



MISSISSIPPI STATE BOARD OF CONTRACTORS

2023-2027

5 YEAR STRATEGIC PLAN





GOVERNOR

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Introduction

The Mississippi legislature established the Mississippi State Board of Contractors in 1952 to protect the public from irresponsible contractors and help ensure construction is performed in a safe, competent, and professional manner. Today, there are over 10,000 licensed contractors performing commercial and residential construction in the state.

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

In order to assure Mississippi citizens of competent construction 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 agency receives and processes applications for new licenses, additional classifications of licensure, changes of license records, insurance coverage and license renewals. Staff reviews and maintains records of disciplinary actions and provides other support services.

Enforcement staff work to curtail the underground economy of unlicensed contracting and ensure compliance with the licensing laws. MSBOC investigators perform construction site visits, complaint investigations and initiate disciplinary actions resulting from investigations.

The agency is funded solely by fees and penalties associated with licensure.

1. 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 pursuant to Miss. Code Ann §31-3-2.

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.

Faulty or substandard construction can cause property damage, financial loss, injury and even death. To protect consumers, Mississippi requires contractors to be licensed. MSBOC sets core requirements, develops and administers tests, and maintains a list of licensed contractors. The agency also investigates and facilitates the resolution of complaints against contractors in Mississippi.



2. Statement of Agency Philosophy

MSBOC strives to be a model regulatory agency that is committed to growing Mississippi's economy while protecting the lives and property of the citizens of Mississippi. The philosophy of the agency is to set a standard of excellence for construction regulation without being overly burdensome to contractors or a deterrent to business. The agency continually works 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. MSBOC is committed to the highest standards of performance in every aspect of our job.

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.



3. 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. MSBOC will assess the impact of state legislation over the next 5 fiscal years with a goal of adopting the appropriate strategies to maximize the effective regulation of the construction industry in the State of Mississippi.

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



4. Overview of the Agency's 5 Year Strategic Plan

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. MSBOC will continue to expand in many areas over the next five years.

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 consumers and contractors working in Mississippi.

MSBOC strives to be a model regulatory agency, integrating regulatory efficiency with consumer protection. The agency continually works to enhance its ability to meet the needs of the public in several ways such as upgrading information technology and improving online services. The agency will continue to utilize various methods to increase contractor outreach including texting alerts, mobile apps, 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 striving 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.



5. External/Internal Assessment & Internal Management System

5.1 External/Internal Assessment: 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. Pandemics can now be added to the list of external factors affecting construction. While many construction jobsites continued to operate amid new safety guidelines and social distancing requirements, COVID-19 presented new challenges for the construction and regulatory industry. MSBOC remains 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.

5.2 Internal Management Systems: MSBOC closely monitors a range of issues affecting the construction industry through participation in the National Association of State Contractor Licensing Authorities and other industry associations. 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, purchase 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 recruitment and retention of professional staff is an important factor in ensuring MSBOC's success. MSBOC has experienced, knowledgeable employees who deliver excellent service to licensees and consumers. The majority of MSBOC's staff have five or more years of experience. The agency uses the State Personnel Board's Performance Development Systems to evaluate employee performance.





6. Agency Goals, Objectives, Strategies and Measures by Program

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 following agency's programs:

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.

6.1 Agency Goals by Program

Program 1: Licensure

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 and confident consumers.

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: Cost per license issued and renewed

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.

Program 2: Enforcement

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

Objective A.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.

A.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.

Efficiency: Percentage of civil penalties collected.

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

A.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 the complaint is, difficulty in obtaining statements from witnesses, amount of issues involved in the complaint, etc.

Program 3: Education and Public Relations

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

Objective A.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.

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

A.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.

Explanatory: Impact of economic factors affecting construction projects.

Program 4: Disaster Response

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

Objective A.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.

A.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.

A.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.

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

Output: Number of drills and exercises conducted.

Efficiency: Number of personnel trained.

A.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 contacts 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 novel coronavirus known as COVID-19 presented new issues and challenges for the agency and the construction industry, which were both deemed “essential” under Executive Order 1463 issued by Mississippi Governor Tate Reeves. Throughout the pandemic, the agency worked diligently to meet the demands of contractor licensing and investigate complaints against contractors. Utilizing strategies outlined in the agency’s strategic plan such as increased jobsite visits and greater public education outreach methods has led to an increase in the total number of licenses and a decrease in consumer complaints. Below is a summary of the Board’s accomplishments.

(a) Licensure: Commercial license applications and renewals increased during fiscal year 2021 while requests for additional classifications of work remained steady. The agency issued/renewed 7,088 commercial certificates of responsibility and 431 additional classifications requests were added to existing commercial licenses. A total of 3,404 residential licenses were issued/renewed and 15 additional classifications were added to existing residential licenses. This represents an overall 2% increase in total licenses. Staff worked diligently with IT to offer additional online services during the pandemic state of emergency. As a result, the agency experienced an overall 12% increase in the use of online services by both commercial and residential contractors. All applications and forms were reviewed and revised where appropriate.

(b) Enforcement: The agency’s seven investigators visited a total of 7,033 construction sites during FY 2021 which is a decrease from FY 2020 and can be attributed to COVID-19 restrictions and the loss of one investigator for the last two quarters of FY 2021. The amount of penalties assessed against violators, rose to \$618,270 compared to \$408,830.40 assessed in FY20. However, it should be noted the agency was forced to cancel all disciplinary hearings for the 4th quarter of FY 2020 as a result of the declared state of emergency shut down issued in response to the pandemic. Overall, the total amount of penalties collected has increased significantly over the past five years with the greatest increase coming from commercial penalties. The increase can be attributed to improved training and enhanced investigative methods. Most notable is the incorporation of AIA Divisions in the Request for Information forms distributed by investigators to general contractors on job sites. A standardized template

was created to use in collecting and reporting data. Incorporating the AIA Divisions in the Request for Information form helps ensure general contractors are reporting all trades employed on a job site. The agency will continue using innovative protocols and procedures to provide enforcement services while complying with new social distancing guidelines and regulations.

(c) Education and Public Relations: In compliance with statutory authority, MSBOC utilized funds received from licensure and penalties to distribute over Two Million Dollars for construction education and craft training programs provided by Mississippi state institutions of higher learning, public community and junior colleges, the Mississippi Construction Education Foundation, and public high schools that participate in the Mississippi Construction Educations Foundation's "school-to-work" program. Nearly Seventy Thousand Dollars from residential renewal fees was collected and distributed to the Mississippi Housing Institute to support qualified residential building programs and education. Pandemic mandated shutdowns affected the agency's traditional training and educational outreach sessions with members of the construction industry including building officials, homebuilders, and other construction professionals. However, the agency utilized the opportunity to develop new publications and marketing tools to communicate the importance and value of choosing licensed contractors and avoiding fraudulent contractors. The outreach methods have proven beneficial in educating consumers about the dangers of hiring unlicensed contractors and common scams perpetrated by fraudulent contractors. More informed consumers equates to less opportunity for fraudulent activity.

(d) Disaster Response: MSBOC's Disaster Response Team was prepared for and immediately dispatched to areas of the state affected by severe weather, flooding and tornadoes to assist consumers and contractors with the rebuilding process. The 2020 hurricane season was the most active hurricane season on record. In addition to the historic flooding and devastating tornadoes that hit the state in early 2020, Mississippi was also affected by Hurricane Zeta in late 2020. In addition to assisting with the rebuilding process, the agency's hands-on response in affected areas helped 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 the severe weather.

(e) Administration: The agency balances its role of helping contractors obtain proper licenses with protecting consumers against fraudulent contractors. MSBOC was deemed an "essential business" and maintained operations during the pandemic related statewide shutdown. MSBOC employees worked alternate schedules and/or alternate locations to continue providing services to the public while complying with new social distancing guidelines. Likewise, the office was retrofitted with appropriate

barriers to protect employees, board members and the public while conducting quarterly business meetings and disciplinary hearings. The agency's website was updated with current information citing violators and disciplinary actions taken by the Board as well as new protocols incorporated as a result of the pandemic. Staff worked closely with IT to maximize the use of available technology and systems to streamline services. MSBOC has led the nation in timely processing applications for licensure and continues to serve as a model for other states to implement a similar process. MSBOC works to improve the agency's effectiveness and intergovernmental relationships by conducting training sessions throughout the state with various interest groups including building officials, homebuilders, and other construction industry professionals. Staff monitors complaints and trends within the industry. Consumer satisfaction surveys are utilized to identify the overall level of satisfaction and pinpoint areas that need improvement. Improvements were made to the agency website to make it more user friendly for the public. The agency used its mobile app, mobile texting alert system, website and newsletter to keep contractors, consumers and other industry related professionals engaged and informed. The agency continued to provide educational opportunities and cross training in accordance with the agency's succession plan to develop the next generation of leadership as well as facilitate the development of expertise in all subject matter areas and provide better, more efficient support to all divisions within the agency. Continuous training keeps the agency moving ahead professionally, maintains productivity and provides quality services to the people of Mississippi.

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