

CITY OF HOUSTON
STRATEGIC PROCUREMENT DIVISION
S33- Q25544
NOTICE OF REQUEST FOR INFORMATION

**STRATEGIC
PURCHASING DIVISION**
901 Bagby Street, Concourse
Level
Houston, Texas 77002

DISPARITY STUDY

1.0 OVERVIEW

The City of Houston ("City") is issuing this Request for Information ("RFI") to identify options available to the City in connection with its anticipated procurement of consulting services to conduct a comprehensive disparity study regarding the City's use of the following as contractors and subcontractors:

- MBE - minority business enterprises
- WBE - women-owned business enterprises,
- SBE - small business enterprises,
- DBE - disadvantaged businesses,
- PDBE - persons with disabilities business enterprise
- ACDBE - airport concession disadvantaged business enterprises

To that end, the City of Strategic Procurement Division (SPD) is requesting information from stakeholders including non-profit trade organizations, vendors who currently have contracts with the City, professional trade organizations, local chambers of commerce, construction companies, subcontractors, community organizations, economic development programs, consultants and other interested parties ("Vendors").

Statements of information are solicited for this potential investment for the City of Houston in accordance with the terms, conditions and instructions as set forth in this Request for Information. This RFI is not a solicitation or Request for Proposal ("RFP"), but information may be used in a future Request for Proposal (RFP). No contract can or will be awarded based upon submissions.

2.0 PURPOSE

The purpose of this RFI is to seek input and solicit information about potential options, approaches and strategies for conducting a comprehensive disparity study of the level of use of qualified minority and women-owned business enterprises as contractors and subcontractors by the City in the following distinct areas of City contracting:

- (a) Construction;
- (b) Construction-related services;
- (c) Professionals services;
- (d) Airport concessions; and
- (e) Goods/commodities.



CITY OF HOUSTON
STRATEGIC PROCUREMENT DIVISION
S33- Q25544
NOTICE OF REQUEST FOR INFORMATION

**STRATEGIC
PURCHASING DIVISION**
901 Bagby Street, Concourse
Level
Houston, Texas 77002

The City will consider responses to this RFI in connection with the evaluation of delivery options and the further development of a new study and/or analysis of existing studies. The RFI includes questions regarding each respondent's current capabilities, demographics and past experiences working with the City and how those experiences may inform or impact work with the City as it relates to operating models, leading practices, pricing structures and process improvements.

The anticipated study period includes up to five years of contracts from FY2010-FY2016 YTD, using data from various reporting agencies and public authorities.

3.0 BACKGROUND

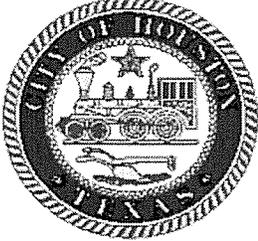
The City of Houston has implemented a remedial program for construction contracts since 1984. The current policy governing the administration of the Minority, Women and Small Business Enterprise Program includes construction services, the supply of goods and non-personal or non-professional services, and the performance of personal or professional services. The Program is codified in Chapter 15 of the City Code, Article V.

To ensure compliance with constitutional mandates and M/WBE best practices and implement a Settlement Agreement in litigation against the City of Houston's Small/Minority Business Enterprise Program for Construction Contracts the City commissioned NERA Economic Consulting to examine the past and current status of minority-owned business enterprises ("MBEs") and women-owned business enterprises ("WBEs") (collectively "M/WBEs") in the geographic and product markets for construction contracting of the City of Houston.

Published in April 2012, the "State of Minority-and Women-Owned Business Enterprise in Construction: Evidence from Houston", commonly referred to as the "2010 Disparity Study", found statistically significant disparities between DBE participation for the City's construction and construction related contracts. The 2010 Disparity Study further concluded that disparities between M/WBEs and non M/WBEs could not be explained solely by factors unrelated to discrimination. Remedial efforts have been taken by the City to ensure that the City is not a passive participant in discrimination.

4.0 REFERENCE MATERIALS

- 49 CFR, Part 26 DBE - http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl
- 49 CFR, Part 23 ACDBE - http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr23_main_02.tpl
- HAS DBE/ACDBE Programs - <http://www.fly2houston.com/officeofbusinessopp>
- Article V, Chapter 15, City of Houston Code of Ordinances - <https://library.municode.com/index.aspx?clientId=10123>



CITY OF HOUSTON
STRATEGIC PROCUREMENT DIVISION
S33- Q25544
NOTICE OF REQUEST FOR INFORMATION

**STRATEGIC
PURCHASING DIVISION**
901 Bagby Street, Concourse
Level
Houston, Texas 77002

5.0 PERTINENT DATES

Milestone*	Date and Time
RFI Release Date	10/2/2015
Deadline to Submit Questions	10/9/2015
RFI Response Due Date	10/23/2015

* The City may release an RFP within thirty days (30) after reviewing the responses to this RFI. The release date maybe subject to change. Updates and further information will be posted on the Office of Business Opportunity (OBO) Disparity Study website:
http://www.houstontx.gov/obo/disparity_study.html

6.0 RFI RESPONSE SUBMITTAL INSTRUCTIONS

Interested vendors are encouraged to submit information requested in this RFI. The Office of Business Opportunity may use this information as source material for a Request for Proposal or Request for Qualifications.

All information provided and expenses incurred must be at "NO COST" to the City. All responses will be subject to the Texas Public Information Act. Any proprietary materials and/or trade secrets that must be submitted should be clearly and individually marked.

Please review the basic overview of the intended Scope of Services below. If you believe that your company/organization can provide recommendations to enhance the overall objective stated below, please complete Exhibit "A" Company Demographics and "A-1" Respondent Questions and Responses.

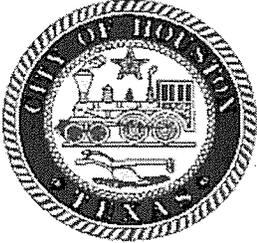
Please indicate your interest to this RFI requirement by submitting the requested information to Conley Jackson, Senior Procurement Specialist, via the following method listed below on or before **October 23, 2015 at 12:00 p.m.**

Email Address conley.jackson@houstontx.gov

7.0 QUESTIONS ON THE RFI

Questions will be accepted until October 9, 2015 at 12:00 p.m. The Office of Business Opportunity (OBO) will make questions and responses regarding this RFI publicly available on OBO's website at: http://www.houstontx.gov/obo/disparity_study.html.

Submit all questions regarding this RFI to Conley Jackson at conley.jackson@houstontx.gov



CITY OF HOUSTON
STRATEGIC PROCUREMENT DIVISION
S33- Q25544
NOTICE OF REQUEST FOR INFORMATION

**STRATEGIC
PURCHASING DIVISION**
901 Bagby Street, Concourse
Level
Houston, Texas 77002

8.0 DISPARITY STUDY CONSULTANT SERVICES

The consultant shall:

- Utilize various systems at the City of Houston and relevant geographic market area data to conduct a disparity study for approximately four thousand contracts from FY2010 to FY2016 YTD.

8.1 OBJECTIVES OF THE RFI

- Understand the level of interest and availability of potential respondents that could provide disparity or availability study consultant services to the City.
- Gain a more comprehensive understanding of vendor business models and industry best practices when conducting and publishing disparity studies.
- Identify issues, roadblocks and barriers to the successful study of City contracting is relates to DBEs and the publication such findings.

9.0 CONTENT AND FORMAT

Submission of Responses

In order to facilitate the review of the responses, please use the attached Exhibit "A" Demographics and Questions to record your responses.

Respondents should answer all questions. If a question cannot be answered, provide a brief explanation as to why the question cannot be answered (e.g., N/A outside the scope of available business offerings). Respondents may also submit any existing material or material prepared specifically in response to the RFI, which they believe may be of interest or use to the City. Please **DO NOT** include sales or marketing information.

The City reserves the right to have follow-up communications with respondents to the RFI for purposes of clarification of the responses. Communications will be documented.

10.0 GENERAL TERMS

1. The City will not be liable for any costs of work performed in the preparation and production of any RFI response. By submitting a response to the RFI, respondent agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the information, or because of any misinformation or lack of information in the RFI. The responses to the RFI shall become the property of the City of Houston. The City has the right to adopt, modify, or reject any or all ideas presented in any material submitted in response to the RFI. Information provided may be used in a future RFP.



CITY OF HOUSTON
STRATEGIC PROCUREMENT DIVISION
S33- Q25544
NOTICE OF REQUEST FOR INFORMATION

**STRATEGIC
PURCHASING DIVISION**
901 Bagby Street, Concourse
Level
Houston, Texas 77002

2. Respondents are requested to answer all questions included in Appendix A. This RFI is issued as a means for collecting market research; solely for information and planning purposes. A response does not bind or obligate the responder or the City to any agreement of provision or procurement of services referenced. No contract can or will be awarded based on submissions.
3. Since this RFI is designed as a tool to collect information and will not result in a procurement contract for the 2015 Disparity Study, it does not fall under the requirements of Chapter 252 of the Texas Local Government Code.
4. Texas Public Information Act and Responses
 - a) The purpose of the Texas Public Information Act ("TPIA") requirements is to promote the public's right to know the process of governmental decision-making and to grant maximum public access to governmental records.
 - b) Thus, a member of the public may submit a TPIA request for disclosure of the contents of the responses submitted to the City in response to this RFI. The responses of respondents are subject to disclosure under the TPIA. However, pursuant to Section 552.110, a governmental agency may except from disclosure information that qualifies as a trade secret or commercial and "financial information privileged or confidential by statute or judicial decision." Mark clearly in your RFI response, any information you claim as proprietary, copyrighted or rights reserved which may be protected from disclosure under the TPIA.
 - c) If there is information in your response, which you claim meets the requirements set forth by Section 552.110 of the TPIA; you must inform the City in a letter or by email, accompanying your response.
5. The City reserves the right to:
 - a) Postpone or cancel this RFI upon notification to all RFI respondents.
 - b) Amend the specifications after release with appropriate notice to all RFI respondents.
 - c) Request RFI respondents to present supplemental information clarifying their responses, either in writing or in formal presentation.



CITY OF HOUSTON
STRATEGIC PROCUREMENT DIVISION
S33- Q25544
NOTICE OF REQUEST FOR INFORMATION

**STRATEGIC
PURCHASING DIVISION**
901 Bagby Street, Concourse
Level
Houston, Texas 77002

11.0 ADMINISTRATIVE INFORMATION

- 11.1 Exhibit "A" Company Demographics and "A-1" Respondent Questions and Responses (Attached). Please complete and return with your response.

All recommendations and comments are welcomed and will be reviewed and considered. All recommendation(s) of good merit and clear business logic and methodology may be used and incorporated into the final RFP solicitation document.

Carolyn Hanahan
Acting Chief Procurement Officer

10/2/2015
Date