

Commission on Human Rights

Kentucky Human Rights Commission executive director seeks information on number of female and minority-owned businesses awarded contracts for publically funded improvement projects

Press Release Date: Tuesday, August 21, 2012

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August 8, 2012 – Louisville, KY – John J. Johnson, the Executive Director of the Kentucky Commission on Human Rights (the “Commission”), has requested information from the Kentucky Transportation Cabinet concerning the status of Disadvantaged Business Enterprises (DBEs) in the award of contracts on publically funded improvement projects. A DBE is a small minority- or female-owned disadvantaged business enterprise. Under federal law, state improvement projects which receive federal funding must establish goals for the participation of disadvantaged entrepreneurs.

Specifically, Johnson has sought information as to DBE participation in the Ohio River Bridges Project, the Fort Knox Expansion Project and the Owensboro Downtown Revitalization Project. Combined, Johnson stated that these projects are supported by hundreds of millions of dollars of public funds. As reported by WHAS 11 News on July 22, 2012, “The Ohio River Bridges Project is a \$2.6 billion project that will create two new bridges across the Ohio River in Louisville and a re-design of spaghetti junction” (www.whas11.com/home/Ohio-River-Bridges-Project-moves-forward-163355266.html). The Owensboro Downtown Development Authority provides a “Frequently Asked Questions” document on its website (www.DowntownOwensboro.com/#!downtown-plan-documents) that explains what “the \$79M public investment” will buy for the City of Owensboro. And, in a July 27, 2012, U.S. Department of Transportation News Digest, #85-12, one single component of the Fort Knox Expansion Project -- the replacement of two deteriorating freight rail bridges -- was reported to have a total project cost of over \$14 million (<http://www.dot.gov/affairs/2012/dot8512.html>). Johnson said that in many instances, there have historically been limited efforts, beyond the minimum requirements, to ensure minority participation in such projects.

In a letter to the Office of the Director of the Transportation Cabinet’s Office for Civil Rights & Small Business Development, the Commission’s managing attorney, Keith D. Duerr, requested specific information on DBE participation in each of these projects, including the names of minority- and female-owned DBEs which had been awarded any contracts or subcontracts. In

response, the Cabinet noted that the Ohio Rivers Bridges Project had an eight (8%) percent DBE goal on the Kentucky Downtown Crossing, and that more detailed information would be forthcoming after the final design/build contract is awarded at the end of this year. They further stated that additional information is still being sought with respect to the Fort Knox Expansion and Owensboro Revitalization projects.

Johnson stated at the Commission's regular meeting on August 3, 2012 that the above information has been requested in furtherance of the Commission's statutory function under KRS 344.170 to encourage fair treatment for, to foster mutual understanding and respect among, and to discourage discrimination against any racial or ethnic group or its members. Johnson noted the Commission's interest in the issue, and its anticipation of receiving current data in its ongoing efforts to ensure equal opportunity for all citizens of Kentucky.