



MISSISSIPPI STATE BOARD OF CONTRACTORS

2019-2023

5 YEAR STRATEGIC PLAN





GOVERNOR

Phil Bryant

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Contents

Introduction.....	4
Agency Mission Statement.....	5
Statement of Agency Philosophy.....	6
Relevant Statewide Goals and Benchmarks.....	7
Overview of the Agency 5-Year Strategic Plan.....	8
External/Internal Assessment.....	9
Agency Goals, Objectives, Strategies and Measures by Program.....	10
Summary of Recent Accomplishments.....	15





Introduction

The responsibility for licensing and regulating Mississippi's construction industry belongs to the Mississippi State Board of Contractors. The agency was created by the Legislature in 1952 to protect the public from irresponsible contractors and is funded solely by fees and penalties associated with licensure.

In order to assure Mississippi citizens of competent contractors, the Board requires contractors to meet minimum qualifications and ensures they adhere to all legal requirements and applicable regulations. The Board also promulgates rules and regulations necessary for implementing and enforcing the licensing laws, and disciplining licensees found in violation of the statute.

The Board is comprised of ten members appointed to staggered terms by the Governor. A five-member residential standing committee oversees residential contractors.



Agency Mission Statement

The purpose of the Mississippi State Board of Contractors is to protect the health, safety, and general welfare of all persons dealing with those who are engaged in the vocation of contracting and to afford such persons an effective and practical protection against incompetent, inexperienced, unlawful and fraudulent acts of contractors.

MSBOC's mission is aligned with the mission of Mississippi state government for protecting the safety and well-being of Mississippi's citizens; preserving the dignity of human life; and promoting economic growth and the public good through advancement of properly licensed contractors.



Statement of Agency Philosophy

MSBOC strives to be a model regulatory agency that works to protect the health, safety and welfare of individuals without being overly burdensome to contractors or a deterrent to business. The agency is constantly working to strengthen expertise in the areas of administrative law, regulatory law and rulemaking in order to improve the quality of the construction industry and its licensees and establish greater trust and credibility with the public.

This five-year plan and its implementation reflect the goals and priorities of the agency. The plan identifies specific actions and responsibilities to help MSBOC achieve its mission while addressing evolving challenges in the construction industry.



Relevant Statewide Goals and Benchmarks

The Mississippi State Board of Contractors adopts the following Statewide Goals as applicable to the agency's mission and purpose. Specific agency goals and objectives will provide more detail as to how the agency will contribute to the betterment of Mississippi citizens and communities.

Statewide Goal #1: To protect the public's safety, including providing timely and appropriate responses to emergencies and disasters and to operate a fair and effective system of justice.

Relevant Benchmark #1: Incidence of Violations

Relevant Benchmark #2: Adjudication Proceedings

Relevant Benchmark #3: Emergency Preparedness

Statewide Goal #2: To create an efficient government and an informed and engaged citizenry that helps to address social problems through the payment of taxes, the election of capable leaders at all levels of government, and participates in charitable organizations through contributions and volunteerism.

Relevant Benchmark #1: Cost of Government

Relevant Benchmark #2: Government Efficiency

Relevant Benchmark #3: Engaged Citizenry





Overview

The Mississippi State Board of Contractors values the many positive contributions contractors make to the state. During the strategic planning process, the agency considered the needs and expectations of contractors and consumers. The agency values construction standards that are enforced fairly and equally and ensuring that complaints are resolved in a timely and fair manner.

This 5-year plan will guide the agency to (1) identify opportunities for improvement, (2) analyze thoroughly and fairly each opportunity, and (3) implement changes that will improve services provided to Mississippi contractors and the public.

MSBOC strives to be a model regulatory agency, integrating regulatory efficiency with consumer protection. The agency plans to continue enhancing its ability to meet the needs of the public in several ways such as upgrading information technology and enhancing online services. The agency will continue to utilize various methods to increase contractor outreach including texting alerts, mobile app, social media, e-news distribution and an upgraded agency website to provide services to the public. More importantly, the agency is committed to providing exceptional customer service, fair and efficient licensure, and innovative educational and enforcement programs that promote public and industry confidence.

The agency is committed to ensuring contractors are qualified to provide construction services and remain in compliance with state laws. The agency will continue to work with industry leaders to ensure the Board is meeting the needs of the citizens and the construction industry while continuing to strive for administrative efficiency and cost effectiveness.

In compliance with the “Mississippi Performance Budget and Strategic Planning Act of 1994,” it is the intent of MSBOC that the funds provided shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the agency. Based on the funding authorized, the agency shall make every effort to attain the targeted performance measures described herein.

External/Internal Assessment & Internal Management System

Construction and the regulation thereof can be directly impacted by various external factors such as the economy and the environment. A strong economy has the general effect of raising incomes and encouraging individuals and property owners to expand, move or build. As a result, there are more projects to regulate. A weak economy can have the reverse effect. However, experience has proven that in a downward economy, there may be more instances of unscrupulous contractors attempting to circumvent the licensing laws. Natural disasters such as hurricanes, tornados, floods, hail storms, etc., can also influence construction rates in the same way. The severity of destruction directly affects the amount of building or rebuilding following a disaster. MSBOC must be prepared to cope with these variables. The agency continues to coordinate with state and local agencies and industry officials to ensure compliance with rules and regulations and protect the public from unscrupulous contractors.

The policies and procedures of MSBOC are aligned with all relevant state laws, regulations and policies. Additional policies are implemented as required to provide added control measures. The agency has several automated systems for processing payroll, purchases requests, travel authorizations and other business functions. The agency uses MAGIC and SPAHRS for all financial and payroll transactions. MSBOC continually reviews processes, procedures, policies and systems to determine relevance and value as well as compliance with audit controls. The agency uses the State Personnel Board's Performance Development Systems to evaluate employee performance.





MSBOC PROGRAM AND GOALS

The Mississippi State Board of Contractors protects consumers by licensing and holding contractors accountable for their business practices, and preventing, reducing or eliminating unlicensed activity and unprofessional conduct that poses a threat to public health, safety and welfare. MSBOC's work is carried out through the efforts of the agency's licensure and enforcement program as follows:

LICENSURE: Providing licensing services in a timely and professional manner.

ENFORCEMENT: Promoting consumer protection through the regulatory enforcement process by ensuring construction contractors are properly licensed and qualified to provide construction services.

EDUCATION AND PUBLIC RELATIONS: Promoting and encouraging education of contractors, industry officials, consumers and agency employees.

DISASTER RESPONSE: Supporting consumers and contractors with the rebuilding process following a disaster.

Program 1: Licensure and Enforcement

GOAL A: Provide licensing services in a timely and professional manner.

Objective A.1: Effectively manage the application process to promote and preserve properly licensed contractors.

Outcome: Qualified and licensed professional contractors who possess a minimal level of competence in their field.

Outcome: Satisfied licensees.

A.1.1. Strategy: Analyze methods and options to streamline and simplify the application process to better serve the public.

Output: Number of applications processed

Efficiency: Number of licenses issued.

A.1.2. Strategy: Offer fillable forms online to expedite the licensure process.

Output: Number of forms offered.

Efficiency: Percentage of forms utilized.

Explanatory: Requires website and database improvements to implement.

A.1.3. Strategy: Ensure license exams are up-to-date and consistent with industry best practices.

Output: Number of exams administered.

Efficiency: Percentage of exams taken.

Explanatory: Exams not available for certain construction trades.

Objective A.2: Utilize consumer satisfaction survey to improve services offered.

Outcome: Improved customer service.

Outcome: Satisfied consumers.

A.2.1. Strategy: Develop and distribute consumer satisfaction surveys.

Output: Number of surveys distributed.

Efficiency: Percentage of completed surveys returned.

Goal B: Promote consumer protection through the regulatory enforcement process by ensuring construction contractors are properly licensed and qualified to provide construction services.

Objective B.1: Reduce and prevent unlicensed activity and unprofessional conduct that poses a threat to public safety and threatens legitimate business activity.

Outcome: Public safety.

Outcome: Fair and competitive marketplace.

B.1.1. Strategy: Verify proper licensing credentials at construction sites.

Output: Number of job sites visited.

Efficiency: Percentage of sites visited per year by investigator.

Explanatory: Impact of economic and weather related factors affecting construction projects.

B.1.2. Strategy: Respond to complaints from public in a timely manner.

Output: Number of complaints assigned to investigate.

Efficiency: Percentage of investigations completed.

Efficiency: Length of time to complete investigation.

Efficiency: Length of time from initial filing to adjudication.

Explanatory: Length of time to complete investigation may be affected by factors beyond agency control such as how complicated is the complaint, difficulty in obtaining statements from witnesses, amount of issues involved in the complaint, etc.

GOAL C: Promote and encourage education of contractors, industry officials, consumers and agency employees.

Objective C.1: Expand the number of skilled workers

Outcome: Adequate workforce to meet future needs of the construction industry.

Outcome: Informed consumers and industry officials.

Outcome: Public Safety.

C.1.1. Strategy: Utilize specially appropriated funds for construction education and craft training.

Output: Amount of funds appropriated for construction education and craft training.

Efficiency: Number of students enrolled in construction related programs.

Explanatory: Number of construction related programs offered at qualifying schools and institutions.

Objective C.2: Promote awareness of MSBOC services and the benefits of hiring a licensed contractor.

C.2.1. Strategy: Utilize various forms of media to inform the public.

Output: Number of outreach programs conducted.

Efficiency: Increase in reach of message and decline in unlicensed contractor activity.

GOAL D: Support consumers and contractors with the rebuilding process following a disaster.

Objective D.1: Protect consumers from common scams that occur after a disaster and assist contractors with the licensure process.

Outcome: Informed consumers, contractors and industry officials.

Outcome: Public protection.

D.1.1. Strategy: Utilize various forms of media to warn individuals about unlicensed and fraudulent contractors.

Output: Distribution of informational material.

Efficiency: Decrease in complaints against unlicensed or fraudulent contractors who prey on disaster victims.

Explanatory: Number of severe weather outbreaks.

D.1.2. Strategy: Evaluate protocols for a coordinated disaster response plan with various agencies.

Output: Number of participating agencies.

Efficiency: Percentage of participating agencies.

Explanatory: Availability of local resources to participate.

D.1.3. Strategy: Conduct preparedness drills and exercises.

Output: Number of drills and exercises conducted.

Efficiency: Number of personnel trained.

D.1.4. Strategy: Use public events as a platform to communicate disaster response themes and messages.

Output: Number of events attended by agency personnel.

Efficiency: Average number of contact made per event.



Summary of recent accomplishments

Each year the agency makes it a priority to reflect on accomplishments and challenges and identify trends and issues that warrant attention in the months ahead. The agency worked diligently to meet the demand of contractor licensing, as well as investigate complaints against contractors. Several procedures were evaluated and updated to streamline processes and make for a more efficient agency. Below is a summary of the Board's accomplishments.

(a) Licensure: License applications and renewals remained steady in fiscal year 2017. The agency issued/renewed 6,582 commercial certificates of responsibility while 262 additional classifications of work were added to existing commercial licenses. The agency also issued or renewed 2,769 licenses to contractors performing residential construction or residential remodeling. All applications and forms were reviewed and updated and/or revised where necessary to comply with changes in rules and regulations. The agency incorporated upgrades to the MSBOC database system to make searches more user friendly for staff and the public. The agency continued to utilize the online renewal process making it convenient for contractors to renew their licenses. Staff continued to work with IT to offer additional applications and forms online. The agency continued to accept credit card payments via a swipe terminal for fees associated with new applications, renewals and civil penalties. Staff reviewed and made changes to various classifications of licensure to conform to industry standards. Staff continued training sessions with building officials and other industry professionals throughout the state regarding the licensure process, role of the board, and changes to construction law.

(b) Enforcement: Statewide investigations rose 3% during FY 2017 while collection of fines and penalties rose 34%. The agency's seven investigators visited a total of 6,932 construction sites. The agency collected \$271,321.68 in fines and civil penalties assessed by the Board against contractors after a formal hearing process. The agency continued to use a professional collection agency to pursue collection of outstanding penalties while staff incorporated measures to assist in the collection of said penalties. Staff evaluated the feasibility of developing a program to allow for training in lieu of monetary fines for violations, identified ways to enhance and report data within the department, and partnered with various industry association groups to streamline the reporting of unlicensed

contractors. Upgrades and measures were taken to streamline board meetings and improve the hearing process.

(c) Education and Public Relations: MSBOC utilized funds received from licensure and penalties to distribute \$1,096,240.00 to provide construction education and craft training to ensure a quality workforce for Mississippi's future. \$69,475.00 from residential renewal fees was collected and distributed to the Mississippi Housing Institute to support qualified residential building programs and education. MSBOC also improved the agency's effectiveness and intergovernmental relationships by conducting roundtable discussions and training sessions with members of the industry including building officials, homebuilders, and other construction industry professionals. Board staff participated in a variety of industry events, collaborated with industry experts on community presentations and worked with local and state officials on common interest initiatives. More contractor education courses were added to the list of continuing education courses approved by MSBOC. MSBOC coordinated legislative matters to communicate the Board's interest and mission. Efforts to enhance the visibility of MSBOC and ensure that accurate information is available to the public and industry professionals continues. An infomercial was developed for distribution to various media outlets to advise the public of the licensing requirement and to warn against common scams perpetrated by unlicensed contractors.

(d) Disaster Response: Utilizing proactive measures taken during the previous fiscal years, MSBOC's Disaster Response Team was prepared for and immediately dispatched to areas of the state affected by severe weather and tornadoes to assist consumers and contractors with the rebuilding process. In addition to assisting with the rebuilding process, the agency's hands-on response in affected areas helps protect the public by deterring fraudulent contractors from perpetrating scams that commonly occur after a disaster. MSBOC distributed pamphlets concerning contractor responsibilities and licensing requirements to property owners affected by severe weather. Agency staff participated in panel discussions with other industry officials to address property owners' and contractors' concerns and issues following tornado outbreak. A disaster response infomercial was developed for distribution to various media outlets to advise the public against common scams perpetrated by fraudulent contractors following a disaster. The Disaster Response Team continues to conduct mock disaster response events to further prepare for their role in the aftermath of a disaster.

(e) Administration: The agency balances its role of helping contractors obtain proper licenses with protecting consumers against fraudulent contractors. The agency continued its efforts of improving relationships and promoting cooperation with various construction trade organizations to provide information about contractor responsibility and the

role of the agency. MSBOC continues to lead the nation in timely processing applications for licensure and serves as a model for other states to implement a similar process. MSBOC improved the agency's effectiveness and intergovernmental relationships by conducting training sessions throughout the state for various interest groups including building officials, homebuilders, and other construction industry professionals. In addition to providing education, MSBOC employees and board members received education and training. Staff continued to monitor complaints and trends within the industry as well as update license records. The agency's website was updated with current information citing violators and disciplinary actions taken by the Board. Improvements were made to the search contractor feature on the website to make searches more user friendly for the public. A monthly newsletter was introduced to keep the public better informed. The agency promoted use of its mobile app and mobile texting alerts to keep contractors, consumers and other industry related professionals engaged and informed. Interior improvements were made to provide greater staff protection. The change resulted in a more efficient flow of information. A consumer satisfaction survey was utilized to identify the overall level of satisfaction and pinpoint areas that need improvement. Staff continued cross training in accordance with the agency succession plan to develop the next generation of leadership.



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