

PUBLIC ENGAGEMENT PROCESS FOR DISPARITY STUDY SCOPE OF WORK

NAME	DATE	ORGANIZATION	INPUT METHOD	QUESTION/COMMENT	COA RESPONSE
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Emails					
Jeff Ellison	12/21/2018	JTE Company LLC	Email	These types of studies are needed and should be performed on a continual basis.	Comment noted.
				There is a need for rewards/incentives for prime firms utilizing the program and reform for those "checking the box."	
				I am flooded with invitations and solicitations, but I am lucky to receive 1 out 20 that I respond to. The majority of the Primes are going through the motions because they know all they have to do is solicit participation with no intentions of using my company.	The City of Austin is currently in the process of implementing a Good Faith Effort Pilot Program which seeks to remedy this and other issues for both subs and primes.
Tom Anderson	12/21/2018	Anderson Machinery	Email	Tom mistakenly submitted a blank form.	SMBR contacted Mr. Anderson to ask if he wanted to re-submit. Mr. Anderson did not respond with a new form.
Sharon Chandler	1/31/2019	Flatiron Constructors, Inc.	Email	Break out and separate sub packages if possible, in a concerted effort to maximize utilization of DBE's ready, willing and able to perform work based on their (NAICS) codes as verified in the DMS System.	Comment noted.
Sharon Chandler	1/31/2019	Flatiron Constructors, Inc.	Email	Offered a list of the firm's construction and professional services scopes.	Comment noted.
Sharon Chandler	1/31/2019	Flatiron Constructors, Inc.	Email	Coordinate with the Estimating Team to identify potential scopes of work for DBE's.	Comment noted.

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African American Resource Advisory Commission-City Hall					
	1/8/2019	African American QOL	Questions received during presentation	How will the community know if we are successful in each procurement category? Are we looking at overall goals or one contract?	The City of Austin's Financial Services Department provides annual reports on expenditure data by procurement type. The City of Austin's MBE/WBE Procurement Program Ordinances sets aspirational goals for each of its four ordinances which are set by procurement type. SMBR sets project specific goals for solicitations with scopes of work with availability. SMBR seeks to monitor both types.
				Why do we set aspirational goals and then not obtain them?	The City of Austin's MBE/WBE Procurement Program Ordinances sets aspirational goals for each of its four ordinances which are set by procurement type. SMBR sets project specific goals for solicitations with scopes of work with availability. SMBR seeks to monitor both types.
January 14 Public Input Session-City Hall					
Magdalena Blanco	1/14/2019	BPM Consulting, LLC	Questions received during presentation	Does SMBR conduct COA staff training on use of MBE/WBE? Does SMBR conduct at least quarterly data analysis to measure if on target with utilization of MBE/WBE? Does COA establish performance metrics and goals to help with using MBE/WBE? Does SMBR track how many MBE/WBE firms are used as subcontractors? Does the contractor selection process include a point or selection preference added if contractor is MBE/WBE? What is covered under "subcontracting activities" 4(d)(iii) Consider expanding types of contracts and ensure procurement categories align with majority of MBE/WBE.	SMBR staff are trained on the application of the MBE/WBE Procurement Program and conducts training for City staff and interested vendors. SMBR is currently working to develop software that will allow for specialized reports on MBE/WBE participation data by contract type. SMBR implements various performance measures and key indicators for the monitoring of the MBE/WBE Procurement Program. SMBR does not currently track that data however software is being developed that may provide that analysis. The use of "points" or "selection preference" in municipal procurements has been deemed to be in violation of state law by our COA Law Department. "Subcontracting activities" refers to all levels of activity on a contract not directly performed by the prime contractor/consultant. Comment noted.
				Overall I think the disparity study is necessary, but most importantly you need outcome metrics for COA staff to help improve use of MBE/WBE and reduce discriminatory practices. It should be a gut check or a "who you know" process.	Comment noted.

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LGBTQ Quality of Life Commission-City Hall					
	1/14/2019	LGBTQ QOL	Questions received during presentation	Is sexual preference legally protected?	The MBE/WBE Program is a race and gender affirmative action program and does not cover sexual preference.
				Did you reach out to the Women's Commission?	City Council requested that SMBR staff reach out to the four Quality of Life Commissions. Staff will reach out to the Women's Commission as we move forward on the disparity study.
				How are women defined in the Ordinance?	SMBR staff read the current definition.
				Have we reached out to the LGBTQ Chamber?	Yes, we have in the past but not in reference to this disparity study. SMBR will do so moving forward.
Asian American Quality of Life					
	1/15/2019	Asian QOL	Questions received during presentation	Where can we find the first public input meeting?	SMBR posted a link to the video presentation on our website.
				What are the historical trends on the Asian goal?	Trends vary depending on the contract and procurement type.
				What is the current Asian goal?	The Asian/Native American goal is different for each procurement category.
				What is the percentage of certified firms that have been awarded a city contract?	SMBR does not currently track that data however software is being developed that may provide that analysis.
				Can non-profits become certified firms with the COA and be included in the disparity study?	Non-profits are not able to be certified. A firm must be a for-profit business.
				Why did Council postpone?	City Council wanted to ensure that stakeholders had time for input.

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Hispanic Quality of Life-Mexican American Cultural Center					
	1/22/2019	Hispanic QOL	Questions received during presentation	Will the disparity study be awarded to one firm or more than one firm?	Disparity studies are a unique industry and the City plans to award to one firm.
				We have a concern that the firms are not local and that it will prevent engagement.	The firms that conduct disparity studies are nation-wide. The outreach component will most likely be handled by a local sub consultant.
				Will this be a joint study?	The City of Austin does not anticipate this being a joint study with other entities.
				How much money will it cost?	A contract amount has not been negotiated; however, \$1 million has been allocated in SMBR's 2019 budget.
				Will our disparity study only look at disparity or will it also look at operations?	The disparity study will look at qualitative and quantitative data and will provide recommendations for improvements to the MBE/WBE Procurement Program.
Jan 24 Public Input Session-Carver Library					
	1/24/2019		Questions received during presentation	Will the study be doing outreach as well?	The disparity study will include qualitative/anecdotal data. Outreach for these sessions as well as information related to the conducting of a disparity study will be provided.
				Will there be a breakdown on goals and categories?	The disparity study will also include quantitative data and analysis on City of Austin expenditures by categories.
				Is cleaning up the commodity codes registry part of the scope?	No, but we have started that process internally already. We will ensure the expenditure data provided to the selected consultant is accurately categorized, but cleaning up codes is not a component of a disparity study.

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January 30 Public Input Session-Mexican American Cultural Center					
	1/30/2019		Questions received during presentation	Who can be certified?	Firms with a business location in the State of Texas for M/WBE in operation for at least 3 months.
				How long is the study?	Staff anticipates that the study will take approximately one year. We will allow for whatever is necessary for a quality study with input from stakeholders and the community.
				Will other consultants will be sub-contracted for the study?	Main portion of the study is a highly specialized expertise regarding data collection, analysis, etc. However, a component like outreach could potentially be subcontracted.
				After study is released, do you plan to release RFP's to implement any recommendations?	Without knowing the recommendations from the study, it is difficult to say. It would depend on how large they are (i.e. new programs). Smaller recommendations that SMBR can handle (i.e. administrative) would probably not have an RFP.
				When will the study go before council?	The recommendation to award a contract will be sent to City Council in the Summer of 2019. The finalized study will most likely go before Council for adoption within two years after that.
				How many people were at the other input meetings.	The attendance has ranged.
				Same or different consultants from studies in years past?	Hired various consultants over the years. We will put out an RFQ for the scope of work on this disparity study. Only about 7 firms nationwide that specialize in conducting disparity studies. This is a unique market.
				Are these consultants used by other Departments/Interests of the City?	No. We are looking for consultants that have experience conducting disparity studies.
				Will the disparity study look at all businesses?	Yes, the analysis is very broad and will include private and public sector firms.
				What types of discrimination has been found in the marketplace?	In one of the past studies bonding was considered discriminatory and that is one of the things that has affected firms. Another example in 2015 our Minority Trade Alliance program helped to develop a mobilization program to assist firms in mobilizing if they did not have the funds in hand.
				Is the majority of the disparity study information online?	Yes, we have the 2015 and the 2008 disparity study online. It can be found at http://www.austintexas.gov/page/disparity-study .
				How often do these studies sunset?	Industry standard is for a new disparity study to be conducted every 5 years.
				Where do we see the program going?	The City's MBE/WBE Program is a national model. It is very unique for a City to have a department that focuses on certification and post-award.
				Will other entities be involved with the disparity study?	No, this study will be performed for the City of Austin. The last study had one vendor but it was unique for each agency. It was not a joint study.
				Who approves these consultants?	The City will embark on a competitive solicitation process. The top ranked firm from this process will be provided to City Council for a recommendation of award.
				Geographically, what is included in the disparity study?	Includes the entire marketplace (public and private sectors); Includes surrounding counties (primarily 5 county area); Includes certified and non-firms.