

PennDOT Mentor-Protégé Program

Annual Report 2023

Executive Summary

PennDOT has been diligently working to develop its Mentor-Protégé Program (MPP), which was created to address findings of the 2018 Disparity Study. The Study identified underutilization of Disadvantaged Business Enterprises (DBEs), particularly Black American-owned businesses, in the transportation industry. In 2023, PennDOT made further progress in providing opportunities for new and underutilized DBEs as shown in the Program by the Numbers graphic.



The MPP team, which includes representation from PennDOT, DBEs, underutilized DBEs, American Council of Engineering Companies of Pennsylvania (ACEC/PA), and Associated Pennsylvania Constructors (APC), provides insight on further advancing MPP. An implementation priority is to support new and underutilized DBEs in becoming willing, able, and ready business partners for prime consultants and contractors through training and technical assistance provided by the MPP Supportive Services Center.

PennDOT assists new and underutilized DBEs in their efforts to be selected on agreements and contracts. To date, 20 MPP-advertised consultant agreements have included an underutilized DBE receiving mentoring from consultants familiar with PennDOT's business processes. Additionally, the MPP has benefited 19 DBEs not designated as underutilized that are part of these agreements. The metrics and tracking in this report are focused on those DBE firms formally participating in the MPP.

In addition to the work being performed on existing MPP projects, PennDOT is exploring opportunities in **Bridge and Construction Inspection Pre-Apprenticeship and Apprenticeship Programs, Bridge Inspection, Construction Inspection, Contractor Flagging**, and **Railroad Protection Services**. The MPP team will continue to address challenges identified in outreach initiatives, including construction prequalification, commercially useful function (CUF), startup costs, contractor prime and sub relationships, PennDOT as a business partner, invoicing and certifications, and informal mentoring.

Following Federal Highway Administration (FHWA) and United States Department of Transportation (USDOT) leadership, PennDOT is developing a workforce development program aligned with the Bipartisan Infrastructure Law (BIL) and the American Workforce Recovery Act. PennDOT will also integrate Governor Shapiro's Executive Order for the Commonwealth Workforce Transformation Program (CWTP) by investing federal funding in workforce development over the next five years.

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Program Description and Purpose

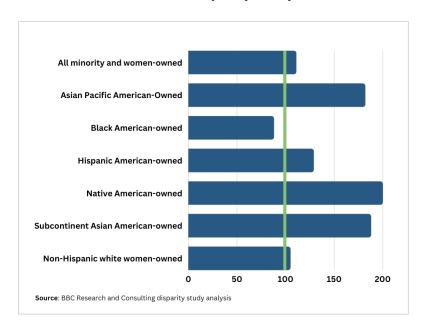


Initial Development of the program began with a thorough investigation of other states' programs and their successes and challenges. PennDOT spoke with program and department officials from Caltrans, Minnesota DOT, Virginia DOT, Wisconsin DOT, the Illinois Tollway, among others. PennDOT was able to gain significant insight into program structures, incentives, and outcome measurement and has used that information to create their program framework. Combining program elements has allowed PennDOT to avoid some pitfalls that other states experienced, and to develop and improve the rollout efforts.

The demographic issues identified in the 2018 Disparity Study are not unique to Pennsylvania. Minority representation among consulting and contractor firms is severely lacking, particularly among Black Americanowned businesses. This group had a disparity index of 88 which indicates that Black American-owned businesses received approximately \$0.88 for every one dollar that they might be expected to receive based on their availability for prime contracts and subcontracts that PennDOT awarded during the Study period.

The MPP assists Black American-owned businesses in their efforts to be selected on agreements and contracts. A concerted effort to recruit and support new and underutilized DBEs has been initiated to address this disparity, particularly when substantial increases in funding for infrastructure projects is available. The next Disparity Study is underway and is anticipated to be published in the summer of 2024. It will provide further insights to guide understanding and future advancements of the Mentor-Protégé Program.

Disparities Among Minority GroupsIn 2018 Disparity Study



Program Description and Purpose

PennDOT developed the MPP using state funds as a result of its Disparity Study. PennDOT continues to work with FHWA on the development of a DBE mentor-protégé program that will be eligible to utilize federal funds.

PennDOT Program Goals*

Consultants			Contractors		
Increase number of PennDOT agreements advertised with MPP teaming option	Increase number of protégé firms participating	Increase total dollars invoiced by protégé firms	Increase in Black American-owned and new DBEs	Increase number of protégé firms participating	Increase the number of DBEs receiving work on PennDOT projects
Increase number of DBEs utilized on a contract	Increase number of DBE consultants who participate that request NAICS code expansions	Positive Annual Mentor Protégé Survey Results	Increase the number of pre- qualification codes attained by each DBE	Increase number of DBE contractors who participate that request additional NAICS codes	Increase number of DBEs utilized on a contract
*These were the initial MPP goals for consultants and contractors. They are being refined as part of the 2024-2026 Strategic Plan.			Pre- and Post- Program Survey of DBEs	Increase contract dollars awarded to protégé DBEs	Positive Annual Mentor Protégé Survey Results

PennDOT has designed a program that encourages mentor firms to share knowledge with protégés; produce meaningful experiences to help protégé firms participate fully in the industry; and provide training and development opportunities to new members of the transportation industry. The program is jointly led by PennDOT's Bureau of Equal Opportunity and Highway Administration Deputate, the PennDOT organization that initiates and awards projects. PennDOT's administration of the program is supported by a team of consultants.

Program Description and Purpose

PennDOT provides supportive services to DBEs to prepare them to succeed as consultants and contractors.

The diagram to the right displays the systematic process for DBEs, from cultivating interest and opportunities through ultimately being selected for contracts.

PennDOT is committed to assisting new and underutilized DBEs as they progress through the tiers of willing, able, ready, and contracted.

The progression of how firms move through the process is described below.



Tier 1 (Willing)

This entry level assists willing DBE consultants and contractors in registering as business partners in the Engineering and Construction Management System (ECMS).

Tier 2 (Able)

The next level of participation assists DBE consultants and contractors in becoming able teaming partners.

For **consultants**, this tier entails becoming qualified by submitting the annual consultant qualifications package including company resumes, projects, and quality plans. Importantly, an overhead rate must be developed and submitted for PennDOT approval.

For **contractors**, this tier entails obtaining prequalification codes and navigating ECMS to find projects, see bid results, and identify prime contractors as potential mentors.

Tier 3 (Ready)

At this level, DBE consultants and contractors are ready to work and available for open opportunities with potential mentors. This tier is about building connections between protégé firms and prospective mentor firms.

Tier 4 (Contracted)

This level identifies protégé firms that are part of teams contracted for projects.

These tiers are used in the following section to track metrics specifically for underutilized DBEs.

Recap of Activities in 2023

Analysis of Underutilized DBEs

(As of December 2023)

To better understand progress to date, metrics were tracked for each tier. These metrics will be used as benchmarks in future years to measure the success of underutilized DBEs entering into consultant agreements and construction contracts.

Consultants					
Tier Description Count Opportunity and Appro		Opportunity and Approach			
MPP Candidates	PAUCP, firms from PA & surrounding states*	284	Underutilized consultants available to potentially work for PennDOT.		
Tier 1	Willing	59	Became an ECMS Registered Business Partner.		
Tier 2	Able, Part 1	17	Current Consultant Qualification Package in ECMS.		
	Able, Part 2	9	Current approved overhead rate in ECMS.		
Tier 3	Ready, prepared to partner on a team	9	Have both current approved overhead rate and Consultant Qualification Package in ECMS.		
	Proposed on a team	7	Since first MPP Selection in November 2022.		
Tier 4	Contracted	7	Have been selected for at least one agreement.		

Contractors				
Tier	Tier Description		Opportunity and Approach	
MPP Candidates	PAUCP, firms from PA & surrounding states*	78	Underutilized contractors available to potentially work for PennDOT.	
Tier 1	Willing	16	Became an ECMS Registered Business Partner.	
	Able, Qualified Prime Contractors	2	Prequalification Codes approved - Prime	
Tier 2	Able, Qualified Sub Contractor	5	Prequalification Codes approved - Sub	
	Able, Approved, Service	9	Prequalification Codes approved - Service	
	Ready, Qualified Prime Contractors	2	Prequalification Codes approved - Prime	
Tier 3	Ready, Qualified Sub Contractor	5	Prequalification Codes approved - Sub	
	Ready, Approved, Service	9	Prequalification Codes approved - Service	
Tier 4	Contracted	2	On successful contractor's team.	

Note: UCP stands for Unified Certification Program. *Surrounding states are OH, NY, NJ, DE, DC, MD, VA

Recap of Activities in 2023

PennDOT realizes that to increase participation from new, qualified DBE consultants and contractors, it must make fundamental changes in the methods for promoting DBE participation.

PennDOT has engaged both the consulting and contracting communities and their representative professional associations to develop and implement the MPP. ACEC/PA and APC have taken leading roles in the research and development of the program and are primary conduits for recruiting both mentor and protégé firms. PennDOT has participated in multiple events to educate the industry and roll out the program. These events are described in more detail below.

MPP Conference for Contractor Firms – District 6-0

The first-ever MPP Conference for Contractor Firms was held in PennDOT District 6-0 in June and drew over 50 attendees. Daryl St. Clair (Special Assistant to the Deputy Secretary for Highway Administration), Harold Windisch (Assistant District Executive -Construction), Matt Weaver (Contractor Evaluations Engineer), Kyron Robinson (ProRank), and Bob Latham (APC) kicked off the event, encouraging contractors to cultivate and strengthen relationships. A speed relationship-building session was conducted for prime firms and subcontractors to connect. Participants discussed and compiled ECMS work class codes for protégé firms to include in their resumes.



MPP Conference for Contractor Firms - District 6-0

ACEC/PA Infrastructure Conference



The ACEC/PA Infrastructure Conference, held in Harrisburg in September, brought together key government officials, legislators, and industry professionals.

Daryl St. Clair presented an update on progress, including an overview of the agreements awarded to date

and a list of underutilized firms that are qualified and ready to work. He laid out quick-strike opportunities, short-term and long-term initiatives, and fielded questions from an engaged community.

Recap of Activities in 2023

APC/PennDOT/PA Turnpike Fall Seminar



The APC/PennDOT/PA Turnpike Fall Seminar held in Hershey included a panel discussion on Transportation Quality Initiative (TQI) Workforce Development. Mentors and protégés celebrated the program's success to date while sharing their experiences, lessons learned, and challenges to address. See MPP Spotlight on page 9 highlighting

the connection made between JMT Consulting and Everyone Can Achieve (ECA) at the seminar.

MPP Workshop for Contractor Firms in Western PA

At the MPP Workshop for Contractor Firms in Western PA (Districts 10-0, 11-0, and 12-0), PennDOT Central Office and District representatives along with APC representatives, prime contractors, and DBE contractor firms met at Westmoreland County Community College to discuss opportunities and potential teaming partnerships. Speedrelationship building sessions were also conducted. Participants generated quick-strike action items to be addressed in 2024. These included defining provisional pregualification and conditional pregualification, as well as outlining what prime contractors are seeking from DBE contractors. In closing the session, Robert Fulton and Debra Allen from the Bureau of Equal Opportunity fielded questions from the audience.



MPP Workshop for Contractor Firms in Western PA

Events and Outreach

Events hosted or participated in by MPP in 2023 included: Paths to PennDOT Workshops

February & May APC Spring Conference April

MPP Conference for Contractor Firms - PennDOT District 6-0 June

ACEC/PA Infrastructure Conference

September

Allegheny County Department of Equity and Inclusion Open House

(PennDOT Discussion) September

MPP Workshop for Contractor Firms in Western PA (Districts 10-0, 11-0, 12-0) October

DBE & Small Business Resource Night October

Infrastructure Public Works Mixer October

Black Contractors Coalition October

DelDOT DBE Small Business Summit November

APC Fall Seminar November **Enterprise Center** November

ProRank Online Events Ongoing

ProRank One-on-One Sessions Ongoing

Accomplishments



2023 TQI Diversity Award Presentation

At the APC/PennDOT/PA Turnpike Fall Seminar, PennDOT and Pennoni were awarded the TQI Diversity Award. This award recognized their efforts in supporting the Mentor-Protégé Program, which directly addressed the 2018 Disparity Study findings.

The MPP increased diversity and participation in the Disadvantaged Business Enterprise (DBE) Program through outreach, education, and increased opportunities for protégé companies.

MPP Supportive Services Center

The MPP Supportive Services Center, managed by ProRank Business Solutions, LLC, continued to provide services to help new and underutilized DBEs succeed. Over 50 sessions were held in 2023 to provide updates and answer questions for new and underutilized DBEs. These sessions included informative presentations by PennDOT leadership and technical experts.

The MPP Supportive Services Center provided additional support through videos, one-on-one technical assistance, and virtual meetings. These activities served multiple purposes: spreading awareness about the program, helping firms progress through the tiers of doing business with PennDOT, educating firms on processes, and providing updates



on progress to date. This progress was noted in announcements made regarding awarded and upcoming projects. Based on feedback at the ACEC/PA and APC conferences, various updates were made to the ProRank Academy platform to accommodate paperless tracking and virtual pairing of mentors and protégés for the MPP.

US 222 Limited Access Roadway



In 2023, underutilized firms were contracted for four projects that did not even include MPP language in the advertisement. For example, PennDOT District 8-0 advertised a design agreement for \$15M for the

reconstruction of US 222 limited access roadway in Lancaster County. The project has an estimated construction cost of \$70M. The team that won the design contract included an underutilized DBE. This accomplishment underscores the overall objective of the MPP, which is for underutilized DBEs to connect and work with mentor firms as part of PennDOT's project delivery.

2023 MPP Spotlight

Everyone Can Achieve



The MPP team visited the office of Everyone Can Achieve, a protégé firm, in the fall of 2023. The visit covered a variety of topics relevant to protégé firms' success, including on-the-job training and apprenticeship programs.

ECA's President Earl Cooper highlighted the firm's corporate social commitments, including hiring in neglected communities and its path-tohomeownership program for ECA employees. The visit included a tour of the community.

Everyone Can Achieve, Tour of Community

Building on its Tier 3 contractor status, ECA expanded its services into the consultant arena and qualified as a Tier 3 consultant to perform construction inspection.

Earl Cooper met Steve Grassetti from JMT Consulting at the APC Fall Seminar. This connection resulted in an informal (non-project based) MPP relationship in which ECA is now pursuing construction-inspection agreements. Working closely with JMT, ECA is prepared to provide construction inspection services for PennDOT projects.



certificate for construction inspection



ECA owners Earl and Katherine Cooper presenting Frederick Canteen with a training

ECA secured a field Safe Harbor Overhead Rate and trained four employees in construction inspection, including participating in 12 TA-TCI training modules.

TA: Technical Assistant TCI: Transportation Construction Inspectors

Identified Challenges

Challenge	Description	
Construction Prequalification	Based on discussions with the contracting industry and further clarifications at a contractor MPP session, it was determined that identifying the steps in an easy-to-understand process-flow chart and providing corresponding information that explains the steps, would be helpful to everyone. It has potential to greatly improve the use of MPP contractors by possibly eliminating the risk that they would not receive conditional approval prior to any bid. DBEs with expired work codes are removed from ECMS ready-to-work status every two years. Unfortunately, DBEs did not complete their ECMS user profiles correctly, and therefore do not receive the emailed renewal notices. This issue adversely impacts new and underutilized DBE contractors, many of whom don't work with PennDOT within the first two years of being prequalified and unknowingly are no longer visible to subcontract.	
Commercially Useful Function	Based on events in the early 2000s, contractors and consultants (albeit to a lesser extent) have been concerned about financial and legal risks. The industry's lack of clarity surrounding CUF understanding has unintentionally created challenges.	
Startup Costs	The need to outlay capital or open lines of credit for contractors to obtain equipment and materials is a significant challenge with starting a company.	
Training	The cost of training new and underutilized DBE consultant staff to meet PennDOT requirements specified in project advertisements is a significant challenge.	
	Additionally, some of the training prerequisites included in project advertisements are offered only periodically. This can be difficult for firms attempting to propose employees that have completed the necessary training and completed associated requirements.	
Contractor Prime and	The MPP program has held or promoted many events to increase interaction between PennDOT consultants and contractors with prospective new and underutilized DBE subs.	
Sub Relationships	While progress has been made, it takes time to cultivate effective working relationships. A continued effort needs to be made to develop long-term partnerships that result in future work.	

Identified Challenges

Challenge	Description
PennDOT as a Business Partner	Between PennDOT's existing transportation program and the recent expansion of funding resulting from BIL, more communication and outreach could be developed to encourage and promote new and underutilized DBEs to pursue PennDOT work.
Invoicing	PennDOT's objective is to pay contractors and consultants on a timely basis. Cash flow is key for all businesses and can be critical for new and underutilized DBEs to operate on a day-to-day basis. Enhanced communication between subs and primes could improve the timeliness of invoice submissions by subs aligned with primes' invoicing cadences. The same is also true for subcontractors and prime contractors with estimated payments. Additional training, including one-on-one YouTube videos or presentations via Teams will be further pursued.
Certifications	New and underutilized DBEs may not be familiar with the process associated with certified payrolls. Without accurate certified payrolls, firms cannot receive payment. By training firms on the process and common errors and issues, PennDOT can provide the training tools for new and underutilized DBEs to submit accurate and complete certified payrolls. Additional training, including one-on-on YouTube videos or presentations via Teams will be further pursued.
Informal Mentoring	There has been limited focus among firms to mentor protégés outside formal ECMS contracts or agreements. Informal mentoring efforts would further support the development of new and underutilized businesses ready to serve on additional projects.

Opportunities for Continuous Improvement

Opportunity	Description
MPP connectivity is not "one size fits all"	People interact with training content and learn in varied ways. Web-based platforms, workshops, one-on-ones, YouTube videos, and online training are all necessary to align with different learning styles.
A longer term for a Safe Harbor Overhead Rate is needed	A Safe Harbor Overhead Rate provides the opportunity for a firm to accept an overhead rate without having to bear the expense of hiring an accounting firm to develop an initial rate. The accounting costs for securing an overhead rate can be more than \$10,000 without guaranteed cash flow or contracts. Therefore, a Safe Harbor Overhead Rate for five years provides additional time for new and underutilized firms to secure work and establish steady cash flow.
Updated MPP Workplan and MOU is needed	For each project, the mentor and protégé firms enter into a Memorandum of Understanding (MOU), to confirm the commitment to work together on the project, specify the work to be performed, establish a development plan, and agree to confidentiality terms. In addition, they also complete a workplan together outlining the anticipated deliverables and interaction during the project. Updated MOU and Workplan documents will help to improve the monitoring the transfer of knowledge, skills, and abilities.
Process for contacting inactive underutilized DBE contractors is needed	By reviewing a list of underutilized DBEs with expired work codes and creating a program to fast-track the renewal of those work codes, PennDOT could potentially increase both MPP and ECMS contractor availability of underutilized DBEs.

The Road Ahead

In 2024, PennDOT will continue to build on the momentum gained by implementing additional initiatives.

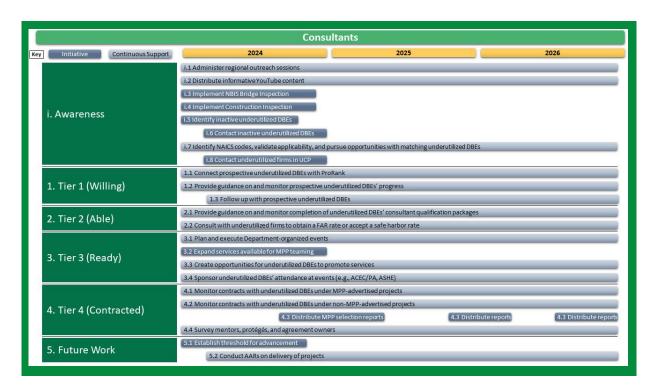
The following areas will be more fully developed in 2024 and beyond:

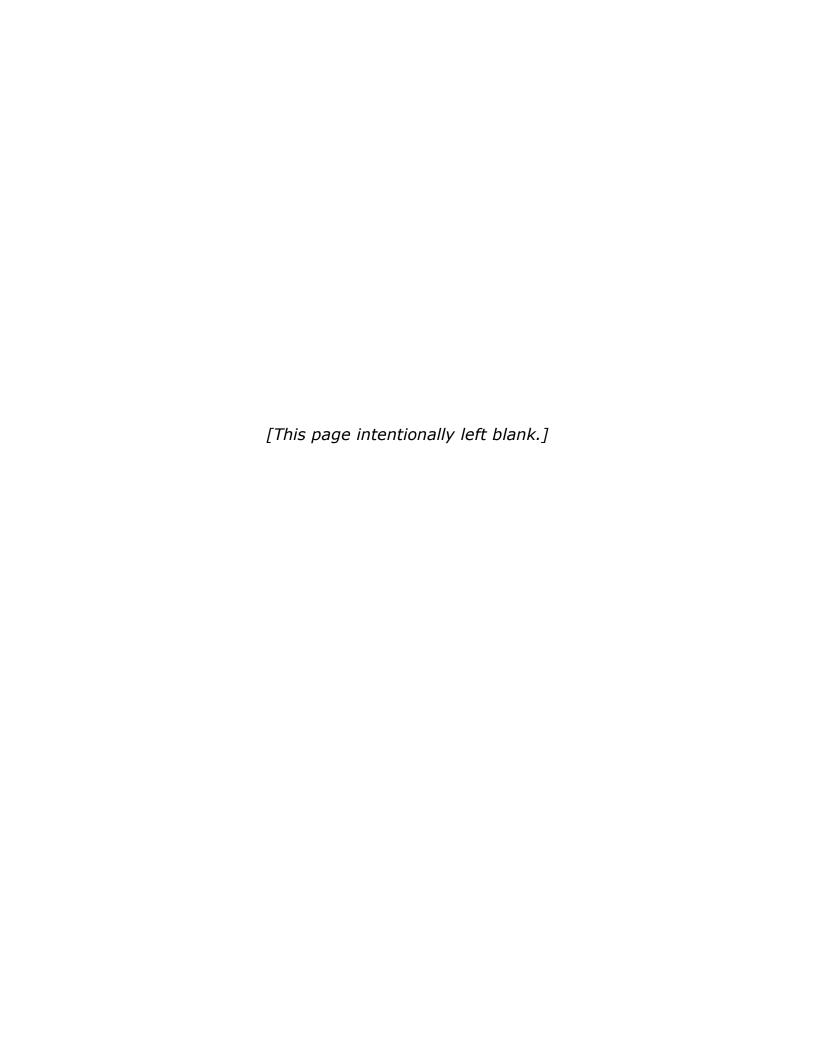
- MPP District Guide This document will outline contract/agreement administration including monitoring the development of underutilized DBE firms.
- *Mentor-Protégé Consultants* This will offer guidance and personal interaction between mentors, protégés, and PennDOT in forums that encourage connections.
- Promote MPP Speakers at American Society of Highway Engineers (ASHE) Invite Daryl St. Clair to speak at ASHE functions.
- Informal (non-project based) MPP relationships.

In addition, the topic of Mentor-Protégé was accepted by PennDOT's Executive Leadership Development Program (ELDP). The team will develop ideas for consideration and, as appropriate, aid in rolling out MPP to the Districts.

2024-2026 MPP Strategic Plan

PennDOT developed a strategic plan which outlines initiatives and continuous support for 2024-2026. The plan includes a schedule to address challenges and capitalize on opportunities. It will serve as the basis for year-end reporting moving forward.





Appendix



MPP Projects to Date

Consultants

ECMS#	District	Selection Meeting Date	Project Title	Prime Consultant	DBE Protégé ¹ (Firm Name)
E05581	1	2/8/23	Crawford County, SR 6-B08 & SR 8-B01	Erdman, Anthony, Associates, Inc.	A&A Consultants, Inc. ^U
E05728	2	8/9/23	SR 1011, Section A04, bridge replacement, Browns Run, Cooper Township, Clearfield County	Gannett Fleming, Inc.	Cosmos Technologies, Inc. ^U
E05601	5	4/12/23	I-80 Bridge Improvements	HDR Engineering, Inc.	SCI-TEK Consultants, Inc. ^U
E05602	5	4/12/23	I-380 Bridge Improvements	TranSystems Corporation d/b/a TranSystems Corporation Consultants	A&A Consultants, Inc. ^U
E05615	6	8/9/23	DeKalb St Corridor Improvement Project	Dawood Engineering, Inc.	Excelsior Engineering Services, P.C. ^U
E05647	6	11/8/23	W Bridge Street o/Trib Delaware River	TranSystems Corporation d/b/a TranSystems Corporation Consultants	A&A Consultants, Inc. ^U
E05369	8	5/10/23	(Elizabethville Bridges) SR 209/1007	Gannett Fleming, Inc.	A&A Consultants, Inc. ^U
E05375	8	5/10/23	Lebanon County Bridges (East), SR 2019/501	MS Consultants, Inc.	GEO-Mechanics ^U
E05710	8	9/13/23	US RT 222 Reconstruction 2	KCI Technologies, Inc.	A&A Consultants, Inc. ^U
E04308	10	1/11/23	US 422 structures over Old US 119, Buffalo and Pittsburgh RR. Indiana County	SAI Consulting Engineers, Inc.	A&A Consultants, Inc. ^U

¹The sequencing of agreement awards does not apply to Black American-owned businesses, as the 2018 Disparity Study indicated that Black American-owned businesses were underutilized.

^UUnderutilized firm

MPP Projects to Date

ECMS#		Selection Meeting Date	Project Title	Prime Consultant	DBE Protégé (Firm Name)
E05550	10	1/11/23	Bridge Rehabilitation/ Replacement	Michael Baker International, Inc.	Monaloh Basin Engineers
E05686	11	7/12/23	SR 400, Section A49, Bigelow Boulevard, the City of Pittsburgh, Allegheny County	Gannett Fleming, Inc.	John J. Clark & Associates ^U SCI-TEK Consultants, Inc. ^U
E05560	12	5/10/23	District 12 Bridge Group 2022-2	Fisher Associates, P.E., L.S., L.A., D.P.C.	A&A Consultants, Inc. ^U
E05561	12	5/10/23	Group Bridges PA 519 over Bridge Chartiers Run: PA 88 over Peters Creek	Michael Baker International, Inc.	A&A Consultants, Inc. ^U
E05763	State- wide	8/2/23	Open end with focus on Mentor Protégé	Gannett Fleming, Inc.	Cosmos Technologies, Inc. ^U
E05867	State- wide	11/8/23	Open end with focus on Workforce Development	CDR Maguire Inc.	ALROWS, LLC ^U 3N Consulting Services, LLC ^U
E05455	3	11/9/22	SR 11-170 substructure repairs on the West Branch Susquehanna Bridge	STV Incorporated	The Azalea Group, LLC
E05459	3	12/14/22	Bridge replacement on SR 3002 over Ladds Creek Bradford County	Fisher Associates, P.E., L.S., L.A., D.P.C.	SCI-TEK Consultants, Inc. ^U
E05416	4	11/9/22	SR 2008 section 350 and 1061 Section 370 Espy Run	Dewberry Engineers	SCI-TEK Consultants, Inc. ^U
E05528	4	11/9/22	SR 3040 Sec. D50 and 3018 Section 352 Tributary to Nescopeck Creek	Labella Associates, P.C.	Cosmos Technologies, Inc. ^U
E05522	9	12/14/22	Miller Run Bridge	SPK Engineering Inc.	A&A Consultants, Inc. ^U
E05519	9	12/14/22	Cambria SR 160 bridge replacement	GAI Consultants	AWK Consulting Engineers, Inc. ^U
E05470	11	12/14/22	SR 2065 Thompson Run Rd & Old William Penn Hwy Bridges	Fisher Associates, P.E., L.S., L.A., D.P.C.	Lexis Group

MPP Projects to Date

Contractors

ECMS	# District	Project Title	Prime Contractor	DBE Protégé (Firm Name)
9349	4 5	I-78 Route 61 Bridge Replacement	JD Eckman	Jilco ^U
11012	9	Black Hills Rd Beaver Dam Crk	Beech Construction, Inc.	Williams Bridge Beam ^U

^UUnderutilized firm

Non-MPP Agreements

Underutilized Firms Selected without MPP Requirements

Since January 2019, six underutilized DBE firms have been selected as part of consultant teams without MPP requirements for a total of 35 non-MPP agreements.

MPP Firm	Non-MPP Agreements
A&A Consultants, Inc.	27
ADS System Safety Consulting, LLC	1
ALROWS, LLC	3
CHPlanning, Ltd.	1
Cosmos Technologies, Inc.	2
Portfolio Associates, Inc.	1
6 Firms	35 Non-MPP Agreements