

CITY OF MINNEAPOLIS

# 2018 Results Minneapolis Department of Civil Rights

MDCR Deep-Dive Topics

- 1.) CID Outreach Efforts
- 2.) CCD Change Order Issues

# 2018 MDCR Results: Deep-Dive #1

## CID Outreach Efforts – Complaints Filed Overview

### Discrimination Reporting Disparities in Minneapolis

- Minneapolis Civil Rights Complaint Investigation (MDCR), Division (CID), and Labor Standards Enforcement Division (LSED) open cases on behalf of residents that being complaints to the division via the intake process which can be completed in person, via mail, or by emailing a completed complaint form to the complaint intake e-mail address.
- Recent studies indicate Minneapolis experiences nationally high rates of disparities involving income, health-care access, housing, and incarceration rates.
- Complaint Investigations Division filed 104 cases in 2015 and 97 in 2016.
- CID's 97 cases in 2016 (Estimated Population 413,651) represents a small fraction (0.02%) of the population.

### 2016 Minneapolis Residents Survey – Discrimination Overview

- 85% of residents claimed they have not experienced discrimination, which indicated a potential 15% of residents who have experienced some form of discrimination. If applied to the 2017 estimated population, approximately 63,349 residents experience discrimination of some form in Minneapolis.
- Pertaining to City services, residents reported the highest discrimination occurrences while interacting with MPD. Following MPD related complaints, the survey recorded interactions with the City relating to housing, traffic control and ticketing, and human resources as most problematic.
- 1 in 4 respondents reported experiencing discrimination in Minneapolis but not from a City service.
- “Very few of those who said they had experienced discrimination in Minneapolis (6%) filed a complaint with the City about the discrimination.” This quote is found on page 59 of the 2016 Minneapolis Residents Survey.

# 2018 MDCR Results: Deep-Dive #1

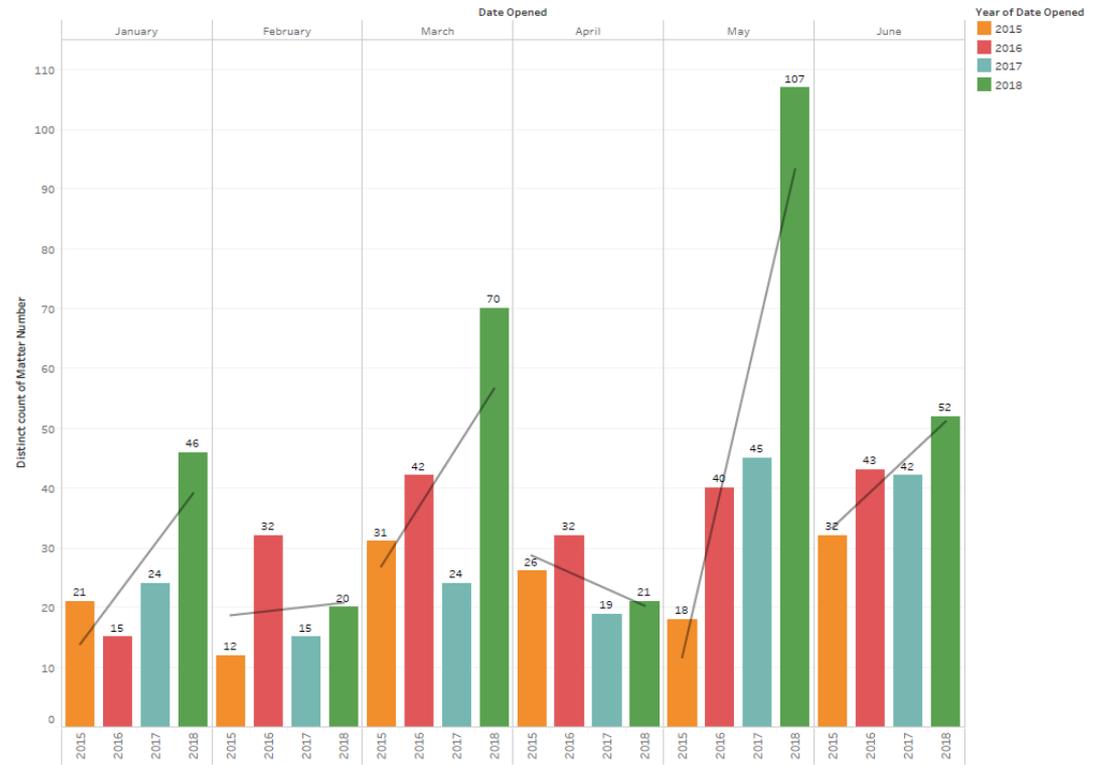
## CID Outreach Efforts – Possible “Know Your Rights” Informational Card Example

- How can CID improve outreach efforts to address under-reporting and would the use of an informational card approach make an impact?
  - For several years, CID has explored outreach education methods to the community in order to ensure that residents are aware of their rights and resources pertaining to discrimination.
  - Available information indicates that underreporting remains a problem for the City and CID is looking for ways to utilize existing resources across the enterprise to reach the largest audience possible. By increasing the base of knowledge pertaining to discrimination against protected classes and the resources available, there will potentially be a corresponding rise in resident complaint filings in cases of discrimination.
  - Following the development and implementation of their wallet sized contact card with information on the police complaint filing process, Civil Rights saw a significant increase in reports made to OPCR . By developing a similar card for CID, we hope to improve accessibility for community members seeking to report discrimination.
  - If a similar tool was adopted by CID, it could involve multiple customized information cards in various languages that are specific to various areas of discrimination protections and providing these cards to the relevant groups and locations to increase resident access.
  - In order to best utilize the tools available, Civil Rights believes that the Office of the Mayor and the City Council can provide critical assistance in identifying collaboration partners and potential areas for trail implementation of new and creative outreach methods.

# 2018 MDCR Results: Deep-Dive #1

## CID Outreach Efforts - OPCR/MPD Yellow Card Example

- In 2017, MPD implemented the use of “Yellow Cards” at the request of OPCR. These cards were meant to provide information to residents regarding their rights related to police interactions.
- Reviewing the six months of comparable data for the two years prior to the card implementation (2015-2016) and two years after (2017-2018), in four of the six months, there is a strong upward trend in the number of complaints filed per month.
- One month has a weak upward trend (February), and April had a moderate downward trend. Complaints filed in 2018 is driving the trend.
- Even in the absence of a specific study on the causality, it appears that MDCR can state that since the OPCR distributed yellow cards (complaint information cards), the number of complaints filed per month on average has increased.



Distinct count of Matter Number for each Date Opened Year broken down by Date Opened Month. Color shows details about Date Opened Year. The view is filtered on Date Opened Year and Date Opened Month. The Date Opened Year filter keeps 2015, 2016, 2017 and 2018. The Date Opened Month filter keeps 6 of 12 members.

# 2018 MDCR Results: Deep-Dive #2

## CCD Change Orders – Overview and Challenges

- In the event City contracts are modified, project managers utilize a “Change-Order” form.
- This process can vary between departments and has issues related to communicating the change across the enterprise.
- When financial modifications are made to contracts, it has a direct impact on the initial inclusion goals set by CCD and can artificially inflate or deflate the final numbers.
- Example: If a specific goal of 10% is set on “Contract A” for \$200,000, \$20,000 is the targeted amount of the project that will be performed by a specific group.
  - If “Contract A” is increased via change order to \$400,000 but CCD is not able to learn of this change, the goal remains at 10% but also is still at \$20,000. However, when the project concludes and CCD learns of the changes, the reported numbers will show a goal of 10% was not met because \$10,000 is only 5% of the projects ultimate \$400,000 allocation.
  - The inverse can also be true if contracts are reduced. If “Contract A” is reduced to \$100,000 and CCD is unable to learn of this change, the existing goal of 10% and \$20,000 would actually mean the contracting party has to meet a goal of 20% on the new contract value of \$100,000 because the \$20,000 valuation was based on 10% of the initial contract value of \$200,000.
- Issues relating to communication of contract change-orders impacts the validity of goals and reporting efforts, can decrease satisfaction when doing business with the City, and can reduce opportunities for inclusion on City projects.

# 2018 MDCR Results: Deep-Dive #2

## CCD Change Orders – Impact of Change-Order Miscommunication

- In 2017, the City had \$2.8 Million worth of change orders that were not reported to Contract Compliance Division (CCD).
- As a result, there was no modification of project goals and no additional intentional effort to include M/WBEs on these projects.
- When CCD does not receive updated amounts from Project Managers or Procurement Division, only the original contract amount and inclusion numbers are reported.

Project closed in 2017	Original Contract Amount	Final Contract Amount	Difference
1	\$ 344,000	\$ 521,813	\$ 177,813
2	\$ 3,286,650	\$ 3,428,796	\$ 142,146
3	\$ 814,900	\$ 978,720	\$ 163,820
4	\$ 3,969,774	\$ 4,961,517	\$ 991,743
5	\$ 2,965,300	\$ 3,064,143	\$ 98,843
6	\$ 826,900	\$ 882,831	\$ 55,931
7	\$ 3,386,621	\$ 3,746,395	\$ 359,774
8	\$ 1,918,430	\$ 2,485,551	\$ 567,121
9	\$ 1,300,000	\$ 1,567,954	\$ 267,954
10	\$ 4,775,000	\$ 4,823,316	\$ 48,316
		<b>Total:</b>	<b>\$ 2,873,461</b>

# 2018 MDCR Results: Deep-Dive #2

## CCD Change Orders – Overview and Challenges

- What can Contract Compliance Division do improve communication and establish itself as a required partner in the processing of appropriate change-orders?
  - Successful projects, especially large dollar value projects, require extensive planning before the actual construction work begins.
  - To maximize equity and inclusion of WBE/MBE businesses as well as minority and women workers, Contract Compliance Division (CCD) should be part of the a department's internal project planning at the earliest stage possible.
  - When CCD's equitable inclusion programs are adopted early in the process, contractors and their subcontractors are far more likely to comply with requirements and achieve goals.
  - City project managers, department personnel, and CCD must work together to identify every opportunity on a project to include WBE/MBE and minority and female workers.
  - CCD has been working with Procurement to ensure that all change orders are shared with CCD by 2019.
  - In July of 2016, City Council and the Mayor approved the policy and procedure for processing change orders and amendments to construction contracts. Included in the changes was the condition that all change orders over \$50k will include CCD in the approval process. While this was a positive step, the actual process remains challenging and highlights the importance of Mayoral and Council support of CCD's role in the procurement and city contracting process.