



STEVEN M. CLOUSE WRC BIOSOLIDS SYSTEM UPGRADES (RFQ)
Solicitation No. PS-00139

ADDENDUM NO. 2
October 3, 2022

To Respondent of Record:

RESPONSES TO QUESTIONS

In Addendum 1, the following questions were responded to incorrectly. Addendum 2 is issued to correct those responses.

- 1. Question (1 of Addendum 1): Please confirm the SMWVB goal for the project: 25% (referenced on pg. 34) or 40% (referenced on pg. 17 and 47)**

*Answer: The SMWVB goal for this project is **25%**. Reference “Changes to RFQ” numbers 1-4 of this Addendum.*

- 2. Question (6 of Addendum 1): Can you confirm if the SWMBE participation is 25%?**

Answer: Reference response to Question 1 in this Addendum.

CHANGES TO THE RFQ

- 1. Page 13, II. Selection Process, C. Evaluation Criteria Summary remove the following line:**

Small, Minority and Woman, and Veteran-Owned Business (SMWVB) Participation (Exhibit B Good Faith Effort Plan).....15 pts

Replace with the following line:

Small Business Enterprise (SBE) Participation (Exhibit B Good Faith Effort Plan-Addendum 2).....15 Pts

All other items will remain the same.

- 2. Page 16, B. Exhibit – Good Faith Effort Plan (GFEP), 1. Equal Employment Opportunity Requirements, remove and replace this section with the following:**

**B. Exhibit B – Good Faith Effort Plan (GFEP)
Policies on Equal Employment Opportunity and SMWVBs**

- 1. Equal Employment Opportunity Requirements - SAWS highly encourages Respondents to implement Affirmative Action practices in their employment programs. This means Respondents should not discriminate against any employee or applicant for employment because of race, color, religion, sex, pregnancy, sexual orientation, national origin, political belief or affiliation, age, disability or genetic information.**

The SAWS Board of Trustees has adopted the Small, Minority, Woman, and Veteran-owned Business (SMWVB) Policy to establish and oversee a program that will support the inclusion of local small, minority, woman, and veteran-owned businesses (SMWVB). It is the policy of SAWS that it will ensure that local small, minority, woman, and veteran-owned businesses have an equal opportunity to compete for and participate in SAWS contracts. It is our policy to:

- Ensure nondiscrimination in the award and administration of SAWS contracts;
- Create a level playing field on which SMWBs can compete fairly for SAWS contracts;
- Ensure that only firms that attempt to meet small, minority, woman-owned business good faith efforts are considered for contract awards.

Respondent's commitment to SAWS SMWB policy will be based on meeting or exceeding the minimum aspirational SBE goal of 25%. The minimum goal is based on the total contract value. Points will be awarded based on the tiered scales below.

Please note that as of 1/1/2017, an updated SMWVB Policy and scoring methodology are being implemented by San Antonio Water System. Veteran-owned Business Enterprises (VBEs), are tracked for statistical purposes, but are not eligible for points. **The maximum number of Small, Business Enterprise (SBE) points to be earned is 15 points.** Self-performance and Subconsulting may be used to achieve the aspirational goals and earn points. **SBE Respondents and/or subconsultants must be certified by the South Central Texas Regional Certification Agency. Eligible firms must be certified as a Small Business Enterprise (SBE), must perform a commercially-useful function on the project, and must have an established place of business in the San Antonio Metropolitan Statistical Area in order to be counted for SBE points.** Please see the Good Faith Effort Plan for definitions of terms. All Respondents, whether SBE or not, may earn the maximum number of SMWB points (15) by to the point scale below when attempting to meet the aspirational goal:

- a. **SBE (Non-M/WBE) Scoring Method: Up to 15 Points (By percentage for 15.00% SBE Participation)**
 - SBE Participation Percentage between 1.00% and 9.99%: 3 Points
 - SBE Participation Percentage between 10:00% and 14.99%: 6 Points
 - SBE Participation Percentage between 15:00% and 19.99%: 9 Points
 - SBE Participation Percentage between 20:00% and 24.99%: 12 Points
 - SBE Participation Percentage meeting or exceeding 25.00%: 15 Points
- b. **Optional:** Prior Subconsultant utilization compliance averages for the past 2 years may be considered when totaling the SBE score, based upon data from the Subcontractor Payment & Utilization Reporting (SPUR) System. This applies to SBE and Non-SBE Prime Consultants' utilization of their SMWB subconsultants. Up to 3 points may be deducted from the SBE score for discrepancies between the pledged SBE goal, and the current/ongoing actual

utilization of SMWB subconsultants on recent SAWS projects. This option does not apply to work order/unspecified contracts.

- Total SMWB Subconsultant compliance discrepancy between 3.00% - 4.00%: Deduct 1 Point
- Total SMWB Subconsultant compliance discrepancy between 4.00% - 5.00%: Deduct 2 Points
- Total SMWB Sub-consultant compliance discrepancy greater than 5.00%: Deduct 3 Points

3. Addendum 1, Changes to the RFQ, #5, Attachment II, Evaluation Criteria Details and Requirements, Small, Minority, Women and Veteran-owned (SMWVB) Business Participation criteria, remove the Evaluation Criteria for SMWVB and replace with the following:

<i>Evaluation Criteria</i>	<i>Points</i>	<i>Description</i>	<i>Response Format and Page Limits</i>	<i>Submission Reminders</i>
<i>Small Business Enterprise (SBE) Participation</i>	15	<i>Complete Exhibit B indicating Respondent’s commitment to SAWS SMWVB policy, which will be based on meeting or exceeding the minimum SBE goal of 25%. All subconsultants should be included on this form, regardless of their SBE status.</i>	<i>Exhibit B – Addendum 2 Attachment</i>	✓ <i>Ensure sub-consultants listed on the organizational chart are included on the GFEP.</i>

All other items will remain the same.

4. Remove Exhibit B – Good Faith Effort Plan (GFEP) and replace with revised version attached to this addendum.

CLARIFICATIONS

1. All other questions received to date and any other questions received before the Q&A deadline will be answered in a future Addendum.

END OF ADDENDUM 1

This addendum is eight (8) in its entirety.

Attachments:

Exhibit B – Good Faith Effort Plan (GFEP) (4 pages)

EXHIBIT B

Good Faith Effort Plan for Professional Services SUB-CONSULTING for:

NOTE: Effective 1/1/17, SMWB points shall only be assessed for consultants and/or sub-consultants who are local and certified by the South Central Texas Regional Certification Agency as SBEs. MBEs and WBEs must (also) have SBE certification).

NAME OF PROJECT: **STEVEN M. CLOUSE WRC BIOSOLIDS SYSTEM UPGRADES RFQ**

SECTION A - PRIME CONSULTANT INFORMATION

Legal Name of Firm, including "doing business as" if applicable:

Address of Office to Perform Project Work:

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____

Contact Person: _____

Email Address: _____ Is your firm Certified as an SMWVB? Yes: _____ No: _____

If "Yes", Certification Agency that granted SMWVB designation: _____

Type/s of Certification: SBE: _____ MBE: _____ VBE: _____ WBE: _____

Prime Consultant's Percentage of Participation: (Ex: 100% is the total value of the contract) _____ %

1. List ALL SUB-CONSULTANTS/SUPPLIERS that will be utilized on this project/contract. (SMWB AND Non-SMWB)

	Legal Name of Sub-consultant/Supplier (including "doing business as", if applicable).	Address of Office Location to Perform Project Work or Provide Supplies:	Scope of Work/Supplies to be Performed/Provided by Firm:	Estimated Percentage of Participation on this Project:	Certification Type & Certification Agency:
1					
2					
3					
4					

5					
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SECTION B. – SMWB COMMITMENTS

The SMWB goal on this project is **25%**

1. The undersigned proposer has satisfied the requirements of the PROPOSAL specification in the following manner (please check the appropriate space):

_____ The proposer is committed to a minimum of 25 % SBE utilization on this contract.

_____ The proposer, (if unable to meet the SBE goal of 25%), is committed to a minimum of ___% SMWB utilization on this contract. (If Consultant is unable to meet the goal, please fill out Section C and submit documentation demonstrating good faith efforts).

2. Name and phone number of person appointed to coordinate and administer the SMWB requirements on this project.

Name: _____
 Title: _____
 Phone Number: _____
 Email Address: _____

IF THE SMWB GOAL WAS MET, PROCEED TO AFFIRMATION AND SIGN THE GFEP. IF GOAL WAS NOT MET, PROCEED TO SECTION C.

SECTION C – GOOD FAITH EFFORTS (Fill out only if the SBE goal was not achieved).

1. On a separate sheet of paper, list and attach to this Good Faith Effort Plan written, posted, or published notification to all firms you contacted with sub-consulting/supply opportunities for this project that will not be utilized for the contract by choice of the proposer, sub-consultant, or supplier. Notices to firms contacted by the proposer for specific scopes of work identified for sub-consulting/supply opportunities must be provided to sub-consultant/supplier ***not less than five (5) business days prior to proposal due date***. This information is required for all firms that were contacted of sub-consulting/supply opportunities.

Copies of said notices must be provided to the SMWB Program Manager at the time the response is due. Such notices shall include information on the plans, specifications, and scope of work.

2. Did you attend the pre-submittal conference scheduled for this project? _____Yes _____No

3. List all SBE listings or directories, Consultant associations, and/or any other associations utilized to solicit SMWB sub-consultants/suppliers:

4. Discuss efforts made to identify elements of the work to be performed by SBEs in order to increase the likelihood of achieving the goal:

5. Indicate advertisement mediums used for soliciting SBEs. (Please attach a copy of the advertisement(s):

AFFIRMATION

I hereby affirm that the above information is true and complete to the best of my knowledge. I further understand and agree that, this document shall be attached thereto and become a binding part of the contract.

Name and Title of Authorized Official:

Name: _____

Title: _____

Signature: _____

Date: _____

NOTE:

This Good Faith Effort Plan is reviewed by SAWS Contracting Department. For questions and/or clarifications, please contact Marisol V. Robles, SMWVB Program Manager, at 210-233-3420 or marisol.robles@saws.org.

DEFINITIONS

Note: To be eligible for participation in the SAWS Small, Minority, Woman, and Veteran-owned Business Program, a firm must have an established place of business in the San Antonio Metropolitan Statistical Area, and must be certified as a Small Business Enterprise (SBE). This includes firms certified as Minority and/or Woman-owned Business Enterprises (MBEs and WBEs). SAWS tracks Veteran-owned Business Enterprises (VBEs) for statistical purposes, but does not award points for VBE participation.

African American Business Enterprise (AABE): A business structure that is Certified by the Texas Historically Underutilized Business (HUB) Program or the South Central Texas Regional Certification Agency as being 51% owned, operated and controlled by African American minority group member(s) who are legally residing in or are citizens of the United States.

Local: A business located in the San Antonio Metropolitan Statistical Area (SAMSA) , which includes the counties of Atascosa, Bandera, Bexar, Comal, Frio, Guadalupe, Kendall, Kerr, McMullen, Medina, Uvalde and Wilson. A business’s presence in the SAMSA that consists solely of a P.O. box, a mail drop, or a telephone message center does not count as being local.

Prime Consultant/Consultant: Any person, firm partnership, corporation, association or joint venture which has been awarded a San Antonio Water System contract.

Sub-consultants/Consultant: Any named person, firm partnership, corporation, association or joint venture identified as providing work, labor, services, supplies, equipment, materials or any combination of the foregoing under contract with a prime consultant/Consultant on a San Antonio Water System contract.

Small, Minority, and Woman-owned Business (SMWB): All business structures Certified by the Texas Historically Underutilized Business (HUB) Program or the South Central Texas Regional Certification Agency that are 51% owned, operated, and controlled by a Small Business Enterprise, a Minority Business Enterprise, or a Woman-owned Business Enterprise.

Small Business Enterprise (SBE): A business structure that is Certified by the South Central Texas Regional Certification Agency as being 51% owned, operated and controlled by someone who is legally residing in or a citizen of the United States, and the business structure meets the U.S. Small Business Administration’s (SBA) size standard for a small business within the appropriate industry category, as determined by the South Central Texas Regional Certification Agency.

Minority Business Enterprise (MBE): A business structure that is Certified by the Texas Historically Underutilized Business (HUB) Program or the South Central Texas Regional Certification Agency as being 51% owned, operated, and controlled by an ethnic minority group member(s) who is legally residing in or a citizen of the United States. For purposes of the SMWB program, the following are recognized as minority groups:

San Antonio Metropolitan Statistical Area (SAMSA). Also known as the Relevant Marketplace, the geographic market area from which the prior Disparity Study analyzed contract utilization and availability data for disparity (currently including the counties of Atascosa, Bandera, Bexar, Comal, Frio, Guadalupe, Kendall, Kerr, McMullen, Medina, Uvalde and Wilson).

Woman-owned Business Enterprise (WBE): A business structure that is Certified by the Texas Historically Underutilized Business (HUB) Program or the South Central Texas Regional Certification Agency as being 51% owned, operated and controlled by a woman or women who are legally residing in or citizens of the United States.

Veteran-Owned Business Enterprise (VBE): A business structure that is certified by the South Central Texas Regional Certification Agency, and is at least 51% owned, operated and controlled by an individual who served in the United States Armed Forces, and who was discharged or released under conditions other than dishonorable. Please note: This certification type should not be confused with the Service Disabled Veteran designation available through the Small Business Administration.

Web Submittal of Sub-consultant/Supplier Payment Reports:

The Consultant will be required to electronically report the actual payments to all sub-consultants and suppliers utilizing the SubConsultant Payment and Utilization Reporting (S.P.U.R.) System, beginning with the first SAWS payment for services under the contract, and with every payment thereafter (for the duration of the contract). Electronic submittal of monthly subConsultant payment information will be accessed through a link on SAWS' "Business Center" web page. This information will be utilized for subConsultant participation tracking purposes. Any unjustified failure to comply with the committed SMWB levels may be considered breach of contract.

The Consultant and all subConsultants will be provided a unique log-in credential and password to access the SAWS subConsultant payment reporting system. The link may also be accessed through the following internet address: <https://saws.smwbe.com/>