

My name is Evalynn Williams. Most people call me Eve. I am the President and CEO of Dikita (pronounced Da Kee' ta) Enterprises, Inc., a family-owned minority consulting engineering and architectural firm headquartered in Dallas, Texas. We will celebrate our 42<sup>nd</sup> year in business this month. In the transit and rail industry, we provide civil rail design, rail program and construction management, and transit market research. We employ 35-45 professionals from diverse nationalities, many whom are woman and/or of a minority classification. My father, Lucious Williams, founded the firm in 1979 in Milwaukee Wisconsin and moved the firm to Dallas, where I was attending college in 1983. I promised him 2 years as his CFO in exchange for paying off my \$5,000 college loan. That was 38 years ago, and we've been partners ever since. Lucious owns 51% of the firm and I own 47%, while my oldest daughter owns 2%.

We offer our services to mainly the governmental sectors, that are federally, state or locally funded. We have two division. Our engineering division provides services to public transit, highways, aviation, public educational institutions, including K-12 and higher education, municipalities for roadway and infrastructure projects. Our transit planning division provides market research to the transit industry. We have worked on multi-billion-dollar projects as well as those under \$100,000. We have worked across the nation providing a variety of services, typically transit market research. We are certified in 19 locations across the nation. Being certified in many areas allow us to participate with different transit and rail properties.

I have a BBA degree in information systems and an MBA in accounting. I serve on several civic boards and have won my share of awards. I am currently a member of COMTO and the American Public Transportation Association (APTA) board of directors. I am also the first African American female to chair APTA's distinguished Business Members Board of Governors. APTA membership includes at least 90% of all public transit organizations in North America and practically every large national commercial firm that does business with public transit authorities.

In 2010, I became President and CEO of Dikita, and my father has remained active as the Chairman of the Board and Director of Government Affairs. Being a female, an African American, and a small business in the construction industry has had many challenges. There are certain systemic stereotypes that are associated with all the classes of categories I've mentioned, but typically they all have one thing in common. There is the general mentality that women and/or African Americans produce inferior work products. These certainly aid to create barriers for successfully contracting and being relevant in the industry. Of all these labels, I think being African American, however, presents the biggest challenge when competing for work.

When we started the business in 1979, minority programs, such as the Minority Business Enterprise (MBE) program was the only way we could get work. Sadly, today that continues to be the main driver. I remember my father applying for certification in 1983 and having to report on paper his recollections of how he was discriminated against. It was one of the many requirements of the long arduous certification process.

I recall how painful it was for him then and how I learned about the awful experiences he had endured. It isn't a typical conversation a father or a man has with his daughter. In the 40's, when my father was younger, he played for the Old Negro Baseball League and played for the Memphis Reds. He explained about being called racial slurs and having to go around to the back to get leftovers from diners. When they were on the road, they were not allowed to go into white-owned establishments or sleep in regular motel beds. He and the team often slept on the bus or in cars. Sometimes, there were Black families who agreed to let him and

his teammates sleep at their houses. Having to explain instances of discrimination during the MBE certification process was an opportunity for me to learn history including the painful parts of racism. I think part of our success today comes from the strength and determination he endured growing up. This is where my children and I get our “can-do, don’t stop, get it done” attitude.

I believe his courage and relentless posture are why we are still standing today. We were the first Black firm to get prime contracts in most of the local federally and state-funded government civil engineering projects in Dallas. Even after 40 years we still make history occasionally being the first African American firm to prime projects in our local Dallas/Fort Worth area. Many of the firms we began with in the early 80s no longer exist for various reasons, but mostly because of the lack of resources, opportunities, and determination to withstand. Today, we are the oldest African American professional engineering firm in North Texas.

I remember, less than a decade ago, we competed for a project from a mid-size transit system in another state. We did our homework, understood the local politics, developed a great team and submitted a winning proposal. The services we offered were part of a niche market and not many companies compete in the transit ridership survey market. We were shortlisted and granted an interview. The day before the interview we practiced with our team until we were perfect. The next day we walked away from the presentation knowing we had won. During negotiations, however, we ran into a problem. While our fee proposal of \$400,000 was acceptable and our references had checked out, along with the previous experience, the procurement officer was not comfortable awarding the project. He asked me for tax returns, financials, and bank credentials. This was not typical. As I gathered this information, I became angry. This was unusual. So, I refused. I called the officer’s boss and explained the situation and how offended I was. When the officer called back his tone had changed. I asked him why he was treating me differently. He told me that he had never awarded such a “large” project to a Black company and he was trying to ensure we were financially able to complete the work. He didn’t realize that his admission was discriminatory. He actually felt that an African American company would not be able to complete the job. Did it bother me? Not really. It was just blatant discrimination. What bothered me most was the “normality” of it all. He was being truthful and ignorant. As an African American, I always know, it just rare that people admit it. The bigger picture was winning the contract and doing a great job.

Being a disadvantage business has certainly helped level the playing field. As the CEO of a 2<sup>nd</sup> generation African American engineering and architectural firm, we would never have sustained had it not been for disparity programs such as the Federal DBE Program. Competition for prime contracts with the US Department of Transportation would be very difficult at best, and out of reach for most minority and women owned businesses (M/WBE) if it was not for the program. Being the proprietors of an African American consulting engineering firm is a rarity, relative to the majority of engineering firms in the US. It is also a rarity among African American owned businesses. We have been able to sustain mostly because of USDOT’s FTA, FAA, and FWHA DBE programs, along with local SBE and MBE programs. I am certain without these initiatives and goals, we would not still be in business, at least not in this industry.

It is almost impossible for DBE firms to compete with large national and international firms. They have the capacity and depth within their workforce and can pull from global office locations. And over the last 15 years, they have gotten even larger, which makes the expansion of the DBE Program is so extremely critical to firms such ours. It provides us with opportunities to join a team as a subconsultant, a prime or joint venture partner, which in turn helps to build financial capacity and workforce resources. It’s because of the DBE program, Dikita had an opportunity to have a leadership role in a joint-venture with a large

majority firm to design and build the last 3 miles of Dallas Area Rapid Transit system (DART) light rail system. Sixty-one percent of contract dollars went to DBE firms. This experience is an example of an agency that is serious about DBE programs. When a system is serious about DBE participation, it encourages larger firms to form associations with smaller firms who ordinarily wouldn't have a chance to "sit at the table". The lessons and the viewpoint when you are a prime of a large rail construction project is much different than the view from the bottom up. It's not business as usual. In fact, it was probably the first time in my life that I had the opportunity to be at the helm of such a large contract and award contracts to so many smaller firms. We had 15 subconsultants, all women or minority-owned. The pride and work ethic of this team was powerful. We saved the agency over \$4 million and DART was able to open for revenue service 2 months ahead of schedule. We all had ownership and we all felt engaged.

This is a great example of how the DBE program can help to grow smaller firms. However, being called "disadvantaged" is not a privilege nor does it sound like a goal that a company would strive to be. The reality is, without the program we would not have a fair chance at competition. Quite frankly, it was embarrassing explaining to my then 22-year-old millennial, why we were considered a disadvantaged business. I can tell you that we had an engaging conversation and a history lesson spun from this exposure. My daughter had no idea of the struggle or the blatant discrimination my father and I experienced over the years. It was then I had the opportunity to recall my experiences, as my father had recalled and disclosed to me some 35 years earlier. Fast forward, it was only a matter of time that she had stories of her own. This is unfortunate because she has witnessed how easy it was for her college buddies to advance to higher positions with salaries that allowed them to live in much better apartments. As an African American, the possibility of advancement is much more of a challenge. However, she has the generational tenacity to forge ahead, especially knowing what's ahead.

As I explained to her, had we not become certified, we would not still be in this business; no matter how well we performed. The positive effects of the DBE program are evident when you look at private vs. public work. We do not compete well in the private sector where the work is typically won by the "good ole boys". In the public sector, large firms contract with us only to the extent that it will help them win the project. If the goal is 25%, then they will typically subcontract only that minimum amount, even though we are a proven entity and have the experience and capacity to handle much larger tasks. And if the goal is 25%, there might be 3 firms sharing that percentage. I've actually had conversations with firms who have admitted that they would not subcontract any work had there not been for a requirement.

The truth is.....if not for the DBE Program, large corporations would not share the work and would self-perform 100% of contract-work. This is very likely in the private sector. And sometimes, I think larger companies really regret having to share government-funded projects. Once, I was a member of a panel discussing the merits of the DBE program. The panel was comprised of industry companies and government agency staff. The audience included suppliers/manufacturers, engineers, consultants, large and small businesses, government staff and others. Each member of the panel discussed their experiences with the program. To my surprise, one panelist of a very large firm openly admitted that if it were not for the DBE program, he would not subcontract to DBE firms. He felt as though there should not be such a program and the entire process was not warranted. He did not see this as discrimination but as his right to contract as he pleased. His remark was hurtful, but not surprising to me. It just further justifies the need for equitable programs to lessen the consequences the past discriminatory practices.

The firms I do business with are typically not as obvious as the ones mentioned above. Case in point. We were going after a project in a small suburban community near Dallas. I found out about the request for proposal because I had very strong relationships in that community. Much of the project was within our

wheelhouse and we felt certain we could successfully propose and win. Since there were parts of the work that others could do better, we reached out to a nationally known local firm that we had worked with in the past. They were not aware of the opportunity. What happened later was shocking but not surprising. In an email thread that was inadvertently sent to me, I read a discussion that went something like this (all names are fictitious and are here to make the conversation easier to understand):

- John informed his boss Ted of XYZ company that I had called about them subcontracting to us to provide service on an upcoming proposal.
- Ted asked about scope and John explained it and thought Dikita and XYZ could do well since they have worked together in the past.
- Ted asked about the minority participation goal.
- John told him that there was no minority goal.
- Ted asked John why they would sub to Dikita.
- John reminded Ted that Dikita was very good at providing these type of specialty services
- Ted told John that XYZ was bigger and to dig into the opportunity.
- When John asked about participating with Dikita, Ted told him that since there was no minority participation, they would just do the project themselves.
- When John questioned Ted again, Ted told him that XYZ was bigger and to reject our offer.
- This is when John sent us an email rejecting our offer and inadvertently included the entire thread.

This kind of conversation among large majority firms is not unusual and is a matter of practice. And often we only suspect or hear about why we were rejected from a third party. However, this was played out in an email and was so painful and disappointing.

These are just a few episodes regarding practices that either keep minority firms small or run them out of business, especially African American firms. It's common knowledge that minority businesses often live month to month unless we have been successful in backfilling our pipelines with future projects. One of the most disheartening feelings is to know that you are only as good as the current project. We have had many relationships with larger firms and have provided excellent service, but it's never quite the excellent services in which you are remembered. We are the token DBE checkbox that fulfilled the requirement. This I say because I have witnessed the less than genuine relationships we have forged. We can perform exceptionally well for many years on a 5-year large project. However, I notice that when that same large firm is going for the exact project-type in another state, they will not invite us to the team. When I've asked about being on the team, the reply is the same, "we needed you in Dallas, we have to use someone else in Houston". When I question why, the answer is always "because you are only useful in Dallas and taking you to other cities or states doesn't help us to win, it's political", even if we are the best in providing the services required. Well, that mentality keeps firms like mine small and confines us to our own neighborhoods. This is sometimes the unintended consequence of the program.

Regarding work on an FRA project, we have had only one. We did do one project with a majority firm about 10 years ago. It was a customer satisfaction survey for AMTRAK. But the fact that FRA does not have a DBE program speaks volumes as to why perhaps we have had only a single opportunity in all of our 42 years. If majority firms were required to fulfill a goal, we would have had the opportunity to participate on a lot more projects because those firms who always get the work would have to share the work. If the USDOT was interested in helping firms of color, it would be natural for the railroad administration to mimic what the aviation, highway, and transit systems are doing to grow firms. Afterall, we want to Buy America or Buy American, but if we do not grow American companies to the point of sustainability, this initiative

will fail. More of America is becoming a melting pot of the races therefore it seems the logical and most direct way to ensure that we are the America for all Americans, we ought to consider ensuring that the playing field is level across all of the USDOT's departments. Not just the well-funded and convenient ones. High Speed rail is coming. America is ready to catch up with the rest of the world. But who's going to build it?

In conclusion, the disparity, and the inequities of our capitalistic society, coupled with the injustices from America's history of discriminatory practices against African Americans specifically, are reasons that DBE program must continue to exist and expand. This program is not a handout, it's a leg up. It forces the big companies and big government to play fairly, and quite frankly without it, we would be out of business at the expiration date of the last contracts in our pipeline. We'd love for the FRA to catch up with FTA, FAA, and FWHA. The services and skillsets we offer FTA funded projects are very much transferable to FRA rail projects.