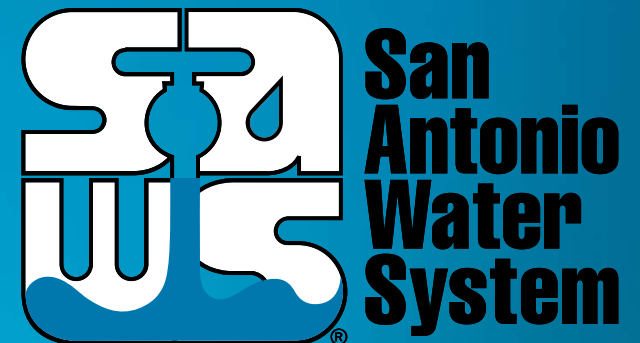


Minority and Woman-Owned Business Enterprise Disparity Study

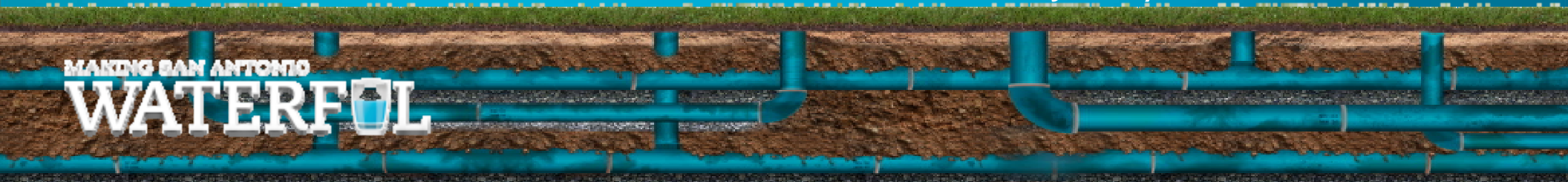
Jonathan Miranda, MSJP
Contract Administrator, SAWS

Marisol V. Robles
SMWVB Program Manager, SAWS



Pre-Proposal Conference
January 17, 2020

MAKING SAN ANTONIO
WATERFUL



Oral Statements

- Oral statements or discussions during this Pre-Proposal Conference will not be binding, nor will they change or affect the RFP or the terms and conditions of the contract. Changes, if any, will be addressed in writing only via an Addendum.

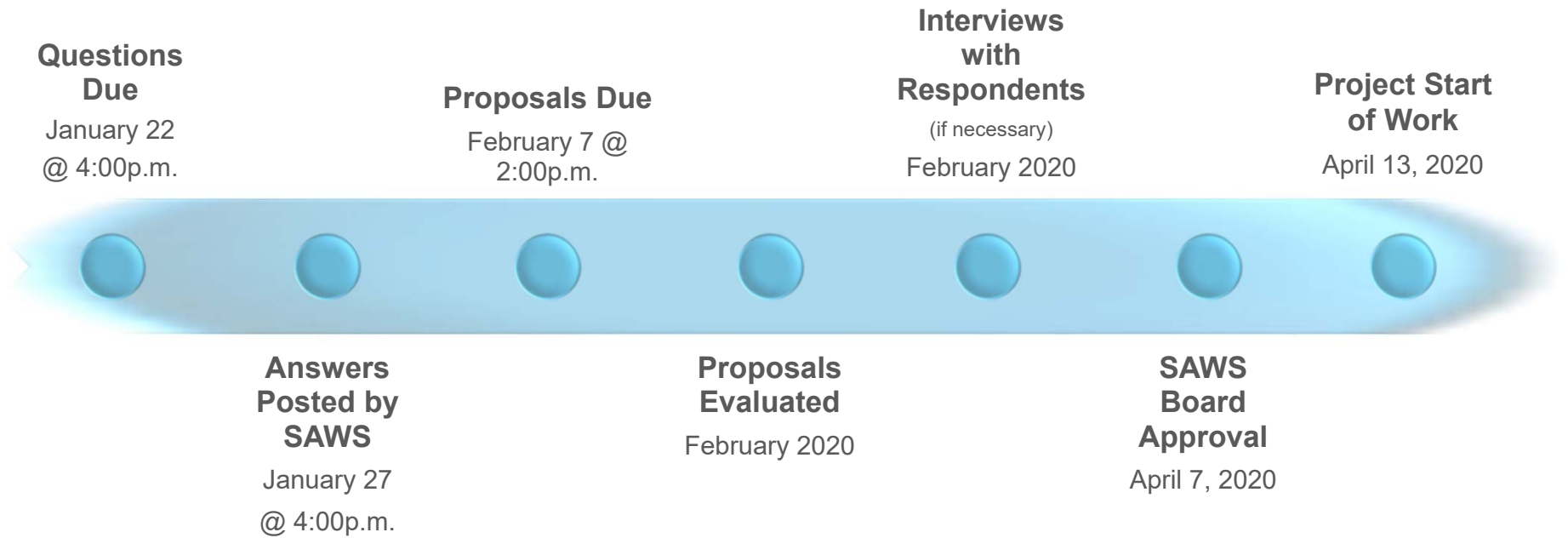
General Information

- Non-mandatory Pre-Proposal Conference
- The presentation information will be posted on SAWS website
- Professional Services being procured through Request For Proposal (RFP) method

Project Objective

- The San Antonio Water System (“SAWS”) seeks submittals in response to this Request for Proposals (RFP) from consultants (Respondents) qualified and experienced in conducting minority and woman-owned business enterprise (M/WBE) disparity studies. The selected consultant (the Consultant) shall conduct an M/WBE disparity study consistent with constitutional mandates, governing law, and M/WBE best practices (the Disparity Study). The Consultant’s final report shall outline the results of the disparity study and clearly and concisely offer the Consultant’s recommendations consistent with the results of the Disparity Study and governing law (the Report).

RFCSP Schedule



Addenda

- Register as a vendor with SAWS Vendor Registration and Notification
- Subscribe using the Notify Me button the Project page to be notified when updates (including Addendums) are posted
- More than one (1) Addenda may be posted
- Check SAWS website often and prior to submitting your proposal
- Known Addendum changes are:
 - Addendum 1 published to correct WebEx meeting link and Conflict of Interest Questionnaire (Exhibit I)
 - Addendum 2 expected for responses to submitted questions

Submitting a Response

- Submit hard copies
 - 1 original and 8 copies
- Include USB flash drive of the original proposal, which shall include:
 - All pages of the proposal, including Compensation Proposal
- Reference the RFP document and Checklist to determine what additional items are required
- Page limit of one hundred (50) per proposal
 - Must be securely bound by a means other than 3-ring binders
 - Use 8 ½ x 11 portrait format
 - Key personnel resumes and Compensation Proposal will not count towards page limit

Submitting a Response

Helpful Reminders

- Thoroughly read the RFP document prior to submitting proposal
- Maximize points by addressing all items in the order they are identified in the RFP
- Be specific; avoid “boiler plate” responses
- Utilize the Submittal Response Checklist
- Contact the SMWVVB Program Manager for assistance, if necessary
- Perform a thorough QA/QC on your proposal prior to submitting

Submittal Deadline

- Submittal deadline is February 7, 2020 at 2:00 pm (CT)
- Solicitation number, solicitation name, date and time of the deadline should be clearly identified on the outside of the submittal package
- Deliver to 2800 U.S. Highway 281 North, Customer Service Building:
 - Deliver to Counter Services in the Customer Service department
 - SAWS recommends submitting proposal at least two (2) hours prior to the deadline
 - Make arrangements early if mailing proposal
- Late responses will not be accepted, and will be returned unopened

History

- In 2006, SAWS joined a regional disparity study consortium of local governmental agencies, which measured each entity's contracting practices between 2002-2006.
- The data was based upon payments to prime contractors.
- The Disparity Study was completed on August 14, 2009.
- The data provided strong evidence to support continuation of a program to promote M/WBE utilization.
- Between December 2010 through May 2011, a draft SMWB policy was presented to the SAWS board of trustees, local business organizations, and internal SAWS departments.
- On April 1, 2011, SAWS launched the Subcontractor Payment & Utilization Reporting (S.P.U.R.) System, administered by B2Gnow.

History

- SAWS now requires prime contractors and consultants to report actual payments to subcontractors, subconsultants, and suppliers in the S.P.U.R. System. Subs are asked to confirm or dispute the reported payments and payment date.
- On August 28, 2012, SAWS engaged the services of Texas-based outside counsel, to advise on how the proposed SMWB policy was impacted by Texas procurement law.
- After much internal deliberation centered around the community's concerns that SMWB participation would decrease if the new race-neutral policy was implemented, SAWS decided to maintain the same SMWB Program until a Disparity Study update could be completed.

History

- In 2013, SAWS solicited for a new M/WBE Disparity Study that was SAWS-only, and not part of a consortium. Based on contract award data, and payment data from B2Gnow, the disparity study would measure our procurement practices for fiscal years 2011, 2012, and 2013.
- A contract for a new M/WBE Disparity Study was awarded that would measure SAWS' procurement activity with prime contractors and subcontractors for the following categories:
 - Engineering
 - Heavy Civil/Utility Construction
 - Other Professional Services
 - Procurement

History

- The SAWS Board of Trustees accepted the SAWS M/WBE Disparity Study in February 2016. A new SMWVB Policy was subsequently developed and approved by the board in September 2016.
- The new policy was effective January 1, 2017.
- Policy Updates:
 - Heavy/Civil Utility Construction Annual Aspirational Goal: 20%
 - Engineering and Other Professional Services Annual Aspirational Goal: 40%
 - Procurement Annual Aspirational Goal: 19%
 - Scoring
 - SBE
 - Local MSA
 - SCTRCA & Texas HUB

Data Collection

Subcontractor Payment & Utilization Reporting (S.P.U.R. System)

- The scope of SAWS' contracting and procurement is relatively narrow and repetitive. All contracts are now coded with one of the following categories in B2Gnow:
 - Architecture & Engineering
 - Construction
 - Other Professional Services
 - Procurement
 - Unreportable
- SAWS Custom Payment Report

Data Collection and Reporting –SAWS Board of Trustees

SMWVB Contract Award Activity for January 2020

CONTRACT TYPE	CONTRACT TOTALS	SMWVB TOTAL		SMWVB GOAL	SMALL BUSINESS		HISPANIC BUSINESS		AFRICAN AMERICAN BUSINESS		OTHER MINORITY BUSINESS		WOMAN-OWNED BUSINESS	
		Amount	%		Amount	%	Amount	%	Amount	%	Amount	%	Amount	%
PROCUREMENT(2)	\$420,772	\$420,772	100.00%	19%	\$250,000	59.41%	\$170,772	40.59%	\$0	0.00%	\$0	0.00%	\$0	0.00%
PROFESSIONAL SERVICES(2)	\$643,210	\$101,054	15.71%	40%	\$0	0.00%	\$101,054	15.71%	\$0	0.00%	\$0	0.00%	\$0	0.00%
CONSTRUCTION(4)	\$6,872,307	\$5,593,940	81.40%	20%	\$245,930	3.58%	\$5,348,010	77.82%	\$0	0.00%	\$0	0.00%	\$0	0.00%
TOTALS	\$7,936,289	\$6,115,766	77.06%		\$495,930	6.25%	\$5,619,836	70.81%	\$0	0.00%	\$0	0.00%	\$0	0.00%

Woman-Owned Business Enterprise Award Breakdown: Caucasian (0.00%), Hispanic (0.00%), African American (0.00%), Other Minority (0.00%)
 Local Award Total : \$6,708,852 (84.53%)
 Veteran-Owned Business Enterprise Award Total:\$50,000 (0.63%)

Cumulative Awards Through January 2020

CONTRACT TYPE	CONTRACT TOTALS	SMWVB TOTAL		SMWVB GOAL	SMALL BUSINESS		HISPANIC BUSINESS		AFRICAN AMERICAN BUSINESS		OTHER MINORITY BUSINESS		WOMAN-OWNED BUSINESS	
		Amount	%		Amount	%	Amount	%	Amount	%	Amount	%	Amount	%
PROCUREMENT(2)	\$420,772	\$420,772	100.00%	19%	\$250,000	59.41%	\$170,772	40.59%	\$0	0.00%	\$0	0.00%	\$0	0.00%
PROFESSIONAL SERVICES(2)	\$643,210	\$101,054	15.71%	40%	\$0	0.00%	\$101,054	15.71%	\$0	0.00%	\$0	0.00%	\$0	0.00%
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Woman-Owned Business Enterprise Award Breakdown: Caucasian (0.00%), Hispanic (0.00%), African American (0.00%), Other Minority (0.00%)
 Local Award Total : \$6,708,852 (84.53%)
 Veteran-Owned Business Enterprise Award Total:\$50,000 (0.63%)

Minority and Woman-Owned Business Enterprise Disparity Study



Aspirational SMWVB Goal

Industry	Aspirational SMWB Goal	Description
Engineering and Other Professional Services	40%*	Points assessed on tiered scale

*40% of the value of the contract.

SMWVVB Requirements

- SMWVVB Certification accepted from the following entities:
 - South Central Texas Regional Certification Agency
 - Texas H.U.B.
- RFQ Scoring:
 - Up to 15 Points
 - Local Office
 - Small Business Enterprise (SBE)
 - Minority Business Enterprise (MBE) (Includes ABE, AABE, HABE and NABE)
(NABE)
 - Woman-owned Business Enterprise (WBEs): (Includes ABE, AABE, Caucasian, HABE and NABE)
 - Veteran-owned Business Enterprises (VBEs): Not eligible for points, but tracked for participation

Good Faith Effort Plan (GFEP) FAQs

- **Q: Is the 40% SMWB goal mandatory?**
A: No, but it is weighed in the selection criteria, and SAWS asks Respondents to do their best with good faith outreach efforts. If the goal is not met, proof of outreach efforts is required with the submittal.
- **Q: What if I am having trouble finding SMWB subconsultants?**
A: Please email the SMWVB Program Manager with the scopes of work you are seeking. You will receive lists of local SMWVB-certified firms to contact from the SCTRCA database.
- **Q: What if my business is SMWB-certified?**
A: If your firm is SMWB-certified, you will most likely meet the goal. However, the GFEP is a required document, and a good faith outreach effort is still necessary.
- **Q: Do I need to include all subconsultants in the GFEP, or just SMWB-certified subconsultants?**
A: All subconsultants need to be included in the GFEP. The GFEP and organizational chart need to match.
- **Q: What if I have questions about the GFEP?**
A: Please contact the SMWVB Program Manager at any time until the submittal is due.

Post Award: S.P.U.R. System

- Subconsultant Payment Tracking
- Subconsultant addition, substitution, or removal requests



SMWVB Questions

- Questions related to the SMWVB Program, completion of the Good Faith Effort Plan (GFEP), or scoring of the GFEP may be directed to the SMWVB Program Manager until the RFP is due.

Marisol V. Robles

SMWVB Program Manager

Email: Marisol.Robles@saws.org

Telephone: 210-233-3420

Scope

- **Phase I – Quantitative Data Collection and Analysis**
- **Phase II – Qualitative Data Collection and Analysis**
- **Phase III – Private Sector Analysis**
- **Phase IV – Provide Disparity Study Drafts and Final Disparity Study, including an Executive Summary**

Scoring Criteria

– Project Approach	25 pts	
– Prior Experience	25 pts	
– Compensation Proposal	20 pts	
– Personnel	15 pts	
– SMWB Participation	15 pts	
Total:	100 pts	

Scoring Criteria

Project Approach (25 points)

- 1. A description of the empirical/quantitative assessment approach that will be used for determining SAWVS' appropriate geographic and product markets;
- 2. The methodology that will be used for determining SAWVS' utilization of M/WBEs, including what size contracts will be evaluated;
- 3. How available M/WBEs will be identified and verified, including what data sources will be used, and whether firms' capacity will be taken into account when determining availability;
- 4. The statistical model that will be used to determine the disparity ratio;
- 5. The method used to analyze private sector or economy-wide analysis;

Scoring Criteria

Project Approach (25 points)

- 6. A description of the information that will be collected for anecdotal/qualitative evidence, how it will be collected, and the significance of this analysis;
- 7. A description of the methodology that will be used to set annual and project-specific goals and generally how the Consultant's recommendations will take into account any administrative constraints; and
- 8. A summary of what constitutes a legally defensible study in the Consultant's best professional judgment, as supported by case law.

Emphasis should be given to means that maximize efficiencies in order to complete the Disparity Study and Report in a timely and in a cost-effective manner while still complying with legal requirements. Provide no more than five (5) pages for Project Approach.

Scoring Criteria

Prior Experience (25 points)

- **1. Examples of Relevant Project Experience.** (Narrative descriptions relevant project experience, including the disparity study names, project descriptions, and the years the projects were conducted. Did any of the members of the current proposed project team performed work on the listed projects and, if so, in what capacity. Do not include any projects completed prior to the year 2009.
- **2. List of Disparity Studies and Examples.** Provide a list of all disparity studies completed within the past ten (10) years and any disparity studies currently being conducted. For each listed disparity study, indicate whether any members of the current proposed project team conducted (or is conducting) work on the disparity studies listed and, if so, in what capacity?

Scoring Criteria

Prior Experience (25 points)

- **2. Cont'd.** Copies of 2 completed disparity studies that have been approved/adopted by the respective governing bodies of the agencies that procured the studies, similar in size and scope to the one described under Scope of Services, that were completed in the past five years. The disparity studies shall be provided on the USB drive only.
- **3. Trial Experience.** In the past 10 years, if the M/WBE program relying on respondent's disparity study has been challenged in court, then please provide: (a) the cause number and court information; (b) the outcome of the challenge; and (c) if a representative of your firm testified or was designated as an expert witness, then the name of the testifying or designated expert. If a Daubert challenge was lodged, please so indicate along with the outcome of the challenge.

Scoring Criteria

Prior Experience (25 points)

- **4. References.** Provide a list of at least 3 references from projects completed within the past 10 years, in which the Respondent has performed services similar to those sought in this solicitation. This list of references should include:
 - Name of client;
 - Location (city and state);
 - Reference name, telephone number, and email address;
 - Amount of time the disparity study was completed in (years/months); and
 - Date the disparity study was approved/adopted by the Reference's governing body.

Scoring Criteria

Compensation Proposal (20 points)

- Respondent will provide a response to this evaluation criteria in accordance with Appendix F
- Scoring will be based upon an objective formula
- In the event the Consultant cannot offer a price within budget (as allocated now or authorized at a later time) for the entire Scope of Services under Phases I–IV, SAWS may require a less extensive version of the Scope of Services, however, the entire cost of the study shall not exceed \$300,000.
- Compensation proposals should be included in the “Original” submittal only, and not in the copies.

Scoring Criteria

Personnel (15 points)

- I. Personnel Qualifications. Provide the names and qualifications of all key professional personnel who will be assigned to this project. State the primary work that will be assigned to each person. For the Consultant's representative who would be responsible for testifying in support of the Disparity Study, should the need arise, specifically detail any relevant experience testifying in a court of law, indicate the representative's relevant educational background, and explain how the representative's education and experience would qualify the representative as an expert witness under the Federal Rules of Evidence. Provide no more than 2 pages for this narrative.

Scoring Criteria

Personnel Cont'd (15 points)

- 2. Personnel Resumes. Provide resumes for all Project Team personnel. Each resumes should include the team member's name, title, education, brief overview of professional experience, and any applicable licenses or professional affiliations. Provide no more than 1 page per resume.
- 3. Subconsultant Qualifications. Provide a summary of not more than 1 page detailing the unique qualifications of each subconsultant.
- 4. Organization Chart. Provide an organizational chart identifying each team member, their role in providing the scope of services, and how the team member will interface with SAWWS. If use of subconsultants is proposed, identify their placement in the primary structure. Provide no more than 1 page for the organization chart. ...

Scoring Criteria

List all identified subconsultants in the chart below that will be utilized on this project/contract.

- M/WBE firms must also be Small Business Enterprise (SBE)-certified, and local.
- Certification is only accepted from the South Central Texas Regional Certification Agency, or the Texas Historically Underutilized Business (HUB) Program.

SMWB Participation (15 points)

Communication Reminders

- No communication regarding the RFP with the following:
 - SAWS Program Director
 - SAWS Technical Representatives
 - Any other SAWS staff, managers, directors or VPs
 - City Council member or staff
 - SAWS Board of Trustees
- No phone calls, emails, letters, direct/indirect discussion of the RFP
 - If submitting for the RFP and/or doing work for SAWS, indicate this when speaking with SAWS staff, but refrain from discussing the RFP
- From release of the RFP to Board Award

Respondent Questions

- Must be submitted in writing via e-mail no later than January 22, 2020 by 4:00 pm to:

Jonathan Miranda, MSJP

Contract Administration Department

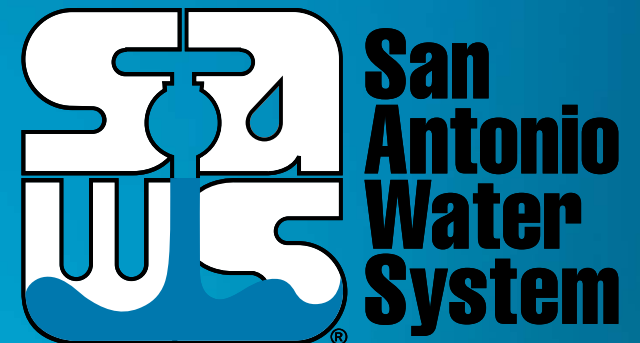
San Antonio Water System

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