City of Austin

SMBR

Small & Minority Business Resources

Opening the door to opportunities.

MBE/WBE Program Disparity Study

MBE/WBE and Small Business Advisory Committee

SEPTEMBER 10, 2019

Objectives



PROVIDE GENERAL OVERVIEW OF A DISPARITY STUDY



HIGHLIGHT COA'S PAST MBE/WBE PROGRAM DISPARITY STUDIES



PROVIDE DETAILS REGARDING DISPARITY STUDY OUTREACH



REVIEW DISPARITY STUDY SCOPE OF WORK, EVALUATION CRITERIA & TIMELINES

What is a Disparity Study?

- Examines the procurement history of a government entity during a specific time frame to determine if there is statistical and or anecdotal information to suggest that the entity's contracting has been impacted by discrimination in the awarding of contracts to minority-owned, women-owned, and disadvantaged business enterprises (MWDBEs).

Why is a disparity study necessary?

- Legally required to continue the City's MBE/WBE Program.
- Assists with making recommended improvements to the MBE/WBE Program.
- Provides a legal defense regarding the City's established MBE/WBE Goals.

What are the legal requirements of a disparity study?



Collect and analyze data such as availability and utilization for both minority and non-minority firms as well as subs and primes.



Analyze multiple years of data. Courts recommend at least 3 to 5 years.



Analysis should be relative to specific industries: construction, professional services, commodities, etc.



Broad analysis for availability, capacity and willingness of firms to participate on contracts.



Disparity analysis should be inclusive of surrounding markets



Balanced analysis of past and present industry and contract discrimination



Collect and analyze anecdotal evidence

COA Past Disparity Studies

- In **1987** City Council determined the need for an affirmative action program based on evidence showing disparities in MBE/WBEs performing work for the City as prime contractors and subcontractors.
- **1992** study determined there were disparities in the City's utilization of M/WBEs. The City Council adopted a revised MBE/WBE Ordinance to reflect these conclusions.
- **2003** study indicated continued underutilization of MBE/WBEs on City contracts. As a result the MBE/WBE Ordinance was updated.
- In **2005** the City updated disparity study that concluded barriers continued to exist for full and fair participation of M/WBEs on City contracts. In response, the City amended the MBE/WBE Ordinance in 2006.
- The **2008** disparity study identified disparities between the number of available MBE/WBES and the number of MBE/WBES actually used on City contracts. The current MBE/WBE Ordinance reflects the findings of this study.
- In **2015** study found discrimination continued in the Austin marketplace. Ordinance and program revisions were made to increase the number of certified M/WBE firms.

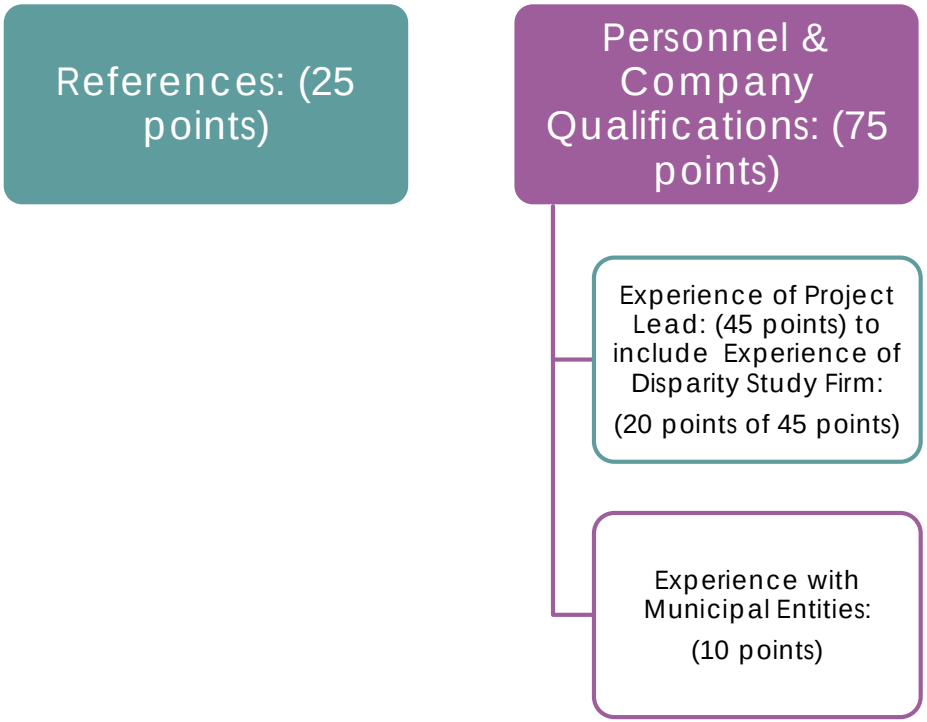
Disparity Study Scope Outreach

- Scope of work was placed on SMBR website for public comment
- Created a distinct e-mail address for: SMBRDisparityStudy@austintexas.gov
- SMBR hosted 3 Public Outreach Meetings During January, 2019
- Presented draft scope at the Quality of Life Commissions
- Presented comments received at the MBE/WBE Small Business Enterprise Procurement Program Advisory Committee on February 5, 2019.

Disparity Study Scope of Work

The City of Austin (City) seeks responses to this Request for Qualifications Statements (RFQS) from contractors experienced in conducting Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprises (ACDBE) disparity studies. The selected contractor (Contractor) shall conduct a MBE/WBE/DBE disparity study (Disparity Study) consistent with constitutional mandates, governing law, and MBE/WBE/DBE best practices. The Contractor's final report shall outline the results of the Disparity Study and clearly and concisely offer the Contractor's recommendations consistent with the findings and governing law.

Disparity Study Evaluation Criteria Maximum Points 100



Disparity Study Timelines



Disparity Study Authorized Contacts

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Questions?