

# AUSTIN CITY COUNCIL

## AGENDA



Thursday, October 19, 2006

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### Law RECOMMENDATION FOR COUNCIL ACTION

ITEM No 10

**Subject** Authorize the negotiation and execution of professional service agreements with (1) National Economic Research Associates, Inc (NERA), Austin, TX, in an amount not to exceed \$426,380, (2) Colette Holt & Associates, Chicago, IL, in an amount not to exceed \$30,000, and (3) Andrews & Kurth, L L P , Austin, TX, in an amount not to exceed \$170,000, for economic consulting and legal services related to the City's Minority-Owned and Female-Owned Business Enterprise Program (MBE/WBE), including conducting and implementing an updated availability and disparity study of minority-owned and women-owned businesses, for a total amount not to exceed \$626,380

**Amount and Source of Funding** Funding in the amount of \$626,380 is available in the Fiscal Year 2006-2007 Operating Budgets of various General Fund and Enterprise Fund Departments

#### Additional Backup Material

(click to open)

No Attachments Available

**For More Information** Becky Casares, Assistant City Attorney, 974-2518

This action authorizes the negotiation and execution of three professional services agreements with the following firms (1) National Economic Research Associates, Inc (NERA), Austin, TX, (2) Colette Holt & Associates, Chicago, IL, and (3) Andrews & Kurth, L L P , Austin, TX, for an updated availability and disparity study of minority-owned and women-owned businesses

National Economic Research Associates (NERA) is a consulting economist firm. NERA will conduct an availability and disparity study of minority-owned and women-owned businesses to estimate the current availability of businesses in the construction and construction related industries in the Austin Metropolitan Statistical Area. NERA studies have been used by many cities and other governmental entities around the country to provide the empirical and statistical support needed to support minority contracting programs. Many federal courts have cited NERA studies when ruling to uphold MBE/WBE contracting programs.

Colette Holt, of Colette Holt & Associates, and Lino Mendiola, of Andrews & Kurth, L L P , have provided legal counsel and advice to the City relating to the City's MBE/WBE program for over a decade. Ms. Holt & Mr. Mendiola are recognized legal experts on the issues relating to MBE/WBE programs. This action will allow the City to continue to receive legal counsel and advice relating to the City's MBE/WBE program including the adoption and implementation of an updated availability and disparity study.