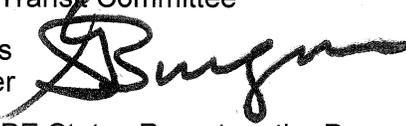


# Memorandum



**Date:** October 10, 2007

**To:** Honorable Chairman Dorrin D. Rolle  
and Members, Transit Committee

**From:** George Burgess  
County Manager 

**Subject:** Invoicing and DBE Status Report on the Program Management Consultant (PMC) Contract

TC  
Agenda Item No. 8C

Attached is a follow-up report responding to questions asked by Board Members at the April 24, 2007 Board of County Commissioners (Board) meeting during consideration of the Program Management Consultant (PMC) contract. The attached PMC Disadvantaged Business Enterprise (DBE) Participation Summary is delineated by category of consultant: prime; non-DBE subconsulting firms; original DBE's; and new DBE's. Actual payments and earned accruals are shown on the PMC DBE Participation Summary, along with their corresponding percentage participation amounts by firm.

From this data, the total invoiced and paid to DBE firms as of September 25, 2007 is \$4,998,515. This represents a 19.5% DBE participation of the total amount paid to all subconsultants. This is an increase in the overall DBE participation of 0.6% over the 18.9% figure reported for last period.

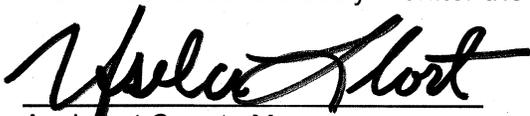
The actual payments discussed above cover services performed up until July 20, 2007. The services performed by the PMC after the July 20, 2007 date total \$2,389,004, of which the DBE participation is \$638,560, or 26.7%. These moneys for services between July 21, 2007 and September 14, 2007 have been earned and part has been invoiced but they have not been paid (they are therefore "accrued"). Once the \$2,389,004 "accrued" is fully invoiced and the \$638,560 paid to the DBEs, then the DBE participation is projected to increase from the current 19.5% to 20.1% overall.

In order to compensate for lower DBE performance levels in 2005 and 2006, the PMC has taken steps in 2007 to increase DBE participation and is achieving near 26% year-to-date. The DBE participation rate continues to increase so the PMC can achieve the 25% contract goal. The most recent bi-weekly labor period showed a participation rate of approximately 30%. The slight shortfall of 0.3% on the target goal of 20.4% for this month was attributable to the same reasons stated in last month's report which relate to the invoice reconciliation processing of the 5% retainage from 2005 and 2006. This favored non-DBE firms more heavily during that period.

For this report we have also reviewed the amounts invoiced by the DBE subconsultants which have not been paid. Since inception the DBE subconsultants have invoiced \$5,207,007 on this project, of which \$4,998,515 has been paid (or about 96%). The difference of \$208,493 is pending payment to DBE subconsultants. Most of these moneys are associated with the 5% retainage for 2005 and 2006. At this time the 5% reconciliation has been completed and it is anticipated that by the end of October 2007 these moneys will have been paid. In addition, the PMC and the County are processing all current invoices on an agreed upon schedule and the PMC is paying all DBE subconsultants within five days of receiving payment from the County.

In order to streamline the invoicing process, MDT and the PMC team have finalized a process map and a schedule which minimizes the time required to process invoices. Additionally, the PMC and the County are processing all current invoices as per this schedule, which includes paying all DBE subconsultants within five days of the PMC receiving payment from the County. As required by the County's Prompt Payment Ordinance, MDT is paying the PMC on a timely basis.

We will continue to closely monitor the PMC in order to ensure that the monthly targets are met.

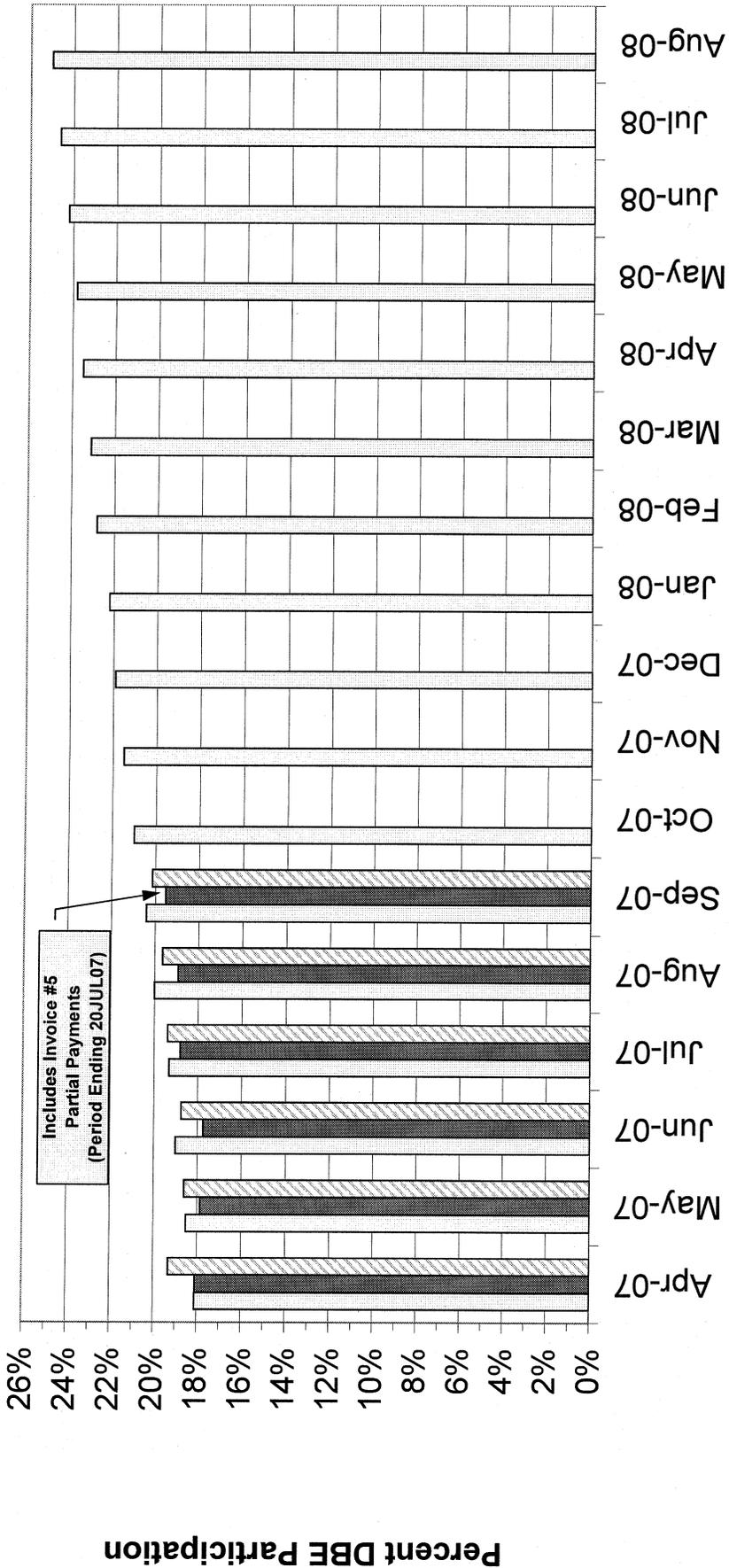
  
Assistant County Manager

PMC DBE Participation Summary

Company	June 2005 PMC Proposal % Goal	Actuals Through 20JUL07		Accruals 21JUL07 to 14SEP07	Actual Paid + Accrued		
		Actual Payments Sep. 25, 2007	Actual Participation %		Cost	Participation %	
<b>Prime Consultant</b>							
Parsons Brinckerhoff	27.0%	\$8,534,587	33.3%	\$589,403	\$9,123,990	24.7%	32.6%
<b>Non-DBE Subconsultants</b>							
AECOM							
DMJM + Harris, Inc.	24.0%	\$27,125	0.1%	\$59,307	\$86,432	2.5%	0.3%
Spillis-Candela & Partners		\$5,160,117	20.1%	\$451,255	\$5,611,372	18.9%	20.0%
Post, Buckley, Schuh & Jerningan	24.0%	\$5,028,017	19.6%	\$29,343	\$29,343	1.2%	0.1%
The Allen Group, LLC	NIC	\$1,812,473	7.1%	\$536,237	\$5,564,254	22.4%	19.9%
Mactec	NIC	\$14,912	0.1%	\$77,025	\$1,889,498	3.2%	6.7%
Transit Systems Consulting	NIC	\$33,938		\$7,875	\$14,912	0.0%	0.1%
<b>Total Non - DBE</b>	<b>75.0%</b>	<b>\$12,076,580</b>	<b>80.3%</b>	<b>\$1,161,042</b>	<b>\$13,237,622</b>	<b>73.3%</b>	<b>79.9%</b>
<b>A2 Group, Inc</b>							
Cardozo Engineering Inc	2.0%						
Carmen Morris & Associates, Inc.	1.0%	\$518,365	2.0%	\$67,679	\$586,044	2.8%	2.1%
EAC Consulting, Inc.	13.0%	\$367,491	1.4%	\$43,439	\$410,930	1.8%	1.5%
Nodarse & Associates	2.0%	\$2,088,236	8.2%	\$335,954	\$2,424,190	14.1%	8.7%
Phillips Consulting Group, Inc.	1.0%	\$4,821	0.0%	\$10,835	\$15,657	0.5%	0.1%
Triangle Associates, Inc	4.0%	\$551,159	2.2%	\$49,727	\$600,886	2.1%	2.1%
<b>Total Original DBE Team</b>		<b>\$3,914,716</b>	<b>15.3%</b>	<b>\$594,056</b>	<b>\$4,508,772</b>	<b>24.9%</b>	<b>16.1%</b>
<b>Acumen</b>							
Bay Area Economics	NIC	\$368,727	1.4%	\$0	\$368,727	0.0%	1.3%
Bugdall Group	NIC	\$95,504	0.4%		\$95,504	0.0%	0.3%
Dickey & Associates	NIC			\$1,813	\$1,813	0.1%	0.0%
Dovetail Consulting	NIC	\$281,413	1.1%	\$21,649	\$303,062	0.9%	1.1%
nMomentum	NIC	\$292,677	1.1%	\$21,043	\$313,720	0.9%	1.1%
<b>Total New DBE Firms</b>		<b>\$1,083,798</b>	<b>4.1%</b>	<b>\$44,504</b>	<b>\$1,128,302</b>	<b>1.9%</b>	<b>4.0%</b>
<b>Total DBE</b>	<b>25.0%</b>	<b>\$4,998,515</b>	<b>19.5%</b>	<b>\$638,560</b>	<b>\$5,637,074</b>	<b>26.7%</b>	<b>20.1%</b>
<b>TOTAL ALL PMC</b>	<b>100%</b>	<b>\$25,609,682</b>	<b>100%</b>	<b>\$2,389,004</b>	<b>\$27,998,686</b>	<b>100%</b>	<b>100%</b>

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# DBE Participation CUMULATIVE GOAL FORECAST



	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08
□ Target	18.1%	18.5%	19.0%	19.3%	20.0%	20.4%	21.0%	21.5%	21.9%	22.2%	22.8%	23.1%	23.5%	23.8%	24.2%	24.6%	25.0%
■ Invoiced and Paid to DBE	18.1%	17.9%	17.7%	18.8%	18.9%	19.5%											
▨ Inv. And Paid Plus Committed To DBEs	19.3%	18.6%	18.7%	19.4%	19.6%	20.1%											

Note: Actual Compliance based on payments made and received per PBIS.