COUNTY OF ALAMEDA

Questions & Answers

to

RFP No. 901759

### for

**Disparity Study**

**Networking/Bidders Conference Held on April 14, 2020**

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| **This County of Alameda, General Services Agency (GSA), RFP Questions & Answers (Q&A) has been electronically issued to potential bidders via e-mail. E-mail addresses used are those in the County’s Small Local Emerging Business (SLEB) Vendor Database or from other sources. If you have registered or are certified as a SLEB, please ensure that the complete and accurate e-mail address is noted and kept updated in the SLEB Vendor Database. This RFP Q&A will also be posted on the GSA Contracting Opportunities website located at** [**http://acgov.org/gsa\_app/gsa/purchasing/bid\_content/contractopportunities.jsp**](http://acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp) |

Alameda County is committed to reducing environmental impacts across our entire supply chain.

If printing this document, please print only what you need, print double-sided, and use recycled-content paper.

1. Are the certified payroll data the County maintains for its construction prime available as electronic or hard copy (or pdf) data? Does the County have these data for the full five years of the study period?
	1. **Yes, the County can provide construction prime data for five years in electronic format.**
2. Will the disparity study include purchases and contracts using federal funding?
	1. **Yes, Federally funded contracts and purchases are part of the study.**
3. It is typical for disparity studies to include only first-tier subcontracting activity. This is due to the increased difficulty, time, and cost of obtaining accurate payment data for second- and third-tier subs and also to the reality that subcontracting activity at these lower levels tends to be a very small percentage of the contract value and therefore is limited in its impact to MWBE firms. Will the County consider a methodology that includes analyzing payment data for only the first-tier subs?
	1. **Please see A4 and A5 below.**
4. For the prime contract data the County maintains, can the County please note whether these data include the following information for all, some, or none of the contracts. Can the County also please indicate whether the data are available electronically or only in hard copy. Please answer separately for each industry: construction, professional services, materials, supplies, and equipment, and other services.
* Firm name.
* Firm address, city, state, zip code.
* Firm phone number.
* Firm email address.
* Firm contact person.
* Firm owner race and gender.
* Contract number.
* Contract Title.
* Contract description.
* Start date of contract.
* End date of contract.
* Award amount.
* Amount paid (total or to date).
* Industry category description.
* Industry category NAICS code.
* Funding.
	+ Dollar amount of payment(s) to prime contractor for the study period (inclusive of all change orders)
	+ Original dollar amount of prime contract award (inclusive of change orders
	+ Is there a M/WBE or SBE goal on the contract?
	+ Indicator for whether or not prime contract has subcontracts (first tier minimum; if other tiers, clearly designate)
	1. **The County can provide the above information for each prime contractor and first tier subcontractors in electronic form.**
1. For the MWBE subcontract data the County maintains, please note whether these data include the following information for all, some, or none of the contracts. Please indicate whether the data are available electronically or only in hard copy. Please answer separately for each industry: construction, professional services, materials, supplies, and equipment, and other services. Please answer separately for: first-tier subs, second-tier subs, and third-tier subs.

• Firm name.

• Firm address, city, state, zip code.

• Firm phone number.

• Firm email address.

• Firm contact person.

• Firm owner race and gender.

• Prime contract number.

• Prime contract title.

• Start date of contract.

• End date of contract.

• Award amount.

• Amount paid (total or to date).

• Type of work performed.

• Industry category NAICS code.

* 1. **For GSA Construction contracts over $125k in value, where the Enhanced Construction Outreach Program (ECOP) applies, the County has data on first, second, and lower tier subcontractors whose participation is being counted toward meeting ECOP goals of 60%LBE, 20% SBE, 15%MBE, and 5 %WBE. For other types of contracts, the County maintains data on subcontractor award amount, type of work, and NAICS codes, as well as payment to subcontractors (entered by primes and confirmed by subs).**
1. For the non-certified subcontract data the City maintains, please note whether these data include the following information for all, some, or none of the contracts. Please indicate whether the data are available electronically or only in hard copy. Please answer separately for each industry: construction, professional services, materials, supplies, and equipment, and other services. Please answer separately for: first-tier subs, second-tier subs, and third-tier subs.

• Firm name.

• Firm address, city, state, zip code.

• Firm phone number.

• Firm email address.

• Firm contact person.

• Firm owner race and gender.

• Prime contract number.

• Prime contract title.

• Start date of contract.

• End date of contract.

• Award amount.

• Amount paid (total or to date).

• Type of work performed.

• Industry category NAICS code.

* 1. **The County does not collect data on non-certified subcontractors.**
1. Are the data described in the questions 4, 5, and 6 maintained centrally for all County agencies? If not, please provide information regarding the data per agency.
	1. **The data can be broken down by agency.**
2. Does the County’s data identify for-profit and not-for-profit firms?
	1. **The County does not collect data on not-for-profit firms.**
3. Page 5 of the RFP, Section I.A. INTENT, states:

 ***The study will also address the availability and utilization of qualified minority and female workers as employees on County construction projects.***

This is the only location in the RFP that a separate workforce disparity study is mentioned. A contracting study does not include employees, as these are two very different research paradigm that are not connected. Further, since that would be a separate study, it will greatly increase the overall price. Will the County accept a proposal that does not include a separate study for employment?

* 1. **No, the County requires an availability and utilization study for County construction projects.**
1. Page 5 of the RFP, Section I.B. SCOPE, states:

***The scope of the disparity study includes a review of purchase orders; contracts and grants awarded to for-profit and not-for-profit firms, prime and sub vendors (including second and third tier), contractors and grantees within the County geographic market.***

What types of “grants” are to be included in the disparity study? Does the County track the required subcontractor contract data for all certified MWBE, non-certified MWBE and non-WBE first at both the second- and third-tier levels?

* 1. **Grants will not be part of the disparity study. Not-for-profit firms will not be part of the study.**
1. Page 7 of the RFP, Section I.E.2.g. states:

***Determine the potential availability of MWBEs, absent the effects of discrimination, and determine the impact on minority and women-owned business enterprises that would occur if the existing County SLEB, ECOP, CCP and DBE programs were discontinued.***

Is the County seeking a study that covers its USDOT-funded contracts and provides data for the DBE program requirements?

* 1. **United States Department of Transportation funded contracts should be part of the study.**
1. Page 7 of the RFP, Section I.E.3.c. states:

***Include utilization of such firms by other public entities as well as in the private sector (Economy-wide).***

Does the County track the utilization of its primes and subs by other public entities as well as in the private sector?

* 1. **No, the County does not track other government entities nor private sector firms. Government entities will not be part of the study.**
1. Page 7 of the RFP, Section I.E.3.d. states:

***Establish disparity ratios for Economy-wide utilization for each of the groups including separate public and private sector disparity ratios.***

The census databases do not distinguish between public and private sector dollars. Will the

County accept a study that applies the well accepted approach of using Census data for the “economy-wide” analysis?

* 1. **Yes, the County will accept the use of Census data.**
1. Page 7 of the RFP, Section I.E.5.a states:

***For each type of Contract issued by the County, determine the number and percentage of Small Business Enterprises (SBEs) in the geographic market area identified in Part I.***

 Is the County asking for a separate SBE analysis, even though such an analysis is not necessary for a disparity study?

* 1. **Yes, an analysis of Small Business Enterprises is required.**
1. Please define the term SBE and does the County track this information for the firms included in its contract data?
	1. **Yes, the County does track this information. GSA applies ECOP to construction contracts over $125k in value. Under ECOP, an SBE is a local Alameda County firm which meets the current State of California definition of a small business and is certified as such.**

**A small business is defined by the United States Small Business Administration (SBA) as having no more than the number of employees or average annual gross receipts over the last 3 years required per SBA standards based on the small business's appropriate North American Industry Classification System (NAICS) code. An emerging business is defined by the County as having either annual gross receipts of less than one-half (1/2) that of a small business OR having less than one-half (1/2) the number of employees AND that has been in business less than five (5) years. Small and emerging businesses must also satisfy the locality requirements and be certified by the County as a Small or Emerging, local business.**

1. Page 7 of the RFP, Section I.E.6.a.(1) states:

***A minimum of three oral presentations before the Board of Supervisors or a Board committee, for the purpose of submitting and explaining the work, findings and recommendations included in the final Disparity Study.***

Will these three presentations be conducted during the same time frame so they can be accomplished in one business trip?

* 1. **The three presentations will be made at separate points in the process. It is unlikely that this can be accomplished in a single trip.**
1. What is the approximate number of contracts for the proposed study period?
	1. **The approximate number of contracts is 4,800.**
2. What is the approximate total dollar value for the contracts for the proposed study period?
	1. **The approximate dollar value of the contracts is $3.1 Billion**
3. If the County has not tracked the data described in questions 17 and 18, will it accept a study with an analysis of first tier subcontracting only?
	1. **The County tracks the data in A17 and A18, and requires an analysis of subcontracting.**
4. Page 5 of the RFP, Section 1 (Statement of Work), B. Scope states:

***The scope of the disparity study includes a review of purchase orders; contracts and grants awarded to for-profit and not-for-profit firms, prime and sub vendors (including second and third tier), contractors and grantees within the County geographic market. The scope also includes the provision of a final report with recommendations.***

Typically not-for-profit firms are excluded from a disparity analysis. Would it be acceptable to perform a separate analysis of the utilization of not-for-profit firms?

* 1. **The disparity study will not include not-for-profit firms.**
1. Page 5 of the RFP, Section 1 (Statement of Work), B. Scope states:

***The County is seeking a contractor to design and conduct a Disparity Study. The study will address the extent to which a disparity exists between the availability of qualified Minority and Women-owned Business Enterprises (“MWBEs”) and their actual utilization as contractors and subcontractors on County contracts on both construction and goods and services procurements.***

Does the County track all (minority, women, and non-minority) subcontractors including second and third tier? Does that data presently exist anywhere?

* 1. **The County currently tracks the ethnicity of contractors in its Small, Local and Emerging Business (SLEB) program. The County does not track the ethnicity of contractors who are not SLEBs. For GSA Construction contracts over $125k in value, where the Enhanced Construction Outreach Program (ECOP) applies, the County has data on first, second, and lower tier subcontractors whose participation is being counted toward meeting ECOP goals of 60%LBE, 20% SBE, 15%MBE, and 5 %WBE.**
1. How many construction contracts and other awarded contracts does the County make each year?
	1. **Please see A17.**
2. Page 6 of the RFP, Section 1(Statement of Work), C. Background states:

***The County agencies include: Health Care Services, which includes Behavioral Health Care, Environmental Health and Public Health programs; Public Assistance, which includes Children & Family Services, Workforce & Benefits Administration, Child Support Services, Adult & Aging Services, and Social Services Administration; Public Protection, which includes District Attorney, Sheriff, Probation, and Public Defender; and general government departments including Community Development, The Registrar of Voters, County Administrator’s Office, County Counsel, Assessor, Auditor-Controller, Treasurer – Tax Collector, Public Works, Human Resources, Information Technology, General Services Agency and other administrative services.***

Are the departments and agencies listed here the only ones included in the Study? Are any airports included?

* 1. **All County departments should be included in the study. This does not include any airports.**
1. Page 7 of the RFP, 1.E. Specific Requirements, items 2.b. states:

***For each type of County contract, determine the number and percentage of MWBEs and potential MWBEs in the geographic market area identified pursuant to Part I, by NAICS code. Calculate separately the number and percentage for each of the groups presumed to be disadvantaged. The percentages should be supported by the methodology, as reviewed and/or modified by County that is most applicable based on the availability of data.***

By “potential MWBEs” is it meant to be uncertified MWBE’s? Would the County be willing to have the primary analysis of certified firms with a separate analysis for combined certified and uncertified firms?

* 1. **The County is seeking a single analysis that encompasses both certified and uncertified firms.**
1. Page 7 of the RFP, 1.E. Specific Requirements, item 2.c. states:

***Determine the utilization, based on both award and payment data, of MWBEs in contracts awarded by County during the Study Period, and establish disparity ratios for each of the groups presumed to be disadvantaged and identify any disparity between actual MWBE participation on contracts with and without race and/or gender conscious components.***

As for utilization using both award and payment data, is the County suggesting two separate analysis or the combination of award and payment data for one analysis?

* 1. **The County is seeking a single analysis based on payment data. Please refer to Addendum No. 3 for revised language for this section.**
1. Page 9 of the Bid Response Packet, Description of Proposed Services, item 2 states:

***Detail existing data collection infrastructure and demonstrate ability to interface with County’s database(s) and/or provide reporting data to the County for maximum efficiency.***

Does this mean that the County is willing to provide the awarded contractor with access to its data systems to collect the needed data? What are the County’s procurement and finance systems?

* 1. **The County will provide the necessary data to the awarded vendor. We do not anticipate providing live access to any County system.**
1. Bid Response Packet. Exhibit A. For clarification, is price just one number or do you want pricing presented in a breakdown of tasks or other formats?
	1. **The County requires a single lump sum total.**
2. What is the budget for this project?
	1. **The County will not be providing this information.**
3. Is all vendor, award, payment, bidder, and subcontractor (minority, women, and non-minority/women) maintained during the study period in electronic formats (e.g. Excel)? If not, how is it kept?
	1. **The data is maintained in an electronic format.**
4. Is your procurement centralized or decentralized? Will the contractor be required to collect data from one centralized source per type (e.g. pull all award data from one source) or will the contractor have to gather data from various departments?
	1. **Alameda County procurement is partially decentralized. The Alameda County General Services Agency Procurement Department performs many of the functions of a centralized purchasing department. However, departments may purchase on their own if they follow the policies established by GSA Procurement. The County will provide the data to the contractor. It may be necessary for the contractor to contact departments for clarification or additional data.**
5. Page 24 of the RFP, T. Submittal of Bids, item 2 states:

***Bidders must submit an electronic copy of their proposal. The electronic copy must be in a single file (PDF with Optical Character Recognition (OCR) preferred), and shall be an exact scanned image of the original hard copy Exhibit A – Bid Response Packet, including additional required documentation.***

Please clarify that the Bid Response packet should be completed, printed out, signed, then scanned in PDF with OCR preferred.

* 1. **Page 4 of the Bid Response Packet (Bidder Acceptance Page) and Page 11 of the Bid Response Packet (SLEB Information Sheet) are required to have wet signatures as part of the bidder’s submission through the Alameda County EZ Sourcing portal. Please refer to the cover page of the Bid Response Packet:**

***Each page of the Bid Response Packet must be submitted through the EZSourcing Supplier Portal as PDF attachment(s) with all required information included and documents attached; any pages of the Bid Response Packet not applicable to the bidder must be submitted with such pages or items clearly marked “N/A” or the bid may be disqualified as incomplete.***

1. Exhibit A, Bid Response Packet Instructions states:

***Bidders shall not modify the Bid Response Packet or any other County-provided document unless instructed to do so. Modifications bidders are instructed to make include:***

* ***On the cover page of the Bid Response Packet, Bidders must replace the information in BLUE font (name of bidder organization, primary contact name, etc.).***

However, there are instructions in the bid packet where the bidder is to remove pages and replace them (Table of Contents, Letter of Transmittal), and also to add other information (Table of Key Personnel, resumes). The Bid Response Packet pages are already numbered. Are we able to re-number the pages in the packet after our additional pages are inserted? Should all pages of the submittal, including the resumes, be numbered consecutively?

* 1. **Bidders are not required to re-number the pages to be submitted as part of their bid response packet.**
1. There is a requirement wanted by the County for an analysis of construction contractor’s workers. Are construction prime contractors required to report their workforce?
	1. **For all Public Works Agency construction contracts, contractors are required to submit legal certified payrolls for all workers performing work on those projects.**
2. What financials systems does the County use and do any departments have any authorization to pay contractors directly?
	1. **The Financial system that the County uses is called AlcoLink, which is a modified PeopleSoft system that was installed about 20 years ago. No department can go around the system, any payment must go through this system via the Alameda County Auditor’s Office.**
3. Is there a goal of this RFP for bidders and their subcontractors?
	1. **This RFP requires prime bidders that are not SLEB certified to subcontract 20% of their total contract value to a subcontractor that is SLEB certified.**
4. Is the SLEB goal met if the prime is a SLEB vendor?
	1. **Yes, if the prime bidder is a SLEB, the SLEB requirement is met and it is not mandatory to subcontract with another SLEB vendor.**

The following participants attended the online Bidders Conference:

|  | **Company Name / Address** | **Representative** | **Contact Information** |
| --- | --- | --- | --- |
|  | **Colette Holt & Associates****16 Carriage Hills****San Antonio, TX 78257** | **Glenn Sullivan** | Phone: **(510) 541-6840** |
| E-Mail: **glenn.sullivan@mwbelaw.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **No** |
|  | **Griffin & Strong, P.C.****235 Peachtree St., N.E., Ste. 400****Atlanta, GA 30303** | **Susan Johnson** | Phone: **(404) 406-4576** |
| E-Mail: **susan@gspclaw.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **No** |
|  | **Keen Independent Research LLC****701 N 1st Street****Phoenix, AZ 85004** | **Anna Omelusik** | Phone: **(480) 557 6221** |
| E-Mail: **anna.omelusik@keenindependent.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **No** |
|  | **Marina Security Services, Inc.****465 California Street, Ste. 449****San Francisco, CA 94104** | **Sam Tadesse** | Phone: **(415) 722-1168** |
| E-Mail: **stadesse@marinasecurities.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **No** |
|  | **Mason Tillman Associates LTD.****1999 Harrison St., Ste. 200****Oakland, CA 94612** | **Eleanor Ramsey** | Phone: **(248) 798-3160** |
| E-Mail: **eramsey@mtaltd.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **Yes** |
|  | **Mason Tillman Associates LTD.****1999 Harrison St., Ste. 200****Oakland, CA 94612** | **Thu Trieu** | Phone: **(510) 693-3634** |
| E-Mail: **ttrieu@mtaltd.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **Yes** |
|  | **Meme Architecture, Inc.****1722 Encinal Avenue****Alameda, CA 94501** | **Alice Cheng** | Phone: **(510) 387-6771** |
| E-Mail: **alice@memearchitecture.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **Yes** |
|  | **MGT Consulting Group****43320 W. Kennedy Blvd.****Tampa, FL 33609** | **Kim Stewart** | Phone: **(512) 663-0493** |
| E-Mail: **kstewart@mgtconsulting.com** |
| Prime Contractor: **Yes** |
| Subcontractor: **No** |
| Certified SLEB: **No** |

VENDOR LIST

RFP No. 901759 – Disparity Study

Below is the Vendor Bid List for this project consisting of vendors who have been issued a copy of this RFP. This Vendor Bid List is being provided for informational purposes to assist bidders in making contact with other businesses as needed to develop local small and emerging business subcontracting relationships to meet the requirements of the Small Local Emerging Business (SLEB) Program: <http://www.acgov.org/gsa/departments/purchasing/policy/slebpref.htm>.

This RFP Addendum is being issued to all vendors on the Vendor Bid List; the following vendor list includes contact information for each vendor attendee at the Networking/Bidders Conferences.

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| **RFP No. 901759 Disparity Study** |
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| **Business Name** | **Contact Name** | **Contact Phone** | **Address** | **City** | **State** | **Email** |
| Colette Holt & Associates | Glenn Sullivan | (510) 541-6840 | 16 Carriage Hills | San Antonio | TX | glenn.sullivan@mwbelaw.com |
| Griffin & Strong, P.C. | Susan Johnson | (404) 406-4576 | 235 Peachtree Street N.E., Suite 400 | Atlanta | GA | susan@gspclaw.com |
| Keen Independent Research LLC | Anna Omelusik | (480) 557-6221 | 701 N 1st Street | Phoenix | AZ | anna.omelusik@keenindependent.com |
| Marina Security Services, Inc. | Sam Tadesse | (415) 722-1168 | 465 California Street, Suite 449 | San Francisco | CA | stadesse@marinasecurities.com |
| Mason Tillman Associates Ltd. | Thu Trieu | (510) 693-3634 | 1999 Harrison Street, Suite 200 | Oakland | CA | ttrieu@mtaltd.com |
| Mason Tillman Associates Ltd. | Eleanor Ramsey | (248) 798-3160 | 1999 Harrison Street, Suite 200 | Oakland | CA | eramsey@mtaltd.com |
| Meme Architecture, Inc. | Alice Cheng | (510) 387-6771 | 1722 Encinal Avenue | Alameda | CA | alice@memearchitecture.com |
| MGT Consulting | Kim Stewart | (512) 663-0493 | 43320 W. Kennedy Blvd. | Tampa | FL | kstewart@mgtconsulting.com |
| Urban Strategies Council | David A. Harris | (510) 893-2404 | 1720 Broadway, 2nd Floor | Oakland | CA | davidh@urbanstrategies.org |
| BBC Research & Consulting | Helene Luna | (303) 321-2547 x 247 | 1999 Broadway, Suite 2200 | Denver | CO | hluna@bbcresearch.com |

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