms .....	40
Table B-8. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related African American Firms .....	41
Table B-9. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related Asian American Firms.....	42
Table B-10. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related Hispanic American Firms.....	42
Table B-11. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related Native American Firms .....	42
Table B-12. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related MBE Firms.....	43
Table B-13. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related Nonminority Female Firms .....	43

Table B-14. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace construction related M/WBE Firms.....	44
Table B-15. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods African American Firms.....	44
Table B-16. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods Asian American Firms.....	45
Table B-17. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods Hispanic American Firms.....	46
Table B-18. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods Native American Firms.....	47
Table B-19. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods MBE Firms.....	48
Table B-20. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods Nonminority Female Firms.....	49
Table B-21. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Goods M/WBE Firms.....	50
Table B-22. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services African American Firms.....	51
Table B-23. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services Asian American Firms.....	53
Table B-24. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services Hispanic American Firms.....	55
Table B-25. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services Native American Firms.....	57
Table B-26. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services MBE Firms.....	59
Table B-27. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services Nonminority Female Firms.....	61
Table B-28. Detailed Utilization, Availability, and Disparity Analyses State of Delaware Marketplace Services M/WBE Firms.....	63
Table C-1. Results of Logistic Regression State of Delaware Marketplace Overall.....	66
Table C-2. Results of Logistic Regression State of Delaware Marketplace Construction.....	67
Table C-3. Results of Logistic Regression State of Delaware Marketplace Goods.....	68
Table C-4. Results of Logistic Regression State of Delaware Marketplace Services.....	69
Table C-5. Results of Linear Regression State of Delaware Marketplace Overall.....	71
Table C-6. Results of Linear Regression State of Delaware Marketplace Construction.....	72
Table C-7. Results of Linear Regression State of Delaware Marketplace Goods.....	73
Table C-8. Results of Linear Regression State of Delaware Marketplace Services.....	74

## **FIGURES**

No table of figures entries found.

## **EXHIBITS**

No table of figures entries found.



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# Appendix A

## A. DETAILED MARKET AREA ANALYSES

### Geographic Product Market

TABLE A-1.  
STATE OF DELAWARE GEOGRAPHIC MARKET AREA  
ALL FIRMS

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
NEW CASTLE COUNTY, DE	\$545,916,217.70	29.47%	29.47%
FAIRFAX COUNTY, VA	\$186,968,732.73	10.09%	39.57%
KENT COUNTY, DE	\$146,638,810.36	7.92%	47.49%
SUSSEX COUNTY, DE	\$92,366,264.02	4.99%	52.47%
BALTIMORE COUNTY, MD	\$65,993,418.00	3.56%	56.03%
MONTGOMERY COUNTY, PA	\$42,379,928.49	2.29%	58.32%
WICOMICO COUNTY, MD	\$36,735,229.24	1.98%	60.31%
GLOUCESTER COUNTY, NJ	\$33,652,415.86	1.82%	62.12%
ANNE ARUNDEL COUNTY, MD	\$33,304,880.04	1.80%	63.92%
PHILADELPHIA COUNTY, PA	\$30,868,232.29	1.67%	65.59%
DELAWARE COUNTY, PA	\$25,104,052.93	1.36%	66.94%
CHESTER COUNTY, PA	\$22,539,407.44	1.22%	68.16%
CAMDEN COUNTY, NJ	\$20,088,593.94	1.08%	69.24%
MONTGOMERY COUNTY, MD	\$19,068,884.50	1.03%	70.27%
CUMBERLAND COUNTY, NJ	\$9,066,922.98	0.49%	70.76%
HOWARD COUNTY, MD	\$8,289,312.53	0.45%	71.21%
BURLINGTON COUNTY, NJ	\$4,831,188.35	0.26%	71.47%
WORCESTER COUNTY, MD	\$4,465,091.20	0.24%	71.71%
BUCKS COUNTY, PA	\$4,120,004.58	0.22%	71.94%
PRINCE GEORGES COUNTY, MD	\$3,504,803.43	0.19%	72.12%
LOUDOUN COUNTY, VA	\$1,476,711.60	0.08%	72.20%
CECIL COUNTY, MD	\$1,378,165.85	0.07%	72.28%
CAROLINE COUNTY, MD	\$1,041,463.63	0.06%	72.34%
OCEAN COUNTY, NJ	\$852,732.31	0.05%	72.38%
DORCHESTER COUNTY, MD	\$612,472.00	0.03%	72.41%
SALEM COUNTY, NJ	\$603,406.30	0.03%	72.45%
BERKS COUNTY, PA	\$547,636.12	0.03%	72.48%
CARROLL COUNTY, MD	\$534,449.18	0.03%	72.51%
QUEEN ANNES COUNTY, MD	\$449,600.95	0.02%	72.53%
BALTIMORE CITY COUNTY, MD	\$366,821.87	0.02%	72.55%
HARFORD COUNTY, MD	\$320,031.49	0.02%	72.57%
ARLINGTON COUNTY, VA	\$188,223.30	0.01%	72.58%
CAPE MAY COUNTY, NJ	\$89,643.06	0.00%	72.58%
TALBOT COUNTY, MD	\$44,918.14	0.00%	72.58%
PRINCE WILLIAM COUNTY, VA	\$31,976.66	0.00%	72.59%



COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
ATLANTIC COUNTY, NJ	\$13,600.00	0.00%	72.59%
FREDERICK COUNTY, MD	\$5,450.97	0.00%	72.59%
STAFFORD COUNTY, VA	\$0.00	0.00%	72.59%
WILLIAMSON COUNTY, TX	\$82,274,871.04	4.44%	77.03%
MIDDLESEX COUNTY, NJ	\$50,795,951.41	2.74%	79.77%
LAKE COUNTY, IL	\$50,395,014.64	2.72%	82.49%
WARREN COUNTY, MS	\$25,599,832.12	1.38%	83.87%
SANTA CLARA COUNTY, CA	\$20,405,781.17	1.10%	84.98%
DOUGLAS COUNTY, NE	\$17,494,022.75	0.94%	85.92%
LEHIGH COUNTY, PA	\$15,220,672.27	0.82%	86.74%
COOK COUNTY, IL	\$14,780,772.67	0.80%	87.54%
WAKE COUNTY, NC	\$14,370,548.16	0.78%	88.32%
BERKSHIRE COUNTY, MA	\$14,213,643.91	0.77%	89.08%
MARICOPA COUNTY, AZ	\$13,787,830.32	0.74%	89.83%
MIDDLESEX COUNTY, MA	\$13,228,917.12	0.71%	90.54%
INGHAM COUNTY, MI	\$12,048,653.63	0.65%	91.19%
ALLEGHENY COUNTY, PA	\$10,823,676.79	0.58%	91.78%
PLACER COUNTY, CA	\$9,594,093.17	0.52%	92.29%
DENTON COUNTY, TX	\$8,436,132.34	0.46%	92.75%
GUADALUPE COUNTY, TX	\$5,578,954.50	0.30%	93.05%
LANCASTER COUNTY, PA	\$5,287,850.59	0.29%	93.34%
LOS ANGELES COUNTY, CA	\$4,088,832.30	0.22%	93.56%
GWINNETT COUNTY, GA	\$3,890,766.62	0.21%	93.77%
CUMBERLAND COUNTY, PA	\$3,648,279.73	0.20%	93.96%
SOMERSET COUNTY, NJ	\$3,615,987.72	0.20%	94.16%
SARASOTA COUNTY, FL	\$3,444,083.92	0.19%	94.35%
YORK COUNTY, PA	\$3,435,459.40	0.19%	94.53%
FULTON COUNTY, GA	\$3,332,436.71	0.18%	94.71%
SAINT LOUIS COUNTY, MO	\$3,289,039.23	0.18%	94.89%
MORRIS COUNTY, NJ	\$3,256,084.62	0.18%	95.06%
FAIRFIELD COUNTY, CT	\$3,110,718.41	0.17%	95.23%
ALAMANCE COUNTY, NC	\$3,075,734.75	0.17%	95.40%
SUFFOLK COUNTY, MA	\$2,978,739.84	0.16%	95.56%
MERCER COUNTY, NJ	\$2,940,276.16	0.16%	95.72%
VIRGINIA BEACH CITY COUNTY, VA	\$2,914,293.05	0.16%	95.88%
KING COUNTY, WA	\$2,791,133.40	0.15%	96.03%
DAUPHIN COUNTY, PA	\$2,764,432.34	0.15%	96.18%
NEW HAVEN COUNTY, CT	\$2,748,922.60	0.15%	96.32%
DEKALB COUNTY, GA	\$2,622,968.64	0.14%	96.47%
PALM BEACH COUNTY, FL	\$2,454,654.25	0.13%	96.60%
BERGEN COUNTY, NJ	\$2,431,394.95	0.13%	96.73%
SUFFOLK COUNTY, NY	\$2,341,819.90	0.13%	96.86%
TARRANT COUNTY, TX	\$2,320,260.88	0.13%	96.98%
WINONA COUNTY, MN	\$2,309,751.22	0.12%	97.11%
OUTAGAMIE COUNTY, WI	\$2,207,273.48	0.12%	97.23%
WAYNE COUNTY, MI	\$2,090,932.38	0.11%	97.34%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
SACRAMENTO COUNTY, CA	\$1,961,272.33	0.11%	97.44%
OAKLAND COUNTY, MI	\$1,597,026.21	0.09%	97.53%
ROCK ISLAND COUNTY, IL	\$1,574,928.60	0.09%	97.62%
MILWAUKEE COUNTY, WI	\$1,566,343.96	0.08%	97.70%
DUPAGE COUNTY, IL	\$1,513,861.00	0.08%	97.78%
CHEROKEE COUNTY, GA	\$1,479,907.79	0.08%	97.86%
SHELBY COUNTY, AL	\$1,456,349.39	0.08%	97.94%
DELAWARE COUNTY, IA	\$1,411,621.78	0.08%	98.02%
MONMOUTH COUNTY, NJ	\$1,258,419.24	0.07%	98.08%
SANTA BARBARA COUNTY, CA	\$1,241,700.00	0.07%	98.15%
MINNEHAHA COUNTY, SD	\$1,178,810.00	0.06%	98.21%
PULASKI COUNTY, AR	\$1,127,696.85	0.06%	98.28%
DALLAS COUNTY, TX	\$1,024,780.55	0.06%	98.33%
DAVIDSON COUNTY, TN	\$1,022,833.25	0.06%	98.39%
CUYAHOGA COUNTY, OH	\$1,015,753.81	0.05%	98.44%
JACKSON COUNTY, MI	\$997,468.00	0.05%	98.49%
HUDSON COUNTY, NJ	\$951,642.83	0.05%	98.55%
DANE COUNTY, WI	\$944,817.08	0.05%	98.60%
SPOKANE COUNTY, WA	\$885,157.82	0.05%	98.65%
DUBUQUE COUNTY, IA	\$860,378.71	0.05%	98.69%
BROWARD COUNTY, FL	\$824,320.61	0.04%	98.74%
ARAPAHOE COUNTY, CO	\$800,858.50	0.04%	98.78%
HENRICO COUNTY, VA	\$786,230.94	0.04%	98.82%
JACKSON COUNTY, MO	\$775,565.00	0.04%	98.86%
SAN DIEGO COUNTY, CA	\$723,865.59	0.04%	98.90%
JOHNSON COUNTY, KS	\$657,982.07	0.04%	98.94%
NEVADA COUNTY, CA	\$654,734.68	0.04%	98.97%
HARRIS COUNTY, TX	\$646,683.93	0.03%	99.01%
POLK COUNTY, IA	\$581,508.64	0.03%	99.04%
WARREN COUNTY, NJ	\$571,377.92	0.03%	99.07%
FRANKLIN COUNTY, OH	\$566,108.29	0.03%	99.10%
BEXAR COUNTY, TX	\$557,394.22	0.03%	99.13%
CENTRE COUNTY, PA	\$534,080.00	0.03%	99.16%
NEW YORK COUNTY, NY	\$522,634.90	0.03%	99.19%
CHESTERFIELD COUNTY, VA	\$521,194.50	0.03%	99.22%
MONTGOMERY COUNTY, NY	\$473,135.81	0.03%	99.24%
DUTCHESS COUNTY, NY	\$469,125.00	0.03%	99.27%
ONONDAGA COUNTY, NY	\$468,791.67	0.03%	99.29%
ALEXANDRIA CITY COUNTY, VA	\$468,256.00	0.03%	99.32%
VERMILION COUNTY, IL	\$444,177.00	0.02%	99.34%
NASSAU COUNTY, NY	\$391,667.50	0.02%	99.36%
HARTFORD COUNTY, CT	\$384,949.18	0.02%	99.38%
HALL COUNTY, GA	\$378,480.21	0.02%	99.40%
WILLIAMSON COUNTY, TN	\$372,516.95	0.02%	99.42%
BOND COUNTY, IL	\$370,095.70	0.02%	99.44%
DUVAL COUNTY, FL	\$363,692.13	0.02%	99.46%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
LEBANON COUNTY, PA	\$360,520.87	0.02%	99.48%
SAINT LAWRENCE COUNTY, NY	\$347,201.00	0.02%	99.50%
SAINT JOHNS COUNTY, FL	\$316,835.00	0.02%	99.52%
PINELLAS COUNTY, FL	\$314,290.85	0.02%	99.54%
WASHTENAW COUNTY, MI	\$312,870.36	0.02%	99.55%
BARRY COUNTY, MO	\$292,633.97	0.02%	99.57%
KINGS COUNTY, NY	\$275,970.95	0.01%	99.58%
COLLIN COUNTY, TX	\$267,707.92	0.01%	99.60%
INTERNATIONAL	\$261,984.00	0.01%	99.61%
MIAMI DADE COUNTY, FL	\$261,239.00	0.01%	99.63%
BEAVER COUNTY, PA	\$260,858.01	0.01%	99.64%
KITSAP COUNTY, WA	\$250,872.90	0.01%	99.65%
WILL COUNTY, IL	\$249,241.60	0.01%	99.67%
LEON COUNTY, FL	\$246,683.06	0.01%	99.68%
DAKOTA COUNTY, MN	\$238,169.89	0.01%	99.69%
HENNEPIN COUNTY, MN	\$226,940.00	0.01%	99.71%
HAMILTON COUNTY, IN	\$223,748.00	0.01%	99.72%
LUZERNE COUNTY, PA	\$222,103.24	0.01%	99.73%
MARION COUNTY, IN	\$211,570.00	0.01%	99.74%
HIGHLANDS COUNTY, FL	\$210,986.47	0.01%	99.75%
DISTRICT OF COLUMBIA COUNTY, DC	\$195,672.45	0.01%	99.76%
BARNSTABLE COUNTY, MA	\$189,066.93	0.01%	99.77%
HANOVER COUNTY, VA	\$181,065.60	0.01%	99.78%
MECKLENBURG COUNTY, NC	\$165,646.39	0.01%	99.79%
MEDINA COUNTY, OH	\$159,687.55	0.01%	99.80%
LYCOMING COUNTY, PA	\$159,040.00	0.01%	99.81%
MIAMI COUNTY, IN	\$157,323.84	0.01%	99.82%
SANTA CRUZ COUNTY, CA	\$145,351.01	0.01%	99.83%
IBERIA COUNTY, LA	\$142,982.00	0.01%	99.83%
TOMPKINS COUNTY, NY	\$141,869.59	0.01%	99.84%
FAYETTE COUNTY, KY	\$139,679.91	0.01%	99.85%
WESTMORELAND COUNTY, PA	\$138,795.00	0.01%	99.86%
CLARK COUNTY, WA	\$137,708.10	0.01%	99.86%
LAKE COUNTY, IN	\$129,876.33	0.01%	99.87%
CHITTENDEN COUNTY, VT	\$122,721.59	0.01%	99.88%
CAMBRIA COUNTY, PA	\$121,500.00	0.01%	99.88%
RIVERSIDE COUNTY, CA	\$115,460.00	0.01%	99.89%
LACKAWANNA COUNTY, PA	\$110,911.37	0.01%	99.90%
SALT LAKE COUNTY, UT	\$98,395.15	0.01%	99.90%
CASS COUNTY, ND	\$94,796.21	0.01%	99.91%
JEFFERSON COUNTY, KY	\$92,898.99	0.01%	99.91%
LE SUEUR COUNTY, MN	\$92,461.37	0.00%	99.92%
CUMBERLAND COUNTY, ME	\$90,056.53	0.00%	99.92%
KENT COUNTY, MI	\$86,616.49	0.00%	99.93%
WINDHAM COUNTY, VT	\$83,024.00	0.00%	99.93%
HAYS COUNTY, TX	\$80,530.29	0.00%	99.94%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
STARK COUNTY, OH	\$79,687.67	0.00%	99.94%
WARREN COUNTY, KY	\$75,544.00	0.00%	99.94%
GUILFORD COUNTY, NC	\$66,251.41	0.00%	99.95%
HAMILTON COUNTY, OH	\$60,614.11	0.00%	99.95%
ROCKINGHAM COUNTY, VA	\$59,818.56	0.00%	99.95%
WOOD COUNTY, OH	\$55,551.84	0.00%	99.96%
FORSYTH COUNTY, NC	\$54,303.18	0.00%	99.96%
ORANGE COUNTY, CA	\$49,824.00	0.00%	99.96%
BLAIR COUNTY, PA	\$44,450.00	0.00%	99.96%
ESSEX COUNTY, MA	\$44,389.00	0.00%	99.97%
OSCEOLA COUNTY, FL	\$42,753.15	0.00%	99.97%
FRANKLIN COUNTY, KY	\$39,831.00	0.00%	99.97%
DANVILLE CITY COUNTY, VA	\$39,479.98	0.00%	99.97%
ESSEX COUNTY, NJ	\$38,243.41	0.00%	99.98%
WAUKESHA COUNTY, WI	\$37,250.00	0.00%	99.98%
PASSAIC COUNTY, NJ	\$33,383.00	0.00%	99.98%
JEFFERSON COUNTY, IN	\$30,435.28	0.00%	99.98%
LARIMER COUNTY, CO	\$29,361.33	0.00%	99.98%
KENTON COUNTY, KY	\$29,088.40	0.00%	99.98%
NEW HANOVER COUNTY, NC	\$26,668.43	0.00%	99.99%
BRAZORIA COUNTY, TX	\$26,553.11	0.00%	99.99%
PLYMOUTH COUNTY, MA	\$26,108.26	0.00%	99.99%
SAINT LOUIS CITY COUNTY, MO	\$24,325.00	0.00%	99.99%
BROWN COUNTY, WI	\$23,761.40	0.00%	99.99%
WORCESTER COUNTY, MA	\$19,019.00	0.00%	99.99%
MONROE COUNTY, NY	\$18,489.30	0.00%	99.99%
ISLE OF WIGHT COUNTY, VA	\$14,350.00	0.00%	99.99%
ROCKLAND COUNTY, NY	\$12,880.00	0.00%	99.99%
GOOCHLAND COUNTY, VA	\$12,595.00	0.00%	100.00%
MONTGOMERY COUNTY, OH	\$11,364.42	0.00%	100.00%
PROVIDENCE COUNTY, RI	\$10,940.81	0.00%	100.00%
ADAMS COUNTY, PA	\$9,739.00	0.00%	100.00%
BROOME COUNTY, NY	\$9,695.00	0.00%	100.00%
BONNEVILLE COUNTY, ID	\$7,653.70	0.00%	100.00%
CRAWFORD COUNTY, KS	\$6,555.82	0.00%	100.00%
ST JOSEPH COUNTY, IN	\$3,780.00	0.00%	100.00%
WINNEBAGO COUNTY, WI	\$3,725.66	0.00%	100.00%
COLUMBUS COUNTY, NC	\$3,349.00	0.00%	100.00%
SUMMIT COUNTY, OH	\$2,711.47	0.00%	100.00%
AIKEN COUNTY, SC	\$2,180.00	0.00%	100.00%
CULLMAN COUNTY, AL	\$2,172.56	0.00%	100.00%
HAMILTON COUNTY, TN	\$2,070.08	0.00%	100.00%
BOULDER COUNTY, CO	\$1,978.24	0.00%	100.00%
WRIGHT COUNTY, MN	\$1,600.00	0.00%	100.00%
DENVER COUNTY, CO	\$1,500.00	0.00%	100.00%
CHARLOTTESVILLE CITY COUNTY, VA	\$1,280.00	0.00%	100.00%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
ALAMEDA COUNTY, CA	\$1,000.00	0.00%	100.00%
CUMBERLAND COUNTY, NC	\$1,000.00	0.00%	100.00%
HENDERSON COUNTY, NC	\$900.00	0.00%	100.00%
NORFOLK CITY COUNTY, VA	\$825.70	0.00%	100.00%
BRISTOL COUNTY, MA	\$180.00	0.00%	100.00%
ORANGE COUNTY, NY	\$129.60	0.00%	100.00%
TULSA COUNTY, OK	\$87.57	0.00%	100.00%
DUBOIS COUNTY, IN	\$0.00	0.00%	100.00%
WAYNE COUNTY, OH	\$0.00	0.00%	100.00%
LIVINGSTON COUNTY, LA	\$0.00	0.00%	100.00%
ALBANY COUNTY, NY	\$0.00	0.00%	100.00%
SCHUYLKILL COUNTY, PA	\$0.00	0.00%	100.00%
LEE COUNTY, AL	\$0.00	0.00%	100.00%
STEWART COUNTY, TN	\$0.00	0.00%	100.00%
SHELBY COUNTY, OH	\$0.00	0.00%	100.00%
COSHOCTON COUNTY, OH	\$0.00	0.00%	100.00%
TUSCARAWAS COUNTY, OH	\$0.00	0.00%	100.00%
ERIE COUNTY, NY	\$0.00	0.00%	100.00%
MOBILE COUNTY, AL	\$0.00	0.00%	100.00%
WESTCHESTER COUNTY, NY	\$0.00	0.00%	100.00%
CLEVELAND COUNTY, NC	\$0.00	0.00%	100.00%
LEAVENWORTH COUNTY, KS	\$0.00	0.00%	100.00%
PEORIA COUNTY, IL	\$0.00	0.00%	100.00%
HARRISONBURG CITY COUNTY, VA	\$0.00	0.00%	100.00%
ANTRIM COUNTY, MI	\$0.00	0.00%	100.00%
FAIRFIELD COUNTY, SC	\$0.00	0.00%	100.00%
RACINE COUNTY, WI	\$0.00	0.00%	100.00%
DODGE COUNTY, NE	\$0.00	0.00%	100.00%
SALINE COUNTY, KS	\$0.00	0.00%	100.00%
JONES COUNTY, MS	\$0.00	0.00%	100.00%
ONEIDA COUNTY, NY	\$0.00	0.00%	100.00%
INDIANA COUNTY, PA	\$0.00	0.00%	100.00%
FAIRFAX CITY COUNTY, VA	\$0.00	0.00%	100.00%
BREVARD COUNTY, FL	\$0.00	0.00%	100.00%
Grand Total	\$1,852,208,376.51	100.00%	

TABLE A-2.  
STATE OF DELAWARE GEOGRAPHIC MARKET AREA  
CONSTRUCTION FIRMS

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
NEW CASTLE COUNTY, DE	\$131,482,145.33	50.71%	50.71%
KENT COUNTY, DE	\$59,282,730.00	22.87%	73.58%
MONTGOMERY COUNTY, PA	\$8,044,839.48	3.10%	76.68%
SUSSEX COUNTY, DE	\$7,720,539.66	2.98%	79.66%
CHESTER COUNTY, PA	\$7,615,129.79	2.94%	82.60%
CAMDEN COUNTY, NJ	\$5,314,086.63	2.05%	84.65%
DELAWARE COUNTY, PA	\$4,609,913.57	1.78%	86.42%
WICOMICO COUNTY, MD	\$4,069,560.31	1.57%	87.99%
CUMBERLAND COUNTY, NJ	\$3,285,264.65	1.27%	89.26%
BUCKS COUNTY, PA	\$1,521,280.65	0.59%	89.85%
BURLINGTON COUNTY, NJ	\$1,265,632.34	0.49%	90.34%
ANNE ARUNDEL COUNTY, MD	\$1,170,414.40	0.45%	90.79%
CAROLINE COUNTY, MD	\$683,457.00	0.26%	91.05%
DORCHESTER COUNTY, MD	\$607,105.00	0.23%	91.28%
GLOUCESTER COUNTY, NJ	\$342,758.79	0.13%	91.42%
HARFORD COUNTY, MD	\$241,137.00	0.09%	91.51%
WORCESTER COUNTY, MD	\$224,969.52	0.09%	91.60%
BERKS COUNTY, PA	\$168,600.65	0.07%	91.66%
CECIL COUNTY, MD	\$136,262.00	0.05%	91.71%
BALTIMORE COUNTY, MD	\$134,000.00	0.05%	91.77%
PRINCE GEORGES COUNTY, MD	\$13,600.00	0.01%	91.77%
ATLANTIC COUNTY, NJ	\$13,600.00	0.01%	91.78%
SALEM COUNTY, NJ	\$9,075.00	0.00%	91.78%
CAPE MAY COUNTY, NJ	\$7,100.00	0.00%	91.78%
TALBOT COUNTY, MD	\$4,820.00	0.00%	91.78%
STAFFORD COUNTY, VA	\$0.00	0.00%	91.78%
DOUGLAS COUNTY, NE	\$17,303,973.36	6.67%	98.46%
LANCASTER COUNTY, PA	\$1,841,125.50	0.71%	99.17%
SPOKANE COUNTY, WA	\$885,157.82	0.34%	99.51%
YORK COUNTY, PA	\$806,022.30	0.31%	99.82%
ARAPAHOE COUNTY, CO	\$199,318.00	0.08%	99.90%
LYCOMING COUNTY, PA	\$159,040.00	0.06%	99.96%
MERCER COUNTY, NJ	\$59,425.00	0.02%	99.98%
ESSEX COUNTY, NJ	\$22,735.00	0.01%	99.99%
LUZERNE COUNTY, PA	\$17,730.00	0.01%	100.00%
LOS ANGELES COUNTY, CA	\$4,028.00	0.00%	100.00%
INTERNATIONAL	\$870.00	0.00%	100.00%
MONROE COUNTY, NY	\$0.00	0.00%	100.00%
<b>Grand Total</b>	<b>\$259,267,446.75</b>	<b>100.00%</b>	

TABLE A-3.  
STATE OF DELAWARE GEOGRAPHIC MARKET AREA  
CONSTRUCTION-RELATED FIRMS

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
NEW CASTLE COUNTY, DE	\$169,977,598.60	77.42%	77.42%
BALTIMORE COUNTY, MD	\$26,343,377.56	12.00%	89.42%
KENT COUNTY, DE	\$12,299,236.66	5.60%	95.02%
SUSSEX COUNTY, DE	\$7,977,982.77	3.63%	98.66%
PHILADELPHIA COUNTY, PA	\$257,796.43	0.12%	98.77%
HOWARD COUNTY, MD	\$72,345.85	0.03%	98.81%
ARLINGTON COUNTY, VA	\$42,739.30	0.02%	98.83%
TALBOT COUNTY, MD	\$17,056.00	0.01%	98.83%
CAMDEN COUNTY, NJ	\$9,843.14	0.00%	98.84%
MONTGOMERY COUNTY, PA	\$7,660.00	0.00%	98.84%
CHESTER COUNTY, PA	\$2,250.00	0.00%	98.84%
DELAWARE COUNTY, PA	\$2,112.00	0.00%	98.84%
MIDDLESEX COUNTY, NJ	\$2,219,988.99	1.01%	99.86%
SAINT LOUIS COUNTY, MO	\$185,274.74	0.08%	99.94%
CAMBRIA COUNTY, PA	\$121,500.00	0.06%	100.00%
BONNEVILLE COUNTY, ID	\$7,653.70	0.00%	100.00%
WRIGHT COUNTY, MN	\$1,600.00	0.00%	100.00%
NEW YORK COUNTY, NY	\$1,472.00	0.00%	100.00%
<b>Grand Total</b>	<b>\$219,547,487.74</b>	<b>100.00%</b>	

TABLE A-4.  
STATE OF DELAWARE GEOGRAPHIC MARKET AREA  
GOODS

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
NEW CASTLE COUNTY, DE	\$98,171,165.66	15.57%	15.57%
SUSSEX COUNTY, DE	\$42,558,644.15	6.75%	22.32%
ANNE ARUNDEL COUNTY, MD	\$32,063,700.02	5.09%	27.41%
WICOMICO COUNTY, MD	\$29,953,228.88	4.75%	32.16%
FAIRFAX COUNTY, VA	\$29,651,379.26	4.70%	36.87%
KENT COUNTY, DE	\$16,151,128.68	2.56%	39.43%
DELAWARE COUNTY, PA	\$14,946,222.84	2.37%	41.80%
CAMDEN COUNTY, NJ	\$11,486,447.81	1.82%	43.62%
CHESTER COUNTY, PA	\$10,397,271.93	1.65%	45.27%
HOWARD COUNTY, MD	\$7,304,759.51	1.16%	46.43%
CUMBERLAND COUNTY, NJ	\$5,488,636.76	0.87%	47.30%
MONTGOMERY COUNTY, MD	\$4,963,968.85	0.79%	48.09%
GLOUCESTER COUNTY, NJ	\$3,269,045.04	0.52%	48.61%
BURLINGTON COUNTY, NJ	\$2,466,469.04	0.39%	49.00%
PHILADELPHIA COUNTY, PA	\$1,593,048.84	0.25%	49.25%
PRINCE GEORGES COUNTY, MD	\$1,231,846.34	0.20%	49.45%
BUCKS COUNTY, PA	\$1,192,158.17	0.19%	49.63%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
BALTIMORE COUNTY, MD	\$1,118,868.07	0.18%	49.81%
MONTGOMERY COUNTY, PA	\$842,960.01	0.13%	49.95%
CECIL COUNTY, MD	\$504,004.73	0.08%	50.03%
QUEEN ANNES COUNTY, MD	\$449,600.95	0.07%	50.10%
OCEAN COUNTY, NJ	\$396,594.91	0.06%	50.16%
CAROLINE COUNTY, MD	\$325,584.89	0.05%	50.21%
WORCESTER COUNTY, MD	\$265,427.00	0.04%	50.25%
HARFORD COUNTY, MD	\$78,894.49	0.01%	50.27%
TALBOT COUNTY, MD	\$23,042.14	0.00%	50.27%
BALTIMORE CITY COUNTY, MD	\$17,317.00	0.00%	50.27%
BERKS COUNTY, PA	\$10,007.30	0.00%	50.27%
FREDERICK COUNTY, MD	\$5,450.97	0.00%	50.27%
SALEM COUNTY, NJ	\$537.28	0.00%	50.27%
LOUDOUN COUNTY, VA	\$0.00	0.00%	50.27%
PRINCE WILLIAM COUNTY, VA	\$0.00	0.00%	50.27%
WILLIAMSON COUNTY, TX	\$82,274,871.04	13.05%	63.33%
LAKE COUNTY, IL	\$49,577,536.85	7.86%	71.19%
MIDDLESEX COUNTY, NJ	\$41,275,222.93	6.55%	77.74%
SANTA CLARA COUNTY, CA	\$20,347,756.76	3.23%	80.97%
BERKSHIRE COUNTY, MA	\$14,213,643.91	2.25%	83.22%
MARICOPA COUNTY, AZ	\$12,979,092.21	2.06%	85.28%
MIDDLESEX COUNTY, MA	\$11,837,201.25	1.88%	87.16%
PLACER COUNTY, CA	\$9,594,093.17	1.52%	88.68%
DENTON COUNTY, TX	\$7,840,518.15	1.24%	89.92%
ALLEGHENY COUNTY, PA	\$6,817,341.04	1.08%	91.01%
GUADALUPE COUNTY, TX	\$5,578,954.50	0.89%	91.89%
LANCASTER COUNTY, PA	\$3,446,125.09	0.55%	92.44%
MORRIS COUNTY, NJ	\$3,256,084.62	0.52%	92.95%
COOK COUNTY, IL	\$2,909,691.31	0.46%	93.41%
VIRGINIA BEACH CITY COUNTY, VA	\$2,905,109.25	0.46%	93.88%
LOS ANGELES COUNTY, CA	\$2,833,830.50	0.45%	94.33%
YORK COUNTY, PA	\$2,485,065.72	0.39%	94.72%
PALM BEACH COUNTY, FL	\$2,454,654.25	0.39%	95.11%
WINONA COUNTY, MN	\$2,309,751.22	0.37%	95.48%
TARRANT COUNTY, TX	\$2,215,621.00	0.35%	95.83%
OUTAGAMIE COUNTY, WI	\$2,207,273.48	0.35%	96.18%
KING COUNTY, WA	\$2,005,604.96	0.32%	96.49%
GWINNETT COUNTY, GA	\$1,609,059.03	0.26%	96.75%
ROCK ISLAND COUNTY, IL	\$1,574,928.60	0.25%	97.00%
FAIRFIELD COUNTY, CT	\$1,533,140.58	0.24%	97.24%
CHEROKEE COUNTY, GA	\$1,479,877.89	0.23%	97.48%
SHELBY COUNTY, AL	\$1,456,349.39	0.23%	97.71%
DELAWARE COUNTY, IA	\$1,411,621.78	0.22%	97.93%
MINNEHAHA COUNTY, SD	\$1,178,810.00	0.19%	98.12%
CUMBERLAND COUNTY, PA	\$1,094,044.04	0.17%	98.29%
HUDSON COUNTY, NJ	\$924,738.00	0.15%	98.44%



COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
DANE COUNTY, WI	\$797,240.84	0.13%	98.57%
NEVADA COUNTY, CA	\$654,734.68	0.10%	98.67%
HARRIS COUNTY, TX	\$497,683.93	0.08%	98.75%
MONTGOMERY COUNTY, NY	\$473,135.81	0.08%	98.82%
FRANKLIN COUNTY, OH	\$426,142.33	0.07%	98.89%
MILWAUKEE COUNTY, WI	\$382,584.06	0.06%	98.95%
HALL COUNTY, GA	\$378,480.21	0.06%	99.01%
SAINT LAWRENCE COUNTY, NY	\$347,201.00	0.06%	99.07%
BROWARD COUNTY, FL	\$319,505.21	0.05%	99.12%
SAINT JOHNS COUNTY, FL	\$316,835.00	0.05%	99.17%
WAKE COUNTY, NC	\$313,832.64	0.05%	99.22%
WASHTENAW COUNTY, MI	\$312,870.36	0.05%	99.27%
LEBANON COUNTY, PA	\$309,010.87	0.05%	99.32%
BARRY COUNTY, MO	\$292,633.97	0.05%	99.36%
SAINT LOUIS COUNTY, MO	\$270,078.41	0.04%	99.41%
BEAVER COUNTY, PA	\$260,858.01	0.04%	99.45%
KITSAP COUNTY, WA	\$250,872.90	0.04%	99.49%
DUPAGE COUNTY, IL	\$216,747.00	0.03%	99.52%
FULTON COUNTY, GA	\$214,525.14	0.03%	99.56%
HIGHLANDS COUNTY, FL	\$210,986.47	0.03%	99.59%
DALLAS COUNTY, TX	\$195,768.55	0.03%	99.62%
MARION COUNTY, IN	\$169,384.25	0.03%	99.65%
NEW HAVEN COUNTY, CT	\$162,022.38	0.03%	99.67%
MEDINA COUNTY, OH	\$159,687.55	0.03%	99.70%
SANTA CRUZ COUNTY, CA	\$145,351.01	0.02%	99.72%
IBERIA COUNTY, LA	\$142,982.00	0.02%	99.74%
SUFFOLK COUNTY, NY	\$140,169.26	0.02%	99.77%
WESTMORELAND COUNTY, PA	\$132,682.00	0.02%	99.79%
ALAMANCE COUNTY, NC	\$111,368.35	0.02%	99.81%
LACKAWANNA COUNTY, PA	\$110,911.37	0.02%	99.82%
CLARK COUNTY, WA	\$107,000.00	0.02%	99.84%
BERGEN COUNTY, NJ	\$105,212.79	0.02%	99.86%
CASS COUNTY, ND	\$94,796.21	0.02%	99.87%
LE SUEUR COUNTY, MN	\$92,461.37	0.01%	99.89%
CUMBERLAND COUNTY, ME	\$90,056.53	0.01%	99.90%
KENT COUNTY, MI	\$86,616.49	0.01%	99.91%
WARREN COUNTY, KY	\$75,544.00	0.01%	99.93%
HAMILTON COUNTY, OH	\$60,614.11	0.01%	99.94%
WOOD COUNTY, OH	\$55,551.84	0.01%	99.94%
FORSYTH COUNTY, NC	\$54,303.18	0.01%	99.95%
ORANGE COUNTY, CA	\$49,824.00	0.01%	99.96%
MIAMI DADE COUNTY, FL	\$46,095.00	0.01%	99.97%
ESSEX COUNTY, MA	\$44,389.00	0.01%	99.98%
PASSAIC COUNTY, NJ	\$33,383.00	0.01%	99.98%
JEFFERSON COUNTY, IN	\$30,435.28	0.00%	99.99%
BROWN COUNTY, WI	\$23,761.40	0.00%	99.99%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
LEHIGH COUNTY, PA	\$20,745.01	0.00%	99.99%
ESSEX COUNTY, NJ	\$15,508.41	0.00%	100.00%
ROCKLAND COUNTY, NY	\$12,880.00	0.00%	100.00%
DUVAL COUNTY, FL	\$7,376.75	0.00%	100.00%
DAUPHIN COUNTY, PA	\$2,743.72	0.00%	100.00%
SUMMIT COUNTY, OH	\$2,711.47	0.00%	100.00%
CULLMAN COUNTY, AL	\$2,172.56	0.00%	100.00%
HENRICO COUNTY, VA	\$1,049.92	0.00%	100.00%
JOHNSON COUNTY, KS	\$554.63	0.00%	100.00%
ARAPAHOE COUNTY, CO	\$356.50	0.00%	100.00%
BRISTOL COUNTY, MA	\$180.00	0.00%	100.00%
ORANGE COUNTY, NY	\$129.60	0.00%	100.00%
TULSA COUNTY, OK	\$87.57	0.00%	100.00%
WAYNE COUNTY, OH	\$0.00	0.00%	100.00%
TUSCARAWAS COUNTY, OH	\$0.00	0.00%	100.00%
LEAVENWORTH COUNTY, KS	\$0.00	0.00%	100.00%
JONES COUNTY, MS	\$0.00	0.00%	100.00%
ANTRIM COUNTY, MI	\$0.00	0.00%	100.00%
HENNEPIN COUNTY, MN	\$0.00	0.00%	100.00%
BREVARD COUNTY, FL	\$0.00	0.00%	100.00%
SALINE COUNTY, KS	\$0.00	0.00%	100.00%
DUBOIS COUNTY, IN	\$0.00	0.00%	100.00%
SHELBY COUNTY, OH	\$0.00	0.00%	100.00%
FAIRFIELD COUNTY, SC	\$0.00	0.00%	100.00%
COSHOCTON COUNTY, OH	\$0.00	0.00%	100.00%
WARREN COUNTY, NJ	\$0.00	0.00%	100.00%
STEWART COUNTY, TN	\$0.00	0.00%	100.00%
HARRISONBURG CITY COUNTY, VA	\$0.00	0.00%	100.00%
RACINE COUNTY, WI	\$0.00	0.00%	100.00%
WESTCHESTER COUNTY, NY	\$0.00	0.00%	100.00%
MONMOUTH COUNTY, NJ	\$0.00	0.00%	100.00%
DODGE COUNTY, NE	\$0.00	0.00%	100.00%
LEE COUNTY, AL	\$0.00	0.00%	100.00%
PEORIA COUNTY, IL	\$0.00	0.00%	100.00%
ALBANY COUNTY, NY	\$0.00	0.00%	100.00%
LIVINGSTON COUNTY, LA	\$0.00	0.00%	100.00%
NASSAU COUNTY, NY	\$0.00	0.00%	100.00%
MECKLENBURG COUNTY, NC	\$0.00	0.00%	100.00%
<b>Grand Total</b>	<b>\$630,387,849.92</b>	<b>100.00%</b>	

TABLE A-5.  
STATE OF DELAWARE GEOGRAPHIC MARKET AREA  
SERVICES

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
FAIRFAX COUNTY, VA	\$157,317,353.47	21.17%	21.17%
NEW CASTLE COUNTY, DE	\$146,285,308.12	19.69%	40.86%
KENT COUNTY, DE	\$58,905,715.03	7.93%	48.79%
BALTIMORE COUNTY, MD	\$38,397,172.37	5.17%	53.96%
SUSSEX COUNTY, DE	\$34,109,097.44	4.59%	58.55%
MONTGOMERY COUNTY, PA	\$33,484,469.00	4.51%	63.05%
GLOUCESTER COUNTY, NJ	\$30,040,612.03	4.04%	67.10%
PHILADELPHIA COUNTY, PA	\$29,017,387.02	3.91%	71.00%
MONTGOMERY COUNTY, MD	\$14,104,915.65	1.90%	72.90%
DELAWARE COUNTY, PA	\$5,545,804.52	0.75%	73.65%
CHESTER COUNTY, PA	\$4,524,755.72	0.61%	74.26%
WORCESTER COUNTY, MD	\$3,974,694.68	0.53%	74.79%
CAMDEN COUNTY, NJ	\$3,278,216.36	0.44%	75.23%
WICOMICO COUNTY, MD	\$2,712,440.05	0.37%	75.60%
PRINCE GEORGES COUNTY, MD	\$2,259,357.09	0.30%	75.90%
LOUDOUN COUNTY, VA	\$1,476,711.60	0.20%	76.10%
BUCKS COUNTY, PA	\$1,406,565.76	0.19%	76.29%
BURLINGTON COUNTY, NJ	\$1,099,086.97	0.15%	76.44%
HOWARD COUNTY, MD	\$912,207.17	0.12%	76.56%
CECIL COUNTY, MD	\$737,899.12	0.10%	76.66%
SALEM COUNTY, NJ	\$593,794.02	0.08%	76.74%
CARROLL COUNTY, MD	\$534,449.18	0.07%	76.81%
OCEAN COUNTY, NJ	\$456,137.40	0.06%	76.87%
BERKS COUNTY, PA	\$369,028.17	0.05%	76.92%
BALTIMORE CITY COUNTY, MD	\$349,504.87	0.05%	76.97%
CUMBERLAND COUNTY, NJ	\$293,021.57	0.04%	77.01%
ARLINGTON COUNTY, VA	\$145,484.00	0.02%	77.03%
CAPE MAY COUNTY, NJ	\$82,543.06	0.01%	77.04%
ANNE ARUNDEL COUNTY, MD	\$70,765.62	0.01%	77.05%
CAROLINE COUNTY, MD	\$32,421.74	0.00%	77.05%
PRINCE WILLIAM COUNTY, VA	\$31,976.66	0.00%	77.06%
DORCHESTER COUNTY, MD	\$5,367.00	0.00%	77.06%
WARREN COUNTY, MS	\$25,599,832.12	3.45%	80.50%
LEHIGH COUNTY, PA	\$15,199,927.26	2.05%	82.55%
WAKE COUNTY, NC	\$14,056,715.52	1.89%	84.44%
INGHAM COUNTY, MI	\$12,048,653.63	1.62%	86.06%
COOK COUNTY, IL	\$11,871,081.36	1.60%	87.66%
MIDDLESEX COUNTY, NJ	\$7,300,739.49	0.98%	88.64%
ALLEGHENY COUNTY, PA	\$4,006,335.75	0.54%	89.18%
SOMERSET COUNTY, NJ	\$3,615,987.72	0.49%	89.67%
SARASOTA COUNTY, FL	\$3,444,083.92	0.46%	90.13%
FULTON COUNTY, GA	\$3,117,911.57	0.42%	90.55%
SUFFOLK COUNTY, MA	\$2,978,739.84	0.40%	90.95%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
ALAMANCE COUNTY, NC	\$2,964,366.41	0.40%	91.35%
MERCER COUNTY, NJ	\$2,880,851.16	0.39%	91.74%
SAINT LOUIS COUNTY, MO	\$2,833,686.08	0.38%	92.12%
DAUPHIN COUNTY, PA	\$2,761,688.62	0.37%	92.49%
DEKALB COUNTY, GA	\$2,622,968.64	0.35%	92.85%
NEW HAVEN COUNTY, CT	\$2,586,900.22	0.35%	93.20%
CUMBERLAND COUNTY, PA	\$2,554,235.70	0.34%	93.54%
BERGEN COUNTY, NJ	\$2,326,182.16	0.31%	93.85%
GWINNETT COUNTY, GA	\$2,281,707.59	0.31%	94.16%
SUFFOLK COUNTY, NY	\$2,201,650.64	0.30%	94.46%
WAYNE COUNTY, MI	\$2,090,932.38	0.28%	94.74%
SACRAMENTO COUNTY, CA	\$1,961,272.33	0.26%	95.00%
OAKLAND COUNTY, MI	\$1,597,026.21	0.21%	95.22%
FAIRFIELD COUNTY, CT	\$1,577,577.83	0.21%	95.43%
MIDDLESEX COUNTY, MA	\$1,391,715.87	0.19%	95.62%
DUPAGE COUNTY, IL	\$1,297,114.00	0.17%	95.79%
MONMOUTH COUNTY, NJ	\$1,258,419.24	0.17%	95.96%
LOS ANGELES COUNTY, CA	\$1,250,973.80	0.17%	96.13%
SANTA BARBARA COUNTY, CA	\$1,241,700.00	0.17%	96.29%
MILWAUKEE COUNTY, WI	\$1,183,759.90	0.16%	96.45%
PULASKI COUNTY, AR	\$1,127,696.85	0.15%	96.61%
DAVIDSON COUNTY, TN	\$1,022,833.25	0.14%	96.74%
CUYAHOGA COUNTY, OH	\$1,015,753.81	0.14%	96.88%
JACKSON COUNTY, MI	\$997,468.00	0.13%	97.01%
DUBUQUE COUNTY, IA	\$860,378.71	0.12%	97.13%
DALLAS COUNTY, TX	\$829,012.00	0.11%	97.24%
LAKE COUNTY, IL	\$817,477.79	0.11%	97.35%
MARICOPA COUNTY, AZ	\$808,738.11	0.11%	97.46%
KING COUNTY, WA	\$785,528.44	0.11%	97.57%
HENRICO COUNTY, VA	\$785,181.02	0.11%	97.67%
JACKSON COUNTY, MO	\$775,565.00	0.10%	97.78%
SAN DIEGO COUNTY, CA	\$723,865.59	0.10%	97.87%
JOHNSON COUNTY, KS	\$657,427.44	0.09%	97.96%
ARAPAHOE COUNTY, CO	\$601,184.00	0.08%	98.04%
DENTON COUNTY, TX	\$595,614.19	0.08%	98.12%
POLK COUNTY, IA	\$581,508.64	0.08%	98.20%
WARREN COUNTY, NJ	\$571,377.92	0.08%	98.28%
BEXAR COUNTY, TX	\$557,394.22	0.08%	98.35%
CENTRE COUNTY, PA	\$534,080.00	0.07%	98.43%
CHESTERFIELD COUNTY, VA	\$521,194.50	0.07%	98.50%
NEW YORK COUNTY, NY	\$521,162.90	0.07%	98.57%
BROWARD COUNTY, FL	\$504,815.40	0.07%	98.63%
DUTCHESS COUNTY, NY	\$469,125.00	0.06%	98.70%
ONONDAGA COUNTY, NY	\$468,791.67	0.06%	98.76%
ALEXANDRIA CITY COUNTY, VA	\$468,256.00	0.06%	98.82%
VERMILION COUNTY, IL	\$444,177.00	0.06%	98.88%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
NASSAU COUNTY, NY	\$391,667.50	0.05%	98.94%
HARTFORD COUNTY, CT	\$384,949.18	0.05%	98.99%
WILLIAMSON COUNTY, TN	\$372,516.95	0.05%	99.04%
BOND COUNTY, IL	\$370,095.70	0.05%	99.09%
DUVAL COUNTY, FL	\$356,315.38	0.05%	99.14%
PINELLAS COUNTY, FL	\$314,290.85	0.04%	99.18%
KINGS COUNTY, NY	\$275,970.95	0.04%	99.21%
COLLIN COUNTY, TX	\$267,707.92	0.04%	99.25%
INTERNATIONAL	\$261,114.00	0.04%	99.29%
WILL COUNTY, IL	\$249,241.60	0.03%	99.32%
LEON COUNTY, FL	\$246,683.06	0.03%	99.35%
DAKOTA COUNTY, MN	\$238,169.89	0.03%	99.38%
HENNEPIN COUNTY, MN	\$226,940.00	0.03%	99.42%
HAMILTON COUNTY, IN	\$223,748.00	0.03%	99.45%
MIAMI DADE COUNTY, FL	\$215,144.00	0.03%	99.47%
LUZERNE COUNTY, PA	\$204,373.24	0.03%	99.50%
DISTRICT OF COLUMBIA COUNTY, DC	\$195,672.45	0.03%	99.53%
DOUGLAS COUNTY, NE	\$190,049.39	0.03%	99.55%
BARNSTABLE COUNTY, MA	\$189,066.93	0.03%	99.58%
HANOVER COUNTY, VA	\$181,065.60	0.02%	99.60%
MECKLENBURG COUNTY, NC	\$165,646.39	0.02%	99.63%
MIAMI COUNTY, IN	\$157,323.84	0.02%	99.65%
HARRIS COUNTY, TX	\$149,000.00	0.02%	99.67%
DANE COUNTY, WI	\$147,576.24	0.02%	99.69%
YORK COUNTY, PA	\$144,371.38	0.02%	99.71%
TOMPKINS COUNTY, NY	\$141,869.59	0.02%	99.73%
FRANKLIN COUNTY, OH	\$139,965.96	0.02%	99.74%
FAYETTE COUNTY, KY	\$139,679.91	0.02%	99.76%
LAKE COUNTY, IN	\$129,876.33	0.02%	99.78%
CHITTENDEN COUNTY, VT	\$122,721.59	0.02%	99.80%
RIVERSIDE COUNTY, CA	\$115,460.00	0.02%	99.81%
TARRANT COUNTY, TX	\$104,639.88	0.01%	99.83%
SALT LAKE COUNTY, UT	\$98,395.15	0.01%	99.84%
JEFFERSON COUNTY, KY	\$92,898.99	0.01%	99.85%
WINDHAM COUNTY, VT	\$83,024.00	0.01%	99.86%
HAYS COUNTY, TX	\$80,530.29	0.01%	99.87%
STARK COUNTY, OH	\$79,687.67	0.01%	99.89%
GUILFORD COUNTY, NC	\$66,251.41	0.01%	99.89%
ROCKINGHAM COUNTY, VA	\$59,818.56	0.01%	99.90%
SANTA CLARA COUNTY, CA	\$58,024.41	0.01%	99.91%
LEBANON COUNTY, PA	\$51,510.00	0.01%	99.92%
BLAIR COUNTY, PA	\$44,450.00	0.01%	99.92%
OSCEOLA COUNTY, FL	\$42,753.15	0.01%	99.93%
MARION COUNTY, IN	\$42,185.75	0.01%	99.93%
FRANKLIN COUNTY, KY	\$39,831.00	0.01%	99.94%
DANVILLE CITY COUNTY, VA	\$39,479.98	0.01%	99.94%

COUNTY, STATE	PAYMENTS	PERCENTAGE	CUMULATIVE PERCENTAGE
WAUKESHA COUNTY, WI	\$37,250.00	0.01%	99.95%
CLARK COUNTY, WA	\$30,708.10	0.00%	99.95%
LARIMER COUNTY, CO	\$29,361.33	0.00%	99.96%
KENTON COUNTY, KY	\$29,088.40	0.00%	99.96%
HUDSON COUNTY, NJ	\$26,904.83	0.00%	99.97%
NEW HANOVER COUNTY, NC	\$26,668.43	0.00%	99.97%
BRAZORIA COUNTY, TX	\$26,553.11	0.00%	99.97%
PLYMOUTH COUNTY, MA	\$26,108.26	0.00%	99.98%
SAINT LOUIS CITY COUNTY, MO	\$24,325.00	0.00%	99.98%
WORCESTER COUNTY, MA	\$19,019.00	0.00%	99.98%
MONROE COUNTY, NY	\$18,489.30	0.00%	99.98%
ISLE OF WIGHT COUNTY, VA	\$14,350.00	0.00%	99.99%
GOOCHLAND COUNTY, VA	\$12,595.00	0.00%	99.99%
MONTGOMERY COUNTY, OH	\$11,364.42	0.00%	99.99%
PROVIDENCE COUNTY, RI	\$10,940.81	0.00%	99.99%
ADAMS COUNTY, PA	\$9,739.00	0.00%	99.99%
BROOME COUNTY, NY	\$9,695.00	0.00%	99.99%
VIRGINIA BEACH CITY COUNTY, VA	\$9,183.80	0.00%	100.00%
CRAWFORD COUNTY, KS	\$6,555.82	0.00%	100.00%
WESTMORELAND COUNTY, PA	\$6,113.00	0.00%	100.00%
ST JOSEPH COUNTY, IN	\$3,780.00	0.00%	100.00%
WINNEBAGO COUNTY, WI	\$3,725.66	0.00%	100.00%
COLUMBUS COUNTY, NC	\$3,349.00	0.00%	100.00%
AIKEN COUNTY, SC	\$2,180.00	0.00%	100.00%
HAMILTON COUNTY, TN	\$2,070.08	0.00%	100.00%
BOULDER COUNTY, CO	\$1,978.24	0.00%	100.00%
DENVER COUNTY, CO	\$1,500.00	0.00%	100.00%
CHARLOTTESVILLE CITY COUNTY, VA	\$1,280.00	0.00%	100.00%
CUMBERLAND COUNTY, NC	\$1,000.00	0.00%	100.00%
ALAMEDA COUNTY, CA	\$1,000.00	0.00%	100.00%
HENDERSON COUNTY, NC	\$900.00	0.00%	100.00%
NORFOLK CITY COUNTY, VA	\$825.70	0.00%	100.00%
LANCASTER COUNTY, PA	\$600.00	0.00%	100.00%
CHEROKEE COUNTY, GA	\$29.90	0.00%	100.00%
ONEIDA COUNTY, NY	\$0.00	0.00%	100.00%
SCHUYLKILL COUNTY, PA	\$0.00	0.00%	100.00%
FAIRFAX CITY COUNTY, VA	\$0.00	0.00%	100.00%
INDIANA COUNTY, PA	\$0.00	0.00%	100.00%
MOBILE COUNTY, AL	\$0.00	0.00%	100.00%
ERIE COUNTY, NY	\$0.00	0.00%	100.00%
CLEVELAND COUNTY, NC	\$0.00	0.00%	100.00%
<b>Grand Total</b>	<b>\$743,005,592.10</b>	<b>100.00%</b>	

## Product Market Area

TABLE A-6.  
STATE OF DELAWARE PRODUCT MARKET AREA  
ALL NAICS CODES

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$288,473,409.97	15.57%	15.57%
541519	Other Computer Related Services	\$108,435,989.75	5.85%	21.43%
541310	Architectural Services	\$96,979,196.88	5.24%	26.66%
541330	Engineering Services	\$88,189,747.96	4.76%	31.43%
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals	\$68,518,590.06	3.70%	35.13%
622110	General Medical and Surgical Hospitals	\$66,575,776.06	3.59%	38.72%
541990	All Other Professional, Scientific, and Technical Services	\$55,611,292.60	3.00%	41.72%
541611	Administrative Management and General Management Consulting Services	\$48,687,224.84	2.63%	44.35%
541512	Computer Systems Design Services	\$42,726,504.39	2.31%	46.66%
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$42,598,695.62	2.30%	48.96%
441110	New Car Dealers	\$41,160,867.66	2.22%	51.18%
236220	Commercial and Institutional Building Construction	\$40,495,640.84	2.19%	53.37%
423210	Furniture Merchant Wholesalers	\$37,383,424.92	2.02%	55.38%
561320	Temporary Help Services	\$36,377,036.95	1.96%	57.35%
722310	Food Service Contractors	\$34,876,192.79	1.88%	59.23%
238210	Electrical Contractors and Other Wiring Installation Contractors	\$34,240,954.41	1.85%	61.08%
561621	Security Systems Services (except Locksmiths)	\$33,447,983.12	1.81%	62.89%
541320	Landscape Architectural Services	\$32,610,355.73	1.76%	64.65%
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	\$26,074,237.08	1.41%	66.05%
238330	Flooring Contractors	\$23,260,056.00	1.26%	67.31%
237130	Power and Communication Line and Related Structures Construction	\$21,355,961.04	1.15%	68.46%
541511	Custom Computer Programming Services	\$21,118,729.71	1.14%	69.60%
454310	Fuel Dealers	\$20,067,332.46	1.08%	70.69%
238320	Painting and Wall Covering Contractors	\$19,157,428.21	1.03%	71.72%
423110	Automobile and Other Motor Vehicle Merchant Wholesalers	\$18,562,206.40	1.00%	72.72%
424433	Dairy Product (except Dried or Canned) Merchant Wholesalers	\$17,099,087.30	0.92%	73.65%
238140	Masonry Contractors	\$16,346,104.62	0.88%	74.53%
518210	Data Processing, Hosting, and Related Services	\$16,226,644.87	0.88%	75.40%
423490	Other Professional Equipment and Supplies Merchant Wholesalers	\$15,859,899.79	0.86%	76.26%
238160	Roofing Contractors	\$15,750,031.92	0.85%	77.11%
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers	\$15,431,317.20	0.83%	77.94%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
541618	Other Management Consulting Services	\$14,991,597.86	0.81%	78.75%
812199	Other Personal Care Services	\$14,393,898.52	0.78%	79.53%
424690	Other Chemical and Allied Products Merchant Wholesalers	\$14,358,784.37	0.78%	80.31%
562910	Remediation Services	\$13,318,938.41	0.72%	81.03%
423170	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$13,220,468.64	0.71%	81.74%
423420	Office Equipment Merchant Wholesalers	\$12,625,313.37	0.68%	82.42%
532420	Office Machinery and Equipment Rental and Leasing	\$12,429,567.71	0.67%	83.09%
561612	Security Guards and Patrol Services	\$11,101,061.76	0.60%	83.69%
541513	Computer Facilities Management Services	\$11,063,558.74	0.60%	84.29%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$10,256,789.09	0.55%	84.84%
423440	Other Commercial Equipment Merchant Wholesalers	\$10,060,284.98	0.54%	85.39%
541890	Other Services Related to Advertising	\$10,000,009.43	0.54%	85.93%
562111	Solid Waste Collection	\$9,646,375.81	0.52%	86.45%
238290	Other Building Equipment Contractors	\$8,998,599.96	0.49%	86.93%
812331	Linen Supply	\$8,841,085.12	0.48%	87.41%
561720	Janitorial Services	\$8,439,320.82	0.46%	87.87%
423412	Photographic Equipment and Supplies Merchant Wholesalers	\$7,840,518.15	0.42%	88.29%
541380	Testing Laboratories	\$7,318,786.58	0.40%	88.68%
811111	General Automotive Repair	\$7,161,850.48	0.39%	89.07%
561730	Landscaping Services	\$7,066,246.32	0.38%	89.45%
423710	Hardware Merchant Wholesalers	\$6,359,360.28	0.34%	89.79%
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$5,981,958.94	0.32%	90.12%
541930	Translation and Interpretation Services	\$5,823,591.41	0.31%	90.43%
488190	Other Support Activities for Air Transportation	\$5,700,047.64	0.31%	90.74%
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	\$5,546,114.27	0.30%	91.04%
561439	Other Business Service Centers (including Copy Shops)	\$5,424,826.04	0.29%	91.33%
238990	All Other Specialty Trade Contractors	\$4,703,181.23	0.25%	91.59%
811121	Automotive Body, Paint, and Interior Repair and Maintenance	\$4,643,597.20	0.25%	91.84%
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	\$4,322,194.00	0.23%	92.07%
423137	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$4,302,038.26	0.23%	92.30%
424120	Stationery and Office Supplies Merchant Wholesalers	\$3,921,613.56	0.21%	92.51%
238310	Drywall and Insulation Contractors	\$3,894,333.15	0.21%	92.72%
453210	Office Supplies and Stationery Stores	\$3,843,401.91	0.21%	92.93%
238910	Site Preparation Contractors	\$3,812,180.44	0.21%	93.14%
621511	Medical Laboratories	\$3,649,913.74	0.20%	93.34%
237110	Water and Sewer Line and Related Structures Construction	\$3,550,069.69	0.19%	93.53%



NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
722318	Food Service Contractors	\$3,249,950.67	0.18%	93.70%
424910	Farm Supplies Merchant Wholesalers	\$3,180,590.30	0.17%	93.87%
423145	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$3,097,346.30	0.17%	94.04%
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	\$3,092,080.02	0.17%	94.21%
424110	Printing and Writing Paper Merchant Wholesalers	\$3,072,440.07	0.17%	94.37%
541612	Human Resources Consulting Services	\$3,033,897.07	0.16%	94.54%
811198	All Other Automotive Repair and Maintenance	\$2,833,261.69	0.15%	94.69%
484210	Used Household and Office Goods Moving	\$2,750,811.06	0.15%	94.84%
722329	Food Service Contractors	\$2,715,952.54	0.15%	94.99%
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers	\$2,620,147.64	0.14%	95.13%
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers	\$2,511,384.95	0.14%	95.26%
541690	Other Scientific and Technical Consulting Services	\$2,493,593.33	0.13%	95.40%
238110	Poured Concrete Foundation and Structure Contractors	\$2,465,914.07	0.13%	95.53%
236243	Commercial and Institutional Building Construction	\$2,224,248.00	0.12%	95.65%
621410	Family Planning Centers	\$2,118,354.58	0.11%	95.77%
323111	Commercial Printing (except Screen and Books)	\$2,037,515.17	0.11%	95.88%
722326	Food Service Contractors	\$1,988,687.19	0.11%	95.98%
441222	Boat Dealers	\$1,636,651.89	0.09%	96.07%
424418	General Line Grocery Merchant Wholesalers	\$1,588,848.84	0.09%	96.16%
238150	Glass and Glazing Contractors	\$1,575,047.15	0.09%	96.24%
339112	Surgical and Medical Instrument Manufacturing	\$1,513,972.01	0.08%	96.32%
424438	Dairy Product (except Dried or Canned) Merchant Wholesalers	\$1,486,617.12	0.08%	96.40%
511110	Newspaper Publishers	\$1,480,217.46	0.08%	96.48%
236244	Commercial and Institutional Building Construction	\$1,477,334.75	0.08%	96.56%
337110	Wood Kitchen Cabinet and Countertop Manufacturing	\$1,457,523.76	0.08%	96.64%
423183	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$1,456,349.39	0.08%	96.72%
423111	Automobile and Other Motor Vehicle Merchant Wholesalers	\$1,412,236.73	0.08%	96.80%
237990	Other Heavy and Civil Engineering Construction	\$1,411,083.89	0.08%	96.87%
238350	Finish Carpentry Contractors	\$1,379,857.37	0.07%	96.95%
423152	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$1,379,391.28	0.07%	97.02%
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance	\$1,364,603.67	0.07%	97.10%
611430	Professional and Management Development Training	\$1,329,985.38	0.07%	97.17%
722513	Limited-Service Restaurants	\$1,273,835.00	0.07%	97.24%
541219	Other Accounting Services	\$1,204,319.50	0.07%	97.30%
541331	Engineering Services	\$1,197,445.40	0.06%	97.37%
423840	Industrial Supplies Merchant Wholesalers	\$1,184,230.86	0.06%	97.43%
424497	Other Grocery and Related Products Merchant Wholesalers	\$1,147,819.22	0.06%	97.49%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers	\$1,100,138.33	0.06%	97.55%
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers	\$1,035,123.43	0.06%	97.61%
423499	Other Professional Equipment and Supplies Merchant Wholesalers	\$1,034,610.29	0.06%	97.66%
561492	Court Reporting and Stenotype Services	\$1,030,261.69	0.06%	97.72%
423127	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$1,016,769.82	0.05%	97.77%
423690	Other Electronic Parts and Equipment Merchant Wholesalers	\$1,016,066.74	0.05%	97.83%
423503	Other Professional Equipment and Supplies Merchant Wholesalers	\$992,000.00	0.05%	97.88%
236223	Commercial and Institutional Building Construction	\$990,481.01	0.05%	97.94%
423140	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$974,921.14	0.05%	97.99%
311612	Meat Processed from Carcasses	\$943,101.73	0.05%	98.04%
424430	Dairy Product (except Dried or Canned) Merchant Wholesalers	\$897,289.31	0.05%	98.09%
541199	All Other Legal Services	\$879,768.76	0.05%	98.13%
621498	All Other Outpatient Care Centers	\$860,378.71	0.05%	98.18%
512110	Motion Picture and Video Production	\$838,862.33	0.05%	98.23%
492110	Couriers and Express Delivery Services	\$783,767.72	0.04%	98.27%
541620	Environmental Consulting Services	\$781,312.60	0.04%	98.31%
541820	Public Relations Agencies	\$774,465.90	0.04%	98.35%
424480	Fresh Fruit and Vegetable Merchant Wholesalers	\$757,530.12	0.04%	98.39%
621111	Offices of Physicians (except Mental Health Specialists)	\$704,875.82	0.04%	98.43%
236227	Commercial and Institutional Building Construction	\$693,373.38	0.04%	98.47%
236221	Commercial and Institutional Building Construction	\$684,306.00	0.04%	98.51%
423184	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$671,686.05	0.04%	98.54%
517410	Satellite Telecommunications	\$663,190.00	0.04%	98.58%
237310	Highway, Street, and Bridge Construction	\$651,014.46	0.04%	98.61%
611699	All Other Miscellaneous Schools and Instruction	\$632,339.38	0.03%	98.65%
423156	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$617,088.66	0.03%	98.68%
624190	Other Individual and Family Services	\$615,644.91	0.03%	98.71%
561710	Exterminating and Pest Control Services	\$593,794.02	0.03%	98.75%
811219	Other Electronic and Precision Equipment Repair and Maintenance	\$571,377.92	0.03%	98.78%
561990	All Other Support Services	\$550,909.95	0.03%	98.81%
236229	Commercial and Institutional Building Construction	\$543,332.06	0.03%	98.84%
811412	Appliance Repair and Maintenance	\$521,233.15	0.03%	98.86%
562991	Septic Tank and Related Services	\$513,986.76	0.03%	98.89%
423850	Service Establishment Equipment and Supplies Merchant Wholesalers	\$508,899.74	0.03%	98.92%
238390	Other Building Finishing Contractors	\$507,765.97	0.03%	98.95%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
722338	Food Service Contractors	\$504,930.21	0.03%	98.97%
333921	Elevator and Moving Stairway Manufacturing	\$503,571.09	0.03%	99.00%
423411	Photographic Equipment and Supplies Merchant Wholesalers	\$497,683.93	0.03%	99.03%
423134	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$487,289.42	0.03%	99.05%
236230	Commercial and Institutional Building Construction	\$478,638.38	0.03%	99.08%
423830	Industrial Machinery and Equipment Merchant Wholesalers	\$471,365.26	0.03%	99.11%
423129	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$445,807.27	0.02%	99.13%
621492	Kidney Dialysis Centers	\$444,177.00	0.02%	99.15%
336612	Boat Building	\$440,612.91	0.02%	99.18%
424417	General Line Grocery Merchant Wholesalers	\$437,376.84	0.02%	99.20%
621420	Outpatient Mental Health and Substance Abuse Centers	\$416,390.00	0.02%	99.22%
812210	Funeral Homes and Funeral Services	\$416,015.87	0.02%	99.25%
236240	Commercial and Institutional Building Construction	\$406,643.00	0.02%	99.27%
236210	Industrial Building Construction	\$404,738.88	0.02%	99.29%
561311	Employment Placement Agencies	\$397,359.00	0.02%	99.31%
621210	Offices of Dentists	\$391,619.25	0.02%	99.33%
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers	\$388,460.48	0.02%	99.35%
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	\$388,373.37	0.02%	99.37%
236238	Commercial and Institutional Building Construction	\$388,318.37	0.02%	99.40%
236242	Commercial and Institutional Building Construction	\$369,469.00	0.02%	99.42%
423160	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$357,948.69	0.02%	99.43%
236224	Commercial and Institutional Building Construction	\$351,371.28	0.02%	99.45%
541370	Surveying and Mapping (except Geophysical) Services	\$342,096.24	0.02%	99.47%
423410	Photographic Equipment and Supplies Merchant Wholesalers	\$326,631.08	0.02%	99.49%
541386	Testing Laboratories	\$308,589.30	0.02%	99.51%
424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers	\$282,066.67	0.02%	99.52%
236236	Commercial and Institutional Building Construction	\$258,858.53	0.01%	99.54%
236233	Commercial and Institutional Building Construction	\$240,342.06	0.01%	99.55%
332312	Fabricated Structural Metal Manufacturing	\$236,574.00	0.01%	99.56%
561330	Professional Employer Organizations	\$235,240.02	0.01%	99.57%
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	\$229,013.81	0.01%	99.59%
488410	Motor Vehicle Towing	\$223,464.90	0.01%	99.60%
323113	Commercial Screen Printing	\$218,816.67	0.01%	99.61%
424491	Other Grocery and Related Products Merchant Wholesalers	\$214,525.14	0.01%	99.62%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423159	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$212,163.56	0.01%	99.63%
813319	Other Social Advocacy Organizations	\$208,805.24	0.01%	99.64%
493110	General Warehousing and Storage	\$206,559.63	0.01%	99.66%
424493	Other Grocery and Related Products Merchant Wholesalers	\$195,375.36	0.01%	99.67%
311920	Coffee and Tea Manufacturing	\$181,603.11	0.01%	99.68%
811113	Automotive Transmission Repair	\$179,502.68	0.01%	99.69%
236231	Commercial and Institutional Building Construction	\$177,339.75	0.01%	99.70%
112990	All Other Animal Production	\$171,673.84	0.01%	99.70%
424231	Drugs and Druggists' Sundries Merchant Wholesalers	\$171,653.17	0.01%	99.71%
541910	Marketing Research and Public Opinion Polling	\$169,532.20	0.01%	99.72%
236225	Commercial and Institutional Building Construction	\$168,887.84	0.01%	99.73%
325320	Pesticide and Other Agricultural Chemical Manufacturing	\$168,005.37	0.01%	99.74%
236232	Commercial and Institutional Building Construction	\$167,035.70	0.01%	99.75%
512240	Sound Recording Studios	\$159,328.80	0.01%	99.76%
333994	Industrial Process Furnace and Oven Manufacturing	\$159,040.00	0.01%	99.77%
621112	Offices of Physicians, Mental Health Specialists	\$158,537.50	0.01%	99.78%
424440	Poultry and Poultry Product Merchant Wholesalers	\$155,730.00	0.01%	99.78%
238190	Other Foundation, Structure, and Building Exterior Contractors	\$155,129.00	0.01%	99.79%
424496	Other Grocery and Related Products Merchant Wholesalers	\$145,019.68	0.01%	99.80%
561613	Armored Car Services	\$143,862.00	0.01%	99.81%
811122	Automotive Glass Replacement Shops	\$141,469.90	0.01%	99.82%
238130	Framing Contractors	\$135,837.00	0.01%	99.82%
541350	Building Inspection Services	\$134,113.77	0.01%	99.83%
541614	Process, Physical Distribution, and Logistics Consulting Services	\$132,791.67	0.01%	99.84%
531312	Nonresidential Property Managers	\$122,100.00	0.01%	99.84%
424253	Drugs and Druggists' Sundries Merchant Wholesalers	\$117,584.97	0.01%	99.85%
238120	Structural Steel and Precast Concrete Contractors	\$116,247.00	0.01%	99.86%
611310	Colleges, Universities, and Professional Schools	\$114,234.34	0.01%	99.86%
621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists	\$111,350.00	0.01%	99.87%
493190	Other Warehousing and Storage	\$110,816.56	0.01%	99.88%
236241	Commercial and Institutional Building Construction	\$105,045.48	0.01%	99.88%
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	\$94,182.00	0.01%	99.89%
441320	Tire Dealers	\$92,768.00	0.01%	99.89%
923110	Administration of Education Programs	\$90,609.74	0.00%	99.90%
332996	Fabricated Pipe and Pipe Fitting Manufacturing	\$86,817.00	0.00%	99.90%
238340	Tile and Terrazzo Contractors	\$86,341.00	0.00%	99.91%
424130	Industrial and Personal Service Paper Merchant Wholesalers	\$81,874.00	0.00%	99.91%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423154	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$78,894.49	0.00%	99.91%
236222	Commercial and Institutional Building Construction	\$70,124.00	0.00%	99.92%
722315	Food Service Contractors	\$68,167.05	0.00%	99.92%
424223	Drugs and Druggists' Sundries Merchant Wholesalers	\$68,167.05	0.00%	99.93%
562211	Hazardous Waste Treatment and Disposal	\$67,945.62	0.00%	99.93%
623210	Residential Intellectual and Developmental Disability Facilities	\$67,042.91	0.00%	99.93%
541922	Commercial Photography	\$63,446.00	0.00%	99.94%
423178	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$63,335.66	0.00%	99.94%
491110	Postal Service	\$60,044.45	0.00%	99.94%
423123	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$55,551.84	0.00%	99.95%
236226	Commercial and Institutional Building Construction	\$54,749.41	0.00%	99.95%
112511	Finfish Farming and Fish Hatcheries	\$51,510.00	0.00%	99.95%
423181	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$48,186.21	0.00%	99.95%
811191	Automotive Oil Change and Lubrication Shops	\$46,032.00	0.00%	99.96%
236237	Commercial and Institutional Building Construction	\$45,465.00	0.00%	99.96%
621512	Diagnostic Imaging Centers	\$45,410.85	0.00%	99.96%
541850	Outdoor Advertising	\$44,501.14	0.00%	99.96%
423168	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$43,719.62	0.00%	99.97%
423148	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$43,475.49	0.00%	99.97%
621999	All Other Miscellaneous Ambulatory Health Care Services	\$43,356.36	0.00%	99.97%
111998	All Other Miscellaneous Crop Farming	\$42,386.51	0.00%	99.97%
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	\$35,496.00	0.00%	99.97%
813920	Professional Organizations	\$34,040.81	0.00%	99.98%
541430	Graphic Design Services	\$31,582.11	0.00%	99.98%
444190	Other Building Material Dealers	\$30,939.00	0.00%	99.98%
339950	Sign Manufacturing	\$29,817.08	0.00%	99.98%
541921	Photography Studios, Portrait	\$28,944.00	0.00%	99.98%
562112	Hazardous Waste Collection	\$26,108.26	0.00%	99.98%
621330	Offices of Mental Health Practitioners (except Physicians)	\$25,080.56	0.00%	99.99%
423113	Automobile and Other Motor Vehicle Merchant Wholesalers	\$22,800.00	0.00%	99.99%
424256	Drugs and Druggists' Sundries Merchant Wholesalers	\$22,584.29	0.00%	99.99%
623990	Other Residential Care Facilities	\$15,626.18	0.00%	99.99%
423157	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$15,602.99	0.00%	99.99%
424233	Drugs and Druggists' Sundries Merchant Wholesalers	\$15,508.41	0.00%	99.99%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers	\$14,372.26	0.00%	99.99%
423162	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$13,802.96	0.00%	99.99%
711510	Independent Artists, Writers, and Performers	\$12,580.00	0.00%	99.99%
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers	\$12,037.00	0.00%	99.99%
424421	General Line Grocery Merchant Wholesalers	\$10,832.66	0.00%	99.99%
423169	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$10,122.41	0.00%	100.00%
611420	Computer Training	\$9,695.00	0.00%	100.00%
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	\$9,680.00	0.00%	100.00%
424950	Paint, Varnish, and Supplies Merchant Wholesalers	\$8,783.35	0.00%	100.00%
423176	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$8,669.88	0.00%	100.00%
424490	Other Grocery and Related Products Merchant Wholesalers	\$8,505.20	0.00%	100.00%
423495	Other Professional Equipment and Supplies Merchant Wholesalers	\$7,376.75	0.00%	100.00%
541613	Marketing Consulting Services	\$7,066.98	0.00%	100.00%
423390	Other Construction Material Merchant Wholesalers	\$5,075.00	0.00%	100.00%
541714	Research and Development in Biotechnology (except Nanobiotechnology)	\$4,500.00	0.00%	100.00%
813410	Civic and Social Organizations	\$4,500.00	0.00%	100.00%
424412	General Line Grocery Merchant Wholesalers	\$3,488.94	0.00%	100.00%
424420	General Line Grocery Merchant Wholesalers	\$2,743.72	0.00%	100.00%
562998	All Other Miscellaneous Waste Management Services	\$2,425.00	0.00%	100.00%
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)	\$2,172.56	0.00%	100.00%
722320	Caterers	\$1,771.96	0.00%	100.00%
324122	Asphalt Shingle and Coating Materials Manufacturing	\$870.00	0.00%	100.00%
532112	Passenger Car Leasing	\$825.70	0.00%	100.00%
451110	Sporting Goods Stores	\$725.00	0.00%	100.00%
711320	Promoters of Performing Arts, Sports, and Similar Events without facilities	\$650.00	0.00%	100.00%
327991	Cut Stone and Stone Product Manufacturing	\$590.00	0.00%	100.00%
517919	All Other Telecommunications	\$395.33	0.00%	100.00%
332322	Sheet Metal Work Manufacturing	\$388.00	0.00%	100.00%
424228	Drugs and Druggists' Sundries Merchant Wholesalers	\$129.60	0.00%	100.00%
441310	Automotive Parts and Accessories Stores	\$3.00	0.00%	100.00%
334290	Other Communications Equipment Manufacturing	\$0.00	0.00%	100.00%
424227	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
423492	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
423179	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$0.00	0.00%	100.00%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423494	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
314999	All Other Miscellaneous Textile Product Mills	\$0.00	0.00%	100.00%
424229	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
424415	General Line Grocery Merchant Wholesalers	\$0.00	0.00%	100.00%
423500	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
424250	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
423493	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
722314	Food Service Contractors	\$0.00	0.00%	100.00%
722333	Food Service Contractors	\$0.00	0.00%	100.00%
424210	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
423146	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$0.00	0.00%	100.00%
722515	Snack and Nonalcoholic Beverage Bars	\$0.00	0.00%	100.00%
Grand Total		\$1,852,208,376.51	100.00%	

TABLE A-7.  
STATE OF DELAWARE PRODUCT MARKET AREA  
CONSTRUCTION NAICS CODES

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$42,556,139.62	16.41%	16.41%
236220	Commercial and Institutional Building Construction	\$40,473,531.08	15.61%	16.41%
238210	Electrical Contractors and Other Wiring Installation Contractors	\$33,840,596.01	13.05%	32.02%
238330	Flooring Contractors	\$23,243,027.00	8.96%	45.08%
237130	Power and Communication Line and Related Structures Construction	\$21,318,491.04	8.22%	54.04%
238320	Painting and Wall Covering Contractors	\$19,132,058.21	7.38%	62.26%
238140	Masonry Contractors	\$16,325,801.62	6.30%	69.64%
238160	Roofing Contractors	\$15,738,735.92	6.07%	75.94%
238290	Other Building Equipment Contractors	\$8,864,510.96	3.42%	82.01%
238910	Site Preparation Contractors	\$3,809,830.44	1.47%	85.43%
238310	Drywall and Insulation Contractors	\$3,742,704.48	1.44%	86.90%
237110	Water and Sewer Line and Related Structures Construction	\$3,550,069.69	1.37%	88.34%
238990	All Other Specialty Trade Contractors	\$3,224,468.23	1.24%	89.71%
238110	Poured Concrete Foundation and Structure Contractors	\$2,465,914.07	0.95%	90.96%
236243	Commercial and Institutional Building Construction	\$2,224,248.00	0.86%	91.91%
238150	Glass and Glazing Contractors	\$1,551,425.15	0.60%	92.77%
236244	Commercial and Institutional Building Construction	\$1,477,334.75	0.57%	93.36%
337110	Wood Kitchen Cabinet and Countertop Manufacturing	\$1,444,166.76	0.56%	93.93%
237990	Other Heavy and Civil Engineering Construction	\$1,411,083.89	0.54%	94.49%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
238350	Finish Carpentry Contractors	\$1,374,362.37	0.53%	95.03%
236223	Commercial and Institutional Building Construction	\$990,481.01	0.38%	95.56%
236227	Commercial and Institutional Building Construction	\$693,373.38	0.27%	95.95%
236221	Commercial and Institutional Building Construction	\$684,306.00	0.26%	96.21%
561621	Security Systems Services (except Locksmiths)	\$673,197.00	0.26%	96.48%
237310	Highway, Street, and Bridge Construction	\$651,014.46	0.25%	96.74%
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	\$607,105.00	0.23%	96.99%
236229	Commercial and Institutional Building Construction	\$543,332.06	0.21%	97.22%
236230	Commercial and Institutional Building Construction	\$478,638.38	0.18%	97.43%
236240	Commercial and Institutional Building Construction	\$406,643.00	0.16%	97.62%
236210	Industrial Building Construction	\$404,738.88	0.16%	97.77%
236238	Commercial and Institutional Building Construction	\$388,318.37	0.15%	97.93%
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers	\$371,683.48	0.14%	98.08%
236242	Commercial and Institutional Building Construction	\$369,469.00	0.14%	98.22%
236224	Commercial and Institutional Building Construction	\$351,371.28	0.14%	98.37%
236236	Commercial and Institutional Building Construction	\$258,858.53	0.10%	98.50%
541990	All Other Professional, Scientific, and Technical Services	\$252,127.73	0.10%	98.60%
236233	Commercial and Institutional Building Construction	\$240,342.06	0.09%	98.70%
332312	Fabricated Structural Metal Manufacturing	\$236,574.00	0.09%	98.79%
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	\$229,013.81	0.09%	98.88%
493110	General Warehousing and Storage	\$205,369.00	0.08%	98.97%
238390	Other Building Finishing Contractors	\$188,742.04	0.07%	99.05%
236231	Commercial and Institutional Building Construction	\$177,339.75	0.07%	99.12%
423440	Other Commercial Equipment Merchant Wholesalers	\$174,156.00	0.07%	99.19%
236225	Commercial and Institutional Building Construction	\$168,887.84	0.07%	99.26%
236232	Commercial and Institutional Building Construction	\$167,035.70	0.06%	99.32%
333994	Industrial Process Furnace and Oven Manufacturing	\$159,040.00	0.06%	99.39%
238190	Other Foundation, Structure, and Building Exterior Contractors	\$155,129.00	0.06%	99.45%
238130	Framing Contractors	\$135,837.00	0.05%	99.51%
238120	Structural Steel and Precast Concrete Contractors	\$116,247.00	0.04%	99.56%
236241	Commercial and Institutional Building Construction	\$105,045.48	0.04%	99.61%
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	\$94,182.00	0.04%	99.65%
332996	Fabricated Pipe and Pipe Fitting Manufacturing	\$86,817.00	0.03%	99.68%
238340	Tile and Terrazzo Contractors	\$86,341.00	0.03%	99.72%
561730	Landscaping Services	\$85,936.47	0.03%	99.75%
236222	Commercial and Institutional Building Construction	\$70,124.00	0.03%	99.78%
423830	Industrial Machinery and Equipment Merchant Wholesalers	\$54,879.00	0.02%	99.81%
236226	Commercial and Institutional Building Construction	\$54,749.41	0.02%	99.83%
811191	Automotive Oil Change and Lubrication Shops	\$46,032.00	0.02%	99.85%
236237	Commercial and Institutional Building Construction	\$45,465.00	0.02%	99.87%



NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	\$35,496.00	0.01%	99.89%
541511	Custom Computer Programming Services	\$32,107.00	0.01%	99.90%
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers	\$30,977.22	0.01%	99.91%
444190	Other Building Material Dealers	\$30,939.00	0.01%	99.93%
562991	Septic Tank and Related Services	\$30,926.00	0.01%	99.94%
423420	Office Equipment Merchant Wholesalers	\$19,204.00	0.01%	99.95%
541330	Engineering Services	\$17,995.00	0.01%	99.96%
561720	Janitorial Services	\$17,730.00	0.01%	99.96%
541310	Architectural Services	\$15,250.00	0.01%	99.97%
562910	Remediation Services	\$14,674.05	0.01%	99.98%
339950	Sign Manufacturing	\$14,495.08	0.01%	99.98%
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers	\$12,037.00	0.00%	99.99%
561990	All Other Support Services	\$7,572.00	0.00%	99.99%
423390	Other Construction Material Merchant Wholesalers	\$5,075.00	0.00%	100.00%
562998	All Other Miscellaneous Waste Management Services	\$2,425.00	0.00%	100.00%
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance	\$2,255.00	0.00%	100.00%
324122	Asphalt Shingle and Coating Materials Manufacturing	\$870.00	0.00%	100.00%
327991	Cut Stone and Stone Product Manufacturing	\$590.00	0.00%	100.00%
332322	Sheet Metal Work Manufacturing	\$388.00	0.00%	100.00%
Grand Total		\$259,267,446.75	100.00%	

TABLE A-8.  
STATE OF DELAWARE PRODUCT MARKET AREA  
CONSTRUCTION RELATED NAICS CODES

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
541310	Architectural Services	\$96,963,946.88	44.17%	44.17%
541330	Engineering Services	\$88,170,402.96	40.16%	84.33%
541320	Landscape Architectural Services	\$32,610,355.73	14.85%	99.18%
541331	Engineering Services	\$1,197,445.40	0.55%	99.72%
541370	Surveying and Mapping (except Geophysical) Services	\$342,096.24	0.16%	99.88%
541350	Building Inspection Services	\$134,113.77	0.06%	99.94%
238290	Other Building Equipment Contractors	\$70,249.00	0.03%	99.97%
236220	Commercial and Institutional Building Construction	\$22,109.76	0.01%	99.98%
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$17,056.00	0.01%	99.99%
541511	Custom Computer Programming Services	\$7,765.00	0.00%	99.99%
238160	Roofing Contractors	\$7,660.00	0.00%	100.00%
541990	All Other Professional, Scientific, and Technical Services	\$2,175.00	0.00%	100.00%
238990	All Other Specialty Trade Contractors	\$2,112.00	0.00%	100.00%
Grand Total		\$219,547,487.74	100.00%	

TABLE A-9.  
STATE OF DELAWARE PRODUCT MARKET AREA  
GOODS NAICS CODES

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$288,473,409.97	45.76%	45.76%
441110	New Car Dealers	\$41,160,867.66	6.53%	52.29%
423210	Furniture Merchant Wholesalers	\$37,383,424.92	5.93%	58.22%
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	\$26,074,237.08	4.14%	62.36%
454310	Fuel Dealers	\$20,067,332.46	3.18%	65.54%
423110	Automobile and Other Motor Vehicle Merchant Wholesalers	\$18,562,206.40	2.94%	68.49%
424433	Dairy Product (except Dried or Canned) Merchant Wholesalers	\$17,099,087.30	2.71%	71.20%
423490	Other Professional Equipment and Supplies Merchant Wholesalers	\$15,859,899.79	2.52%	73.71%
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers	\$15,400,339.98	2.44%	76.16%
424690	Other Chemical and Allied Products Merchant Wholesalers	\$14,358,784.37	2.28%	78.43%
423170	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$13,220,468.64	2.10%	80.53%
423420	Office Equipment Merchant Wholesalers	\$12,606,109.37	2.00%	82.53%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$9,896,139.09	1.57%	84.10%
423440	Other Commercial Equipment Merchant Wholesalers	\$9,886,128.98	1.57%	85.67%
423412	Photographic Equipment and Supplies Merchant Wholesalers	\$7,840,518.15	1.24%	86.91%
423710	Hardware Merchant Wholesalers	\$6,359,360.28	1.01%	87.92%
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$5,981,958.94	0.95%	88.87%
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	\$4,322,194.00	0.69%	89.56%
423137	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$4,302,038.26	0.68%	90.24%
424120	Stationery and Office Supplies Merchant Wholesalers	\$3,921,613.56	0.62%	90.86%
453210	Office Supplies and Stationery Stores	\$3,843,401.91	0.61%	91.47%
424910	Farm Supplies Merchant Wholesalers	\$3,180,590.30	0.50%	91.98%
423145	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$3,097,346.30	0.49%	92.47%
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	\$3,092,080.02	0.49%	92.96%
424110	Printing and Writing Paper Merchant Wholesalers	\$3,072,440.07	0.49%	93.44%
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers	\$2,620,147.64	0.42%	93.86%
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers	\$2,511,384.95	0.40%	94.26%
441222	Boat Dealers	\$1,636,651.89	0.26%	94.52%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
323111	Commercial Printing (except Screen and Books)	\$1,629,304.24	0.26%	94.78%
424418	General Line Grocery Merchant Wholesalers	\$1,588,848.84	0.25%	95.03%
339112	Surgical and Medical Instrument Manufacturing	\$1,513,972.01	0.24%	95.27%
424438	Dairy Product (except Dried or Canned) Merchant Wholesalers	\$1,486,617.12	0.24%	95.50%
238990	All Other Specialty Trade Contractors	\$1,475,926.00	0.23%	95.74%
423183	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$1,456,349.39	0.23%	95.97%
423111	Automobile and Other Motor Vehicle Merchant Wholesalers	\$1,412,236.73	0.22%	96.19%
423152	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$1,379,391.28	0.22%	96.41%
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance	\$1,362,348.67	0.22%	96.63%
423840	Industrial Supplies Merchant Wholesalers	\$1,184,230.86	0.19%	96.82%
424497	Other Grocery and Related Products Merchant Wholesalers	\$1,147,819.22	0.18%	97.00%
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers	\$1,100,138.33	0.17%	97.17%
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers	\$1,035,123.43	0.16%	97.34%
423499	Other Professional Equipment and Supplies Merchant Wholesalers	\$1,034,610.29	0.16%	97.50%
423127	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$1,016,769.82	0.16%	97.66%
423690	Other Electronic Parts and Equipment Merchant Wholesalers	\$1,016,066.74	0.16%	97.82%
423503	Other Professional Equipment and Supplies Merchant Wholesalers	\$992,000.00	0.16%	97.98%
423140	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$974,921.14	0.15%	98.14%
311612	Meat Processed from Carcasses	\$943,101.73	0.15%	98.29%
424430	Dairy Product (except Dried or Canned) Merchant Wholesalers	\$897,289.31	0.14%	98.43%
424480	Fresh Fruit and Vegetable Merchant Wholesalers	\$757,530.12	0.12%	98.55%
423184	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$671,686.05	0.11%	98.65%
423156	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$617,088.66	0.10%	98.75%
423850	Service Establishment Equipment and Supplies Merchant Wholesalers	\$508,899.74	0.08%	98.83%
333921	Elevator and Moving Stairway Manufacturing	\$503,571.09	0.08%	98.91%
423411	Photographic Equipment and Supplies Merchant Wholesalers	\$497,683.93	0.08%	98.99%
423134	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$487,289.42	0.08%	99.07%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423129	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$445,807.27	0.07%	99.14%
336612	Boat Building	\$440,612.91	0.07%	99.21%
424417	General Line Grocery Merchant Wholesalers	\$437,376.84	0.07%	99.28%
423830	Industrial Machinery and Equipment Merchant Wholesalers	\$416,486.26	0.07%	99.35%
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	\$388,373.37	0.06%	99.41%
423160	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$357,948.69	0.06%	99.46%
423410	Photographic Equipment and Supplies Merchant Wholesalers	\$326,631.08	0.05%	99.52%
238390	Other Building Finishing Contractors	\$306,603.93	0.05%	99.56%
424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers	\$282,066.67	0.04%	99.61%
424491	Other Grocery and Related Products Merchant Wholesalers	\$214,525.14	0.03%	99.64%
423159	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$212,163.56	0.03%	99.68%
424493	Other Grocery and Related Products Merchant Wholesalers	\$195,375.36	0.03%	99.71%
311920	Coffee and Tea Manufacturing	\$181,603.11	0.03%	99.74%
424231	Drugs and Druggists' Sundries Merchant Wholesalers	\$171,653.17	0.03%	99.76%
325320	Pesticide and Other Agricultural Chemical Manufacturing	\$168,005.37	0.03%	99.79%
424440	Poultry and Poultry Product Merchant Wholesalers	\$155,730.00	0.02%	99.82%
424496	Other Grocery and Related Products Merchant Wholesalers	\$145,019.68	0.02%	99.84%
424253	Drugs and Druggists' Sundries Merchant Wholesalers	\$117,584.97	0.02%	99.86%
441320	Tire Dealers	\$92,768.00	0.01%	99.87%
424130	Industrial and Personal Service Paper Merchant Wholesalers	\$81,874.00	0.01%	99.88%
423154	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$78,894.49	0.01%	99.90%
811198	All Other Automotive Repair and Maintenance	\$70,200.00	0.01%	99.91%
424223	Drugs and Druggists' Sundries Merchant Wholesalers	\$68,167.05	0.01%	99.92%
238290	Other Building Equipment Contractors	\$63,840.00	0.01%	99.93%
423178	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$63,335.66	0.01%	99.94%
423123	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$55,551.84	0.01%	99.95%
423181	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$48,186.21	0.01%	99.96%
423168	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$43,719.62	0.01%	99.96%
423148	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$43,475.49	0.01%	99.97%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
423113	Automobile and Other Motor Vehicle Merchant Wholesalers	\$22,800.00	0.00%	99.97%
424256	Drugs and Druggists' Sundries Merchant Wholesalers	\$22,584.29	0.00%	99.98%
238210	Electrical Contractors and Other Wiring Installation Contractors	\$22,150.00	0.00%	99.98%
423157	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$15,602.99	0.00%	99.98%
424233	Drugs and Druggists' Sundries Merchant Wholesalers	\$15,508.41	0.00%	99.98%
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers	\$14,372.26	0.00%	99.99%
423162	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$13,802.96	0.00%	99.99%
424421	General Line Grocery Merchant Wholesalers	\$10,832.66	0.00%	99.99%
238310	Drywall and Insulation Contractors	\$10,800.00	0.00%	99.99%
423169	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$10,122.41	0.00%	99.99%
424950	Paint, Varnish, and Supplies Merchant Wholesalers	\$8,783.35	0.00%	100.00%
423176	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$8,669.88	0.00%	100.00%
423495	Other Professional Equipment and Supplies Merchant Wholesalers	\$7,376.75	0.00%	100.00%
424412	General Line Grocery Merchant Wholesalers	\$3,488.94	0.00%	100.00%
424420	General Line Grocery Merchant Wholesalers	\$2,743.72	0.00%	100.00%
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)	\$2,172.56	0.00%	100.00%
541330	Engineering Services	\$1,350.00	0.00%	100.00%
424228	Drugs and Druggists' Sundries Merchant Wholesalers	\$129.60	0.00%	100.00%
441310	Automotive Parts and Accessories Stores	\$3.00	0.00%	100.00%
423493	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
423179	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$0.00	0.00%	100.00%
314999	All Other Miscellaneous Textile Product Mills	\$0.00	0.00%	100.00%
423146	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$0.00	0.00%	100.00%
423492	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
424415	General Line Grocery Merchant Wholesalers	\$0.00	0.00%	100.00%
423500	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
424229	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
424210	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
423494	Other Professional Equipment and Supplies Merchant Wholesalers	\$0.00	0.00%	100.00%
424250	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
424227	Drugs and Druggists' Sundries Merchant Wholesalers	\$0.00	0.00%	100.00%
334290	Other Communications Equipment Manufacturing	\$0.00	0.00%	100.00%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
Grand Total		\$630,387,849.92	100.00%	

TABLE A-10.  
STATE OF DELAWARE PRODUCT MARKET AREA  
SERVICES NAICS CODES

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
541519	Other Computer Related Services	\$108,435,989.75	14.59%	14.59%
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals	\$68,518,590.06	9.22%	23.82%
622110	General Medical and Surgical Hospitals	\$66,575,776.06	8.96%	32.78%
541990	All Other Professional, Scientific, and Technical Services	\$55,356,989.87	7.45%	40.23%
541611	Administrative Management and General Management Consulting Services	\$48,687,224.84	6.55%	46.78%
541512	Computer Systems Design Services	\$42,726,504.39	5.75%	52.53%
561320	Temporary Help Services	\$36,377,036.95	4.90%	57.43%
722310	Food Service Contractors	\$34,876,192.79	4.69%	62.12%
561621	Security Systems Services (except Locksmiths)	\$32,774,786.12	4.41%	66.53%
541511	Custom Computer Programming Services	\$21,078,857.71	2.84%	69.37%
518210	Data Processing, Hosting, and Related Services	\$16,226,644.87	2.18%	71.55%
541618	Other Management Consulting Services	\$14,991,597.86	2.02%	73.57%
812199	Other Personal Care Services	\$14,393,898.52	1.94%	75.51%
562910	Remediation Services	\$13,304,264.36	1.79%	77.30%
532420	Office Machinery and Equipment Rental and Leasing	\$12,429,567.71	1.67%	78.97%
561612	Security Guards and Patrol Services	\$11,101,061.76	1.49%	80.46%
541513	Computer Facilities Management Services	\$11,063,558.74	1.49%	81.95%
541890	Other Services Related to Advertising	\$10,000,009.43	1.35%	83.30%
562111	Solid Waste Collection	\$9,646,375.81	1.30%	84.60%
812331	Linen Supply	\$8,841,085.12	1.19%	85.79%
561720	Janitorial Services	\$8,421,590.82	1.13%	86.92%
541380	Testing Laboratories	\$7,318,786.58	0.99%	87.91%
811111	General Automotive Repair	\$7,161,850.48	0.96%	88.87%
561730	Landscaping Services	\$6,980,309.85	0.94%	89.81%
541930	Translation and Interpretation Services	\$5,823,591.41	0.78%	90.59%
488190	Other Support Activities for Air Transportation	\$5,700,047.64	0.77%	91.36%
561439	Other Business Service Centers (including Copy Shops)	\$5,424,826.04	0.73%	92.09%
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	\$4,939,009.27	0.66%	92.76%
811121	Automotive Body, Paint, and Interior Repair and Maintenance	\$4,643,597.20	0.62%	93.38%
621511	Medical Laboratories	\$3,649,913.74	0.49%	93.87%
722318	Food Service Contractors	\$3,249,950.67	0.44%	94.31%
541612	Human Resources Consulting Services	\$3,033,897.07	0.41%	94.72%
811198	All Other Automotive Repair and Maintenance	\$2,763,061.69	0.37%	95.09%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
484210	Used Household and Office Goods Moving	\$2,750,811.06	0.37%	95.46%
722329	Food Service Contractors	\$2,715,952.54	0.37%	95.82%
541690	Other Scientific and Technical Consulting Services	\$2,493,593.33	0.34%	96.16%
621410	Family Planning Centers	\$2,118,354.58	0.29%	96.45%
722326	Food Service Contractors	\$1,988,687.19	0.27%	96.71%
511110	Newspaper Publishers	\$1,480,217.46	0.20%	96.91%
611430	Professional and Management Development Training	\$1,329,985.38	0.18%	97.09%
722513	Limited-Service Restaurants	\$1,273,835.00	0.17%	97.26%
541219	Other Accounting Services	\$1,204,319.50	0.16%	97.42%
561492	Court Reporting and Stenotype Services	\$1,030,261.69	0.14%	97.56%
541199	All Other Legal Services	\$879,768.76	0.12%	97.68%
621498	All Other Outpatient Care Centers	\$860,378.71	0.12%	97.80%
512110	Motion Picture and Video Production	\$838,862.33	0.11%	97.91%
492110	Couriers and Express Delivery Services	\$783,767.72	0.11%	98.02%
541620	Environmental Consulting Services	\$781,312.60	0.11%	98.12%
541820	Public Relations Agencies	\$774,465.90	0.10%	98.23%
621111	Offices of Physicians (except Mental Health Specialists)	\$704,875.82	0.09%	98.32%
517410	Satellite Telecommunications	\$663,190.00	0.09%	98.41%
611699	All Other Miscellaneous Schools and Instruction	\$632,339.38	0.09%	98.49%
624190	Other Individual and Family Services	\$615,644.91	0.08%	98.58%
561710	Exterminating and Pest Control Services	\$593,794.02	0.08%	98.66%
811219	Other Electronic and Precision Equipment Repair and Maintenance	\$571,377.92	0.08%	98.73%
561990	All Other Support Services	\$543,337.95	0.07%	98.81%
811412	Appliance Repair and Maintenance	\$521,233.15	0.07%	98.88%
722338	Food Service Contractors	\$504,930.21	0.07%	98.95%
562991	Septic Tank and Related Services	\$483,060.76	0.07%	99.01%
621492	Kidney Dialysis Centers	\$444,177.00	0.06%	99.07%
621420	Outpatient Mental Health and Substance Abuse Centers	\$416,390.00	0.06%	99.13%
812210	Funeral Homes and Funeral Services	\$416,015.87	0.06%	99.18%
323111	Commercial Printing (except Screen and Books)	\$408,210.93	0.05%	99.24%
561311	Employment Placement Agencies	\$397,359.00	0.05%	99.29%
621210	Offices of Dentists	\$391,619.25	0.05%	99.34%
238210	Electrical Contractors and Other Wiring Installation Contractors	\$378,208.40	0.05%	99.39%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$360,650.00	0.05%	99.44%
541386	Testing Laboratories	\$308,589.30	0.04%	99.48%
561330	Professional Employer Organizations	\$235,240.02	0.03%	99.52%
488410	Motor Vehicle Towing	\$223,464.90	0.03%	99.55%
323113	Commercial Screen Printing	\$218,816.67	0.03%	99.58%
813319	Other Social Advocacy Organizations	\$208,805.24	0.03%	99.60%
811113	Automotive Transmission Repair	\$179,502.68	0.02%	99.63%
112990	All Other Animal Production	\$171,673.84	0.02%	99.65%
541910	Marketing Research and Public Opinion Polling	\$169,532.20	0.02%	99.67%

NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
512240	Sound Recording Studios	\$159,328.80	0.02%	99.70%
621112	Offices of Physicians, Mental Health Specialists	\$158,537.50	0.02%	99.72%
561613	Armored Car Services	\$143,862.00	0.02%	99.74%
811122	Automotive Glass Replacement Shops	\$141,469.90	0.02%	99.76%
238310	Drywall and Insulation Contractors	\$140,828.67	0.02%	99.77%
541614	Process, Physical Distribution, and Logistics Consulting Services	\$132,791.67	0.02%	99.79%
531312	Nonresidential Property Managers	\$122,100.00	0.02%	99.81%
611310	Colleges, Universities, and Professional Schools	\$114,234.34	0.02%	99.82%
621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists	\$111,350.00	0.01%	99.84%
493190	Other Warehousing and Storage	\$110,816.56	0.01%	99.85%
923110	Administration of Education Programs	\$90,609.74	0.01%	99.87%
722315	Food Service Contractors	\$68,167.05	0.01%	99.88%
562211	Hazardous Waste Treatment and Disposal	\$67,945.62	0.01%	99.88%
623210	Residential Intellectual and Developmental Disability Facilities	\$67,042.91	0.01%	99.89%
541922	Commercial Photography	\$63,446.00	0.01%	99.90%
491110	Postal Service	\$60,044.45	0.01%	99.91%
112511	Finfish Farming and Fish Hatcheries	\$51,510.00	0.01%	99.92%
621512	Diagnostic Imaging Centers	\$45,410.85	0.01%	99.92%
541850	Outdoor Advertising	\$44,501.14	0.01%	99.93%
621999	All Other Miscellaneous Ambulatory Health Care Services	\$43,356.36	0.01%	99.93%
111998	All Other Miscellaneous Crop Farming	\$42,386.51	0.01%	99.94%
237130	Power and Communication Line and Related Structures Construction	\$37,470.00	0.01%	99.95%
813920	Professional Organizations	\$34,040.81	0.00%	99.95%
541430	Graphic Design Services	\$31,582.11	0.00%	99.95%
541921	Photography Studios, Portrait	\$28,944.00	0.00%	99.96%
562112	Hazardous Waste Collection	\$26,108.26	0.00%	99.96%
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$25,500.00	0.00%	99.97%
238320	Painting and Wall Covering Contractors	\$25,370.00	0.00%	99.97%
621330	Offices of Mental Health Practitioners (except Physicians)	\$25,080.56	0.00%	99.97%
238150	Glass and Glazing Contractors	\$23,622.00	0.00%	99.98%
238140	Masonry Contractors	\$20,303.00	0.00%	99.98%
238330	Flooring Contractors	\$17,029.00	0.00%	99.98%
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers	\$16,777.00	0.00%	99.98%
623990	Other Residential Care Facilities	\$15,626.18	0.00%	99.98%
339950	Sign Manufacturing	\$15,322.00	0.00%	99.99%
337110	Wood Kitchen Cabinet and Countertop Manufacturing	\$13,357.00	0.00%	99.99%
711510	Independent Artists, Writers, and Performers	\$12,580.00	0.00%	99.99%
238390	Other Building Finishing Contractors	\$12,420.00	0.00%	99.99%
611420	Computer Training	\$9,695.00	0.00%	99.99%



NAICS	NAICS DESCRIPTION	PAYMENTS	PERCENT	CUMULATIVE PERCENTAGE
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	\$9,680.00	0.00%	99.99%
424490	Other Grocery and Related Products Merchant Wholesalers	\$8,505.20	0.00%	100.00%
541613	Marketing Consulting Services	\$7,066.98	0.00%	100.00%
238350	Finish Carpentry Contractors	\$5,495.00	0.00%	100.00%
541714	Research and Development in Biotechnology (except Nanobiotechnology)	\$4,500.00	0.00%	100.00%
813410	Civic and Social Organizations	\$4,500.00	0.00%	100.00%
238160	Roofing Contractors	\$3,636.00	0.00%	100.00%
238910	Site Preparation Contractors	\$2,350.00	0.00%	100.00%
722320	Caterers	\$1,771.96	0.00%	100.00%
493110	General Warehousing and Storage	\$1,190.63	0.00%	100.00%
532112	Passenger Car Leasing	\$825.70	0.00%	100.00%
451110	Sporting Goods Stores	\$725.00	0.00%	100.00%
238990	All Other Specialty Trade Contractors	\$675.00	0.00%	100.00%
711320	Promoters of Performing Arts, Sports, and Similar Events without facilities	\$650.00	0.00%	100.00%
517919	All Other Telecommunications	\$395.33	0.00%	100.00%
722314	Food Service Contractors	\$0.00	0.00%	100.00%
722333	Food Service Contractors	\$0.00	0.00%	100.00%
722515	Snack and Nonalcoholic Beverage Bars	\$0.00	0.00%	100.00%
Grand Total		\$743,005,592.10	100.00%	

# Appendix B

## B. Detailed Utilization, Availability, and Disparity Analyses

TABLE B-1.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
AFRICAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	AFRICAN AMERICAN			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	0.31%	6.19%	5.02	¥¥¥
2362	Nonresidential building construction	0.00%	8.16%	0.00	¥
2383	Building finishing contractors	0.87%	11.38%	7.61	
2381	Building foundation and exterior contractors	0.00%	12.70%	0.00	
2371	Utility system construction	0.00%	2.83%	0.00	
2389	Other specialty trade contractors	0.00%	1.70%	0.00	
2379	Other heavy construction	0.00%	1.22%	0.00	¥¥¥
5616	Investigation and security services	0.00%	15.32%	0.00	¥¥
2373	Highway, street, and bridge construction	0.00%	3.00%	0.00	
8113	Commercial machinery repair and maintenance	0.00%	0.45%	0.00	
4233	Lumber and const. supply merchant wholesalers	0.00%	5.00%	0.00	¥¥¥
5419	Other professional and technical services	0.00%	14.25%	0.00	
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
4234	Commercial equip. merchant wholesalers	0.00%	11.92%	0.00	¥¥
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
5617	Services to buildings and dwellings	0.00%	23.13%	0.00	
4238	Machinery and supply merchant wholesalers	0.00%	0.15%	0.00	¥¥¥
5629	Remediation and other waste services	9.68%	4.59%		
8111	Automotive repair and maintenance	0.00%	8.55%	0.00	¥¥¥
5413	Architectural and engineering services	0.00%	2.10%	0.00	¥¥¥
5415	Computer systems design and related services	0.00%	10.09%	0.00	¥¥
5619	Other support services	0.00%	15.04%	0.00	¥¥
4842	Specialized freight trucking	100.00%	4.26%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-2.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
ASIAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	ASIAN AMERICAN			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	0.00%	4.61%	0.00	¥¥¥
2362	Nonresidential building construction	0.00%	3.61%	0.00	¥¥¥
2383	Building finishing contractors	0.12%	4.53%	2.72	
2381	Building foundation and exterior contractors	0.00%	4.06%	0.00	
2371	Utility system construction	0.00%	0.47%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	0.19%	0.00	¥¥
2379	Other heavy construction	0.00%	0.00%		
5616	Investigation and security services	0.00%	0.62%	0.00	¥¥¥
2373	Highway, street, and bridge construction	0.00%	0.37%	0.00	¥
8113	Commercial machinery repair and maintenance	0.00%	0.00%		
4233	Lumber and const. supply merchant wholesalers	0.00%	2.50%	0.00	¥¥
5419	Other professional and technical services	0.00%	3.95%	0.00	¥¥
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
4234	Commercial equip. merchant wholesalers	0.00%	11.34%	0.00	¥¥
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
5617	Services to buildings and dwellings	0.00%	4.35%	0.00	¥¥¥
4238	Machinery and supply merchant wholesalers	0.00%	11.17%	0.00	¥¥
5629	Remediation and other waste services	0.00%	0.51%	0.00	¥¥¥
8111	Automotive repair and maintenance	0.00%	6.31%	0.00	
5413	Architectural and engineering services	0.00%	1.78%	0.00	
5415	Computer systems design and related services	0.00%	20.52%	0.00	
5619	Other support services	0.00%	9.33%	0.00	¥¥
4842	Specialized freight trucking	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-3.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
HISPANIC AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	0.63%	4.12%	15.38	¥¥¥
2362	Nonresidential building construction	0.32%	6.33%	5.04	¥¥
2383	Building finishing contractors	9.45%	7.91%		
2381	Building foundation and exterior contractors	0.00%	8.10%	0.00	
2371	Utility system construction	0.00%	1.42%	0.00	
2389	Other specialty trade contractors	0.09%	0.42%	22.24	¥¥
2379	Other heavy construction	0.00%	0.00%		
5616	Investigation and security services	0.00%	0.25%	0.00	¥¥¥

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
2373	Highway, street, and bridge construction	2.98%	1.87%		
8113	Commercial machinery repair and maintenance	0.00%	0.00%		
4233	Lumber and const. supply merchant wholesalers	0.00%	0.00%		
5419	Other professional and technical services	0.00%	1.42%	0.00	¥
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
4234	Commercial equip. merchant wholesalers	0.00%	0.25%	0.00	¥¥
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
5617	Services to buildings and dwellings	0.00%	10.54%	0.00	¥¥¥
4238	Machinery and supply merchant wholesalers	0.00%	0.31%	0.00	
5629	Remediation and other waste services	0.00%	0.51%	0.00	
8111	Automotive repair and maintenance	0.00%	2.25%	0.00	
5413	Architectural and engineering services	0.00%	0.39%	0.00	¥¥¥
5415	Computer systems design and related services	0.00%	5.15%	0.00	¥¥
5619	Other support services	0.00%	3.51%	0.00	¥¥
4842	Specialized freight trucking	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-4.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
NATIVE AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	0.78%	1.23%	63.12	
2362	Nonresidential building construction	0.00%	2.75%	0.00	¥¥¥
2383	Building finishing contractors	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	0.22%	0.00	¥
2371	Utility system construction	0.00%	0.00%		
2389	Other specialty trade contractors	0.00%	0.04%	0.00	
2379	Other heavy construction	0.00%	0.00%		
5616	Investigation and security services	0.00%	0.00%		
2373	Highway, street, and bridge construction	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	0.00%	0.00%		
4233	Lumber and const. supply merchant wholesalers	0.00%	0.00%		
5419	Other professional and technical services	0.00%	3.78%	0.00	¥¥
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
4234	Commercial equip. merchant wholesalers	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
5617	Services to buildings and dwellings	0.00%	0.00%		
4238	Machinery and supply merchant wholesalers	0.00%	0.21%	0.00	
5629	Remediation and other waste services	0.00%	0.00%		
8111	Automotive repair and maintenance	0.00%	0.07%	0.00	¥¥
5413	Architectural and engineering services	0.00%	0.05%	0.00	¥¥
5415	Computer systems design and related services	0.00%	3.67%	0.00	

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
5619	Other support services	0.00%	2.30%	0.00	
4842	Specialized freight trucking	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-5.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
MBE FIRMS

NAICS-4	NAICS-4 DESC	MBE			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	1.72%	16.16%	10.66	***
2362	Nonresidential building construction	0.32%	20.84%	1.53	
2383	Building finishing contractors	10.44%	23.82%	43.83	***
2381	Building foundation and exterior contractors	0.00%	25.07%	0.00	
2371	Utility system construction	0.00%	4.72%	0.00	
2389	Other specialty trade contractors	0.09%	2.34%	3.95	
2379	Other heavy construction	0.00%	1.22%	0.00	**
5616	Investigation and security services	0.00%	16.18%	0.00	**
2373	Highway, street, and bridge construction	2.98%	5.24%	56.76	
8113	Commercial machinery repair and maintenance	0.00%	0.45%	0.00	
4233	Lumber and const. supply merchant wholesalers	0.00%	7.50%	0.00	**
5419	Other professional and technical services	0.00%	23.40%	0.00	**
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
4234	Commercial equip. merchant wholesalers	0.00%	23.50%	0.00	
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
5617	Services to buildings and dwellings	0.00%	38.02%	0.00	***
4238	Machinery and supply merchant wholesalers	0.00%	11.84%	0.00	
5629	Remediation and other waste services	9.68%	5.61%		
8111	Automotive repair and maintenance	0.00%	17.18%	0.00	**
5413	Architectural and engineering services	0.00%	4.31%	0.00	**
5415	Computer systems design and related services	0.00%	39.43%	0.00	
5619	Other support services	0.00%	30.18%	0.00	**
4842	Specialized freight trucking	100.00%	4.26%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-6.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
NONMINORITY FEMALE FIRMS

NAICS-4	NAICS-4 DESC	NONMINORITY FEMALE			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	15.15%	26.88%	56.36	
2362	Nonresidential building construction	3.83%	20.97%	18.27	
2383	Building finishing contractors	0.27%	34.13%	0.81	
2381	Building foundation and exterior contractors	7.24%	14.81%	48.87	
2371	Utility system construction	16.29%	34.83%	46.78	¥¥
2389	Other specialty trade contractors	0.00%	2.95%	0.00	¥¥
2379	Other heavy construction	0.00%	2.44%	0.00	¥¥
5616	Investigation and security services	0.00%	48.64%	0.00	
2373	Highway, street, and bridge construction	0.00%	3.37%	0.00	
8113	Commercial machinery repair and maintenance	0.00%	1.56%	0.00	¥¥¥
4233	Lumber and const. supply merchant wholesalers	0.00%	5.00%	0.00	¥¥¥
5419	Other professional and technical services	0.00%	41.12%	0.00	
5324	Machinery and equipment rental and leasing	0.00%	3.08%	0.00	
4234	Commercial equip. merchant wholesalers	0.00%	43.86%	0.00	
3339	Other general purpose machinery manufacturing	0.00%	50.00%	0.00	
5617	Services to buildings and dwellings	0.00%	35.55%	0.00	
4238	Machinery and supply merchant wholesalers	0.00%	27.21%	0.00	
5629	Remediation and other waste services	0.00%	2.55%	0.00	¥¥¥
8111	Automotive repair and maintenance	0.00%	25.35%	0.00	
5413	Architectural and engineering services	0.00%	4.56%	0.00	
5415	Computer systems design and related services	0.00%	23.64%	0.00	
5619	Other support services	0.00%	52.41%	0.00	¥¥¥
4842	Specialized freight trucking	0.00%	2.66%	0.00	¥¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-7.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION  
M/WBE FIRMS

NAICS-4	NAICS-4 DESC	M/WBE			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	16.87%	43.03%	39.20	¥¥¥
2362	Nonresidential building construction	4.15%	41.82%	9.93	
2383	Building finishing contractors	10.72%	57.96%	18.49	
2381	Building foundation and exterior contractors	7.24%	39.88%	18.15	¥¥
2371	Utility system construction	16.29%	39.54%	41.20	
2389	Other specialty trade contractors	0.09%	5.29%	1.75	
2379	Other heavy construction	0.00%	3.66%	0.00	
5616	Investigation and security services	0.00%	64.82%	0.00	

NAICS-4	NAICS-4 DESC	M/WBE			
		Utilization	Availability	Disparity	Significance
2373	Highway, street, and bridge construction	2.98%	8.61%	34.55	¥¥
8113	Commercial machinery repair and maintenance	0.00%	2.00%	0.00	¥¥
4233	Lumber and const. supply merchant wholesalers	0.00%	12.50%	0.00	
5419	Other professional and technical services	0.00%	64.52%	0.00	¥¥¥
5324	Machinery and equipment rental and leasing	0.00%	3.08%	0.00	¥¥¥
4234	Commercial equip. merchant wholesalers	0.00%	67.36%	0.00	
3339	Other general purpose machinery manufacturing	0.00%	50.00%	0.00	
5617	Services to buildings and dwellings	0.00%	73.57%	0.00	¥¥¥
4238	Machinery and supply merchant wholesalers	0.00%	39.05%	0.00	¥¥¥
5629	Remediation and other waste services	9.68%	8.16%		
8111	Automotive repair and maintenance	0.00%	42.53%	0.00	¥¥¥
5413	Architectural and engineering services	0.00%	8.87%	0.00	
5415	Computer systems design and related services	0.00%	63.07%	0.00	
5619	Other support services	0.00%	82.59%	0.00	¥¥¥
4842	Specialized freight trucking	100.00%	6.91%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-8.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
AFRICAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	AFRICAN AMERICAN			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	1.75%	0.00	
2382	Building equipment contractors	0.00%	6.19%	0.00	¥¥
2362	Nonresidential building construction	0.00%	8.16%	0.00	
5415	Computer systems design and related services	0.00%	10.09%	0.00	¥¥¥
2381	Building foundation and exterior contractors	0.00%	12.70%	0.00	¥¥¥
5419	Other professional and technical services	0.00%	14.25%	0.00	
2389	Other specialty trade contractors	0.00%	1.70%	0.00	¥¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-9.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
ASIAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	ASIAN AMERICAN			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	9.00%	0.00	
2382	Building equipment contractors	0.00%	4.61%	0.00	
2362	Nonresidential building construction	0.00%	3.61%	0.00	
5415	Computer systems design and related services	0.00%	20.52%	0.00	¥¥
2381	Building foundation and exterior contractors	0.00%	4.06%	0.00	¥¥¥
5419	Other professional and technical services	0.00%	3.95%	0.00	
2389	Other specialty trade contractors	0.00%	0.19%	0.00	¥¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-10.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
HISPANIC AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	3.25%	0.02	¥¥
2382	Building equipment contractors	0.00%	4.12%	0.00	
2362	Nonresidential building construction	0.00%	6.33%	0.00	¥
5415	Computer systems design and related services	0.00%	5.15%	0.00	¥¥¥
2381	Building foundation and exterior contractors	0.00%	8.10%	0.00	
5419	Other professional and technical services	0.00%	1.42%	0.00	
2389	Other specialty trade contractors	0.00%	0.42%	0.00	¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-11.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
NATIVE AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	0.05%	0.00	¥¥
2382	Building equipment contractors	0.00%	1.23%	0.00	¥
2362	Nonresidential building construction	0.00%	2.75%	0.00	
5415	Computer systems design and related services	0.00%	3.67%	0.00	¥¥
2381	Building foundation and exterior contractors	0.00%	0.22%	0.00	



NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
5419	Other professional and technical services	0.00%	3.78%	0.00	
2389	Other specialty trade contractors	0.00%	0.04%	0.00	¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-12.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
MBE FIRMS

NAICS-4	NAICS-4 DESC	MBE			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	14.05%	0.00	¥¥¥
2382	Building equipment contractors	0.00%	16.16%	0.00	¥¥¥
2362	Nonresidential building construction	0.00%	20.84%	0.00	
5415	Computer systems design and related services	0.00%	39.43%	0.00	
2381	Building foundation and exterior contractors	0.00%	25.07%	0.00	¥¥
5419	Other professional and technical services	0.00%	23.40%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	2.34%	0.00	¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-13.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
NONMINORITY FEMALE FIRMS

NAICS-4	NAICS-4 DESC	NONMINORITY FEMALE			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	20.52%	0.00	¥¥¥
2382	Building equipment contractors	0.00%	26.88%	0.00	
2362	Nonresidential building construction	0.00%	20.97%	0.00	
5415	Computer systems design and related services	0.00%	23.64%	0.00	
2381	Building foundation and exterior contractors	0.00%	14.81%	0.00	¥¥¥
5419	Other professional and technical services	0.00%	41.12%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	2.95%	0.00	¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-14.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION RELATED  
M/WBE FIRMS

NAICS-4	NAICS-4 DESC	M/WBE			
		Utilization	Availability	Disparity	Significance
5413	Architectural and engineering services	0.00%	34.58%	0.00	¥¥¥
2382	Building equipment contractors	0.00%	43.03%	0.00	¥¥¥
2362	Nonresidential building construction	0.00%	41.82%	0.00	
5415	Computer systems design and related services	0.00%	63.07%	0.00	¥¥
2381	Building foundation and exterior contractors	0.00%	39.88%	0.00	
5419	Other professional and technical services	0.00%	64.52%	0.00	¥¥¥
2389	Other specialty trade contractors	0.00%	5.29%	0.00	¥¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-15.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
AFRICAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	AFRICAN AMERICAN			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	0.00%	11.92%	0.00	¥¥¥
4231	Motor vehicle and parts merchant wholesalers	0.00%	12.13%	0.00	¥¥
4411	Automobile dealers	0.00%	0.33%	0.00	
4232	Furniture and furnishing merchant wholesalers	0.00%	0.00%		
3342	Communications equipment manufacturing	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	17.00%	0.00	¥
4543	Direct selling establishments	0.00%	1.61%	0.00	¥¥¥
4238	Machinery and supply merchant wholesalers	0.00%	0.15%	0.00	
4246	Chemical merchant wholesalers	0.00%	25.56%	0.00	
4236	Appliance and electric goods merchant whls.	0.00%	0.73%	0.00	¥¥¥
4237	Hardware and plumbing merchant wholesalers	0.00%	0.36%	0.00	¥¥
4241	Paper and paper product merchant wholesalers	0.00%	4.62%	0.00	¥¥¥
4239	Misc. durable goods merchant wholesalers	0.00%	0.52%	0.00	¥
4412	Other motor vehicle dealers	0.00%	25.48%	0.00	¥¥
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	0.00%		
3231	Printing and related support activities	0.00%	0.53%	0.00	
3391	Medical equipment and supplies manufacturing	0.00%	5.26%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	1.70%	0.00	¥¥
4842	Specialized freight trucking	10.37%	4.26%		
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	1.22%	0.00	¥¥¥

NAICS-4	NAICS-4 DESC	AFRICAN AMERICAN			
		Utilization	Availability	Disparity	Significance
2383	Building finishing contractors	0.00%	11.38%	0.00	¥¥¥
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		
3119	Other food manufacturing	0.00%	25.00%	0.00	¥¥¥
3253	Agricultural chemical manufacturing	0.00%	2.63%	0.00	¥¥
4413	Auto parts, accessories, and tire stores	0.00%	0.22%	0.00	¥¥
2382	Building equipment contractors	0.00%	6.19%	0.00	¥¥
8111	Automotive repair and maintenance	0.00%	8.55%	0.00	¥
4539	Other miscellaneous store retailers	0.00%	19.62%	0.00	¥¥
5413	Architectural and engineering services	0.00%	1.75%	0.00	¥¥
3149	Other textile product mills	0.00%	0.83%	0.00	¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-16.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
ASIAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	ASIAN AMERICAN			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	12.30%	11.34%		
4231	Motor vehicle and parts merchant wholesalers	0.00%	0.00%		
4411	Automobile dealers	0.00%	0.17%	0.00	¥
4232	Furniture and furnishing merchant wholesalers	0.03%	5.56%	0.50	¥¥
3342	Communications equipment manufacturing	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	17.63%	0.00	¥¥¥
4543	Direct selling establishments	0.00%	0.81%	0.00	¥¥
4238	Machinery and supply merchant wholesalers	0.00%	11.17%	0.00	¥¥
4246	Chemical merchant wholesalers	0.00%	0.00%		
4236	Appliance and electric goods merchant whls.	0.00%	0.24%	0.00	¥¥¥
4237	Hardware and plumbing merchant wholesalers	0.00%	17.21%	0.00	
4241	Paper and paper product merchant wholesalers	0.00%	0.77%	0.00	¥¥
4239	Misc. durable goods merchant wholesalers	0.00%	0.52%	0.00	¥¥
4412	Other motor vehicle dealers	0.00%	0.00%		
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	0.61%	0.00	
3231	Printing and related support activities	0.81%	8.45%	9.62	¥¥
3391	Medical equipment and supplies manufacturing	0.00%	5.26%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	0.19%	0.00	¥
4842	Specialized freight trucking	0.00%	0.00%		
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	0.00%		
2383	Building finishing contractors	0.00%	4.53%	0.00	¥¥
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		

NAICS-4	NAICS-4 DESC	ASIAN AMERICAN			
		Utilization	Availability	Disparity	Significance
3119	Other food manufacturing	0.00%	0.00%		
3253	Agricultural chemical manufacturing	0.00%	0.00%		
4413	Auto parts, accessories, and tire stores	0.00%	6.67%	0.00	¥¥
2382	Building equipment contractors	0.00%	4.61%	0.00	¥¥
8111	Automotive repair and maintenance	0.00%	6.31%	0.00	¥¥¥
4539	Other miscellaneous store retailers	0.00%	0.77%	0.00	
5413	Architectural and engineering services	0.00%	9.00%	0.00	¥
3149	Other textile product mills	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-17.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
HISPANIC AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	0.00%	0.25%	0.00	¥¥
4231	Motor vehicle and parts merchant wholesalers	0.10%	0.00%		
4411	Automobile dealers	0.00%	0.17%	0.00	¥
4232	Furniture and furnishing merchant wholesalers	53.36%	5.56%		
3342	Communications equipment manufacturing	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	0.00%		
4543	Direct selling establishments	0.00%	0.00%		
4238	Machinery and supply merchant wholesalers	0.00%	0.31%	0.00	¥¥¥
4246	Chemical merchant wholesalers	0.00%	0.00%		
4236	Appliance and electric goods merchant whls.	0.00%	0.49%	0.00	¥¥
4237	Hardware and plumbing merchant wholesalers	0.00%	0.54%	0.00	¥¥
4241	Paper and paper product merchant wholesalers	0.00%	0.00%		
4239	Misc. durable goods merchant wholesalers	0.00%	0.00%		
4412	Other motor vehicle dealers	0.00%	0.00%		
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	0.30%	0.00	¥¥¥
3231	Printing and related support activities	0.00%	0.00%		
3391	Medical equipment and supplies manufacturing	0.00%	0.00%		
2389	Other specialty trade contractors	0.00%	0.42%	0.00	¥¥
4842	Specialized freight trucking	12.45%	0.00%		
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	0.00%		
2383	Building finishing contractors	0.00%	7.91%	0.00	¥¥¥
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		
3119	Other food manufacturing	0.00%	0.00%		
3253	Agricultural chemical manufacturing	0.00%	0.00%		
4413	Auto parts, accessories, and tire stores	0.00%	0.00%		

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
2382	Building equipment contractors	0.00%	4.12%	0.00	¥¥¥
8111	Automotive repair and maintenance	0.00%	2.25%	0.00	¥¥¥
4539	Other miscellaneous store retailers	0.00%	0.00%		
5413	Architectural and engineering services	0.00%	3.25%	0.00	¥¥¥
3149	Other textile product mills	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-18.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
NATIVE AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	0.00%	0.00%		
4231	Motor vehicle and parts merchant wholesalers	0.00%	0.00%		
4411	Automobile dealers	0.00%	0.08%	0.00	¥¥
4232	Furniture and furnishing merchant wholesalers	0.00%	0.00%		
3342	Communications equipment manufacturing	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	0.00%		
4543	Direct selling establishments	0.00%	0.00%		
4238	Machinery and supply merchant wholesalers	0.00%	0.21%	0.00	¥¥
4246	Chemical merchant wholesalers	0.00%	0.00%		
4236	Appliance and electric goods merchant whls.	0.00%	0.00%		
4237	Hardware and plumbing merchant wholesalers	0.00%	0.00%		
4241	Paper and paper product merchant wholesalers	0.00%	0.00%		
4239	Misc. durable goods merchant wholesalers	0.00%	0.13%	0.00	
4412	Other motor vehicle dealers	0.00%	0.00%		
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	0.30%	0.00	
3231	Printing and related support activities	0.00%	0.00%		
3391	Medical equipment and supplies manufacturing	0.00%	0.00%		
2389	Other specialty trade contractors	0.00%	0.04%	0.00	¥¥¥
4842	Specialized freight trucking	0.00%	0.00%		
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	0.00%		
2383	Building finishing contractors	0.00%	0.00%		
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		
3119	Other food manufacturing	0.00%	0.00%		
3253	Agricultural chemical manufacturing	0.00%	0.00%		
4413	Auto parts, accessories, and tire stores	0.00%	0.00%		
2382	Building equipment contractors	0.00%	1.23%	0.00	¥¥
8111	Automotive repair and maintenance	0.00%	0.07%	0.00	¥¥

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
4539	Other miscellaneous store retailers	0.00%	0.00%		
5413	Architectural and engineering services	0.00%	0.05%	0.00	¥¥
3149	Other textile product mills	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-19.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
MBE FIRMS

NAICS-4	NAICS-4 DESC	MBE			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	12.30%	23.50%	52.33	¥¥
4231	Motor vehicle and parts merchant wholesalers	0.10%	12.13%	0.84	¥¥¥
4411	Automobile dealers	0.00%	0.75%	0.00	¥¥
4232	Furniture and furnishing merchant wholesalers	53.38%	11.11%		
3342	Communications equipment manufacturing	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	34.63%	0.00	¥¥¥
4543	Direct selling establishments	0.00%	2.42%	0.00	
4238	Machinery and supply merchant wholesalers	0.00%	11.84%	0.00	
4246	Chemical merchant wholesalers	0.00%	25.56%	0.00	
4236	Appliance and electric goods merchant whls.	0.00%	1.46%	0.00	¥¥
4237	Hardware and plumbing merchant wholesalers	0.00%	18.11%	0.00	¥
4241	Paper and paper product merchant wholesalers	0.00%	5.38%	0.00	¥¥¥
4239	Misc. durable goods merchant wholesalers	0.00%	1.17%	0.00	¥¥
4412	Other motor vehicle dealers	0.00%	25.48%	0.00	¥¥¥
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	1.22%	0.00	¥
3231	Printing and related support activities	0.81%	8.98%	9.06	
3391	Medical equipment and supplies manufacturing	0.00%	10.53%	0.00	¥¥¥
2389	Other specialty trade contractors	0.00%	2.34%	0.00	¥¥
4842	Specialized freight trucking	22.82%	4.26%		
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	0.00%		
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	1.22%	0.00	¥¥
2383	Building finishing contractors	0.00%	23.82%	0.00	¥¥¥
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		
3119	Other food manufacturing	0.00%	25.00%	0.00	
3253	Agricultural chemical manufacturing	0.00%	2.63%	0.00	¥¥
4413	Auto parts, accessories, and tire stores	0.00%	6.89%	0.00	¥¥
2382	Building equipment contractors	0.00%	16.16%	0.00	
8111	Automotive repair and maintenance	0.00%	17.18%	0.00	
4539	Other miscellaneous store retailers	0.00%	20.39%	0.00	
5413	Architectural and engineering services	0.00%	14.05%	0.00	¥¥
3149	Other textile product mills	0.00%	0.83%	0.00	¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-20.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
NONMINORITY FEMALE FIRMS

NAICS-4	NAICS-4 DESC	NONMINORITY FEMALE			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	1.72%	43.86%	3.93	
4231	Motor vehicle and parts merchant wholesalers	0.82%	24.00%	3.40	¥¥
4411	Automobile dealers	0.00%	50.50%	0.00	¥¥
4232	Furniture and furnishing merchant wholesalers	0.00%	11.11%	0.00	
3342	Communications equipment manufacturing	0.00%	3.39%	0.00	
4244	Grocery and related product wholesalers	0.00%	48.55%	0.00	¥¥¥
4543	Direct selling establishments	0.00%	67.20%	0.00	¥
4238	Machinery and supply merchant wholesalers	0.00%	27.21%	0.00	
4246	Chemical merchant wholesalers	0.00%	72.74%	0.00	
4236	Appliance and electric goods merchant whls.	8.36%	40.98%	20.39	
4237	Hardware and plumbing merchant wholesalers	0.00%	34.59%	0.00	
4241	Paper and paper product merchant wholesalers	0.00%	4.62%	0.00	¥¥
4239	Misc. durable goods merchant wholesalers	0.00%	1.95%	0.00	¥¥
4412	Other motor vehicle dealers	0.00%	28.39%	0.00	¥
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	60.62%	0.00	¥¥¥
3231	Printing and related support activities	0.00%	42.03%	0.00	¥¥
3391	Medical equipment and supplies manufacturing	0.00%	5.26%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	2.95%	0.00	¥¥¥
4842	Specialized freight trucking	0.00%	2.66%	0.00	
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	50.00%	0.00	¥¥
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	89.02%	0.00	¥¥¥
2383	Building finishing contractors	0.00%	34.13%	0.00	
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		
3119	Other food manufacturing	0.00%	0.00%		
3253	Agricultural chemical manufacturing	0.00%	2.63%	0.00	¥¥¥
4413	Auto parts, accessories, and tire stores	0.00%	32.17%	0.00	
2382	Building equipment contractors	0.00%	26.88%	0.00	¥¥
8111	Automotive repair and maintenance	0.00%	25.35%	0.00	
4539	Other miscellaneous store retailers	0.00%	40.40%	0.00	
5413	Architectural and engineering services	0.00%	20.52%	0.00	¥¥¥
3149	Other textile product mills	0.00%	0.83%	0.00	¥¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-21.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
GOODS  
M/WBE FIRMS

NAICS-4	NAICS-4 DESC	M/WBE			
		Utilization	Availability	Disparity	Significance
4234	Commercial equip. merchant wholesalers	14.02%	67.36%	20.82	
4231	Motor vehicle and parts merchant wholesalers	0.92%	36.13%	2.54	¥
4411	Automobile dealers	0.00%	51.25%	0.00	¥¥¥
4232	Furniture and furnishing merchant wholesalers	53.38%	22.22%		
3342	Communications equipment manufacturing	0.00%	3.39%	0.00	¥¥¥
4244	Grocery and related product wholesalers	0.00%	83.19%	0.00	
4543	Direct selling establishments	0.00%	69.62%	0.00	¥¥
4238	Machinery and supply merchant wholesalers	0.00%	39.05%	0.00	¥¥
4246	Chemical merchant wholesalers	0.00%	98.31%	0.00	¥¥¥
4236	Appliance and electric goods merchant whls.	8.36%	42.44%	19.69	¥
4237	Hardware and plumbing merchant wholesalers	0.00%	52.70%	0.00	¥¥
4241	Paper and paper product merchant wholesalers	0.00%	10.00%	0.00	¥¥¥
4239	Misc. durable goods merchant wholesalers	0.00%	3.13%	0.00	¥¥
4412	Other motor vehicle dealers	0.00%	53.87%	0.00	¥¥
4532	Office supplies, stationery, and gift stores	0.00%	0.00%		
4249	Misc. nondurable goods merchant wholesalers	0.00%	61.84%	0.00	¥¥¥
3231	Printing and related support activities	0.81%	51.01%	1.59	
3391	Medical equipment and supplies manufacturing	0.00%	15.79%	0.00	¥¥
2389	Other specialty trade contractors	0.00%	5.29%	0.00	¥¥
4842	Specialized freight trucking	22.82%	6.91%		
3116	Animal slaughtering and processing	0.00%	0.00%		
3339	Other general purpose machinery manufacturing	0.00%	50.00%	0.00	¥¥¥
3366	Ship and boat building	0.00%	0.00%		
4242	Druggists' goods merchant wholesalers	0.00%	90.24%	0.00	¥¥
2383	Building finishing contractors	0.00%	57.96%	0.00	
4243	Apparel and piece goods merchant wholesalers	0.00%	0.00%		
3119	Other food manufacturing	0.00%	25.00%	0.00	¥¥
3253	Agricultural chemical manufacturing	0.00%	5.26%	0.00	¥¥
4413	Auto parts, accessories, and tire stores	0.00%	39.07%	0.00	
2382	Building equipment contractors	0.00%	43.03%	0.00	¥
8111	Automotive repair and maintenance	0.00%	42.53%	0.00	¥¥
4539	Other miscellaneous store retailers	0.00%	60.79%	0.00	
5413	Architectural and engineering services	0.00%	34.58%	0.00	
3149	Other textile product mills	0.00%	1.67%	0.00	¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).



TABLE B-22.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
AFRICAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	AFRICAN AMERICAN			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	3.65%	10.09%	36.19	¥¥
5416	Management and technical consulting services	0.32%	13.81%	2.33	¥¥¥
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	0.70%	14.25%	4.90	¥¥
5616	Investigation and security services	0.00%	15.32%	0.00	¥¥¥
7223	Special food services	0.00%	0.65%	0.00	¥¥¥
5613	Employment services	4.52%	6.12%	73.96	
5182	Data processing, hosting and related services	0.00%	2.16%	0.00	
5617	Services to buildings and dwellings	41.71%	23.13%		
8111	Automotive repair and maintenance	0.00%	8.55%	0.00	¥¥
8121	Personal care services	1.76%	0.14%		
5629	Remediation and other waste services	0.00%	4.59%	0.00	
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
5418	Advertising, PR, and related services	0.00%	18.13%	0.00	¥¥
5621	Waste collection	0.00%	3.13%	0.00	¥¥¥
8123	Drycleaning and laundry services	0.00%	0.00%		
5413	Architectural and engineering services	0.00%	1.75%	0.00	¥¥¥
5614	Business support services	0.00%	0.00%		
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	0.00%	0.45%	0.00	¥¥
6214	Outpatient care centers	0.00%	0.70%	0.00	¥¥¥
6215	Medical and diagnostic laboratories	0.00%	0.00%		
4842	Specialized freight trucking	0.00%	4.26%	0.00	¥¥¥
5111	Newspaper, book, and directory publishers	0.00%	1.64%	0.00	¥¥¥
6114	Business, computer and management training	0.00%	2.58%	0.00	
7225	Restaurants and other eating places	0.00%	19.10%	0.00	
5412	Accounting and bookkeeping services	0.00%	1.61%	0.00	
5411	Legal services	0.00%	0.72%	0.00	¥¥
6211	Offices of physicians	0.00%	0.10%	0.00	¥¥¥
5121	Motion picture and video industries	0.00%	1.80%	0.00	¥¥¥
4921	Couriers and express delivery services	0.00%	0.70%	0.00	¥¥
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	6.45%	0.00	¥
3231	Printing and related support activities	0.00%	0.53%	0.00	
6241	Individual and family services	0.00%	0.23%	0.00	¥
8112	Electronic equipment repair and maintenance	0.00%	0.00%		
5619	Other support services	0.00%	15.04%	0.00	¥¥¥
8114	Household goods repair and maintenance	0.00%	9.47%	0.00	¥¥¥
8122	Death care services	100.00%	0.00%		
2382	Building equipment contractors	0.00%	6.19%	0.00	¥
6212	Offices of dentists	1.28%	0.00%		

NAICS-4	NAICS-4 DESC	AFRICAN AMERICAN			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	0.73%	0.00	***
4884	Support activities for road transportation	0.00%	0.00%		
8133	Social advocacy organizations	36.04%	0.00%		
2383	Building finishing contractors	0.00%	11.38%	0.00	
6213	Offices of other health practitioners	0.00%	22.00%	0.00	
5313	Activities related to real estate	0.00%	0.04%	0.00	**
5622	Waste treatment and disposal	0.00%	0.00%		
6232	Residential mental health facilities	0.00%	2.70%	0.00	**
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	12.70%	0.00	**
6219	Other ambulatory health care services	0.00%	0.22%	0.00	
1119	Other crop farming	0.00%	0.00%		
2371	Utility system construction	100.00%	2.83%		
5414	Specialized design services	0.00%	11.04%	0.00	**
4233	Lumber and const. supply merchant wholesalers	0.00%	5.00%	0.00	**
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	17.00%	0.00	**

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-23.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
ASIAN AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	ASIAN AMERICAN			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	10.46%	20.52%	50.95	***
5416	Management and technical consulting services	0.74%	6.53%	11.41	***
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	2.03%	3.95%	51.32	**
5616	Investigation and security services	0.00%	0.62%	0.00	
7223	Special food services	0.00%	0.26%	0.00	**
5613	Employment services	5.55%	0.72%		
5182	Data processing, hosting and related services	0.00%	1.44%	0.00	
5617	Services to buildings and dwellings	0.00%	4.35%	0.00	*
8111	Automotive repair and maintenance	0.00%	6.31%	0.00	**
8121	Personal care services	0.00%	0.00%		
5629	Remediation and other waste services	0.00%	0.51%	0.00	**
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
5418	Advertising, PR, and related services	0.00%	17.15%	0.00	**
5621	Waste collection	0.00%	0.00%		
8123	Drycleaning and laundry services	0.00%	0.00%		
5413	Architectural and engineering services	0.50%	9.00%	5.59	**
5614	Business support services	0.00%	0.00%		
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	0.00%	0.00%		
6214	Outpatient care centers	0.00%	0.00%		
6215	Medical and diagnostic laboratories	0.00%	0.00%		
4842	Specialized freight trucking	0.00%	0.00%		
5111	Newspaper, book, and directory publishers	0.00%	0.00%		
6114	Business, computer and management training	0.00%	1.55%	0.00	
7225	Restaurants and other eating places	0.00%	36.88%	0.00	
5412	Accounting and bookkeeping services	0.00%	0.20%	0.00	
5411	Legal services	0.00%	0.00%		
6211	Offices of physicians	0.00%	0.10%	0.00	**
5121	Motion picture and video industries	0.00%	0.20%	0.00	*
4921	Couriers and express delivery services	0.00%	0.70%	0.00	*
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	25.00%	0.00	**
3231	Printing and related support activities	0.00%	8.45%	0.00	**
6241	Individual and family services	0.00%	0.07%	0.00	*
8112	Electronic equipment repair and maintenance	0.00%	0.60%	0.00	*
5619	Other support services	0.00%	9.33%	0.00	**
8114	Household goods repair and maintenance	0.00%	9.37%	0.00	*
8122	Death care services	0.00%	0.00%		
2382	Building equipment contractors	0.00%	4.61%	0.00	**
6212	Offices of dentists	0.00%	0.12%	0.00	*

NAICS-4	NAICS-4 DESC	ASIAN AMERICAN			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	0.24%	0.00	¥¥
4884	Support activities for road transportation	0.00%	0.00%		
8133	Social advocacy organizations	0.00%	0.00%		
2383	Building finishing contractors	0.00%	4.53%	0.00	¥
6213	Offices of other health practitioners	0.00%	4.43%	0.00	
5313	Activities related to real estate	0.00%	0.01%	0.00	¥¥¥
5622	Waste treatment and disposal	0.00%	0.00%		
6232	Residential mental health facilities	0.00%	0.00%		
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	4.06%	0.00	
6219	Other ambulatory health care services	0.00%	0.02%	0.00	
1119	Other crop farming	0.00%	0.00%		
2371	Utility system construction	0.00%	0.47%	0.00	¥¥¥
5414	Specialized design services	0.00%	0.51%	0.00	¥¥
4233	Lumber and const. supply merchant wholesalers	0.00%	2.50%	0.00	¥¥
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	17.63%	0.00	¥¥¥

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-24.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
HISPANIC AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	1.07%	5.15%	20.79	
5416	Management and technical consulting services	0.10%	1.99%	4.94	¥¥¥
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	2.00%	1.42%		
5616	Investigation and security services	0.00%	0.25%	0.00	
7223	Special food services	0.00%	0.39%	0.00	¥¥¥
5613	Employment services	0.00%	1.44%	0.00	¥¥
5182	Data processing, hosting and related services	0.00%	0.72%	0.00	¥¥
5617	Services to buildings and dwellings	0.00%	10.54%	0.00	
8111	Automotive repair and maintenance	0.00%	2.25%	0.00	
8121	Personal care services	0.00%	0.00%		
5629	Remediation and other waste services	0.00%	0.51%	0.00	¥¥¥
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
5418	Advertising, PR, and related services	0.00%	0.58%	0.00	¥¥¥
5621	Waste collection	0.00%	3.13%	0.00	¥¥¥
8123	Drycleaning and laundry services	0.00%	0.00%		
5413	Architectural and engineering services	0.00%	3.25%	0.00	¥¥¥
5614	Business support services	0.00%	0.00%		
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	0.00%	0.00%		
6214	Outpatient care centers	0.00%	0.00%		
6215	Medical and diagnostic laboratories	26.99%	0.00%		
4842	Specialized freight trucking	0.00%	0.00%		
5111	Newspaper, book, and directory publishers	0.00%	0.00%		
6114	Business, computer and management training	0.00%	0.00%		
7225	Restaurants and other eating places	11.74%	9.38%		
5412	Accounting and bookkeeping services	0.00%	0.00%		
5411	Legal services	0.00%	0.00%		
6211	Offices of physicians	0.00%	0.01%	0.00	¥¥¥
5121	Motion picture and video industries	0.00%	0.40%	0.00	¥¥
4921	Couriers and express delivery services	0.00%	0.70%	0.00	¥¥¥
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	0.23%	0.00	¥¥
3231	Printing and related support activities	0.00%	0.00%		
6241	Individual and family services	0.00%	0.00%		
8112	Electronic equipment repair and maintenance	0.00%	0.60%	0.00	
5619	Other support services	0.00%	3.51%	0.00	
8114	Household goods repair and maintenance	0.00%	0.21%	0.00	¥¥
8122	Death care services	0.00%	0.00%		
2382	Building equipment contractors	0.00%	4.12%	0.00	¥¥¥
6212	Offices of dentists	0.00%	0.00%		

NAICS-4	NAICS-4 DESC	HISPANIC AMERICAN			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	0.49%	0.00	¥
4884	Support activities for road transportation	0.00%	0.33%	0.00	¥¥¥
8133	Social advocacy organizations	0.00%	0.00%		
2383	Building finishing contractors	0.00%	7.91%	0.00	¥¥
6213	Offices of other health practitioners	0.00%	0.25%	0.00	¥¥¥
5313	Activities related to real estate	0.00%	0.00%		
5622	Waste treatment and disposal	0.00%	0.00%		
6232	Residential mental health facilities	0.00%	0.00%		
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	8.10%	0.00	¥¥¥
6219	Other ambulatory health care services	0.00%	0.00%		
1119	Other crop farming	0.00%	0.00%		
2371	Utility system construction	0.00%	1.42%	0.00	¥¥
5414	Specialized design services	0.00%	10.58%	0.00	¥¥
4233	Lumber and const. supply merchant wholesalers	0.00%	0.00%		
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	100.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-25.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
NATIVE AMERICAN FIRMS

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	0.00%	3.67%	0.00	¥¥
5416	Management and technical consulting services	0.00%	1.75%	0.00	¥¥
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	0.00%	3.78%	0.00	¥¥
5616	Investigation and security services	0.00%	0.00%		
7223	Special food services	0.00%	0.26%	0.00	¥¥
5613	Employment services	0.00%	0.00%		
5182	Data processing, hosting and related services	0.00%	0.24%	0.00	
5617	Services to buildings and dwellings	0.00%	0.00%		
8111	Automotive repair and maintenance	0.00%	0.07%	0.00	¥¥
8121	Personal care services	0.00%	0.00%		
5629	Remediation and other waste services	1.28%	0.00%		
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
5418	Advertising, PR, and related services	0.00%	0.00%		
5621	Waste collection	0.00%	0.00%		
8123	Drycleaning and laundry services	0.00%	0.00%		
5413	Architectural and engineering services	0.00%	0.05%	0.00	
5614	Business support services	0.00%	0.00%		
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	0.00%	0.00%		
6214	Outpatient care centers	0.00%	0.00%		
6215	Medical and diagnostic laboratories	0.00%	0.00%		
4842	Specialized freight trucking	0.00%	0.00%		
5111	Newspaper, book, and directory publishers	0.00%	0.00%		
6114	Business, computer and management training	0.00%	0.00%		
7225	Restaurants and other eating places	0.00%	0.48%	0.00	¥¥¥
5412	Accounting and bookkeeping services	0.00%	0.00%		
5411	Legal services	0.00%	0.00%		
6211	Offices of physicians	0.00%	0.00%		
5121	Motion picture and video industries	0.00%	0.00%		
4921	Couriers and express delivery services	0.00%	0.00%		
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	0.00%		
3231	Printing and related support activities	0.00%	0.00%		
6241	Individual and family services	0.00%	0.00%		
8112	Electronic equipment repair and maintenance	0.00%	0.00%		
5619	Other support services	0.00%	2.30%	0.00	¥¥
8114	Household goods repair and maintenance	0.00%	0.10%	0.00	¥¥
8122	Death care services	0.00%	0.00%		
2382	Building equipment contractors	0.00%	1.23%	0.00	¥
6212	Offices of dentists	0.00%	0.00%		

NAICS-4	NAICS-4 DESC	NATIVE AMERICAN			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	0.00%		
4884	Support activities for road transportation	0.00%	0.00%		
8133	Social advocacy organizations	0.00%	0.00%		
2383	Building finishing contractors	0.00%	0.00%		
6213	Offices of other health practitioners	0.00%	4.43%	0.00	¥
5313	Activities related to real estate	0.00%	0.00%		
5622	Waste treatment and disposal	0.00%	0.00%		
6232	Residential mental health facilities	0.00%	0.00%		
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	0.22%	0.00	¥¥
6219	Other ambulatory health care services	0.00%	0.00%		
1119	Other crop farming	0.00%	0.00%		
2371	Utility system construction	0.00%	0.00%		
5414	Specialized design services	0.00%	0.00%		
4233	Lumber and const. supply merchant wholesalers	0.00%	0.00%		
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	0.00%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).



TABLE B-26.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
MBE FIRMS

NAICS-4	NAICS-4 DESC	MBE			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	15.18%	39.43%	38.50	¥¥¥
5416	Management and technical consulting services	1.16%	24.08%	4.84	
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	4.73%	23.40%	20.20	¥¥¥
5616	Investigation and security services	0.00%	16.18%	0.00	¥¥
7223	Special food services	0.00%	1.56%	0.00	¥¥
5613	Employment services	10.07%	8.27%		
5182	Data processing, hosting and related services	0.00%	4.57%	0.00	
5617	Services to buildings and dwellings	41.71%	38.02%		
8111	Automotive repair and maintenance	0.00%	17.18%	0.00	¥¥
8121	Personal care services	1.76%	0.14%		
5629	Remediation and other waste services	1.28%	5.61%	22.81	¥¥¥
5324	Machinery and equipment rental and leasing	0.00%	0.00%		
5418	Advertising, PR, and related services	0.00%	35.87%	0.00	
5621	Waste collection	0.00%	6.25%	0.00	¥¥¥
8123	Drycleaning and laundry services	0.00%	0.00%		
5413	Architectural and engineering services	0.50%	14.05%	3.58	¥¥¥
5614	Business support services	0.00%	0.00%		
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	0.00%	0.45%	0.00	¥¥¥
6214	Outpatient care centers	0.00%	0.70%	0.00	¥¥¥
6215	Medical and diagnostic laboratories	26.99%	0.00%		
4842	Specialized freight trucking	0.00%	4.26%	0.00	¥¥¥
5111	Newspaper, book, and directory publishers	0.00%	1.64%	0.00	¥¥¥
6114	Business, computer and management training	0.00%	4.12%	0.00	
7225	Restaurants and other eating places	11.74%	65.84%	17.83	¥¥¥
5412	Accounting and bookkeeping services	0.00%	1.81%	0.00	¥
5411	Legal services	0.00%	0.72%	0.00	
6211	Offices of physicians	0.00%	0.22%	0.00	
5121	Motion picture and video industries	0.00%	2.40%	0.00	
4921	Couriers and express delivery services	0.00%	2.10%	0.00	¥¥¥
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	31.69%	0.00	¥¥¥
3231	Printing and related support activities	0.00%	8.98%	0.00	¥¥
6241	Individual and family services	0.00%	0.30%	0.00	¥¥
8112	Electronic equipment repair and maintenance	0.00%	1.20%	0.00	¥¥¥
5619	Other support services	0.00%	30.18%	0.00	¥
8114	Household goods repair and maintenance	0.00%	19.15%	0.00	¥
8122	Death care services	100.00%	0.00%		
2382	Building equipment contractors	0.00%	16.16%	0.00	¥¥¥
6212	Offices of dentists	1.28%	0.12%		

NAICS-4	NAICS-4 DESC	MBE			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	1.46%	0.00	¥¥¥
4884	Support activities for road transportation	0.00%	0.33%	0.00	¥¥¥
8133	Social advocacy organizations	36.04%	0.00%		
2383	Building finishing contractors	0.00%	23.82%	0.00	¥
6213	Offices of other health practitioners	0.00%	31.11%	0.00	¥¥
5313	Activities related to real estate	0.00%	0.06%	0.00	¥¥¥
5622	Waste treatment and disposal	0.00%	0.00%		
6232	Residential mental health facilities	0.00%	2.70%	0.00	¥¥
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	25.07%	0.00	¥¥¥
6219	Other ambulatory health care services	0.00%	0.24%	0.00	¥¥
1119	Other crop farming	0.00%	0.00%		
2371	Utility system construction	100.00%	4.72%		
5414	Specialized design services	0.00%	22.13%	0.00	¥¥¥
4233	Lumber and const. supply merchant wholesalers	0.00%	7.50%	0.00	¥¥
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	100.00%	34.63%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*” indicates significance at a 5% level or better (95% confidence).

TABLE B-27.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
NONMINORITY FEMALE FIRMS

NAICS-4	NAICS-4 DESC	NONMINORITY FEMALE			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	0.00%	23.64%	0.00	¥¥
5416	Management and technical consulting services	7.63%	32.00%	23.83	¥¥¥
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	0.89%	41.12%	2.16	¥
5616	Investigation and security services	11.45%	48.64%	23.55	¥¥¥
7223	Special food services	0.00%	2.34%	0.00	
5613	Employment services	0.06%	61.15%	0.10	
5182	Data processing, hosting and related services	0.00%	3.61%	0.00	¥¥
5617	Services to buildings and dwellings	0.00%	35.55%	0.00	¥¥
8111	Automotive repair and maintenance	4.29%	25.35%	16.93	
8121	Personal care services	11.70%	0.00%		
5629	Remediation and other waste services	16.44%	2.55%		
5324	Machinery and equipment rental and leasing	0.00%	3.08%	0.00	¥¥¥
5418	Advertising, PR, and related services	0.00%	45.61%	0.00	¥
5621	Waste collection	0.00%	6.25%	0.00	¥
8123	Drycleaning and laundry services	0.96%	4.17%	22.95	¥¥¥
5413	Architectural and engineering services	35.88%	20.52%		
5614	Business support services	7.07%	63.87%	11.07	¥¥¥
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	2.72%	1.56%		
6214	Outpatient care centers	0.00%	0.18%	0.00	
6215	Medical and diagnostic laboratories	0.00%	2.78%	0.00	¥¥¥
4842	Specialized freight trucking	11.68%	2.66%		
5111	Newspaper, book, and directory publishers	0.00%	44.02%	0.00	
6114	Business, computer and management training	30.10%	8.25%		
7225	Restaurants and other eating places	0.00%	11.00%	0.00	¥¥¥
5412	Accounting and bookkeeping services	0.00%	0.20%	0.00	¥
5411	Legal services	0.00%	0.72%	0.00	¥
6211	Offices of physicians	18.32%	0.10%		
5121	Motion picture and video industries	0.00%	1.80%	0.00	¥
4921	Couriers and express delivery services	0.00%	0.70%	0.00	¥¥¥
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	43.91%	0.00	¥¥
3231	Printing and related support activities	31.43%	42.03%	74.78	¥¥¥
6241	Individual and family services	93.12%	0.13%		
8112	Electronic equipment repair and maintenance	0.00%	1.81%	0.00	¥
5619	Other support services	100.00%	52.41%		
8114	Household goods repair and maintenance	0.00%	1.24%	0.00	¥¥¥
8122	Death care services	0.00%	0.00%		
2382	Building equipment contractors	0.00%	26.88%	0.00	¥¥
6212	Offices of dentists	0.00%	0.00%		

NAICS-4	NAICS-4 DESC	NONMINORITY FEMALE			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	40.98%	0.00	¥
4884	Support activities for road transportation	0.00%	1.16%	0.00	¥¥
8133	Social advocacy organizations	0.00%	0.07%	0.00	¥¥¥
2383	Building finishing contractors	0.00%	34.13%	0.00	¥¥¥
6213	Offices of other health practitioners	18.38%	35.49%	51.80	
5313	Activities related to real estate	0.00%	0.03%	0.00	
5622	Waste treatment and disposal	0.00%	1.89%	0.00	¥¥
6232	Residential mental health facilities	0.00%	0.00%		
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	14.81%	0.00	¥
6219	Other ambulatory health care services	0.00%	0.02%	0.00	¥
1119	Other crop farming	0.00%	0.05%	0.00	¥¥¥
2371	Utility system construction	0.00%	34.83%	0.00	¥¥¥
5414	Specialized design services	0.00%	40.00%	0.00	¥
4233	Lumber and const. supply merchant wholesalers	0.00%	5.00%	0.00	¥¥
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	0.00%	48.55%	0.00	

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). "\*\*\*" indicates the disparity is significant at a 10% level or better (90% confidence). "\*\*\*\*" indicates significance at a 5% level or better (95% confidence).

TABLE B-28.  
DETAILED UTILIZATION, AVAILABILITY, AND DISPARITY ANALYSES  
STATE OF DELAWARE MARKETPLACE  
SERVICES  
M/WBE FIRMS

NAICS-4	NAICS-4 DESC	M/WBE			
		Utilization	Availability	Disparity	Significance
5415	Computer systems design and related services	15.18%	63.07%	24.07	¥¥
5416	Management and technical consulting services	8.79%	56.08%	15.67	¥¥¥
6223	Other hospitals	0.00%	0.00%		
6221	General medical and surgical hospitals	0.00%	0.00%		
5419	Other professional and technical services	5.61%	64.52%	8.70	¥¥¥
5616	Investigation and security services	11.45%	64.82%	17.67	¥¥
7223	Special food services	0.00%	3.90%	0.00	
5613	Employment services	10.13%	69.42%	14.60	¥¥¥
5182	Data processing, hosting and related services	0.00%	8.17%	0.00	¥¥
5617	Services to buildings and dwellings	41.71%	73.57%	56.70	¥¥¥
8111	Automotive repair and maintenance	4.29%	42.53%	10.09	¥¥¥
8121	Personal care services	13.46%	0.14%		
5629	Remediation and other waste services	17.72%	8.16%		
5324	Machinery and equipment rental and leasing	0.00%	3.08%	0.00	¥¥¥
5418	Advertising, PR, and related services	0.00%	81.48%	0.00	¥¥
5621	Waste collection	0.00%	12.50%	0.00	
8123	Drycleaning and laundry services	0.96%	4.17%	22.95	¥¥
5413	Architectural and engineering services	36.39%	34.58%		
5614	Business support services	7.07%	63.87%	11.07	¥
4881	Support activities for air transportation	0.00%	0.00%		
8113	Commercial machinery repair and maintenance	2.72%	2.00%		
6214	Outpatient care centers	0.00%	0.88%	0.00	¥¥¥
6215	Medical and diagnostic laboratories	26.99%	2.78%		
4842	Specialized freight trucking	11.68%	6.91%		
5111	Newspaper, book, and directory publishers	0.00%	45.66%	0.00	¥¥¥
6114	Business, computer and management training	30.10%	12.37%		
7225	Restaurants and other eating places	11.74%	76.84%	15.28	¥
5412	Accounting and bookkeeping services	0.00%	2.01%	0.00	¥¥¥
5411	Legal services	0.00%	1.45%	0.00	¥
6211	Offices of physicians	18.32%	0.32%		
5121	Motion picture and video industries	0.00%	4.20%	0.00	¥
4921	Couriers and express delivery services	0.00%	2.80%	0.00	¥¥¥
5174	Satellite telecommunications	0.00%	0.00%		
6116	Other schools and instruction	0.00%	75.59%	0.00	¥¥¥
3231	Printing and related support activities	31.43%	51.01%	61.62	¥¥
6241	Individual and family services	93.12%	0.43%		
8112	Electronic equipment repair and maintenance	0.00%	3.01%	0.00	¥¥¥
5619	Other support services	100.00%	82.59%		
8114	Household goods repair and maintenance	0.00%	20.39%	0.00	¥¥¥
8122	Death care services	100.00%	0.00%		
2382	Building equipment contractors	0.00%	43.03%	0.00	¥¥
6212	Offices of dentists	1.28%	0.12%		

NAICS-4	NAICS-4 DESC	M/WBE			
		Utilization	Availability	Disparity	Significance
4236	Appliance and electric goods merchant whls.	0.00%	42.44%	0.00	¥¥¥
4884	Support activities for road transportation	0.00%	1.50%	0.00	¥¥¥
8133	Social advocacy organizations	36.04%	0.07%		
2383	Building finishing contractors	0.00%	57.96%	0.00	¥¥¥
6213	Offices of other health practitioners	18.38%	66.59%	27.61	¥¥
5313	Activities related to real estate	0.00%	0.08%	0.00	¥¥
5622	Waste treatment and disposal	0.00%	1.89%	0.00	
6232	Residential mental health facilities	0.00%	2.70%	0.00	¥¥¥
1125	Aquaculture	0.00%	0.00%		
2381	Building foundation and exterior contractors	0.00%	39.88%	0.00	¥
6219	Other ambulatory health care services	0.00%	0.26%	0.00	¥¥
1119	Other crop farming	0.00%	0.05%	0.00	¥¥¥
2371	Utility system construction	100.00%	39.54%		
5414	Specialized design services	0.00%	62.13%	0.00	¥
4233	Lumber and const. supply merchant wholesalers	0.00%	12.50%	0.00	¥¥¥
6239	Other residential care facilities	0.00%	0.00%		
4244	Grocery and related product wholesalers	100.00%	83.19%		

Note: Disparity index values may vary slightly from calculations of depicted figures due to rounding of presented levels of utilization and availability. \* indicates an adverse disparity that is statistically significant at the 15% level or better (85% confidence). “\*\*” indicates the disparity is significant at a 10% level or better (90% confidence). “\*\*\*” indicates significance at a 5% level or better (95% confidence).

# Appendix C

## C. Private Sector Analysis In Depth Results - (PUMS) Regression Analysis

### Results of Logistic Regression, Explanation of Results and Variables, Logistic Regression Output

Below, variable names and operational definitions are provided. When interpreting **Tables C-1 to C-4**, the third column— Exp (B) — is the most informative index with regard to the influence of the independent variables on the likelihood of being self-employed. From the inverse of this value, we can interpret a likelihood value of its effect on self-employment. For example, the Exp (B) for an African American is 0.616 from **Table C-1**, the inverse of this is 1.62. This means that a nonminority male is 1.62 times more likely to be self-employed than an African American. Columns A and B are reported as a matter of convention to give the reader another indicator of both the magnitude of the variable’s effect and the direction of the effect (“-“ suggests the greater the negative B value the more it depresses the likelihood of being self-employed, and vice versa for a positive B value. It is noteworthy that theoretically “race-neutral” variables (e.g., marital status) tend to impact the likelihood of self-employment positively and that the race/ethnicity/gender variables, in general, tend to have a negative effect on self-employment.

#### Variables

- ◆ Race, ethnicity, and gender indicator variables:
  - African American.
  - Asian American.
  - Hispanic American.
  - Native American.
  - Sex: Nonminority woman or not.
- ◆ Other indicator variables:
  - Marital Status: Married or not.
  - Age.
  - Age<sup>2</sup>: age squared. Used to acknowledge the positive, curvilinear relationship between each year of age and self-employment.
  - Disability: Individuals self-reported health-related disabilities.
  - Tenure: Owns their own home.
  - Value: Household property value.
  - Mortgage: Monthly total mortgage payments.
  - Unearn: Unearned income, such as interests and dividends.
  - Resdinc: Household income less individuals’ personal income.

- P65: Number of individuals over the age of 65 living in the household.
- P18: Number of children under the age of 18 living in the household.
- Some College: Some college education.
- College Graduate: College degree.
- More than College: Professional or graduate degree.

TABLE C-1.  
RESULTS OF LOGISTIC REGRESSION  
STATE OF DELAWARE MARKETPLACE  
OVERALL

	B	Sig.	Exp (B)
African American	<b>-0.484</b>	0.000	0.616
Hispanic American	<b>-0.188</b>	0.000	0.829
Asian American	<b>-0.102</b>	0.039	0.903
Native American	-0.415	0.066	0.660
Sex (1=Female)	<b>-0.434</b>	0.000	0.648
Marital Status (1=Married)	<b>0.182</b>	0.000	1.199
Age	<b>0.099</b>	0.000	1.104
Age <sup>2</sup>	<b>-0.001</b>	0.000	0.999
Speaks English Well (1=Yes)	<b>0.283</b>	0.000	1.327
Disability (1=Yes)	0.076	0.177	1.079
Tenure (1=Yes)	<b>0.249</b>	0.000	1.283
Value	<b>0.000</b>	0.000	1.000
Mortgage	<b>0.000</b>	0.000	1.000
Unearn	<b>0.000</b>	0.000	1.000
Resdinc	<b>0.000</b>	0.040	1.000
P65	0.043	0.102	1.044
P18	<b>0.095</b>	0.001	1.100
Some College (1=Yes)	<b>0.383</b>	0.000	1.467
College Graduate (1=Yes)	<b>0.339</b>	0.009	1.403
More than College (1=Yes)	<b>0.182</b>	0.000	1.200
Number of Observations	73180.000		
Chi-squared statistic (df=20)	3109.157		
Log Likelihood	-44901.334		

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at  $p < .05$ .

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.



TABLE C-2.  
RESULTS OF LOGISTIC REGRESSION  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION

	B	Sig.	Exp (B)
African American	<b>-0.478</b>	0.000	0.620
Hispanic American	<b>-0.341</b>	0.001	0.711
Asian American	<b>-0.518</b>	0.002	0.596
Native American	-0.646	0.230	0.524
Sex (1=Female)	<b>-0.732</b>	0.000	0.481
Marital Status (1=Married)	<b>0.273</b>	0.000	1.314
Age	<b>0.150</b>	0.000	1.162
Age <sup>2</sup>	<b>-0.001</b>	0.000	0.999
Speaks English Well (1=Yes)	<b>0.421</b>	0.000	1.523
Disability (1=Yes)	0.019	0.885	1.020
Tenure (1=Yes)	<b>0.307</b>	0.002	1.359
Value	<b>0.000</b>	0.000	1.000
Mortgage	0.000	0.060	1.000
Unearn	0.000	0.074	1.000
Resdinc	<b>0.000</b>	0.001	1.000
P65	0.052	0.454	1.053
P18	0.125	0.071	1.133
Some College (1=Yes)	<b>0.336</b>	0.034	1.399
College Graduate (1=Yes)	0.058	0.824	1.060
More than College (1=Yes)	<b>0.399</b>	0.000	1.490
Number of Observations	10108		
Chi-squared statistic (df=20)	646.305		
Log Likelihood	-7724.153		

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at  $p < .05$ .

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

TABLE C-3.  
RESULTS OF LOGISTIC REGRESSION  
STATE OF DELAWARE MARKETPLACE  
GOODS

	B	Sig.	Exp (B)
African American	<b>-0.751</b>	0.000	0.472
Hispanic American	<b>-0.362</b>	0.042	0.697
Asian American	<b>0.570</b>	0.000	1.769
Native American	-0.824	0.256	0.438
Sex (1=Female)	-0.147	0.117	0.864
Marital Status (1=Married)	<b>0.329</b>	0.000	1.390
Age	0.030	0.124	1.031
Age <sup>2</sup>	0.000	0.818	1.000
Speaks English Well (1=Yes)	0.215	0.070	1.240
Disability (1=Yes)	0.044	0.772	1.045
Tenure (1=Yes)	<b>0.426</b>	0.000	1.531
Value	<b>0.000</b>	0.000	1.000
Mortgage	<b>0.000</b>	0.003	1.000
Unearn	<b>0.000</b>	0.006	1.000
Resdinc	<b>0.000</b>	0.003	1.000
P65	0.058	0.408	1.060
P18	0.054	0.519	1.056
Some College (1=Yes)	-0.204	0.610	0.815
College Graduate (1=Yes)	-0.599	0.200	0.549
More than College (1=Yes)	0.155	0.054	1.168
Number of Observations	10939		
Chi-squared statistic (df=20)	506.674		
Log Likelihood	-5897.01		

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at  $p < .05$ .

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

TABLE C-4.  
RESULTS OF LOGISTIC REGRESSION  
STATE OF DELAWARE MARKETPLACE  
SERVICES

	B	Sig.	Exp (B)
African American	<b>-0.801</b>	0.000	0.449
Hispanic American	<b>-0.529</b>	0.000	0.589
Asian American	<b>-0.591</b>	0.000	0.554
Native American	<b>-1.407</b>	0.054	0.245
Sex (1=Female)	<b>-0.854</b>	0.000	0.426
Marital Status (1=Married)	0.063	0.325	1.065
Age	<b>0.106</b>	0.000	1.112
Age <sup>2</sup>	<b>-0.001</b>	0.001	0.999
Speaks English Well (1=Yes)	0.135	0.090	1.145
Disability (1=Yes)	<b>0.309</b>	0.006	1.362
Tenure (1=Yes)	<b>0.336</b>	0.000	1.399
Value	<b>0.000</b>	0.000	1.000
Mortgage	<b>0.000</b>	0.000	1.000
Unearn	<b>0.000</b>	0.015	1.000
Resdinc	0.000	0.349	1.000
P65	0.018	0.731	1.018
P18	-0.011	0.859	0.989
Some College (1=Yes)	-0.274	0.654	0.760
College Graduate (1=Yes)	-0.130	0.808	0.878
More than College (1=Yes)	<b>-1.045</b>	0.000	0.352
Number of Observations	20894		
Chi-squared statistic (df=20)	1705.564		
Log Likelihood	11436.308		

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: **BOLD** statistically significant at  $p < .05$ .

Estimation was conducted using the Binary Logistic command on SPSS. The Binary Logistic command performs binary logistic regressions and reports estimated coefficients and odds ratios that measure the effect on the probability of each one-unit increase in the included variables.

## Results of Linear Regression, Explanation of Results and Variables

Below, variable names and operational definitions are provided. When interpreting the linear regression **Tables C-5 to C-8**, the first column— Unstandardized B — is the most informative index with regard to the influence of the independent variables on the earnings of a self-employed individual. Each number in this

column represents a percent change in earnings. For example, the corresponding number for an African American is -0.539, from **Table C-5**, meaning that an African American will earn 53.9 percent less than a nonminority male. The other four columns are reported in order to give the reader another indicator of both the magnitude of the variable's effect and the direction of the effect. Std. Error reports the standard deviation in the sampling distribution. Standardized B reports the standard deviation change in the dependent variable from on standard deviation increase in the independent variable. The t and Sig. columns simply report the level and strength of a variable's significance.

## Variables

- ◆ Race, ethnicity and gender indicator variables:
  - African American.
  - Asian American.
  - Hispanic American.
  - Native American.
  - Nonminority Woman.
- ◆ Other indicator variables:
  - Marital Status: Married or not.
  - Disability: Individuals self-reported health-related disabilities.
  - Age.
  - Age<sup>2</sup>: age squared. Used to acknowledge the positive, curvilinear relationship between each year of age and self-employment.
  - Speaks English Well: Person's ability to speak English if not a native speaker.
  - Some College: Some college education.
  - College Graduate: College degree.
  - More than College: Professional or graduate degree.

TABLE C-5.  
RESULTS OF LINEAR REGRESSION  
STATE OF DELAWARE MARKETPLACE  
OVERALL

	Unstandardized		Standardized		Sig.
	B	Std. Error	B	t	
African American	<b>-0.539</b>	0.034	-0.186	-16.060	0.000
Hispanic American	<b>-0.571</b>	0.045	-0.161	-12.596	0.000
Asian American	<b>-0.446</b>	0.041	-0.134	-10.830	0.000
Native American	-0.208	0.200	-0.011	-1.041	0.298
Nonminority Women (1=Female)	<b>-0.425</b>	<b>-0.479</b>	0.031	-0.176	-15.459
Marital Status (1=Married)	<b>0.277</b>	<b>0.284</b>	0.026	0.122	11.020
Disability (1=Yes)	<b>-0.235</b>	0.049	-0.052	-4.804	0.000
Age	<b>0.064</b>	0.006	0.742	10.384	0.000
Age <sup>2</sup>	<b>-0.001</b>	0.000	-0.685	-9.601	0.000
Speaks English Well (1=Yes)	<b>-0.131</b>	<b>-0.081</b>	0.032	-0.032	-2.534
Some College (1=Yes)	<b>-0.373</b>	0.085	-0.048	-4.397	0.000
College Graduate (1=Yes)	<b>-0.450</b>	<b>-0.313</b>	0.114	-0.029	-2.749
More than College (1=Yes)	<b>-0.532</b>	<b>-0.455</b>	0.027	-0.181	-16.773
Constant	9.515	0.151		62.898	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: BOLD statistically significant at  $p < .05$ .

TABLE C-6.  
RESULTS OF LINEAR REGRESSION  
STATE OF DELAWARE MARKETPLACE  
CONSTRUCTION

	Unstandardized		Standardized		Sig.
	B	Std. Error	B	t	
African American	<b>-0.293</b>	0.079	-0.095	-3.710	0.000
Hispanic American	<b>-0.407</b>	0.075	-0.178	-5.459	0.000
Asian American	-0.218	0.119	-0.048	-1.826	0.068
Native American	0.580	0.421	0.034	1.377	0.169
Nonminority Women (1=Female)	<b>-0.184</b>	-0.174	0.092	-0.048	-1.887
Marital Status (1=Married)	<b>0.300</b>	<b>0.304</b>	0.052	0.151	5.847
Disability (1=Yes)	-0.169	0.098	-0.044	-1.730	0.084
Age	<b>0.039</b>	0.013	0.505	2.917	0.004
Age <sup>2</sup>	<b>0.000</b>	0.000	-0.466	-2.697	0.007
Speaks English Well (1=Yes)	0.056	0.084	0.067	0.039	1.251
Some College (1=Yes)	-0.223	0.117	-0.050	-1.905	0.057
College Graduate (1=Yes)	-0.268	-0.116	0.201	-0.015	-0.578
More than College (1=Yes)	<b>-0.206</b>	<b>-0.144</b>	0.047	-0.079	-3.081
Constant	9.808	0.325		30.151	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: BOLD statistically significant at  $p < .05$ .

TABLE C-7.  
RESULTS OF LINEAR REGRESSION  
STATE OF DELAWARE MARKETPLACE  
GOODS

	Unstandardized		Standardized		Sig.
	B	Std. Error	B	t	
African American	<b>-0.451</b>	0.114	-0.128	-3.940	0.000
Hispanic American	<b>-0.355</b>	0.158	-0.078	-2.255	0.024
Asian American	<b>-0.300</b>	0.111	-0.105	-2.710	0.007
Native American	-0.857	0.655	-0.040	-1.308	0.191
Nonminority Women (1=Female)	<b>-0.523</b>	<b>-0.579</b>	0.080	-0.233	-7.194
Marital Status (1=Married)	<b>0.310</b>	<b>0.262</b>	0.072	0.118	3.615
Disability (1=Yes)	-0.103	0.130	-0.025	-0.793	0.428
Age	<b>0.059</b>	0.015	0.771	3.813	0.000
Age <sup>2</sup>	<b>-0.001</b>	0.000	-0.704	-3.491	0.001
Speaks English Well (1=Yes)	<b>-0.171</b>	-0.070	0.099	-0.028	-0.700
Some College (1=Yes)	-0.109	0.353	-0.009	-0.308	0.758
College Graduate (1=Yes)	<b>-0.956</b>	-0.308	0.416	-0.023	-0.741
More than College (1=Yes)	<b>-0.602</b>	<b>-0.333</b>	0.068	-0.152	-4.916
Constant	9.433	0.371		25.407	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: BOLD statistically significant at  $p < .05$ .

TABLE C-8.  
RESULTS OF LINEAR REGRESSION  
STATE OF DELAWARE MARKETPLACE  
SERVICES

	Unstandardized		Standardized		Sig.
	B	Std. Error	B	t	
African American	<b>-0.721</b>	0.068	-0.233	-10.531	0.000
Hispanic American	<b>-0.535</b>	0.120	-0.098	-4.443	0.000
Asian American	<b>-0.249</b>	0.092	-0.065	-2.711	0.007
Native American	-0.103	0.689	-0.003	-0.150	0.881
Nonminority Women (1=Female)	<b>-0.447</b>	<b>-0.569</b>	0.056	-0.224	-10.253
Marital Status (1=Married)	<b>0.210</b>	<b>0.329</b>	0.053	0.130	6.163
Disability (1=Yes)	<b>-0.305</b>	0.094	-0.067	-3.231	0.001
Age	<b>0.115</b>	0.013	1.253	8.542	0.000
Age <sup>2</sup>	<b>-0.001</b>	0.000	-1.210	-8.250	0.000
Speaks English Well (1=Yes)	<b>-0.108</b>	-0.125	0.067	-0.045	-1.859
Some College (1=Yes)	-0.914	0.562	-0.033	-1.627	0.104
College Graduate (1=Yes)	-0.162	-0.658	0.490	-0.028	-1.342
More than College (1=Yes)	<b>-0.332</b>	<b>-0.556</b>	0.121	-0.094	-4.583
Constant	8.668	0.345		25.155	0.000

Source: The Public Use Microdata Samples (PUMS) data from 2015-2019 American Community Survey and Calculations using SPSS.

Note: BOLD statistically significant at  $p < .05$ .



# Appendix D

## D. Combined Census and Vendor Questionnaire

STATE OF DELAWARE

Office of Management and Budget

(State)

01/21/2022

### Census/ Vendor Introduction:

Hello, my name is and I am calling on behalf of the State of Delaware (State) and we are conducting a Disparity Study to learn more about the firms in the market area so that the State can adequately act to encourage participation in its contracting activities by area firms.

Is this &V.3& (Company's name)? IF COMPANY NAME VERIFIED, CONTINUE

May I speak with &V.4&? IF NOT AVAILABLE OR NO LONGER WITH COMPANY ASK:

Is there someone else I can talk to who could answer some questions about the business and procurement activities?

IF OWNER or OTHER DECISION MAKER IS PUT ON THE LINE: CONTINUE

Are you the owner or an authorized decision maker in your company?

IF NO OR TRANSFERRED TO ANOTHER PARTY (CFO, MANAGER, ETC): Are you able to answer questions concerning ownership and business practices for this company? IF YES, CONTINUE

IF NO: Is there someone else I can talk to who could answer some questions about the business and procurement activities?

IF NO, SCHEDULE CALL-BACK?

IF NEEDED:

The State of Delaware has retained MGT Consulting to conduct a disparity study. This is not a sales call. Your responses to this research survey will be aggregated for the overall analysis and used only for the disparity study. Individual information is kept confidential. Your firm has been randomly selected to participate in a survey of businesses to evaluate how the State buys goods and services; the subcontracting practices of prime contractors/vendors who do business with the State; and information about doing business or attempting to do business with the State and/or prime contracting or subcontracting firms between July 1, 2015 and June 30, 2020. The results of the study will provide guidance regarding any potential changes to the State's contracting practices.

**MGT Delaware Disparity Study**  
**Combined Census and Vendor Questionnaire**

**MGT\_Delaware\_Professional**

Questionnaire # \_\_\_\_\_ (1-4)

Q.1 DO NOT ASK; JUST NOTE

Gender:

[REQUIRE ANSWER]

(5)

Male ..... 1

Female ..... 2

Q.2 May I please have your **NAME** just in case we have any further questions?

[REQUIRE ANSWER]

\_\_\_\_\_ (6-55)

Q.3 What is your **OFFICIAL TITLE**?

[REQUIRE ANSWER]

(56)

Owner ..... 1

CEO/President ..... 2

Manager/Financial Officer ..... 3

Other ..... 4

[S - IF THE ANSWER IS NOT 4, THEN SKIP TO QUESTION 5]

Q.4 **Specify Other:** OFFICIAL TITLE

[REQUIRE ANSWER]

\_\_\_\_\_ (57-106)

Q.5 Based on the information we have, I want to confirm this is a **FOR-PROFIT** company, as opposed to a nonprofit, foundation, or government office?

**(If the respondent says they are a NON-Profit Business, PLEASE VERIFY THEIR RESPONSE.)**

Only local, state and federal government offices and other foundations such as your local Girls & Boys Clubs, United Way and Churches are considered non-profit.

[REQUIRE ANSWER]

(107)

Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 71]

Q.6 Let me confirm that, based on the information we have from Dun and Bradstreet, the company's **PRIMARY LINE OF BUSINESS** is [ANSWER TO Q. 90]:

**(READ CORRESPONDING DESCRIPTIVE TEXT IN BOLD)**

[REQUIRE ANSWER]

(108)

Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

[A - IF THE ANSWER TO QUESTION 6 IS 1, THEN SKIP TO QUESTION 8]

Q.7 Please **SPECIFY** your company's **Primary Type of Work**.

**(Very Brief Description)**

[REQUIRE ANSWER]

\_\_\_\_\_ (109-408)

Q.8 Is your company at least 51 percent owned, managed, and controlled by a **WOMAN** or **WOMEN**?

[REQUIRE ANSWER]

(409)

Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

Q.9 Is your company at least 51 percent owned, managed, and controlled by a **VETERAN**?

[REQUIRE ANSWER]

(410)  
Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

Q.10 Is your company at least 51 percent owned, managed, and controlled by a **VETERAN-DISABLED**?

[REQUIRE ANSWER]

(411)  
Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

Q.11 Is your company at least 51 percent owned, managed, and controlled by an **INDIVIDUAL WITH DISABILITIES**?

[REQUIRE ANSWER]

(412)  
Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

Q.12 Is your company at least 51 percent owned, managed, and controlled by one of the following **RACIAL** or **ETHNIC GROUP(S)**?

[REQUIRE ANSWER]

(413)  
African American/Black ..... 1  
Asian American or Pacific Islander ..... 2  
Caucasian/White ..... 3  
Hispanic American or Latino ..... 4  
Native American/American Indian ..... 5  
Don't Know/Refused ..... 6  
Other (Please specify the race or ethnicity of the owner(s)/manager(s)) ..... 7

[S - IF THE ANSWER IS NOT 7, THEN SKIP TO QUESTION 14]

Q.13 **Specify Other:** RACE OR ETHNICITY

[REQUIRE ANSWER]

\_\_\_\_\_ (414-463)

Q.14 Has your firm **EVER worked with** or **attempted to do work with** the **STATE of DELAWARE**?

[REQUIRE ANSWER]

(464)  
Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 71]

Q.15 What is the **HIGHEST LEVEL OF EDUCATION** completed by the primary owner of your company?

[REQUIRE ANSWER]

(465)  
Some high school ..... 1  
High school graduate ..... 2  
Trade or technical education ..... 3  
Some college ..... 4  
Associate Degree (AA, AS, etc.) ..... 5  
Bachelor's Degree (BA, BS, etc.) ..... 6  
Graduate or Professional Degree (MA, PhD, JD, etc.) ..... 7  
Don't know/Refused ..... 8

Q.16 What is the **AGE** of the company?

**PROBE!** Best guess...

If they don't know age of the company, then ask if they know the year the company was established. If so, note on paper and move on.

[REQUIRE ANSWER]

(466)  
0-2 years ..... 1  
3-5 years ..... 2  
6-10 years ..... 3  
11-15 years ..... 4  
16-20 years ..... 5  
21+ years ..... 6  
Don't Know/Refused ..... 7

Q.17 What is the average **NUMBER OF EMPLOYEES** on your company’s payroll, including full-time and part-time staff? **PROMPT!** Best guess .....

Would you say the # of employees fall between.. read list below.

[REQUIRE ANSWER]

(467)

01– 5 employees .....	1
6 – 9 employees .....	2
10 – 19 employees .....	3
20 – 49 employees .....	4
50 - 499 employees .....	5
500+ .....	6
Don't Know/Refused .....	7

Q.18 Which of the following ranges best approximates your company’s **AVERAGE ANNUAL GROSS REVENUE?**  
**PROMPT THEM TO ANSWER!**

**Best Guess..** Would you say it falls between....read list below.

[REQUIRE ANSWER]

(468)

<\$100k .....	1
\$100k-\$500k .....	2
\$500k-\$1M .....	3
\$1M-\$5M .....	4
\$5M-\$10M .....	5
>\$10M .....	6
Don't Know/Refused .....	7

Q.19 Does your company hold any of the following **CERTIFICATIONS**:

READ AND CHECK ALL THAT APPLY.

[REQUIRE ANSWER]

	Yes	No	Don't Know
Minority Business Enterprise (MBE)	1	2	3 (469)
Woman Business Enterprise (WBE)	1	2	3 (470)
Disadvantaged Business Enterprise (DBE)	1	2	3 (471)
Veteran Owned Business Enterprise (VOBE)	1	2	3 (472)
Service Disabled Veteran Owned Business Enterprise (SDVOBE)	1	2	3 (473)
Individuals with Disabilities Owned Business Enterprise (IWBE)	1	2	3 (474)
Other (Please specify)	1	2	3 (475)

[A - IF THE ANSWER TO SUB-QUESTION 7 OF QUESTION 19 IS NOT 1, THEN SKIP TO QUESTION 21]

Q.20 **Specify Other:** CERTIFICATIONS

[REQUIRE ANSWER]

\_\_\_\_\_ (476-775)

[A - IF THE ANSWER TO SUB-QUESTION 1 OF QUESTION 19 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 2 OF QUESTION 19 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 3 OF QUESTION 19 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 4 OF QUESTION 19 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 19 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 6 OF QUESTION 19 IS NOT 1, THEN SKIP TO QUESTION 24]

Q.21 In your experience, has being a **CERTIFIED Business Enterprise HELPED** your firm obtain work with the **State of Delaware**?

[REQUIRE ANSWER]

(776)

Yes ..... 1

No ..... 2

Don't Know/ Refused ..... 3

[S - IF THE ANSWER IS 1, THEN SKIP TO QUESTION 22]

[S - IF THE ANSWER IS 2, THEN SKIP TO QUESTION 23]

[S - IF THE ANSWER IS 3, THEN SKIP TO QUESTION 24]

Q.22 How has **CERTIFICATION HELPED** your business obtain work with the **State of Delaware**?

[REQUIRE ANSWER]

\_\_\_\_\_ (777-1276)

[A - IF THE ANSWER TO QUESTION 21 IS NOT 2, THEN SKIP TO QUESTION 24]

Q.23 How has **CERTIFICATION NOT HELPED** your business obtain work with the State of Delaware?

[REQUIRE ANSWER]

\_\_\_\_\_ (1277-1776)

**Q.24 There is some information we would like to obtain that pertains specifically to whether you work as a prime or a subcontractor.**

Does your company operate PRIMARILY as a **PRIME CONTRACTOR/VENDOR/CONSULTANT, SUBCONTRACTOR/SUPPLIER** or **BOTH**?

[REQUIRE ANSWER]

(1777)

Prime contractor/vendor/consultant .....	1
Subcontractor/supplier .....	2
Both .....	3
Don't Know/Refused .....	4

[S - IF THE ANSWER IS 2, THEN SKIP TO QUESTION 37]

**Q.25 PRIME CONTRACTOR**

In general, which of the following ranges best approximates the size of your company's **LARGEST PRIME CONTRACT** awarded between July 1, 2015 and June 30, 2020?

PROBE! Would you say, it falls between... read list below.

[REQUIRE ANSWER]

(1778-1779)

None .....	1
Up to \$50,000? .....	2
\$50,001 to \$100,000? .....	3
\$100,001 to \$200,000? .....	4
\$200,001 to \$300,000? .....	5
\$300,001 to \$400,000? .....	6
\$400,001 to \$500,000? .....	7
\$500,001 to \$1 million? .....	8
Over \$1 million? .....	9
Don't know/Refused .....	10



Q.26 In your experience, have any of the following been a **BARRIER** to attempting to do work or working as a **PRIME CONTRACTOR/VENDOR** on **State of Delaware projects**?

[REQUIRE ANSWER]

	Yes	No	Don't Know
Prequalification requirements	1	2	3 (1780-1781)
Visibility or awareness of solicitations/contracting opportunities	1	2	3 (1782-1783)
Bond requirements	1	2	3 (1784-1785)
Proposal/bid specifications	1	2	3 (1786-1787)
Short or limited time given to prepare bid package or quote	1	2	3 (1788-1789)
Unnecessarily restrictive contract specifications	1	2	3 (1790-1791)
Meeting MBE/WBE/VOBE/SDVOBE/IWBE program requirements	1	2	3 (1792-1793)
Identifying MBE/WBE/VOBE/SDVOBE/IWBE firms	1	2	3 (1794-1795)
Selection process/evaluation criteria	1	2	3 (1796-1797)
Insurance requirements (general liability, professional liability, etc.)	1	2	3 (1798-1799)
Cost of bidding/proposing	1	2	3 (1800-1801)
Price of supplies/materials	1	2	3 (1802-1803)
Competing with large companies	1	2	3 (1804-1805)
Financing	1	2	3 (1806-1807)
Lack of experience	1	2	3 (1808-1809)
Contract too large	1	2	3 (1810-1811)
Informal network of prime contractors and subcontractors that has excluded my company from doing business ("good ole boy" network)	1	2	3 (1812-1813)
Changes in the scope of work (after work began)	1	2	3 (1814-1815)
Slow payment or non-payment for project work	1	2	3 (1816-1817)

Q.27 As a **PRIME CONTRACTOR/VENDOR**, are you required to have **BONDING** for the type of work you bid on?

[REQUIRE ANSWER]

(1818)

Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 29]

[A - IF THE ANSWER TO QUESTION 27 IS NOT 1, THEN SKIP TO QUESTION 29]

Q.28 What is your current **AGGREGATE (TOTAL) BONDING CAPACITY**?

[REQUIRE ANSWER]

(1819)

Below \$100,000? ..... 1  
\$100,001 to \$250,000? ..... 2  
\$250,001 to \$500,000? ..... 3  
\$500,001 to \$1 million? ..... 4  
\$1 million to \$1.5 million? ..... 5  
\$1.5 million to \$3 million? ..... 6  
\$3 million to \$5 million? ..... 7  
Over \$5 million? ..... 8  
Don't know/Refused ..... 9

Q.29 Have you or your company experienced any of the following **DISCRIMINATORY BEHAVIOR** when bidding or working as a **PRIME CONTRACTOR/VENDOR** on **State of Delaware projects**?

[REQUIRE ANSWER]

	Yes	No	Don't Know
Harassment on the jobsite	1	2	3 (1820)
Unequal or unfair treatment	1	2	3 (1821)
Double standards in performance	1	2	3 (1822)
Denial of opportunity to bid	1	2	3 (1823)
Unfair denial of contract award	1	2	3 (1824)
Unfair termination	1	2	3 (1825)
Unequal price quotes from suppliers	1	2	3 (1826)
Other: Please explain	1	2	3 (1827)

[A - IF THE ANSWER TO SUB-QUESTION 8 OF QUESTION 29 IS NOT 1, THEN SKIP TO QUESTION 31]

Q.30 **Specify Other:** DISCRIMINATORY BEHAVIOR EXPERIENCED AS PRIME CONTRACTOR ON STATE OF DELAWARE PROJECTS

[REQUIRE ANSWER]

(1828-2327)

[A - IF THE ANSWER TO SUB-QUESTION 1 OF QUESTION 29 IS NOT 1, AND...]  
 [A - IF THE ANSWER TO SUB-QUESTION 2 OF QUESTION 29 IS NOT 1, AND...]  
 [A - IF THE ANSWER TO SUB-QUESTION 3 OF QUESTION 29 IS NOT 1, AND...]  
 [A - IF THE ANSWER TO SUB-QUESTION 4 OF QUESTION 29 IS NOT 1, AND...]  
 [A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 29 IS NOT 1, AND...]  
 [A - IF THE ANSWER TO SUB-QUESTION 6 OF QUESTION 29 IS NOT 1, AND...]  
 [A - IF THE ANSWER TO SUB-QUESTION 7 OF QUESTION 29 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 8 OF QUESTION 29 IS NOT 1, THEN SKIP TO QUESTION 37]

Q.31 How did you become **AWARE OF THE DISCRIMINATION** against your company as a **PRIME CONTRACTOR/VENDOR**?

**SELECT ALL THAT APPLY!**

[REQUIRE ANSWER]

	Yes	No	Don't Know
Verbal comment	1	2	3 (2328)
Written statement/documents	1	2	3 (2329)
Action taken against the company	1	2	3 (2330)
Refused to answer	1	2	3 (2331)
Other action (Specify how you became aware of discrimination against your company)	1	2	3 (2332)

[A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 31 IS NOT 1, THEN SKIP TO QUESTION 33]

Q.32 **Specify Other:** WAY YOU BECAME AWARE OF THE DISCRIMINATION AGAINST YOUR COMPANY

[REQUIRE ANSWER]

\_\_\_\_\_ (2333-2832)

Q.33 Which of the following do you consider the **PRIMARY REASON** for your company **BEING DISCRIMINATED AGAINST** as a **PRIME CONTRACTOR/VENDOR**?

[REQUIRE ANSWER]

(2833)

- Owner's Race or Ethnicity ..... 1
- Owner's Gender ..... 2
- Both Race and Gender ..... 3
- Don't Know/Refused ..... 4
- Other reason (Please explain the reason you believe your company was discriminated against) 5

[S - IF THE ANSWER IS NOT 5, THEN SKIP TO QUESTION 35]

Q.34 **Specify Other:** REASON WHY YOU FEEL YOUR COMPANY WAS DISCRIMINATED AGAINST (Prime)

[REQUIRE ANSWER]

\_\_\_\_\_ (2834-3333)

Q.35 Please **BRIEFLY** describe the **DISCRIMINATION** you experienced.

[REQUIRE ANSWER]

\_\_\_\_\_ (3334-3833)

Q.36 Did you **FILE** a **COMPLAINT**?

[REQUIRE ANSWER]

(3834)

Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

[A - IF THE ANSWER TO QUESTION 24 IS 1 OR 4, THEN SKIP TO QUESTION 50]

Q.37 **SUBCONTRACTOR**

As a subcontractor, which of the following best approximates your company's **LARGEST SUBCONTRACT AWARDED** between **July 1, 2015** and **June 30, 2020**?

**PROBE! Best Guess.**

[REQUIRE ANSWER]

(3835-3836)

None ..... 1  
Up to \$50,000 ..... 2  
\$50,001 to \$100,000 ..... 3  
\$100,001 to \$200,000 ..... 4  
\$200,001 to \$300,000 ..... 5  
\$300,001 to \$400,000 ..... 6  
\$400,001 to \$500,000 ..... 7  
\$500,001 to \$1 million ..... 8  
Over \$1 million ..... 9  
Don't Know/Refused ..... 10

Q.38 In your experience, have any of the following been a **BARRIER** when attempting to do work or working as a **SUBCONTRACTOR** on **State of Delaware projects**?

[REQUIRE ANSWER]

	Yes	No	Don't Know
Visibility or awareness of solicitations/contracting opportunities	1	2	3 (3837-3838)
Bond requirements	1	2	3 (3839-3840)
Short or limited time given to prepare bid package or quote	1	2	3 (3841-3842)
Unnecessarily restrictive contract specifications	1	2	3 (3843-3844)
Selection process/evaluation criteria	1	2	3 (3845-3846)
Insurance requirements (general liability, professional liability, etc.)	1	2	3 (3847-3848)
Cost of bidding/proposing	1	2	3 (3849-3850)
Price of supplies/materials	1	2	3 (3851-3852)
Competing with large companies	1	2	3 (3853-3854)
Financing	1	2	3 (3855-3856)
Lack of experience	1	2	3 (3857-3858)
Contract too large	1	2	3 (3859-3860)
Informal network of prime contractors and subcontractors that has excluded my company from doing business ("good ole boy" network)	1	2	3 (3861-3862)
Changes in the scope of work (after work began)	1	2	3 (3863-3864)
Slow payment or non-payment for project work	1	2	3 (3865-3866)

Q.39 As a **SUBCONTRACTOR/SUPPLIER**, are you required to have **BONDING**?

[REQUIRE ANSWER]

(3867)

Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 2-3, THEN SKIP TO QUESTION 41]

Q.40 As a **SUBCONTRACTOR**, what is your current **AGGREGATE (TOTAL) BONDING CAPACITY?**

[REQUIRE ANSWER]

- (3868)
- Below \$100,000 ..... 1
  - \$100,001 to \$250,000 ..... 2
  - \$250,001 to \$500,000 ..... 3
  - \$500,001 to \$1 million ..... 4
  - \$1 million to \$1.5 million ..... 5
  - \$1.5 million to \$3 million ..... 6
  - \$3 million to \$5 million ..... 7
  - Over \$5 million ..... 8
  - Don't Know/Refused ..... 9

Q.41 As a **SUBCONTRACTOR**, have you or your company experienced any of the following **DISCRIMINATORY BEHAVIOR** while bidding or working on a **State of Delaware project?**

[REQUIRE ANSWER]

	Yes	No	Don't Know
Harassment on the jobsite	1	2	3 (3869)
Unequal or unfair treatment	1	2	3 (3870)
Double standards in performance	1	2	3 (3871)
Denial of opportunity to bid	1	2	3 (3872)
Unfair denial of contract award	1	2	3 (3873)
Unfair termination	1	2	3 (3874)
Unequal price quotes from suppliers	1	2	3 (3875)
Other: Please explain	1	2	3 (3876)

[A - IF THE ANSWER TO SUB-QUESTION 8 OF QUESTION 41 IS NOT 1, THEN SKIP TO QUESTION 43]

Q.42 **Specify Other:** DISCRIMINATORY BEHAVIOR EXPERIENCED AS A SUBCONTRACTOR ON STATE OF DELAWARE PROJECTS

[REQUIRE ANSWER]

(3877-4376)

- [A - IF THE ANSWER TO SUB-QUESTION 1 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 2 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 3 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 3 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 4 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 6 OF QUESTION 41 IS NOT 1, AND...]
- [A - IF THE ANSWER TO SUB-QUESTION 7 OF QUESTION 41 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 8 OF QUESTION 41 IS NOT 1, THEN SKIP TO QUESTION 49]

Q.43 How did you become **AWARE OF THE DISCRIMINATION** against your company as a **SUBCONTRACTOR**?

[REQUIRE ANSWER]

	Yes	No	Don't Know
Verbal comment	1	2	3 (4377)
Written statement/documents	1	2	3 (4378)
Action taken against the company	1	2	3 (4379)
Don't Know/ Refused	1	2	3 (4380)
Other action (Specify how you became aware of the discrimination against your company)	1	2	3 (4381)

[A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 43 IS NOT 1, THEN SKIP TO QUESTION 45]

Q.44 **Specify Other:** WAY YOU BECAME AWARE OF DISCRIMINATION AGAINST YOUR COMPANY

[REQUIRE ANSWER]

\_\_\_\_\_ (4382-4881)

Q.45 Which of the following do you consider the **PRIMARY REASON** for your company **BEING DISCRIMINATED AGAINST** as a **SUBCONTRACTOR**?

[REQUIRE ANSWER]

(4882)

- Owner's Race or Ethnicity ..... 1
- Owner's Gender ..... 2
- Both Race and Gender ..... 3
- Don't Know/Refused ..... 4
- Other reason (Explain) ..... 5

[S - IF THE ANSWER IS NOT 5, THEN SKIP TO QUESTION 47]

Q.46 **Specify Other:** PRIMARY REASON YOUR COMPANY WAS DISCRIMINATED AGAINST

[REQUIRE ANSWER]

\_\_\_\_\_ (4883-5382)

Q.47 Please **BRIEFLY** describe the **DISCRIMINATION** you experienced.

[REQUIRE ANSWER]

\_\_\_\_\_ (5383-5882)

Q.48 Did you **FILE** a **COMPLAINT**?

[REQUIRE ANSWER]

(5883)  
Yes ..... 1  
No ..... 2  
Don't Know/Refused ..... 3

Q.49 How often do **PRIME CONTRACTORS** who use your company as a **SUBCONTRACTOR** on public sector projects with **M/WBE GOALS** solicit your company on projects (private or public) **WITHOUT M/WBE GOALS**?

[REQUIRE ANSWER]

(5884)  
Very often ..... 1  
Sometimes ..... 2  
Seldom ..... 3  
Never ..... 4  
Not applicable ..... 5  
Don't Know/Refused ..... 6

Q.50 **PRIVATE SECTOR MARKET**

Have you or your company experienced any **DISCRIMINATORY BEHAVIOR** when attempting to do work or working in the **PRIVATE SECTOR**?

[REQUIRE ANSWER]

(5885)  
Yes ..... 1  
No ..... 2  
Do not work in the Private Sector ..... 3  
Don't Know/Refused ..... 4

[S - IF THE ANSWER IS 2-4, THEN SKIP TO QUESTION 58]



Q.51 Which of the following **DISCRIMINATORY BEHAVIOR** have you experienced when attempting to do work or working in the **PRIVATE SECTOR**?

[REQUIRE ANSWER]

	Yes	No	Don't Know
Harassment on the jobsite	1	2	3 (5886)
Unequal or unfair treatment	1	2	3 (5887)
Double standards in performance	1	2	3 (5888)
Denial of opportunity to bid	1	2	3 (5889)
Unfair denial of contract award	1	2	3 (5890)
Unfair termination	1	2	3 (5891)
Unequal price quotes from suppliers	1	2	3 (5892)
Other: Please explain	1	2	3 (5893)

[A - IF THE ANSWER TO SUB-QUESTION 8 OF QUESTION 51 IS NOT 1, THEN SKIP TO QUESTION 53]

Q.52 **Specify other:** PRIVATE SECTOR DISCRIMINATION

[REQUIRE ANSWER]

\_\_\_\_\_ (5894-6393)

[A - IF THE ANSWER TO SUB-QUESTION 1 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 2 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 3 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 4 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 6 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 7 OF QUESTION 51 IS NOT 1, AND...]

[A - IF THE ANSWER TO SUB-QUESTION 8 OF QUESTION 51 IS NOT 1, THEN SKIP TO QUESTION 58]

Q.53 How did you become **AWARE OF THE DISCRIMINATION** against your company in the **PRIVATE SECTOR**?

**SELECT ALL THAT APPLY!**

[REQUIRE ANSWER]

	Yes	No	Don't Know
Verbal comment	1	2	3 (6394)
Written statement/documents	1	2	3 (6395)
Action taken against the company	1	2	3 (6396)
Don't know/Refused	1	2	3 (6397)
Other action (Specify how you became aware of discrimination against your company)	1	2	3 (6398)

[A - IF THE ANSWER TO SUB-QUESTION 5 OF QUESTION 53 IS NOT 1, THEN SKIP TO QUESTION 55]

Q.54 **Specify Other:** WAY YOU BECAME AWARE OF PRIVATE SECTOR DISCRIMINATION

[REQUIRE ANSWER]

\_\_\_\_\_ (6399-6898)

Q.55 Which of the following do you consider the **PRIMARY REASON** for your company **BEING DISCRIMINATED AGAINST** in the **PRIVATE SECTOR**?

[REQUIRE ANSWER]

- (6899)
- Owner's Race or Ethnicity ..... 1
  - Owner's Gender ..... 2
  - Both Race and Gender ..... 3
  - Don't Know/Refused ..... 4
  - Other reason (Specify the reason you believe your company was discriminated against) ..... 5

[S - IF THE ANSWER IS NOT 5, THEN SKIP TO QUESTION 57]

Q.56 **Specify Other:** REASON WHY YOU BELIEVE YOUR COMPANY WAS DISCRIMINATED AGAINST (Private Sector)

[REQUIRE ANSWER]

\_\_\_\_\_ (6900-7399)

Q.57 Please **BRIEFLY** describe the **DISCRIMINATION** you experienced.

[REQUIRE ANSWER]

\_\_\_\_\_ (7400-7899)

Q.58 **CREDIT ACCESS**

Has **CREDIT AVAILABILITY** been a financial challenge in the last 12 months?

[REQUIRE ANSWER]

- (7900)
- Yes ..... 1
  - No ..... 2
  - Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 1, THEN SKIP TO QUESTION 60]

Q.59 What was your primary reason for **NOT APPLYING FOR CREDIT**?

[REQUIRE ANSWER]

(7902)

- Have sufficient financing (Have enough funding - don't need additional money) ..... 1
- Debt averse (Do not like being in debt) ..... 2
- Credit cost too high (Interest rates are too high) ..... 3
- Discouraged from applying (because more than likely credit app. would be denied) ..... 4
- Don't Know/Refused ..... 5
- Other (Please specify) ..... 6

[S - IF THE ANSWER IS 1-3 OR 5, THEN SKIP TO QUESTION 70]

[S - IF THE ANSWER IS 4, THEN SKIP TO QUESTION 62]

[S - IF THE ANSWER IS 6, THEN SKIP TO QUESTION 61]

Q.60 Has your company **APPLIED FOR CREDIT** in the last 12 months?

[REQUIRE ANSWER]

(7901)

- Yes ..... 1
- No ..... 2
- Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 1, THEN SKIP TO QUESTION 64]

[S - IF THE ANSWER IS 2, THEN SKIP TO QUESTION 59]

[S - IF THE ANSWER IS 3, THEN SKIP TO QUESTION 70]

Q.61 **Specify Other Reason:** WHY YOUR COMPANY DID NOT APPLY FOR CREDIT

[REQUIRE ANSWER]

\_\_\_\_\_ (7903-8402)

[D - IF THE ANSWER TO QUESTION 59 IS NOT 4, THEN SKIP TO QUESTION 70]

**Q.62 IF DISCOURAGED FROM APPLYING:**

What reason(s) did you think might lead to your company's **LOAN BEING DENIED?**

**SELECT ALL THAT APPLY!**

[REQUIRE ANSWER]

- (8403-8408)
- Insufficient Documentation ..... 1
  - Insufficient Business History ..... 2
  - Confusion about the Process ..... 3
  - Race or Ethnicity of Owner ..... 4
  - Gender of Owner ..... 5
  - Don't Know/Refused ..... 6
  - Other (Please specify) ..... 7

[S - IF THE ANSWER IS NOT 7, THEN SKIP TO QUESTION 70]

**Q.63 Specify Other: REASON WHY YOU THOUGHT YOUR LOAN MIGHT BE DENIED**

[REQUIRE ANSWER]

\_\_\_\_\_ (8409-8908)

[A - IF THE ANSWER TO QUESTION 60 IS NOT 1, THEN SKIP TO QUESTION 70]

**Q.64 Was your CREDIT APPLICATION APPROVED?**

[REQUIRE ANSWER]

- (8909)
- Yes ..... 1
  - No ..... 2
  - Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 1, THEN SKIP TO QUESTION 67]

[S - IF THE ANSWER IS 3, THEN SKIP TO QUESTION 70]

Q.65 Why do you think your **CREDIT APPLICATION WAS DENIED**?

**SELECT ALL THAT APPLY.**

[REQUIRE ANSWER]

(8910-8915)

- Insufficient Documentation ..... 1
- Insufficient Business History ..... 2
- Confusion about the Process ..... 3
- Race or Ethnicity of Owner ..... 4
- Gender of Owner ..... 5
- Don't Know/Refused ..... 6
- Other (please specify) ..... 7

[S - IF THE ANSWER IS 1-6, AND...]

[S - IF THE ANSWER IS NOT 7, THEN SKIP TO QUESTION 70]

Q.66 **Specify Other:** REASON WHY YOU THINK YOUR CREDIT APPLICATION WAS DENIED

[REQUIRE ANSWER]

\_\_\_\_\_ (8916-9415)

[D - IF THE ANSWER TO QUESTION 65 IS 7, THEN SKIP TO QUESTION 70]

Q.67 What was the **TOTAL CREDIT AMOUNT** you requested? Would you say...

[REQUIRE ANSWER]

(9416)

- <25K ..... 1
- \$25K-\$100K ..... 2
- \$100K-\$250K ..... 3
- \$250K-\$1M ..... 4
- >\$1M ..... 5
- Don't Know/Refused ..... 6

Q.68 Did you receive **ALL OF THE FUNDING** your company requested?

[REQUIRE ANSWER]

(9417)

- Yes ..... 1
- No ..... 2
- Don't Know/Refused ..... 3

[S - IF THE ANSWER IS 1 OR 3, THEN SKIP TO QUESTION 70]

Q.69 What was the **APPROXIMATE PERCENTAGE** of your request that your company did receive?

Would you say...

[REQUIRE ANSWER]

	(9418)
Less than 25% .....	1
25-50% .....	2
50-75% .....	3
75-100% .....	4
Don't Know/Refused .....	5

Q.70 Have you experienced or observed a situation in which a **prime contractor/vendor includes minority or woman subcontractors on a bid or proposal to satisfy the "good faith effort" requirements and then DROPS and/or REPLACES the company as a subcontractor after winning the award for no legitimate reason?**

For a:

[REQUIRE ANSWER]

	Yes	No	Don't Know
State of Delaware Project?	1	2	3 (9419)
Non-State of Delaware Project?	1	2	3 (9420)

Q.71 Do you have any other **FEEDBACK** or **INFORMATION** that you would like to share about **The State of Delaware, contracting, working with prime firms, or working with subcontractors?**

**BE BRIEF. (PROBE)**

**If respondent has no feedback to offer, enter NONE.**

[REQUIRE ANSWER]

\_\_\_\_\_ (9421-9920)

That completes our survey. Again, thank you for your input and your participation in this important survey.

**ONLY PROVIDE THE INFORMATION BELOW IF ASKED FOR IT!**

If you would like more information on the Disparity Study, contact MGT Consulting Group, Andres Bernal at (850) 386-3191 or [abernal@mgtconsulting.com](mailto:abernal@mgtconsulting.com) or visit the study website <https://www.stateofdelawaredisparitystudy.com>.

[A - IF THE ANSWER TO QUESTION 5 IS 1, THEN SKIP TO QUESTION 72]

Disqualification Statement

Thank you for your input; however, based on your answers, it appears that you do not qualify for this survey because we are only seeking input from for-profit companies.

**CODE AS INELIGIBLE (i.e. 13).**

Q.72 Interviewer Comments

**If no additional comments, put #99 in box.**

\_\_\_\_\_ (9922-10421)

Q.73 Procurement Category: **[ANSWER TO Q. 91]**

Type of Business

**RECODE BASED UPON ABOVE ONLY!**

**DO NOT CHANGE THE LINE OF BUSINESS!**

[REQUIRE ANSWER]

(10422)

- Construction ..... 1
- Architectural and Engineering Services ..... 2
- Professional Services ..... 3
- Goods and Services ..... 4
- Other ..... 5

Q.74 RECODE MINORITY STATUS AS SHOWN: **[ANSWER TO Q. 92]**

**DO NOT CHANGE STATUS!**

[REQUIRE ANSWER]

(10423)

- M/WBE (Female-Woman-Owned, Minority Owned, Any Minority  
Owned Business) ..... 1
- NON-M/WBE (NON-M/WBE- White Male-Owned) ..... 2

Q.75 RECODE NAICS AS SHOWN: **[ANSWER TO Q. 89]**

**DO NOT CHANGE!**

[REQUIRE ANSWER]

(10424-10425)

**NOTE: NAICS CODES VARIES FOR EACH INDUSTRY-**

- Q.76 Telephone Number \_\_\_\_\_ (14000-14015)
- Q.77 Ref Name \_\_\_\_\_ (14016-14025)
- Q.78 Ref # \_\_\_\_\_ (14026-14030)
- Q.79 Company Name \_\_\_\_\_ (14031-14130)
- Q.80 Contact \_\_\_\_\_ (14131-14160)
- Q.81 Contact Title \_\_\_\_\_ (14161-14185)
- Q.82 Street Address \_\_\_\_\_ (14186-14235)
- Q.83 City \_\_\_\_\_ (14236-14285)
- Q.84 County \_\_\_\_\_ (14286-14310)
- Q.85 State \_\_\_\_\_ (14311-14325)
- Q.86 Zip \_\_\_\_\_ (14326-14340)
- Q.87 NAICS CODE \_\_\_\_\_ (14341-14350)
- Q.88 NAICS DESCRIPTION \_\_\_\_\_ (14351-14400)
- Q.89 Business Category \_\_\_\_\_ (14401-14425)
- Q.90 MINORITY STATUS \_\_\_\_\_ (14426-14450)
- Q.91 DUNS # \_\_\_\_\_ (14451-14460)
- Q.92 Interviewer \_\_\_\_\_ (14461-14464)
- Q.93 Date \_\_\_\_\_ (14465-14473)
- Q.94 Time \_\_\_\_\_ (14474-14479)
- Q.95 Duration \_\_\_\_\_ (14480-14485)
- Q.96 Call Result \_\_\_\_\_ (14486-14487)



# Appendix E

## E. Vendor Survey Results

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q3-What is your OFFICIAL TITLE? * Business Ownership Crosstabulation	Owner	Count	156	68	34	15	325	373	6	977
		% within Q3	9.21%	8.55%	3.62%	0.66%	39.14%	38.49%	0.33%	100.00%
		% within Business Ownership	12.61%	18.98%	18.03%	8.33%	20.52%	15.54%	4.35%	16.89%
	CEO/President	Count	28	26	11	2	119	117	1	304
		% within Q3	9.21%	8.55%	3.62%	0.66%	39.14%	38.49%	0.33%	100.00%
		% within Business Ownership	12.61%	18.98%	18.03%	8.33%	20.52%	15.54%	4.35%	16.89%
	Manager/Financial Officer	Count	26	33	14	6	115	192	14	400
		% within Q3	6.50%	8.25%	3.50%	1.50%	28.75%	48.00%	3.50%	100.00%
		% within Business Ownership	11.71%	24.09%	22.95%	25.00%	19.83%	25.50%	60.87%	22.22%
	Other	Count	12	10	2	1	21	71	2	119
		% within Q3	10.08%	8.40%	1.68%	0.84%	17.65%	59.66%	1.68%	100.00%
		% within Business Ownership	5.41%	7.30%	3.28%	4.17%	3.62%	9.43%	8.70%	6.61%
Total	Count	222	137	61	24	580	753	23	1800	
	% within Q3	12.33%	7.61%	3.39%	1.33%	32.22%	41.83%	1.28%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Non-minority women	Non-MBE	Don't Know	
Q8-Is your company at least 51 percent owned, managed, and controlled by a WOMAN or WOMEN?* Business	Yes	Count	19	4	2		51	8	1	85
		% within Q8	22.35%	4.71%	2.35%	0.00%	60.00%	9.41%	1.18%	100.00%
		% within Business Ownership	67.86%	57.14%	40.00%	0.00%	100.00%	7.27%	50.00%	41.67%
	No	Count	9	3	3	1	0	102		118
		% within Q8	7.63%	2.54%	2.54%	0.85%	0.00%	86.44%	0.00%	100.00%
		% within Business Ownership	32.14%	42.86%	60.00%	100.00%	0.00%	92.73%	0.00%	57.84%
		Count	0	0	0	0	0	0	1	1

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Non-minority women	Non-MBE		Don't Know
Ownership Crosstabulation	Don't Know/ Refused	% within Q8	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.49%
Total		Count	28	7	5	1	51	110	2	204
		% within Q8	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Non-minority women	Non-MBE		Don't Know
Q9- Is your company at least 51 percent owned, managed, and controlled by a VETERAN? * Business Ownership Crosstabulation	Yes	Count	3		1		6	8		18
		% within Q9	16.67%	0.00%	5.56%	0.00%	33.33%	44.44%	0.00%	100.00%
		% within Business Ownership	10.71%	0.00%	20.00%	0.00%	11.76%	7.27%	0.00%	8.82%
	No	Count	25	7	4	1	44	98	2	181
		% within Q9	13.81%	3.87%	2.21%	0.55%	24.31%	54.14%	1.10%	100.00%
		% within Business Ownership	89.29%	100.00%	80.00%	100.00%	86.27%	89.09%	100.00%	88.73%
	Don't Know/ Refused	Count	0	0	0	0	1	4	0	5
		% within Q9	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	3.64%	0.00%	2.45%
Total		Count	28	7	5	1	51	110	2	204
		% within Q9	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Non-minority women	Non-MBE		Don't Know
Q10- Is your company at least 51 percent owned, managed, and	Yes	Count	0	0	0	0	1	0	0	1
		% within Q10	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	0.00%	0.49%
	No	Count	27	7	5	1	49	108	2	199

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Non-minority women	Non-MBE	Don't Know	
controlled by a VETERAN- DISABLED? *		% within Q10	13.57%	3.52%	2.51%	0.50%	24.62%	54.27%	1.01%	100.00%
		% within Business Ownership	96.43%	100.00%	100.00%	100.00%	96.08%	98.18%	100.00%	97.55%
	Don't Know/ Refused	Count	1	0	0	0	1	2	0	4
		% within Q10	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	1.96%	1.82%	0.00%	1.96%
Total		Count	28	7	5	1	51	110	2	204
		% within Q10	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Non-minority women	Non-MBE	Don't Know	
Q11- Is your company at least 51 percent owned, managed, and controlled by an INDIVIDUAL WITH DISABILITIES? *	Yes	Count	0	0	0	0	1	3	0	4
		% within Q11	0.00%	0.00%	0.00%	0.00%	25.00%	75.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	2.73%	0.00%	1.96%
	No	Count	28	7	5	1	49	105	2	197
		% within Q11	14.21%	3.55%	2.54%	0.51%	24.87%	53.30%	1.02%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	96.08%	95.45%	100.00%	96.57%
	Don't Know/ Refused	Count	0	0	0	0	1	2	0	3
		% within Q11	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	1.82%	0.00%	1.47%
Total		Count	28	7	5	1	51	110	2	204
		% within Q11	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q12- Is your company at least 51 percent owned, managed, and controlled by one of the following RACIAL or ETHNIC GROUP(S)? * Business Ownership Crosstabulation	African American/ Black	Count	28	0	0	0	0	0	0	28
		% within Q12	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	13.73%
	Asian American or Pacific Islander	Count	0	7	0	0	0	0	0	7
		% within Q12	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	3.43%
	Caucasian/White	Count	0	0	0	0	51	91	0	142
		% within Q12	0.00%	0.00%	0.00%	0.00%	35.92%	64.08%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	100.00%	82.73%	0.00%	69.61%
	Hispanic American or Latino	Count	0	0	5	0	0	0	0	5
		% within Q12	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	2.45%
	Native American/ American Indian	Count	0	0	0	1	0	0	0	1
		% within Q12	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.49%
	Don't Know/ Refused	Count	0	0	0	0	0	3	2	5
		% within Q12	0.00%	0.00%	0.00%	0.00%	0.00%	60.00%	40.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	2.73%	100.00%	2.45%
Other	Count	0	0	0	0	0	16	0.00%	16	
	% within Q12	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%	
	% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	14.55%	0.00%	7.84%	
Total		Count	28	7	5	1	51	110	2	204
		% within Q12	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-MBE	Don't Know	
Q14- Has your firm EVER worked with or attempted to do work with the STATE	Yes	Count	28	7	5	1	51	110	2	204
		% within Q14	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	12.61%	5.11%	8.20%	4.17%	8.79%	14.61%	8.70%	11.33%
	No	Count	189	128	55	23	514	603	17	1529

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-MBE	Don't Know	
of DELAWARE? * Business Ownership Crosstabulation	Don't Know/ Refused	% within Q14	12.36%	8.37%	3.60%	1.50%	33.62%	39.44%	1.11%	100.00%
		% within Business Ownership	85.14%	93.43%	90.16%	95.83%	88.62%	80.08%	73.91%	84.94%
		Count	5	2	1		15	40	4	67
		% within Q14	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%
		% within Business Ownership	2.25%	1.46%	1.64%	0.00%	2.59%	5.31%	17.39%	3.72%
Total	Count	222	137	61	24	580	753	23	1800	
	% within Q14	12.33%	7.61%	3.39%	1.33%	32.22%	41.83%	1.28%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q15- What is the highest level of education completed by the primary owner of your company? * Business Ownership Crosstabulation	Some high school	Count	0	0	0	0	1	0	0	1
		% within Q15	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	0.00%	0.49%
	High school graduate	Count	1	0	0	0	1	13	0	15
		% within Q15	6.67%	0.00%	0.00%	0.00%	6.67%	86.67%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	1.96%	11.82%	0.00%	7.35%
	Trade or technical education	Count	1	0	0	0	2	2	0	5
		% within Q15	20.00%	0.00%	0.00%	0.00%	40.00%	40.00%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	3.92%	1.82%	0.00%	2.45%
	Some college	Count	2	2	0	0	8	9	0	21
		% within Q15	9.52%	9.52%	0.00%	0.00%	38.10%	42.86%	0.00%	100.00%
		% within Business Ownership	7.14%	28.57%	0.00%	0.00%	15.69%	8.18%	0.00%	10.29%
	Associate Degree	Count	6	0	2	1	9	14	0	32
		% within Q15	18.75%	0.00%	6.25%	3.13%	28.13%	43.75%	0.00%	100.00%
		% within Business Ownership	21.43%	0.00%	40.00%	100.00%	17.65%	12.73%	0.00%	15.69%
	Bachelor's Degree	Count	10	1	1	0	9	24	1	46
		% within Q15	21.74%	2.17%	2.17%	0.00%	19.57%	52.17%	2.17%	100.00%
		% within Business Ownership	35.71%	14.29%	20.00%	0.00%	17.65%	21.82%	50.00%	22.55%
Graduate or Professional	Count	8	4	1	0	18	38	0	69	
	% within Q15	11.59%	5.80%	1.45%	0.00%	26.09%	55.07%	0.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
	Degree (MA, PhD, JD, etc.)	% within Business Ownership	28.57%	57.14%	20.00%	0.00%	35.29%	34.55%	0.00%	33.82%
	Don't Know/ Refused	Count	0	0	1	0	3	10	1	15
		% within Q15	0.00%	0.00%	6.67%	0.00%	20.00%	66.67%	6.67%	100.00%
		% within Business Ownership	0.00%	0.00%	20.00%	0.00%	5.88%	9.09%	50.00%	7.35%
Total	Count	28	7	5	1	51	110	2	204	
	% within Q15	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q16- What is the AGE of the company? * Business Ownership Crosstabulation	0-2 years	Count	2	0	0	0	0	0	0	2
		% within Q16	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	7.14%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.98%
	3-5 years	Count	6	0	1	0	1	4	0	12
		% within Q16	50.00%	0.00%	8.33%	0.00%	8.33%	33.33%	0.00%	100.00%
		% within Business Ownership	21.43%	0.00%	20.00%	0.00%	1.96%	3.64%	0.00%	5.88%
	6-10 years	Count	6	0	1	0	8	11	0	26
		% within Q16	23.08%	0.00%	3.85%	0.00%	30.77%	42.31%	0.00%	100.00%
		% within Business Ownership	21.43%	0.00%	20.00%	0.00%	15.69%	10.00%	0.00%	12.75%
	11-15 years	Count	10	5	1	1	9	13	0	39
		% within Q16	25.64%	12.82%	2.56%	2.56%	23.08%	33.33%	0.00%	100.00%
		% within Business Ownership	35.71%	71.43%	20.00%	100.00%	17.65%	11.82%	0.00%	19.12%
	16-20 years	Count	3	1	2	0	6	13	0	25
		% within Q16	12.00%	4.00%	8.00%	0.00%	24.00%	52.00%	0.00%	100.00%
		% within Business Ownership	10.71%	14.29%	40.00%	0.00%	11.76%	11.82%	0.00%	12.25%
	21+ years	Count	1	1	0	0	23	68	2	95
		% within Q16	1.05%	1.05%	0.00%	0.00%	24.21%	71.58%	2.11%	100.00%
		% within Business Ownership	3.57%	14.29%	0.00%	0.00%	45.10%	61.82%	100.00%	46.57%
	Don't Know/ Refused	Count	0	0	0	0	4	1	0	5
		% within Q16	0.00%	0.00%	0.00%	0.00%	80.00%	20.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.84%	0.91%	0.00%	2.45%
Total		Count	28	7	5	1	51	110	2	204
		% within Q16	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total		
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know	
Q17- What is the average NUMBER OF EMPLOYEES on your company's payroll, including full-time and part-time staff? * Business Ownership Crosstabulation	1 to 5	Count	17	3	0	1	18	27	1	67	
		% within Q17	25.37%	4.48%	0.00%	1.49%	26.87%	40.30%	1.49%	100.00%	
		% within Business Ownership	60.71%	42.86%	0.00%	100.00%	35.29%	24.55%	50.00%	32.84%	
	6 to 9	Count	3	1	0	0	2	19	1	26	
		% within Q17	11.54%	3.85%	0.00%	0.00%	7.69%	73.08%	3.85%	100.00%	
		% within Business Ownership	10.71%	14.29%	0.00%	0.00%	3.92%	17.27%	50.00%	12.75%	
	10 to 19	Count	8	1	0	0	9	19	0	37	
		% within Q17	21.62%	2.70%	0.00%	0.00%	24.32%	51.35%	0.00%	100.00%	
		% within Business Ownership	28.57%	14.29%	0.00%	0.00%	17.65%	17.27%	0.00%	18.14%	
	20 to 49	Count	0	2	5	0	11	32	0	50	
		% within Q17	0.00%	4.00%	10.00%	0.00%	22.00%	64.00%	0.00%	100.00%	
		% within Business Ownership	0.00%	28.57%	100.00%	0.00%	21.57%	29.09%	0.00%	24.51%	
	50 to 499	Count	0	0	0	0	7	6	0	13	
		% within Q17	0.00%	0.00%	0.00%	0.00%	53.85%	46.15%	0.00%	100.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	13.73%	5.45%	0.00%	6.37%	
	500+	Count	0	0	0	0	0	4	0	4	
		% within Q17	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	3.64%	0.00%	1.96%	
	Don't Know/Refused	Count	0	0	0	0	4	3	0	7	
		% within Q17	0.00%	0.00%	0.00%	0.00%	57.14%	42.86%	0.00%	100.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.84%	2.73%	0.00%	3.43%	
	Total		Count	28	7	5	1	51	110	2	204
			% within Q17	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
			% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q18- Which of the following ranges best approximates your company's AVERAGE ANNUAL GROSS REVENUE? * Business Ownership Crosstabulation	< \$100K	Count	11	1	1	0	6	5	0	24
		% within Q18	45.83%	4.17%	4.17%	0.00%	25.00%	20.83%	0.00%	100.00%
		% within Business Ownership	39.29%	14.29%	20.00%	0.00%	11.76%	4.55%	0.00%	11.76%
	\$100k-\$500k	Count	8	2	0	0	4	15	1	30
		% within Q18	26.67%	6.67%	0.00%	0.00%	13.33%	50.00%	3.33%	100.00%
		% within Business Ownership	28.57%	28.57%	0.00%	0.00%	7.84%	13.64%	50.00%	14.71%
	\$500k-\$1M	Count	6	3	1	1	10	22	0	43
		% within Q18	13.95%	6.98%	2.33%	2.33%	23.26%	51.16%	0.00%	100.00%
		% within Business Ownership	21.43%	42.86%	20.00%	100.00%	19.61%	20.00%	0.00%	21.08%
	\$1M-\$5M	Count	1	0	3	0	17	30	0	51
		% within Q18	1.96%	0.00%	5.88%	0.00%	33.33%	58.82%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	60.00%	0.00%	33.33%	27.27%	0.00%	25.00%
	\$5M-\$10M	Count	0	1	0	0	5	9	0	15
		% within Q18	0.00%	6.67%	0.00%	0.00%	33.33%	60.00%	0.00%	100.00%
		% within Business Ownership	0.00%	14.29%	0.00%	0.00%	9.80%	8.18%	0.00%	7.35%
	>\$10M	Count	0	0	0	0	0	5	0	5
		% within Q18	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	4.55%	0.00%	2.45%
	Don't Know/Refused	Count	2	0	0	0	9	24	1	36
		% within Q18	5.56%	0.00%	0.00%	0.00%	25.00%	66.67%	2.78%	100.00%
		% within Business Ownership	7.14%	0.00%	0.00%	0.00%	17.65%	21.82%	50.00%	17.65%
Total	Count	28	7	5	1	51	110	2	204	
	% within Q18	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	



			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q19a-Does your company hold any of the following CERTIFICATIONS? Minority Business Enterprise (MBE) * Business Ownership Crosstabulation	Yes	Count	12	2	1	0	2	0	0	17
		% within Q19a	70.59%	11.76%	5.88%	0.00%	11.76%	0.00%	0.00%	100.00%
		% within Business Ownership	42.86%	28.57%	20.00%	0.00%	3.92%	0.00%	0.00%	8.33%
	No	Count	16	5	4	1	48	110	1	185
		% within Q19a	8.65%	2.70%	2.16%	0.54%	25.95%	59.46%	0.54%	100.00%
		% within Business Ownership	57.14%	71.43%	80.00%	100.00%	94.12%	100.00%	50.00%	90.69%
	Don't know	Count	0	0	0	0	1	0	1	2
		% within Q19a	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	50.00%	0.98%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19a	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q19b-Does your company hold any of the following CERTIFICATIONS? Woman Business Enterprise (WBE) * Business Ownership Crosstabulation	Yes	Count	7	2	1	0	15	1	1	27
		% within Q19b	25.93%	7.41%	3.70%	0.00%	55.56%	3.70%	3.70%	100.00%
		% within Business Ownership	25.00%	28.57%	20.00%	0.00%	29.41%	0.91%	50.00%	13.24%
	No	Count	21	5	4	1	36	109	0	176
		% within Q19b	11.93%	2.84%	2.27%	0.57%	20.45%	61.93%	0.00%	100.00%
		% within Business Ownership	75.00%	71.43%	80.00%	100.00%	70.59%	99.09%	0.00%	86.27%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q19b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.49%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19b	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q19c-Does your company hold any of the following CERTIFICATIONS? Disadvantaged Business Enterprise (DBE) * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	0	0	0	2
		% within Q19c	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	7.14%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.98%
	No	Count	26	7	5	1	51	110	1	201
		% within Q19c	12.94%	3.48%	2.49%	0.50%	25.37%	54.73%	0.50%	100.00%
		% within Business Ownership	92.86%	100.00%	100.00%	100.00%	100.00%	100.00%	50.00%	98.53%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q19c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.49%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19c	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q19d- Does your company hold any of the following CERTIFICATIONS? Veteran Owned Business Enterprise (VOBE) * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	2	3	0	6
		% within Q19d	16.67%	0.00%	0.00%	0.00%	33.33%	50.00%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	3.92%	2.73%	0.00%	2.94%
	No	Count	27	7	5	1	49	106	1	196
		% within Q19d	13.78%	3.57%	2.55%	0.51%	25.00%	54.08%	0.51%	100.00%
		% within Business Ownership	96.43%	100.00%	100.00%	100.00%	96.08%	96.36%	50.00%	96.08%
	Don't know	Count	0	0	0	0	0	1	1	2
		% within Q19d	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.91%	50.00%	0.98%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19d	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q19e-Does your company hold any of the following CERTIFICATIONS? Service Disabled Veteran Owned Business Enterprise (SDVOBE) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q19e	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	0.00%	0.49%
	No	Count	28	7	5	1	50	109	1	201
		% within Q19e	13.93%	3.48%	2.49%	0.50%	24.88%	54.23%	0.50%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	98.04%	99.09%	50.00%	98.53%
	Don't know	Count	0	0	0	0	0	1	1	2
		% within Q19e	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.91%	50.00%	0.98%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19e	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q19f-Does your company hold any of the following CERTIFICATIONS? Individuals with Disabilities Owned Business Enterprise (IWBE) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q19f	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	0.00%	0.49%
	No	Count	28	7	5	1	50	109	1	201
		% within Q19f	13.93%	3.48%	2.49%	0.50%	24.88%	54.23%	0.50%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	98.04%	99.09%	50.00%	98.53%
	Don't Know	Count	0	0	0	0	0	1	1	2
		% within Q19f	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.91%	50.00%	0.98%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19f	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q19g-Does your company hold any of the following CERTIFICATIONS? Other * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	0	2	0	4
		% within Q19g	50.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	100.00%
		% within Business Ownership	7.14%	0.00%	0.00%	0.00%	0.00%	1.82%	0.00%	1.96%
	No	Count	26	7	5	1	51	106	0	196
		% within Q19g	13.27%	3.57%	2.55%	0.51%	26.02%	54.08%	0.00%	100.00%
		% within Business Ownership	92.86%	100.00%	100.00%	100.00%	100.00%	96.36%	0.00%	96.08%
	Don't Know	Count	0	0	0	0	0	2	2	4
		% within Q19g	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.82%	100.00%	1.96%
Total		Count	28	7	5	1	51	110	2	204
		% within Q19g	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-MBE	Don't Know	
Q21- In your experience, has being a CERTIFIED Business Enterprise HELPED your firm obtain work with the State of Delaware? * Business Ownership Crosstabulation	Yes	Count	5	2	0	0	4	3	0	14
		% within Q21	35.71%	14.29%	0.00%	0.00%	28.57%	21.43%	0.00%	100.00%
		% within Business Ownership	35.71%	100.00%	0.00%	0.00%	26.67%	75.00%	0.00%	36.84%
	No	Count	6	0	0	0	3	0	0	9
		% within Q21	66.67%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	100.00%
		% within Business Ownership	42.86%	0.00%	0.00%	0.00%	20.00%	0.00%	0.00%	23.68%
	Don't Know/ Refused	Count	3	0	2	0	8	1	1	15
		% within Q21	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%
		% within Business Ownership	21.43%	0.00%	100.00%	0.00%	53.33%	25.00%	100.00%	39.47%
Total		Count	14	2	2	0	15	4	1	38
		% within Q21	36.84%	5.26%	5.26%	0.00%	39.47%	10.53%	2.63%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q24- Does your company operate PRIMARILY as a PRIME CONTRACTOR/VENDOR/CONSULTANT, SUBCONTRACTOR/SUPPLIER or BOTH? * Business Ownership Crosstabulation	Prime contractor/vendor/consultant	Count	16	4	4	0	38	83	1	146
		% within Q24	10.96%	2.74%	2.74%	0.00%	26.03%	56.85%	0.68%	100.00%
		% within Business Ownership	57.14%	57.14%	80.00%	0.00%	74.51%	75.45%	50.00%	71.57%
	Subcontractor/supplier	Count	4	0	0	1	6	15	0	26
		% within Q24	15.38%	0.00%	0.00%	3.85%	23.08%	57.69%	0.00%	100.00%
		% within Business Ownership	14.29%	0.00%	0.00%	100.00%	11.76%	13.64%	0.00%	12.75%
	Both	Count	8	3	1	0	7	12	1	32
		% within Q24	25.00%	9.38%	3.13%	0.00%	21.88%	37.50%	3.13%	100.00%
		% within Business Ownership	28.57%	42.86%	20.00%	0.00%	13.73%	10.91%	50.00%	15.69%
	Don't Know/Refused	Count	0	0	0	0	0	0	0	0
		% within Q24	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	28	7	5	1	51	110	2	204
		% within Q24	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q25- In general, which of the following ranges best approximates the size of your company's LARGEST PRIME CONTRACT awarded between July 1,	None	Count	1	0	0	0	0	0	0	1
		% within Q25	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	4.17%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.56%
	Up to \$50,000	Count	10	0	0	0	7	13	0	30
		% within Q25	33.33%	0.00%	0.00%	0.00%	23.33%	43.33%	0.00%	100.00%
		% within Business Ownership	41.67%	0.00%	0.00%	0.00%	15.56%	13.68%	0.00%	16.85%
	\$50,001 to \$100,000	Count	2	1	1	0	2	10	0	16
		% within Q25	12.50%	6.25%	6.25%	0.00%	12.50%	62.50%	0.00%	100.00%
		% within Business Ownership	8.33%	14.29%	20.00%	0.00%	4.44%	10.53%	0.00%	8.99%
	\$100,001 to \$200,000	Count	4	1	0	0	5	5	1	16
		% within Q25	25.00%	6.25%	0.00%	0.00%	31.25%	31.25%	6.25%	100.00%
		% within Business Ownership	16.67%	14.29%	0.00%	0.00%	11.11%	5.26%	50.00%	8.99%
		Count	1	1	0	0	0	2	0	4

			Business Ownership						Total	
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE		Don't Know
2015 and June 30, 2020? * Business Ownership Crosstabulation	\$200,001 to \$300,000	% within Q25	25.00%	25.00%	0.00%	0.00%	0.00%	50.00%	0.00%	100.00%
		% within Business Ownership	4.17%	14.29%	0.00%	0.00%	0.00%	2.11%	0.00%	2.25%
	\$300,001 to \$400,000	Count	1	0	0	0	0	5	0	6
		% within Q25	16.67%	0.00%	0.00%	0.00%	0.00%	83.33%	0.00%	100.00%
	\$400,001 to \$500,000	% within Business Ownership	4.17%	0.00%	0.00%	0.00%	0.00%	5.26%	0.00%	3.37%
		Count	1	3	1	0	5	7	0	17
		% within Q25	5.88%	17.65%	5.88%	0.00%	29.41%	41.18%	0.00%	100.00%
	\$500,001 to \$1 million	% within Business Ownership	4.17%	42.86%	20.00%	0.00%	11.11%	7.37%	0.00%	9.55%
		Count	1	0	2	0	11	14	0	28
		% within Q25	3.57%	0.00%	7.14%	0.00%	39.29%	50.00%	0.00%	100.00%
	Over \$1 million	% within Business Ownership	4.17%	0.00%	40.00%	0.00%	24.44%	14.74%	0.00%	15.73%
		Count	0	0	0	0	10	24	0	34
		% within Q25	0.00%	0.00%	0.00%	0.00%	29.41%	70.59%	0.00%	100.00%
	Don't Know/Refused	% within Business Ownership	0.00%	0.00%	0.00%	0.00%	22.22%	25.26%	0.00%	19.10%
		Count	3	1	1	0	5	15	1	26
% within Q25		11.54%	3.85%	3.85%	0.00%	19.23%	57.69%	3.85%	100.00%	
Total	% within Business Ownership	12.50%	14.29%	20.00%	0.00%	11.11%	15.79%	50.00%	14.61%	
	Count	24	7	5	0	45	95	2	178	
	% within Q25	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%	
			% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q26- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Prequalification requirements * Business Ownership Crosstabulation	Yes	Count	5	1	0	0	2	3	1	12
		% within Q26a	41.67%	8.33%	0.00%	0.00%	16.67%	25.00%	8.33%	100.00%
		% within Business Ownership	20.83%	14.29%	0.00%	0.00%	4.44%	3.16%	50.00%	6.74%
	No	Count	19	6	5	0	43	92	1	166
		% within Q26a	11.45%	3.61%	3.01%	0.00%	25.90%	55.42%	0.60%	100.00%
		% within Business Ownership	79.17%	85.71%	100.00%	0.00%	95.56%	96.84%	50.00%	93.26%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q26a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26a	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q26b- TIn your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Visibility or awareness of solicitations/contracting opportunities * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	6	3	1	12
		% within Q26b	16.67%	0.00%	0.00%	0.00%	50.00%	25.00%	8.33%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	13.33%	3.16%	50.00%	6.74%
	No	Count	22	7	5	0	39	91	1	165
		% within Q26b	13.33%	4.24%	3.03%	0.00%	23.64%	55.15%	0.61%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	0.00%	86.67%	95.79%	50.00%	92.70%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26b	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26b	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26c- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Bond requirements * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	4	1	6
		% within Q26c	0.00%	0.00%	0.00%	0.00%	16.67%	66.67%	16.67%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	2.22%	4.21%	50.00%	3.37%
	No	Count	24	7	5	0	44	90	1	171
		% within Q26c	14.04%	4.09%	2.92%	0.00%	25.73%	52.63%	0.58%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	97.78%	94.74%	50.00%	96.07%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26c	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26c	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26d- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Proposal/bid specifications * Business Ownership Crosstabulation	Yes	Count	2	0	1	0	2	2	1	8
		% within Q26d	25.00%	0.00%	12.50%	0.00%	25.00%	25.00%	12.50%	100.00%
		% within Business Ownership	8.33%	0.00%	20.00%	0.00%	4.44%	2.11%	50.00%	4.49%
	No	Count	22	7	4	0	43	92	1	169
		% within Q26d	13.02%	4.14%	2.37%	0.00%	25.44%	54.44%	0.59%	100.00%
		% within Business Ownership	91.67%	100.00%	80.00%	0.00%	95.56%	96.84%	50.00%	94.94%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26d	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26d	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%



			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26e- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Short or limited time given to prepare bid package or quote * Business Ownership Crosstabulation	Yes	Count	1	0	1	0	2	3	1	8
		% within Q26e	12.50%	0.00%	12.50%	0.00%	25.00%	37.50%	12.50%	100.00%
		% within Business Ownership	4.17%	0.00%	20.00%	0.00%	4.44%	3.16%	50.00%	4.49%
	No	Count	23	7	4	0	43	91	1	169
		% within Q26e	13.61%	4.14%	2.37%	0.00%	25.44%	53.85%	0.59%	100.00%
		% within Business Ownership	95.83%	100.00%	80.00%	0.00%	95.56%	95.79%	50.00%	94.94%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26e	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26e	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26f- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Unnecessarily restrictive contract specifications * Business Ownership Crosstabulation	Yes	Count	2	0	1	0	2	1	1	7
		% within Q26f	28.57%	0.00%	14.29%	0.00%	28.57%	14.29%	14.29%	100.00%
		% within Business Ownership	8.33%	0.00%	20.00%	0.00%	4.44%	1.05%	50.00%	3.93%
	No	Count	22	7	4	0	43	93	1	170
		% within Q26f	12.94%	4.12%	2.35%	0.00%	25.29%	54.71%	0.59%	100.00%
		% within Business Ownership	91.67%	100.00%	80.00%	0.00%	95.56%	97.89%	50.00%	95.51%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26f	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26f	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26g- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Meeting MBE/WBE/VOBE/SDVOBE/IWBE program requirements * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	2	1	5
		% within Q26g	20.00%	0.00%	0.00%	0.00%	20.00%	40.00%	20.00%	100.00%
		% within Business Ownership	4.17%	0.00%	0.00%	0.00%	2.22%	2.11%	50.00%	2.81%
	No	Count	23	7	5	0	44	92	1	172
		% within Q26g	13.37%	4.07%	2.91%	0.00%	25.58%	53.49%	0.58%	100.00%
		% within Business Ownership	95.83%	100.00%	100.00%	0.00%	97.78%	96.84%	50.00%	96.63%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26g	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26g	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26h- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Identifying MBE/WBE/VOBE/SDVOBE/IWBE firms * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	3	1	6
		% within Q26h	16.67%	0.00%	0.00%	0.00%	16.67%	50.00%	16.67%	100.00%
		% within Business Ownership	4.17%	0.00%	0.00%	0.00%	2.22%	3.16%	50.00%	3.37%
	No	Count	23	7	5	0	44	91	1	171
		% within Q26h	13.45%	4.09%	2.92%	0.00%	25.73%	53.22%	0.58%	100.00%
		% within Business Ownership	95.83%	100.00%	100.00%	0.00%	97.78%	95.79%	50.00%	96.07%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26h	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26h	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26i- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Selection process/evaluation criteria * Business Ownership Crosstabulation	Yes	Count	2	2	0	0	1	2	1	8
		% within Q26i	25.00%	25.00%	0.00%	0.00%	12.50%	25.00%	12.50%	100.00%
		% within Business Ownership	8.33%	28.57%	0.00%	0.00%	2.22%	2.11%	50.00%	4.49%
	No	Count	22	5	5	0	44	92	1	169
		% within Q26i	13.02%	2.96%	2.96%	0.00%	26.04%	54.44%	0.59%	100.00%
		% within Business Ownership	91.67%	71.43%	100.00%	0.00%	97.78%	96.84%	50.00%	94.94%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26i	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26i	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26j- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Insurance requirements (general liability, professional liability, etc.) * Business Ownership Crosstabulation	Yes	Count	1	1	0	0	0	2	1	5
		% within Q26j	20.00%	20.00%	0.00%	0.00%	0.00%	40.00%	20.00%	100.00%
		% within Business Ownership	4.17%	14.29%	0.00%	0.00%	0.00%	2.11%	50.00%	2.81%
	No	Count	23	6	5	0	45	92	1	172
		% within Q26j	13.37%	3.49%	2.91%	0.00%	26.16%	53.49%	0.58%	100.00%
		% within Business Ownership	95.83%	85.71%	100.00%	0.00%	100.00%	96.84%	50.00%	96.63%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26j	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26j	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q26k- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Cost of bidding/proposing * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	0	1	1	4
		% within Q26k	50.00%	0.00%	0.00%	0.00%	0.00%	25.00%	25.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	0.00%	1.05%	50.00%	2.25%
	No	Count	22	7	5	0	45	93	1	173
		% within Q26k	12.72%	4.05%	2.89%	0.00%	26.01%	53.76%	0.58%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	0.00%	100.00%	97.89%	50.00%	97.19%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26k	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26k	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q26l- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Price of supplies/materials * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	4	1	7
		% within Q26l	14.29%	0.00%	0.00%	0.00%	14.29%	57.14%	14.29%	100.00%
		% within Business Ownership	4.17%	0.00%	0.00%	0.00%	2.22%	4.21%	50.00%	3.93%
	No	Count	23	7	5	0	44	90	1	170
		% within Q26l	13.53%	4.12%	2.94%	0.00%	25.88%	52.94%	0.59%	100.00%
		% within Business Ownership	95.83%	100.00%	100.00%	0.00%	97.78%	94.74%	50.00%	95.51%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26l	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26l	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q26m- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Competing with large companies * Business Ownership Crosstabulation	Yes	Count	9	3	0	0	5	16	1	34
		% within Q26m	26.47%	8.82%	0.00%	0.00%	14.71%	47.06%	2.94%	100.00%
		% within Business Ownership	37.50%	42.86%	0.00%	0.00%	11.11%	16.84%	50.00%	19.10%
	No	Count	15	4	5	0	40	78	1	143
		% within Q26m	10.49%	2.80%	3.50%	0.00%	27.97%	54.55%	0.70%	100.00%
		% within Business Ownership	62.50%	57.14%	100.00%	0.00%	88.89%	82.11%	50.00%	80.34%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26m	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26m	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q26n- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Financing * Business Ownership Crosstabulation	Yes	Count	3	0	0	0	1	1	1	6
		% within Q26n	50.00%	0.00%	0.00%	0.00%	16.67%	16.67%	16.67%	100.00%
		% within Business Ownership	12.50%	0.00%	0.00%	0.00%	2.22%	1.05%	50.00%	3.37%
	No	Count	21	7	5	0	44	93	1	171
		% within Q26n	12.28%	4.09%	2.92%	0.00%	25.73%	54.39%	0.58%	100.00%
		% within Business Ownership	87.50%	100.00%	100.00%	0.00%	97.78%	97.89%	50.00%	96.07%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26n	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26n	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26o- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Lack of experience * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	1	1	3
		% within Q26o	0.00%	0.00%	0.00%	0.00%	33.33%	33.33%	33.33%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	2.22%	1.05%	50.00%	1.69%
	No	Count	24	7	5	0	44	93	1	174
		% within Q26o	13.79%	4.02%	2.87%	0.00%	25.29%	53.45%	0.57%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	97.78%	97.89%	50.00%	97.75%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26o	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26o	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26p- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Contract too large * Business Ownership Crosstabulation	Yes	Count	4	0	0	0	2	5	1	12
		% within Q26p	33.33%	0.00%	0.00%	0.00%	16.67%	41.67%	8.33%	100.00%
		% within Business Ownership	16.67%	0.00%	0.00%	0.00%	4.44%	5.26%	50.00%	6.74%
	No	Count	20	7	5	0	43	89	1	165
		% within Q26p	12.12%	4.24%	3.03%	0.00%	26.06%	53.94%	0.61%	100.00%
		% within Business Ownership	83.33%	100.00%	100.00%	0.00%	95.56%	93.68%	50.00%	92.70%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26p	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26p	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26q- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Informal network of prime contractors and subcontractors that has excluded my company from doing business ("good ole boy" network) * Business Ownership Crosstabulation	Yes	Count	6	3	0	0	5	15	1	30
		% within Q26q	20.00%	10.00%	0.00%	0.00%	16.67%	50.00%	3.33%	100.00%
		% within Business Ownership	25.00%	42.86%	0.00%	0.00%	11.11%	15.79%	50.00%	16.85%
	No	Count	18	4	5	0	40	79	1	147
		% within Q26q	12.24%	2.72%	3.40%	0.00%	27.21%	53.74%	0.68%	100.00%
		% within Business Ownership	75.00%	57.14%	100.00%	0.00%	88.89%	83.16%	50.00%	82.58%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26q	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26q	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26r- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Changes in the scope of work (after work began) * Business Ownership Crosstabulation	Yes	Count	1	0	1	0	1	2	1	6
		% within Q26r	16.67%	0.00%	16.67%	0.00%	16.67%	33.33%	16.67%	100.00%
		% within Business Ownership	4.17%	0.00%	20.00%	0.00%	2.22%	2.11%	50.00%	3.37%
	No	Count	23	7	4	0	44	92	1	171
		% within Q26r	13.45%	4.09%	2.34%	0.00%	25.73%	53.80%	0.58%	100.00%
		% within Business Ownership	95.83%	100.00%	80.00%	0.00%	97.78%	96.84%	50.00%	96.07%
	Don't Know	Count	0	0	0	0	0	1	0	1
		% within Q26r	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26r	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q26s- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Slow payment or non-payment for project work * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	1	8	1	12
		% within Q26s	16.67%	0.00%	0.00%	0.00%	8.33%	66.67%	8.33%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	2.22%	8.42%	50.00%	6.74%
	No	Count	22	7	5	0	44	86	0	164
		% within Q26s	13.41%	4.27%	3.05%	0.00%	26.83%	52.44%	0.00%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	0.00%	97.78%	90.53%	0.00%	92.13%
	Don't Know	Count	0	0	0	0	0	1	1	2
		% within Q26s	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	50.00%	1.12%
Total		Count	24	7	5	0	45	95	2	178
		% within Q26s	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q27- As a PRIME CONTRACTOR/VENDOR, are you required to have BONDING for the type of work you bid on? * Business Ownership Crosstabulation	Yes	Count	10	1	3	0	23	43	1	81
		% within Q27	12.35%	1.23%	3.70%	0.00%	28.40%	53.09%	1.23%	100.00%
		% within Business Ownership	41.67%	14.29%	60.00%	0.00%	51.11%	45.26%	50.00%	45.51%
	No	Count	12	6	2	0	22	47	0	89
		% within Q27	13.48%	6.74%	2.25%	0.00%	24.72%	52.81%	0.00%	100.00%
		% within Business Ownership	50.00%	85.71%	40.00%	0.00%	48.89%	49.47%	0.00%	50.00%
	Don't Know/ Refused	Count	2	0	0	0	0	5	1	8
		% within Q27	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	0.00%	5.26%	50.00%	4.49%
Total		Count	24	7	5	0	45	95	2	178
		% within Q27	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%



			Business Ownership						Total	
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q28- What is your current AGGREGATE (TOTAL) BONDING CAPACITY? * Business Ownership Crosstabulation	<\$100k	Count	3	0	0	0	1	4	0	8
		% within Q28	37.50%	0.00%	0.00%	0.00%	12.50%	50.00%	0.00%	100.00%
		% within Business Ownership	30.00%	0.00%	0.00%	0.00%	4.35%	9.30%	0.00%	9.88%
	\$100k-\$250k	Count	2	0	0	0	0	0	1	3
		% within Q28	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	20.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	3.70%
	\$250k-\$500k	Count	0	0	0	0	0	1	0	1
		% within Q28	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	2.33%	0.00%	1.23%
	\$500k-\$1m	Count	2	0	1	0	4	7	0.00%	14
		% within Q28	14.29%	0.00%	7.14%	0.00%	28.57%	50.00%	0.00%	100.00%
		% within Business Ownership	20.00%	0.00%	33.33%	0.00%	17.39%	16.28%	0.00%	17.28%
	\$1m-\$1.5m	Count	2	1	0	0	9	9	0	21
		% within Q28	9.52%	4.76%	0.00%	0.00%	42.86%	42.86%	0.00%	100.00%
		% within Business Ownership	20.00%	100.00%	0.00%	0.00%	39.13%	20.93%	0.00%	25.93%
	\$1.5m-\$3m	Count	0	0	0	0	2	8	0	10
		% within Q28	0.00%	0.00%	0.00%	0.00%	20.00%	80.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	8.70%	18.60%	0.00%	12.35%
	\$3m-\$5m	Count	0	0	1	0	2	2	0	5
		% within Q28	0.00%	0.00%	20.00%	0.00%	40.00%	40.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	33.33%	0.00%	8.70%	4.65%	0.00%	6.17%
>\$5m	Count	1	0	0	0	4	7	0	12	
	% within Q28	8.33%	0.00%	0.00%	0.00%	33.33%	58.33%	0.00%	100.00%	
	% within Business Ownership	10.00%	0.00%	0.00%	0.00%	17.39%	16.28%	0.00%	14.81%	
Don't Know/refused	Count	0	0	1	0	1	5	0	7	
	% within Q28	0.00%	0.00%	14.29%	0.00%	14.29%	71.43%	0.00%	100.00%	
	% within Business Ownership	0.00%	0.00%	33.33%	0.00%	4.35%	11.63%	0.00%	8.64%	
Total	Count	10	1	3	0	23	43	1	81	
	% within Q28	12.35%	1.23%	3.70%	0.00%	28.40%	53.09%	1.23%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Harrassment on the jobsite * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q29a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	24	7	5	0	45	95	2	178
		% within Q29a	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q29a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29a	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Unequal or unfair treatment * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	1	0	3
		% within Q29b	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
		% within Business Ownership	4.17%	0.00%	0.00%	0.00%	2.22%	1.05%	0.00%	1.69%
	No	Count	23	7	5	0	44	94	1	174
		% within Q29b	13.22%	4.02%	2.87%	0.00%	25.29%	54.02%	0.57%	100.00%
		% within Business Ownership	95.83%	100.00%	100.00%	0.00%	97.78%	98.95%	50.00%	97.75%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q29b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29b	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Double standards in performance * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	1	1	0	4
		% within Q29c	50.00%	0.00%	0.00%	0.00%	25.00%	25.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	2.22%	1.05%	0.00%	2.25%
	No	Count	22	7	5	0	44	94	1	173
		% within Q29c	12.72%	4.05%	2.89%	0.00%	25.43%	54.34%	0.58%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	0.00%	97.78%	98.95%	50.00%	97.19%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q29c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29c	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Denial of opportunity to bid * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	2	1	1	5
		% within Q29d	20.00%	0.00%	0.00%	0.00%	40.00%	20.00%	20.00%	100.00%
		% within Business Ownership	4.17%	0.00%	0.00%	0.00%	4.44%	1.05%	50.00%	2.81%
	No	Count	23	7	5	0	43	94	1	173
		% within Q29d	13.29%	4.05%	2.89%	0.00%	24.86%	54.34%	0.58%	100.00%
		% within Business Ownership	95.83%	100.00%	100.00%	0.00%	95.56%	98.95%	50.00%	97.19%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q29d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29d	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Unfair denial of contract award * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	1	1	0	4
		% within Q29e	50.00%	0.00%	0.00%	0.00%	25.00%	25.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	2.22%	1.05%	0.00%	2.25%
	No	Count	22	7	5	0	44	94	2	174
		% within Q29e	12.64%	4.02%	2.87%	0.00%	25.29%	54.02%	1.15%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	0.00%	97.78%	98.95%	100.00%	97.75%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q29e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29e	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Unfair termination * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	1	0	1
		% within Q29f	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	1.05%	0.00%	0.56%
	No	Count	24	7	5	0	45	94	1	176
		% within Q29f	13.64%	3.98%	2.84%	0.00%	25.57%	53.41%	0.57%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	98.95%	50.00%	98.88%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q29f	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29f	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Unequal price quotes from suppliers * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q29g	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	2.22%	0.00%	0.00%	0.56%
	No	Count	24	7	5	0	44	95	1	176
		% within Q29g	13.64%	3.98%	2.84%	0.00%	25.00%	53.98%	0.57%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	97.78%	100.00%	50.00%	98.88%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q29g	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.56%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29g	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q29- Have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR when bidding or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Other * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q29h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	24	7	5	0	45	95	2	178
		% within Q29h	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q29h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	24	7	5	0	45	95	2	178
		% within Q29h	13.48%	3.93%	2.81%	0.00%	25.28%	53.37%	1.12%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q31- How did you become AWARE OF THE DISCRIMINATION against your company as a PRIME CONTRACTOR/VENDOR? Verbal comment * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	2	0	0	3
		% within Q31a	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
		% within Business Ownership	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	37.50%
	No	Count	2	0	0	0	1	1	1	5
		% within Q31a	40.00%	0.00%	0.00%	0.00%	20.00%	20.00%	20.00%	100.00%
		% within Business Ownership	66.67%	0.00%	0.00%	0.00%	33.33%	100.00%	100.00%	62.50%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q31a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	3	1	1	8
		% within Q31a	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q31- How did you become AWARE OF THE DISCRIMINATION against your company as a PRIME CONTRACTOR/VENDOR? Written statement/documents * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	2	0	0	2
		% within Q31b	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	25.00%
	No	Count	3	0	0	0	1	1	1	6
		% within Q31b	50.00%	0.00%	0.00%	0.00%	16.67%	16.67%	16.67%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	33.33%	100.00%	100.00%	75.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q31b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	3	1	1	8
		% within Q31b	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q31- How did you become AWARE OF THE DISCRIMINATION against your company as a PRIME CONTRACTOR/VENDOR? Action taken against the company * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	0	0	0	1
		% within Q31c	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	33.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	12.50%
	No	Count	2	0	0	0	3	1	1	7
		% within Q31c	28.57%	0.00%	0.00%	0.00%	42.86%	14.29%	14.29%	100.00%
		% within Business Ownership	66.67%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	87.50%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q31c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	3	1	1	8
		% within Q31c	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q31- How did you become AWARE OF THE DISCRIMINATION against your company as a PRIME CONTRACTOR/VENDOR? Refused to answer * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	1	0	1
		% within Q31d	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	12.50%
	No	Count	3	0	0	0	3	0	1	7
		% within Q31d	42.86%	0.00%	0.00%	0.00%	42.86%	0.00%	14.29%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%	87.50%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q31d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	3	1	1	8
		% within Q31d	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q31- How did you become AWARE OF THE DISCRIMINATION against your company as a PRIME CONTRACTOR/VENDOR? Other action (Specify how you became aware of discrimination against your company) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	1	1
		% within Q31e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	12.50%
	No	Count	3	0	0	0	3	1	0	7
		% within Q31e	42.86%	0.00%	0.00%	0.00%	42.86%	14.29%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	87.50%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q31e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	3	1	1	8
		% within Q31e	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q33- Which of the following do you consider the PRIMARY REASON for your company BEING DISCRIMINATED AGAINST as a PRIME CONTRACTOR/VENDOR? * Business Ownership Crosstabulation	Owner's Race or Ethnicity	Count	2	0	0	0	0	0	0	2
		% within Q33	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	66.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%
	Owner's Gender	Count	0	0	0	0	2	0	0	2
		% within Q33	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	25.00%
	Both Race and Gender	Count	1	0	0	0	0	0	0	1
		% within Q33	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	33.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	12.50%
	Don't Know/Refused	Count	0	0	0	0	0	1	0	1
		% within Q33	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	12.50%
	Other reason (Please explain the reason you believe your company was discriminated against)	Count	0	0	0	0	1	0	1	2
		% within Q33	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	100.00%	25.00%



		Business Ownership							Total
		African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Total	Count	3	0	0	0	3	1	1	8
	% within Q33	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
	% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know		
Q36- Did you FILE a COMPLAINT? * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0	
		% within Q36	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	No	Count	3	0	0	0	2	1	1	7	
		% within Q36	42.86%	0.00%	0.00%	0.00%	28.57%	14.29%	14.29%	100.00%	
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	66.67%	100.00%	100.00%	87.50%	
	Don't Know/ Refused	Count	0	0	0	0	1	0	0	1	
		% within Q36	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	12.50%	
	Total		Count	3	0	0	0	3	1	1	8
			% within Q36	37.50%	0.00%	0.00%	0.00%	37.50%	12.50%	12.50%	100.00%
			% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q37- As a subcontractor, which of the following best approximates	None	Count	3	0	0	0	0	1	0	4
		% within Q37	75.00%	0.00%	0.00%	0.00%	0.00%	25.00%	0.00%	100.00%
		% within Business Ownership	25.00%	0.00%	0.00%	0.00%	0.00%	3.70%	0.00%	6.90%
	Up to \$50,000	Count	5	0	0	0	4	3	0	12
		% within Q37	41.67%	0.00%	0.00%	0.00%	33.33%	25.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
your company's LARGEST SUBCONTRACT AWARDED between July 1, 2015 and June 30, 2020? * Business Ownership Crosstabulation	% within Business Ownership		41.67%	0.00%	0.00%	0.00%	30.77%	11.11%	0.00%	20.69%
	\$50,001 to \$100,000	Count	2	0	1	0	1	2	0	6
		% within Q37	33.33%	0.00%	16.67%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	16.67%	0.00%	100.00%	0.00%	7.69%	7.41%	0.00%	10.34%
	\$100,001 to \$200,000	Count	0	1	0	0	2	1	0	4
		% within Q37	0.00%	25.00%	0.00%	0.00%	50.00%	25.00%	0.00%	100.00%
		% within Business Ownership	0.00%	33.33%	0.00%	0.00%	15.38%	3.70%	0.00%	6.90%
	\$200,001 to \$300,000	Count	1	1	0	1	1	2	0	6
		% within Q37	16.67%	16.67%	0.00%	16.67%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	8.33%	33.33%	0.00%	100.00%	7.69%	7.41%	0.00%	10.34%
	\$300,001 to \$400,000	Count	0	0	0	0	1	1	0	2
		% within Q37	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.69%	3.70%	0.00%	3.45%
	\$400,001 to \$500,000	Count	0	0	0	0	1	1	0	2
		% within Q37	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.69%	3.70%	0.00%	3.45%
	\$500,001 to \$1 million	Count	0	0	0	0	0	4	0	4
		% within Q37	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	14.81%	0.00%	6.90%
	Over \$1 million	Count	0	0	0	0	0	3	0	3
		% within Q37	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	11.11%	0.00%	5.17%
	Don't Know/Refused	Count	1	1	0	0	3	9	1	15
		% within Q37	6.67%	6.67%	0.00%	0.00%	20.00%	60.00%	6.67%	100.00%
	% within Business Ownership	8.33%	33.33%	0.00%	0.00%	23.08%	33.33%	100.00%	25.86%	
Total	Count	12	3	1	1	13	27	1	58	
	% within Q37	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Visibility or awareness of solicitations/contracting opportunities * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	2	0	0	2
		% within Q38a	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	15.38%	0.00%	0.00%	3.45%
	No	Count	12	3	1	1	11	27	0	55
		% within Q38a	21.82%	5.45%	1.82%	1.82%	20.00%	49.09%	0.00%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	84.62%	100.00%	0.00%	94.83%
	Don't Know	Count	0	0	0	0	0	0	1	1
		% within Q38a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	1.72%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38a	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38b- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Bond requirements * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	0	0	2
		% within Q38b	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	3.45%
	No	Count	11	3	1	1	12	27	1	56
		% within Q38b	19.64%	5.36%	1.79%	1.79%	21.43%	48.21%	1.79%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	96.55%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38b	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38c- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Short or limited time given to prepare bid package or quote * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	3	0	0	4
		% within Q38c	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	23.08%	0.00%	0.00%	6.90%
	No	Count	11	3	1	1	10	27	1	54
		% within Q38c	20.37%	5.56%	1.85%	1.85%	18.52%	50.00%	1.85%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	76.92%	100.00%	100.00%	93.10%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38c	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38d- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects?Unnecessarily restrictive contract specifications * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	2	0	0	3
		% within Q38d	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	15.38%	0.00%	0.00%	5.17%
	No	Count	11	3	1	1	11	27	1	55
		% within Q38d	20.00%	5.45%	1.82%	1.82%	20.00%	49.09%	1.82%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	84.62%	100.00%	100.00%	94.83%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38d	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38e- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Selection process/evaluation criteria * Business Ownership Crosstabulation	Yes	Count	0	1	0	0	2	0	0	3
		% within Q38e	0.00%	33.33%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	33.33%	0.00%	0.00%	15.38%	0.00%	0.00%	5.17%
	No	Count	12	2	1	1	11	27	1	55
		% within Q38e	21.82%	3.64%	1.82%	1.82%	20.00%	49.09%	1.82%	100.00%
		% within Business Ownership	100.00%	66.67%	100.00%	100.00%	84.62%	100.00%	100.00%	94.83%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38e	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38f- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Insurance requirements (general liability, professional liability, etc.) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q38f	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	1.72%
	No	Count	12	3	1	1	12	27	1	57
		% within Q38f	21.05%	5.26%	1.75%	1.75%	21.05%	47.37%	1.75%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	98.28%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38f	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38f	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38g- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Cost of bidding/proposing * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q38g	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	12	3	1	1	13	27	1	58
		% within Q38g	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38g	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38g	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38h- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Price of supplies/materials * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	0	1	0	2
		% within Q38h	50.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	0.00%	3.70%	0.00%	3.45%
	No	Count	11	3	1	1	13	26	1	56
		% within Q38h	19.64%	5.36%	1.79%	1.79%	23.21%	46.43%	1.79%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	100.00%	96.30%	100.00%	96.55%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38h	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38i- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Competing with large companies * Business Ownership Crosstabulation	Yes	Count	2	1	0	0	2	1	0	6
		% within Q38i	33.33%	16.67%	0.00%	0.00%	33.33%	16.67%	0.00%	100.00%
		% within Business Ownership	16.67%	33.33%	0.00%	0.00%	15.38%	3.70%	0.00%	10.34%
	No	Count	10	2	1	1	11	26	1	52
		% within Q38i	19.23%	3.85%	1.92%	1.92%	21.15%	50.00%	1.92%	100.00%
		% within Business Ownership	83.33%	66.67%	100.00%	100.00%	84.62%	96.30%	100.00%	89.66%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38i	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38i	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38j- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Financing * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	0	0	2
		% within Q38j	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	3.45%
	No	Count	11	3	1	1	12	27	1	56
		% within Q38j	19.64%	5.36%	1.79%	1.79%	21.43%	48.21%	1.79%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	96.55%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38j	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38j	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38k- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Lack of experience * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q38k	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	1.72%
	No	Count	12	3	1	1	12	27	1	57
		% within Q38k	21.05%	5.26%	1.75%	1.75%	21.05%	47.37%	1.75%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	98.28%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38k	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38k	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q38l- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Contract too large * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	1	0	3
		% within Q38l	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	3.70%	0.00%	5.17%
	No	Count	11	3	1	1	12	26	1	55
		% within Q38l	20.00%	5.45%	1.82%	1.82%	21.82%	47.27%	1.82%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	96.30%	100.00%	94.83%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38l	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38l	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%



			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38m- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Informal network of prime contractors and subcontractors that has excluded my company from doing business ("good ole boy" network) * Business Ownership Crosstabulation	Yes	Count	3	1	0	0	3	1	0	8
		% within Q38m	37.50%	12.50%	0.00%	0.00%	37.50%	12.50%	0.00%	100.00%
		% within Business Ownership	25.00%	33.33%	0.00%	0.00%	23.08%	3.70%	0.00%	13.79%
	No	Count	9	2	1	1	10	26	1	50
		% within Q38m	18.00%	4.00%	2.00%	2.00%	20.00%	52.00%	2.00%	100.00%
		% within Business Ownership	75.00%	66.67%	100.00%	100.00%	76.92%	96.30%	100.00%	86.21%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38m	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38m	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38n- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Changes in the scope of work (after work began) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q38n	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	12	3	1	1	13	27	1	58
		% within Q38n	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38n	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38n	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q38o- In your experience, have any of the following been a BARRIER to attempting to do work or working as a PRIME CONTRACTOR/VENDOR on State of Delaware projects? Slow payment or non-payment for project work * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	1	0	3
		% within Q38o	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	3.70%	0.00%	5.17%
	No	Count	11	3	1	1	12	26	1	55
		% within Q38o	20.00%	5.45%	1.82%	1.82%	21.82%	47.27%	1.82%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	96.30%	100.00%	94.83%
	Don't Know	Count	0	0	0	0	0	0	0	0
		% within Q38o	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q38o	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q39- As a SUBCONTRACTOR/SUPPLIER, are you required to have BONDING? * Business Ownership Crosstabulation	Yes	Count	4	0	0	0	5	9	1	19
		% within Q39	21.05%	0.00%	0.00%	0.00%	26.32%	47.37%	5.26%	100.00%
		% within Business Ownership	33.33%	0.00%	0.00%	0.00%	38.46%	33.33%	100.00%	32.76%
	No	Count	6	3	1	1	8	16	0	35
		% within Q39	17.14%	8.57%	2.86%	2.86%	22.86%	45.71%	0.00%	100.00%
		% within Business Ownership	50.00%	100.00%	100.00%	100.00%	61.54%	59.26%	0.00%	60.34%
	Don't Know/ Refused	Count	2	0	0	0	0	2	0	4
		% within Q39	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	16.67%	0.00%	0.00%	0.00%	0.00%	7.41%	0.00%	6.90%
Total		Count	12	3	1	1	13	27	1	58
		% within Q39	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total	
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE	Don't Know		
Q40- As a SUBCONTRACTOR, what is your current AGGREGATE (TOTAL) BONDING CAPACITY? * Business Ownership Crosstabulation	<\$100k	Count	1	0	0	0	0	0	0	0	1
		% within Q40	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	25.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	5.26%
	\$100k-\$250k	Count	1	0	0	0	1	0	0	0	2
		% within Q40	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	25.00%	0.00%	0.00%	0.00%	20.00%	0.00%	0.00%	0.00%	10.53%
	\$250k-\$500k	Count	0	0	0	0	0	0	0	0	0
		% within Q40	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	\$500k-\$1m	Count	1	0	0	0	1	0	0	0	2
		% within Q40	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	25.00%	0.00%	0.00%	0.00%	20.00%	0.00%	0.00%	0.00%	10.53%
	\$1m-\$1.5m	Count						3			3
		% within Q40	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	15.79%
	\$1.5m-\$3m	Count	0	0	0	0	0	2	0	0	2
		% within Q40	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	22.22%	0.00%	0.00%	10.53%
	\$3m-\$5m	Count	0	0	0	0	0	0	0	0	0
		% within Q40	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	>\$5m	Count	1	0	0	0	0	1	0	0	2
		% within Q40	50.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	25.00%	0.00%	0.00%	0.00%	0.00%	11.11%	0.00%	0.00%	10.53%
Don't Know/refused	Count	0	0	0	0	3	3	1		7	
	% within Q40	0.00%	0.00%	0.00%	0.00%	42.86%	42.86%	14.29%		100.00%	
	% within Business Ownership	0.00%	0.00%	0.00%	0.00%	60.00%	33.33%	100.00%		36.84%	
Total	Count	4	0	0	0	5	9	1		19	
	% within Q40	21.05%	0.00%	0.00%	0.00%	26.32%	47.37%	5.26%		100.00%	
	% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	100.00%		100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Harrassment on the jobsite * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q41a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	12	3	1	1	13	27	1	58
		% within Q41a	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q41a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41a	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Unequal or unfair treatment * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	0	0	2
		% within Q41b	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	3.45%
	No	Count	11	3	1	1	12	27	1	56
		% within Q41b	19.64%	5.36%	1.79%	1.79%	21.43%	48.21%	1.79%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	96.55%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q41b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41b	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Double standards in performance * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	0	0	2
		% within Q41c	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	3.45%
	No	Count	11	3	1	1	12	27	1	56
		% within Q41c	19.64%	5.36%	1.79%	1.79%	21.43%	48.21%	1.79%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	96.55%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q41c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41c	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Denial of opportunity to bid * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	2	0	0	3
		% within Q41d	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	15.38%	0.00%	0.00%	5.17%
	No	Count	11	3	1	1	11	27	1	55
		% within Q41d	20.00%	5.45%	1.82%	1.82%	20.00%	49.09%	1.82%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	84.62%	100.00%	100.00%	94.83%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q41d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41d	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Unfair denial of contract award * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	0	0	2
		% within Q41e	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	3.45%
	No	Count	11	3	1	1	12	27		55
		% within Q41e	20.00%	5.45%	1.82%	1.82%	21.82%	49.09%	0.00%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	92.31%	100.00%	0.00%	94.83%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q41e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	1.72%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41e	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Unfair termination * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	0	0	0	1
		% within Q41f	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	8.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.72%
	No	Count	11	3	1	1	13	27	0	56
		% within Q41f	19.64%	5.36%	1.79%	1.79%	23.21%	48.21%	0.00%	100.00%
		% within Business Ownership	91.67%	100.00%	100.00%	100.00%	100.00%	100.00%	0.00%	96.55%
	Don't know	Count	0	0	0	0	0	0	1	1
		% within Q41f	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	1.72%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41f	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Unequal price quotes from suppliers * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q41g	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	7.69%	0.00%	0.00%	1.72%
	No	Count	12	3	1	1	12	27	1	57
		% within Q41g	21.05%	5.26%	1.75%	1.75%	21.05%	47.37%	1.75%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	92.31%	100.00%	100.00%	98.28%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q41g	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41g	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q41- As a SUBCONTRACTOR, have you or your company experienced any of the following DISCRIMINATORY BEHAVIOR while bidding or working on a State of Delaware project? Other * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q41h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	12	3	1	1	13	27	1	58
		% within Q41h	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q41h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	12	3	1	1	13	27	1	58
		% within Q41h	20.69%	5.17%	1.72%	1.72%	22.41%	46.55%	1.72%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q43- How did you become AWARE OF THE DISCRIMINATION against your company as a SUBCONTRACTOR? Verbal comment * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	2	0	0	2
		% within Q43a	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	50.00%
	No	Count	1	0	0	0	1	0	0	2
		% within Q43a	50.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	50.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q43a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	1	0	0	0	3	0	0	4
		% within Q43a	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q43- How did you become AWARE OF THE DISCRIMINATION against your company as a SUBCONTRACTOR? Written statement/documents * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q43b	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	25.00%
	No	Count	1	0	0	0	2	0	0	3
		% within Q43b	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	75.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q43b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	1	0	0	0	3	0	0	4
		% within Q43b	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%



			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q43-How did you become AWARE OF THE DISCRIMINATION against your company as a SUBCONTRACTOR? Action taken against the company * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	0	0	0	1
		% within Q43c	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%
	No	Count	0	0	0	0	3	0	0	3
		% within Q43c	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	75.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q43c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	1	0	0	0	3	0	0	4
		% within Q43c	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q43- How did you become AWARE OF THE DISCRIMINATION against your company as a SUBCONTRACTOR? Don't know/Refused to answer * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q43d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	1	0	0	0	3	0	0	4
		% within Q43d	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q43d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	1	0	0	0	3	0	0	4
		% within Q43d	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q43- How did you become AWARE OF THE DISCRIMINATION against your company as a SUBCONTRACTOR? Other action (Specify how you became aware of discrimination against your company) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q43e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	1	0	0	0	3	0	0	4
		% within Q43e	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q43e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	1	0	0	0	3	0	0	4
		% within Q43e	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q45- Which of the following do you consider the PRIMARY REASON for your company BEING DISCRIMINATED AGAINST as a SUBCONTRACTOR? * Business Ownership Crosstabulation	Owner's Race or Ethnicity	Count	1	0	0	0	0	0	0	1
		% within Q45	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%
	Owner's Gender	Count	0	0	0	0	1	0	0	1
		% within Q45	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	25.00%
	Both Race and Gender	Count	0	0	0	0	0	0	0	0
		% within Q45	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Don't Know/ Refused	Count	0	0	0	0	1	0	0	1
		% within Q45	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	25.00%
	Other reason (Please explain the reason you believe your company was discriminated against)	Count	0	0	0	0	1	0	0	1
		% within Q45	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	25.00%

		Business Ownership							Total
		African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Total	Count	1	0	0	0	3	0	0	4
	% within Q45	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
	% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q48- Did you FILE a COMPLAINT? * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q48	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	1	0	0	0	2	0	0	3
		% within Q48	33.33%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	66.67%	0.00%	0.00%	75.00%
	Don't Know/ Refused	Count	0	0	0	0	1	0.00%	0.00%	1
		% within Q48	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	33.33%	0.00%	0.00%	25.00%
Total		Count	1	0	0	0	3	0	0	4
		% within Q48	25.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q49- How often do PRIME CONTRACTORS who use your company as a	Very Often	Count	0	0	1	0	0	2	0	3
		% within Q49	0.00%	0.00%	33.33%	0.00%	0.00%	66.67%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	10.53%	0.00%	7.50%
	Sometimes	Count	1	1	0	0	3	7	0	12
		% within Q49	8.33%	8.33%	0.00%	0.00%	25.00%	58.33%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
SUBCONTRACTOR on public sector projects with M/WBE GOALS solicit your company on projects (private or public) WITHOUT M/WBE GOALS? * Business Ownership Crosstabulation	Seldom	% within Business Ownership	14.29%	50.00%	0.00%	0.00%	30.00%	36.84%	0.00%	30.00%
		Count	1	0	0	0	1	1	0	3
		% within Q49	33.33%	0.00%	0.00%	0.00%	33.33%	33.33%	0.00%	100.00%
	Never	% within Business Ownership	14.29%	0.00%	0.00%	0.00%	10.00%	5.26%	0.00%	7.50%
		Count	4	1	0	0	3	4	0	12
		% within Q49	33.33%	8.33%	0.00%	0.00%	25.00%	33.33%	0.00%	100.00%
	Not applicable	% within Business Ownership	57.14%	50.00%	0.00%	0.00%	30.00%	21.05%	0.00%	30.00%
		Count	1	0	0	1	3	5	0	10
		% within Q49	10.00%	0.00%	0.00%	10.00%	30.00%	50.00%	0.00%	100.00%
	Don't Know/Refused	% within Business Ownership	14.29%	0.00%	0.00%	100.00%	30.00%	26.32%	0.00%	25.00%
		Count	5	1	0	0	3	8	1	18
		% within Q49	27.78%	5.56%	0.00%	0.00%	16.67%	44.44%	5.56%	100.00%
	Total	% within Business Ownership	71.43%	50.00%	0.00%	0.00%	30.00%	42.11%	0.00%	45.00%
Count		7	2	1	1	10	19	0	40	
% within Q49		17.50%	5.00%	2.50%	2.50%	25.00%	47.50%	0.00%	100.00%	
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q50- Have you or your company experienced any DISCRIMINATORY BEHAVIOR when attempting to do work or working in the PRIVATE SECTOR?* Business Ownership Crosstabulation	Yes	Count	3	0	0	0	1	2	0	6
		% within Q50	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	10.71%	0.00%	0.00%	0.00%	1.96%	1.82%	0.00%	2.94%
	No	Count	24	7	5	1	45	97	1	180
		% within Q50	13.33%	3.89%	2.78%	0.56%	25.00%	53.89%	0.56%	100.00%
		% within Business Ownership	85.71%	100.00%	100.00%	100.00%	88.24%	88.18%	50.00%	88.24%
	Do not work in the Private Sector	Count	1	0	0	0	4	11	0	16
		% within Q50	6.25%	0.00%	0.00%	0.00%	25.00%	68.75%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	7.84%	10.00%	0.00%	7.84%
	Don't Know/Refused	Count	0	0	0	0	1	0	1	2
		% within Q50	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	50.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	50.00%	0.98%

		Business Ownership							Total
		African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Total	Count	28	7	5	1	51	110	2	204
	% within Q50	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Harrassment on the jobsite * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3	0	0	0	1	2	0	6
		% within Q51a	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Total	Count	3	0	0	0	1	2	0	6
		% within Q51a	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Unequal or unfair treatment * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3				1	2		6
		% within Q51b	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51b	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Double standards in performance * Business Ownership Crosstabulation	Yes	Count	2	0	0	0	0	0	0	2
		% within Q51c	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	66.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	33.33%
	No	Count	1	0		0	1	2	0	4
		% within Q51c	25.00%	0.00%	0.00%	0.00%	25.00%	50.00%	0.00%	100.00%
		% within Business Ownership	33.33%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	66.67%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51c	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Denial of opportunity to bid * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3	0	0	0	1	2	0	6
		% within Q51d	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51d	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Unfair denial of contract award * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3	0	0	0	1	2	0	6
		% within Q51e	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51e	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Unfair termination * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51f	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3	0	0	0	1	2	0	6
		% within Q51f	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51f	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51f	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Unequal price quotes from suppliers * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51g	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3	0	0	0	1	2	0	6
		% within Q51g	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51g	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51g	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%



			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q51- Which of the following DISCRIMINATORY BEHAVIOR have you experienced when attempting to do work or working in the PRIVATE SECTOR? Other * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0
		% within Q51h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	3	0	0	0	1	2	0	6
		% within Q51h	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q51h	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	0	0	0	1	2	0	6
		% within Q51h	50.00%	0.00%	0.00%	0.00%	16.67%	33.33%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q53- How did you become AWARE OF THE DISCRIMINATION against your company in the PRIVATE SECTOR? Verbal comment * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	0	0	0	1
		% within Q53a	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	50.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%
	No	Count	1	0	0	0	0	0	0	1
		% within Q53a	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	50.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%
	Don't know	Count	0	0	0	0	0	0	0	0
		% within Q53a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	2	0	0	0	0	0	0	2
		% within Q53a	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%

			Business Ownership						Total		
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know	
Q53- How did you become AWARE OF THE DISCRIMINATION against your company in the PRIVATE SECTOR? Written statement/documents * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0	
		% within Q53b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	2	0	0	0	0	0	0	0	2
		% within Q53b	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0	0
		% within Q53b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	2	0	0	0	0	0	0	2	
		% within Q53b	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	

			Business Ownership						Total		
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know	
Q53-How did you become AWARE OF THE DISCRIMINATION against your company in the PRIVATE SECTOR? Action taken against the company * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0	0	
		% within Q53c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	2	0	0	0	0	0	0	0	2
		% within Q53c	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0	0	0
		% within Q53c	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	2	0	0	0	0	0	0	2	
		% within Q53c	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	

			Business Ownership						Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	
Q53- How did you become AWARE OF THE DISCRIMINATION against your company in the PRIVATE SECTOR? Don't know/Refused to answer * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0
		% within Q53d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	2	0	0	0	0	0	2
		% within Q53d	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0
		% within Q53d	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	2	0	0	0	0	2	
		% within Q53d	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	

			Business Ownership						Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	
Q53-How did you become AWARE OF THE DISCRIMINATION against your company in the PRIVATE SECTOR? Other action (Specify how you became aware of discrimination against your company) * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	0	0	0
		% within Q53e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	No	Count	2	0	0	0	0	0	2
		% within Q53e	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Don't know	Count	0	0	0	0	0	0	0
		% within Q53e	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	2	0	0	0	0	2	
		% within Q53e	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q55- Which of the following do you consider the PRIMARY REASON for your company BEING DISCRIMINATED AGAINST in the PRIVATE SECTOR? * Business Ownership Crosstabulation	Owner's Race or Ethnicity	Count	2	0	0	0	0	0	0	2
		% within Q55	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Owner's Gender	Count	0	0	0	0	0	0	0	0
		% within Q55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Both Race and Gender	Count	0	0	0	0	0	0	0	0
		% within Q55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Don't Know/Refused	Count	0	0	0	0	0	0	0	0
		% within Q55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Other reason (Please explain the reason you believe your company was discriminated against)	Count	0	0	0	0	0	0	0	0
		% within Q55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total	Count	2	0	0	0	0	0	0	2	
	% within Q55	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
	% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q58- Has CREDIT AVAILABILITY been a financial challenge in the last 12 months? * Business Ownership Crosstabulation	Yes	Count	5	1	1	0	2	4	0	13
		% within Q58	38.46%	7.69%	7.69%	0.00%	15.38%	30.77%	0.00%	100.00%
		% within Business Ownership	17.86%	14.29%	20.00%	0.00%	3.92%	3.64%	0.00%	6.37%
	No	Count	22	6	4	1	47	99	2	181
		% within Q58	12.15%	3.31%	2.21%	0.55%	25.97%	54.70%	1.10%	100.00%
		% within Business Ownership	78.57%	85.71%	80.00%	100.00%	92.16%	90.00%	100.00%	88.73%
	Don't Know/Refused	Count	1	0	0	0	2	7	0	10
		% within Q58	10.00%	0.00%	0.00%	0.00%	20.00%	70.00%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	3.92%	6.36%	0.00%	4.90%
	Total	Count	28	7	5	1	51	110	2	204

		Business Ownership						Total	
		African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
	% within Q58	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership						Total	
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know
Q59- What was your primary reason for NOT APPLYING FOR CREDIT? * Business Ownership Crosstabulation	Have sufficient financing (Have enough funding - don't need additional money)	Count	13	6	2	0	38	92	1	152
		% within Q59	8.55%	3.95%	1.32%	0.00%	25.00%	60.53%	0.66%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	77.55%	85.98%	0.00%	77.55%
	Debt averse (Do not like being in debt)	Count	5	0	0	1	7	4	0	17
		% within Q59	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	14.29%	3.74%	0.00%	8.67%
	Credit cost too high (Interest rates are too high)	Count	4	0	0	0	0	3	0	7
		% within Q59	57.14%	0.00%	0.00%	0.00%	0.00%	42.86%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	2.80%	0.00%	3.57%
	Discouraged from applying (because more than likely credit app. would be denied)	Count	0	0	1	0	0	0	0	1
		% within Q59	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.51%
	Don't Know/Refused	Count	2	0	1	0	4	8	1	16
		% within Q59	12.50%	0.00%	6.25%	0.00%	25.00%	50.00%	6.25%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	8.16%	7.48%	0.00%	8.16%
	Other (Please specify)	Count	3	0	0	0	0	0	0	3
		% within Q59	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.53%
Total	Count	27	6	4	1	49	107	2	196	
	% within Q59	13.78%	3.06%	2.04%	0.51%	25.00%	54.59%	1.02%	100.00%	
	% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	

			Business Ownership						Total		
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know	
Q60- Has your company APPLIED FOR CREDIT in the last 12 months? * Business Ownership Crosstabulation	Yes	Count	1	1	1	0	2	4	0	9	
		% within Q60	11.11%	11.11%	11.11%	0.00%	22.22%	44.44%	0.00%	100.00%	
		% within Business Ownership	33.33%	100.00%	100.00%	0.00%	100.00%	100.00%	0.00%	81.82%	
	No	Count	2	0	0	0	0	0	0	0	2
		% within Q60	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	66.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	18.18%
	Don't Know/ Refused	Count	0	0	0	0	0	0	0	0	0
		% within Q60	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	3	1	1	0	2	4	0	11	
		% within Q60	27.27%	9.09%	9.09%	0.00%	18.18%	36.36%	0.00%	100.00%	
		% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	0.00%	100.00%	

			Business Ownership						Total		
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE		Don't Know	
Q62- What reason(s) did you think might lead to your company's LOAN BEING DENIED? * Business Ownership Crosstabulation	Insufficient documentation	Count	0	0	0	0	0	0	0	0	
		% within Q62	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	Insufficient Business History	Count	0	0	0	0	0	0	0	0	
		% within Q62	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	Confusion about the process	Count	0	0	0	0	0	0	0	0	
		% within Q62	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	Race or ethnicity of owner	Count	0	0	0	0	0	0	0	0	
		% within Q62	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	Gender of owner	Count	0	0	1	0	0	0	0	0	1
		% within Q62	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
Don't Know	Count	0	0	0	0	0	0	0	0		

			Business Ownership						Total		
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE		Don't Know	
	Other	% within Q62	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		Count	0	0	0	0	0	0	0	0	0
		% within Q62	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	0	0	1	0	0	0	0	1	
		% within Q62	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
		% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	

			Business Ownership						Total		
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE		Don't Know	
Q64- Was your CREDIT APPLICATION APPROVED? * Business Ownership Crosstabulation	Yes	Count	0	1	1	0	2	4	0	8	
		% within Q64	0.00%	12.50%	12.50%	0.00%	25.00%	50.00%	0.00%	100.00%	
		% within Business Ownership	0.00%	100.00%	100.00%	0.00%	100.00%	100.00%	0.00%	88.89%	
	No	Count	1	0	0	0	0	0	0	1	
		% within Q64	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	11.11%	
	Don't Know/Refused	Count	0	0	0	0	0	0	0	0	
		% within Q64	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	Total		Count	1	1	1	0	2	4	0	9
			% within Q64	11.11%	11.11%	11.11%	0.00%	22.22%	44.44%	0.00%	100.00%
			% within Business Ownership	100.00%	100.00%	100.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q65- What reason(s) did you think might lead to your company's LOAN BEING DENIED? * Business Ownership Crosstabulation	Insufficient documentation	Count	0	0	0	0	0	0	0	0
		% within Q65	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Insufficient Business History	Count	1	0	0	0	0	0	0	1
		% within Q65	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
	Confusion about the process	Count	0	0	0	0	0	0	0	0
		% within Q65	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Race or ethnicity of owner	Count	0	0	0	0	0	0	0	0
		% within Q65	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Gender of owner	Count	0	0	0	0	0	0	0	0
		% within Q65	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Don't Know/Refused	Count	0	0	0	0	0	0	0	0
		% within Q65	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Other	Count	0	0	0	0	0	0	0	0	
	% within Q65	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
Total	Count	1	0	0	0	0	0	0	1	
	% within Q65	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	
	% within Business Ownership	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	



			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q67- What was the TOTAL CREDIT AMOUNT you requested? Would you say... * Business Ownership Crosstabulation	<\$25K	Count	0	0	0	0	1	0	0	1
		% within Q67	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	12.50%
	\$25K-\$100K	Count	0	1	1	0	0	3	0	5
		% within Q67	0.00%	20.00%	20.00%	0.00%	0.00%	60.00%	0.00%	100.00%
		% within Business Ownership	0.00%	100.00%	100.00%	0.00%	0.00%	75.00%	0.00%	62.50%
	\$100K-\$250K	Count	0	0	0	0	0	1	0	1
		% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%	0.00%	12.50%
	\$250K-\$1M	Count	0	0	0	0	1	0	0	1
		% within Q67	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	12.50%
	>\$1M	Count	0	0	0	0	0	0	0	0
		% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Don't Know/ Refused	Count	0	0	0	0	0	0	0	0	
	% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
Total	Count	0	1	1	0	2	4	0	8	
	% within Q67	0.00%	12.50%	12.50%	0.00%	25.00%	50.00%	0.00%	100.00%	
	% within Business Ownership	0.00%	100.00%	100.00%	0.00%	100.00%	100.00%	0.00%	100.00%	

			Business Ownership							Total
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q68- Did you receive ALL OF THE FUNDING your company requested? * Business Ownership Crosstabulation	Yes	Count	0	1	0	0	2	3	0	6
		% within Q68	0.00%	16.67%	0.00%	0.00%	33.33%	50.00%	0.00%	100.00%
		% within Business Ownership	0.00%	100.00%	0.00%	0.00%	100.00%	75.00%	0.00%	75.00%
	No	Count	0	0	1	0	0	1	0	2
		% within Q68	0.00%	0.00%	50.00%	0.00%	0.00%	50.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	25.00%	0.00%	25.00%
	Don't Know/Refused	Count	0	0	0	0	0	0	0	0
		% within Q68	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		Count	0	1	1	0	2	4	0	8
		% within Q68	0.00%	12.50%	12.50%	0.00%	25.00%	50.00%	0.00%	100.00%
		% within Business Ownership	0.00%	100.00%	100.00%	0.00%	100.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/Pacific Islander	Hispanic American or Latino	Native American/American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q67- What was the APPROXIMATE PERCENTAGE of your request that your company did receive? * Business Ownership Crosstabulation	Less than 25%	Count	0	0	1	0	0	0	0	1
		% within Q67	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	50.00%
	25-50%	Count	0	0	0	0	0	1	0	1
		% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	50.00%
	50-75%	Count	0	0	0	0	0	0	0	0
		% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	75-100%	Count	0	0	0	0	0	0	0	0
		% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Don't Know/Refused	Count	0	0	0	0	0	0	0	0
		% within Q67	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

		Business Ownership							Total
		African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Total	Count	0	0	1	0	0	1	0	2
	% within Q67	0.00%	0.00%	50.00%	0.00%	0.00%	50.00%	0.00%	100.00%
	% within Business Ownership	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%	0.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q70a- Have you experienced or observed a situation in which a prime contractor/vendor includes minority or woman subcontractors on a bid or proposal to satisfy the "good faith effort" requirements and then DROPS and/or REPLACES the company as a subcontractor after winning the award for no legitimate reason? State of Delaware Project? * Business Ownership Crosstabulation	Yes	Count	0	0	0	0	1	0	0	1
		% within Q70a	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
		% within Business Ownership	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	0.00%	0.49%
	No	Count	26	5	5	1	43	99	1	180
		% within Q70a	14.44%	2.78%	2.78%	0.56%	23.89%	55.00%	0.56%	100.00%
		% within Business Ownership	92.86%	71.43%	100.00%	100.00%	84.31%	90.00%	50.00%	88.24%
	Don't Know/ Refused	Count	2	2	0	0	7	11	1	23
		% within Q70a	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	7.14%	28.57%	0.00%	0.00%	13.73%	10.00%	50.00%	11.27%
Total		Count	28	7	5	1	51	110	2	204
		% within Q70a	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

			Business Ownership							Total
			African American	Asian American/ Pacific Islander	Hispanic American or Latino	Native American/ American Indian	Nonminority Female	Non-M/WBE	Don't Know	
Q70b- Have you experienced or observed a situation in which a prime contractor/vendor includes minority or woman subcontractors on a bid or proposal to satisfy the "good faith effort" requirements and then DROPS and/or REPLACES the company as a subcontractor after winning the award for no legitimate reason? Non-State of Delaware Project? * Business Ownership Crosstabulation	Yes	Count	1	0	0	0	1	2	0	4
		% within Q70b	25.00%	0.00%	0.00%	0.00%	25.00%	50.00%	0.00%	100.00%
		% within Business Ownership	3.57%	0.00%	0.00%	0.00%	1.96%	1.82%	0.00%	1.96%
	No	Count	25	5	5	1	43	97	1	177
		% within Q70b	14.12%	2.82%	2.82%	0.56%	24.29%	54.80%	0.56%	100.00%
		% within Business Ownership	89.29%	71.43%	100.00%	100.00%	84.31%	88.18%	50.00%	86.76%
	Don't Know/ Refused	Count	2	2	0	0	7	11	1	23
		% within Q70b	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		% within Business Ownership	7.14%	28.57%	0.00%	0.00%	13.73%	10.00%	50.00%	11.27%
Total		Count	28	7	5	1	51	110	2	204
		% within Q70b	13.73%	3.43%	2.45%	0.49%	25.00%	53.92%	0.98%	100.00%
		% within Business Ownership	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

# Appendix F

## F.In-Depth Interview Guide

READ: Is this \_\_\_\_\_ (Company's name)? IF COMPANY NAME VERIFIED, CONTINUE.

Hello. My name is \_\_\_\_\_ with \_\_\_\_\_(subcontractor org name) as a subcontractor to MGT Consulting Group. The State of Delaware has retained MGT to conduct the current Disparity Study. We have contacted your firm to participate in an interview to gather information on your experiences, perceptions and points on doing business or attempting to do business with the State of Delaware, its Prime contractors/vendors and the private sector. The purpose of this interview is to gather information on your experiences, perceptions, and points of view on doing business or attempting to do business with the State of Delaware, its prime contractors/vendors, and the private sector.

Your company was randomly selected to participate in this in-depth interview. The interview will last approximately 45 minutes. If now is not a good time to complete this interview, when can we schedule time to speak in the next week?

Are you the owner or an authorized decision maker in your company? [IF NO] May I speak with that person? [IF NO, SCHEDULE CALL-BACK]?

IF TRANSFERRED TO ANOTHER PARTY (CFO, MANAGER, ETC): READ INTRO AGAIN then ask Are you able to answer questions concerning business practices of this company? IF YES, CONTINUE.

Thank you for agreeing to participate. Your input is very important to outcome of the disparity study. Your responses to this interview will be aggregated for the overall analysis and used only for this research study. Individual information or identifying characteristics about your company will not be published.

If you have any questions regarding the survey, I will be happy to provide you contact information at the end of the survey.

By participating in this interview, you acknowledge that:

1. The opinions and perceptions you will provide are given freely and represent an accurate reflection of your experience doing business or attempting to do business with the State of Delaware.
2. You have not been coerced or received any remuneration for your comments.
3. You understand that neither your name nor your firm's name will be published in the report.
4. Your participation in this interview has no direct benefits to your firm or to MGT.

This is a great opportunity for you to provide feedback regarding your experience doing business with or attempting to do business with the State of Delaware.

Thank you for your participation!

### **COMPANY INFORMATION**

1. First, please tell me about your company. Tell me about the size of your company, the type of work you do, how many employees you have, how long you have been in business, etc.
2. How did you start your business? Why did you start your business?
3. How did you get into this kind of work? Why did you get into this kind of work?
4. What challenges did you face starting a business in your line of work?
5. Are there additional challenges for minorities, women, veteran, disabled veteran, or individuals with disabilities starting businesses in your line of work in the State of Delaware?
6. Have you or others experienced any barriers to entering your industry?
7. Have you changed the type of work you do over time? If so, why? For example, 10 years ago your company provided electrical only construction work, but today your company also provides plumbing and HVAC services.
8. Have there been any changes in the size of the firm over time?
9. Does your firm grow and contract based on seasons or bidding opportunities/contracts?
10. What is the race and gender of the business owner?
11. What certifications, if any, do you have? (examples, DBE, MBE, WBE, VOB, SDVOB, or IWOBE)
12. What determines the types and sizes of projects you will consider bidding on?
13. Do you work on both public sector and private sector work? Tell me more about your choice.
14. What are the key factors that contribute to your firm's success? (relationships, equipment, financing, materials cost, insurance, etc.)
15. What do you think is the most competitive advantage of a firm in your industry?
16. Tell me about your experience applying for credit for your business.
17. Have you applied for credit in the last year?
18. If, yes, why did you apply for a loan?
19. If, yes, were you approved? Did you receive the full amount requested?
20. If you were not approved, why do you think that is?
21. If you did not apply, did you feel discouraged from applying? If yes, why?
22. Did you experience any discrimination in the loan application process? If yes, please tell me about it.
23. On the State of Delaware contracts, do you bid as a prime or as a subcontractor? Or both?
24. What led to your decision to bid as a prime (or as a sub or both)?
25. Is how you bid in the private market different from how you bid for public contracts or on the State of Delaware contracts?
26. If so, how is it different?

### **PRIVATE MARKET EXPERIENCES**

#### **FOR PRIME FIRMS ONLY:**

27. Do you make any efforts to include DBE, MBE, WBE, VOB, SDVOB, or IWB -certified firms on private contracts? If so, why? How? If not, why?
28. Do you use the same subs when you bid on private market contracts as you do on your bids for public projects? If no, why?

#### **FOR SUBCONTRACTOR FIRMS ONLY:**

29. Do primes who solicit bids from you on their public projects solicit bids from you for their private contract work? If no, why do you think that is?

#### **FOR ALL FIRMS:**

30. What barriers do you experience in trying to get work or in performing work on contracts in the private market? (If they can't think of any, ask about some of these: prequalification requirements, bond requirements, cost of bidding, etc.)
31. Have you experienced discrimination when trying to do business in the private market? If yes, please tell me about what happened.
32. Have you seen or experienced any unfair treatment or disadvantages for minorities, women, veteran, disabled veteran, or individuals with disabilities -owned firms in your field?
33. Do you think there is a "good ol' boy" network operating in the market area? If so, how does it manifest? How does it impact competition?

### **The State of Delaware**

34. How do you learn about bid opportunities for the State of Delaware? Are there barriers to learning about prime or sub bidding opportunities?
35. Tell me about bidding for the State of Delaware projects. Have you won?
  - a. If not, why do you think you were not awarded the project? If not, did you request a bid de-briefing? Why or why not? Did the de-briefing offer meaningful insight for areas to improve?
36. Were you treated fairly during the bidding process? If not, please tell me about that.
37. Tell me about working on the State of Delaware projects.
38. Were you treated fairly when you were working on the project? If not, please tell me what happened.
39. What barriers to getting work with the State of Delaware have you seen or experienced? (If they can't think of any, ask about some of these: prequalification requirements, bond requirements, short time to prepare bid, slow or non-payment, insurance requirements, etc.)
40. Have you experienced discrimination when trying to work or working on the State of Delaware projects? If yes, please tell me about what happened.

41. Is there a level playing field for minorities, women, veteran, disabled veteran, or individuals with disabilities -owned firms in your industry?
42. Do you think minorities, women, veteran, disabled veteran, or individuals with disabilities -owned firms face challenges not faced by other businesses? Why or why not?
43. If there are any barriers for minorities, women, veteran, disabled veteran, or individuals with disabilities, do you have suggestions for initiatives to address them?
44. Have you ever witnessed or experienced any of the following?
  - Slow or non-payment.
  - Denial of opportunity to bid.
  - Unfair rejection of bid.
  - Bid shopping.
  - Bid manipulation.
  - Double standards for minorities, women, veteran, disabled veteran, or individuals with disabilities -owned firms when performing work.
  - Unfair treatment regarding approval of work for minorities or women owned firms.
  - Unfavorable work environment for minorities, women, veteran, disabled veteran, or individuals with disabilities (e.g., harassment based on race or gender on jobsites).
  - Any “fronts” or false reporting of good faith efforts or use of certified subs.
  - Unfair treatment by the State of Delaware.

FOR PRIMES:

45. How do you hire firms as subcontractors? How are they selected?
46. Do you make any efforts to include DBE, MBE, WBE, VOB, SDVOB, or IWDBE -certified firms in public contracts where there are not goals? If so, why?
47. Describe challenges or barriers that you might have faced when hiring and/or working with small, minorities, women, veteran, disabled veteran, or individuals with disabilities -owned businesses.
48. How are prime contractors/consultants encouraged to include subcontractors, DBE, MBE, WBE, VOB, SDVOB, or IWDBE firms?

**DBE, MBE, WBE, VOB, SDVOB, or IWDBE PROGRAMS**

49. Please tell me about your experience with the DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program.
50. What is your opinion about the effect of the DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program?
51. Does the DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program make it harder or easier to do business?  
How?



52. Without the DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program, do you think small or minority and woman owned firms would be successful in obtaining work on the State of Delaware projects? Why or why not?
53. Is your firm DBE, MBE, WBE, VOB, SDVOB, or IWDBE certified?
54. If an SLBE approved firm, tell me about the approval process. Was it difficult, confusing? Easy? Etc.
55. What advantages are there to being DBE, MBE, WBE, VOB, SDVOB, or IWDBE certified?
56. What disadvantages are there to being DBE, MBE, WBE, VOB, SDVOB, or IWDBE certified?
57. What aspect of DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program are most helpful?
58. What aspect of the DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program do you find the least helpful?
59. What business assistance and other programs does the State of Delaware offer in its DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program?  
(assistance with bonding, mentor/protégé, financing, technical assistance, networking events, etc.)
60. Do you have any recommendations on how the State of Delaware can improve the tracking and utilization of DBE, MBE, WBE, VOB, SDVOB, or IWDBE -firms on the State of Delaware projects and purchases?
61. In your opinion, what are the biggest obstacles faced by DBE, MBE, WBE, VOB, SDVOB, or IWDBE businesses in securing prime contracts or subcontracts with the State of Delaware?
62. Is there anything else that you would like to share about the State of Delaware, the DBE, MBE, WBE, VOB, SDVOB, or IWDBE Program, or contracting with the State of Delaware?

This concludes the interview. On behalf of the State of Delaware, thank you for your participation.

If you have any questions or would like more information about the disparity study, please contact Andres Bernal at (850) 386-3191 or [delawaredisparitystudy@mgtconsulting.com](mailto:delawaredisparitystudy@mgtconsulting.com), or visit the study website at <https://stateofdelawaredisparitystudy.com/>.

# Appendix G

## G. State of Delaware Stakeholder Interview Guide

### INTRODUCTION

Hello, my name is \_\_\_\_\_ and I am calling on behalf of the State of Delaware to gather input from area trade associations and business organization concerning the state of minority and women businesses in the State. MGT Consulting Group is conducting a disparity study to examine the procurement of services and goods by the State, the implementation of its M/WBE programs, and information about doing business in the public and private market. It is also important to include information from the local professional organizations that serve the business community, therefore we also conduct stakeholder interviews.

Your organization has been selected to participate in a stakeholder interview. During the interview, I will ask you to share information about 1) services you provide to your members or the general business community, 2) your relationship or interactions with the State, 3) issues or concerns held by your organization or your members regarding doing business or attempting to do business with the State or their primes, and 4) suggested recommendations to improve the State’s procurement process or M/WBE program implementation.

I’d like to schedule a date and time to talk with you to conduct this very important interview. Our meeting should last about an hour. When can we schedule your interview?

Name of Organization:	_____	Industry Type:	_____
Date of Confirmation Call:	_____	Interview Date:	_____

Thank you for scheduling time to provide your input on this very important study. To learn more about the State’s disparity study, we invite you to visit [DE\\_Disparity\\_Study@Delaware.gov](mailto:DE_Disparity_Study@Delaware.gov).

Date of Interview \_\_\_\_\_

Interviewer's Name \_\_\_\_\_

Interviewee Information	
Organization Name	
Interviewee Name	
Interviewee Title	
Interviewee Phone #	
Interviewee Email	
Type of Organization	

1. Please describe your organizations mission and strategic objectives.
2. How would you describe the economic state of minority- and women-owned firms in the State?
  - a. Are you seeing any trends in business growth or decline?
  - b. If so, what is happening?
3. Does your organization provide professional or business development program or services for your members that addresses industry best practices, economic growth, business sustainability, etc.
4. Does your organization have a working relationship or partnership with the State? For example, work together to host events or share information, staff are members, etc.
  - a. If so, how do you work with the State?
  - b. Which department(s) do you work with? (this includes any committees, councils, etc.)
5. [IF NON-MWBE ORG] Does your organization recruit minority- and women-owned businesses as a part of your membership campaigns?
  - a. If so, what would you say is the percentage of members that are minority- or women-owned businesses?

- b. Does this include person with disabilities, LGBT and veteran owned businesses?
6. Does your organization recognize or identify LGBT-, veteran- and/or disabled-owned and operated firms?
7. In the industry your organization represents, what barriers are there to entry into self-employment?
  - a. Are the barriers different for firms that are owned by minorities or women than for firms owned by non-minorities?
8. In the industry your organization represents, what barriers are there to entry into self-employment?
  - a. Are the barriers different for firms that are owned by minorities or women than for firms owned by non-minorities?
  - b. What about LGBT-, veteran- and/or person with disability-owned business enterprises. Do they face the same or different barriers?
9. What do you consider to most interfere with your members ability to do business in the **private sector**? (*Barriers to doing business, such as licensing, "good old boy" network, financing, etc.*)
  - a. What recommendations would you suggest on ways firms may overcome these barriers?
10. Do you feel that minority, and women firms face greater challenges operating their business and being competitive than non-minority firms? (*Receiving and maintaining insurance, bonding, and financing, cost of materials, etc.*)
  - a. Please tell me more about that.
  - b. Would the challenges be different or the same for LGBTBE?
  - c. Do firms owned by people with disabilities face any different challenges?
11. Are you familiar with the M/WBE program administered by the State?
  - a. If so, what is your general knowledge about the program?
  - b. Are you aware of any services offered your members under this program?
  - c. What recommendations do you have for improvement of the M/WBE program?

12. What is your general knowledge about the State's procurement and contracting practices?
  - a. What are some of the most challenging aspects of the contracting practices your member face?
  - b. What recommendations do you have for improvements to the procurement and contracting practices?
13. What barriers do you feel your members face when doing business or trying to do business with the State or their primes?
  - a. What are your recommendations on how firms can overcome these barriers?
  - b. What actions do you think the State can take to minimize barriers?
14. Are there any other issues that you think are important for the study to address? Why is the issue significant?

On behalf of the State, thank you for your participation in this interview. If you would like more information on the Study contact MGT Consulting Group, Mr. Andres Bernal at (850) 386-3191 or email at [abernal@mgtconsulting.com](mailto:abernal@mgtconsulting.com).