The Narragansett Bay Commission
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June 29, 2021

The Honorable Evan P. Shanley
Chairperson
House Committee on State Government and Elections
State House
Providence, RI 02903

RE: House Bill 5746 Sub A

Dear Chairperson Shanley and Members of the Committee:

I am writing to convey the Narragansett Bay Commission's (NBC) concerns with House Bill 5746 Sub A.

The NBC supports the policy goals of R.I. Gen. Laws § 37-14.1, *et seq.* which encourage participation and provide opportunity to RI minority business enterprises (MBEs) in the State's procurements and projects. However, despite best efforts many contractors are unable to achieve the participation requirements outlined in the law due to the limited number of qualified MBEs in the State. Specifically, there are a not a sufficient number of MBEs in the State to meet the abundant construction and project demands.

H5746A would have a significant and detrimental impact on construction projects throughout the State. In addition to the limited number of available MBEs in the State, the NBC's projects often require subcontractors with a specific expertise or skill set, thus contributing to the challenges associated with fulfilling the MBE participation requirement. Moreover, the passage of H5746A would make it difficult for contractors to timely complete projects, which would significantly increase costs associated with the same. Furthermore, this bill has the potential to discourage contractors from pursuing bidding opportunities in Rhode Island. To that end, the NBC respectfully opposes House Bill 5746A and urges the Committee to do the same, giving due consideration to the unintended negative consequences H5746A would have on the State of Rhode Island.

Thank you for the opportunity to comment.

Sincerely,

Jennifer J. Harrington, Esq.
General Counsel and Legislative Liaison