

SBEDA Program Disparity Study Update

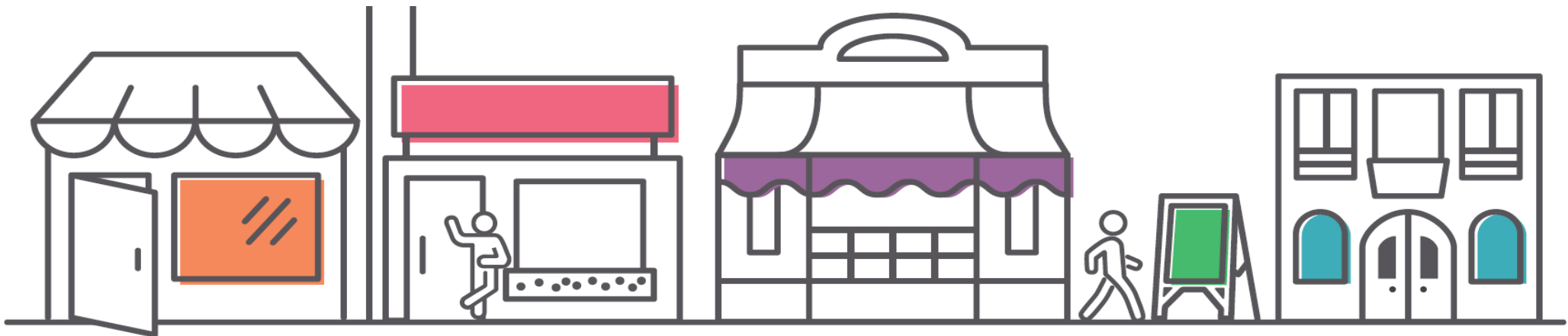


CITY OF SAN ANTONIO
**ECONOMIC DEVELOPMENT
DEPARTMENT**

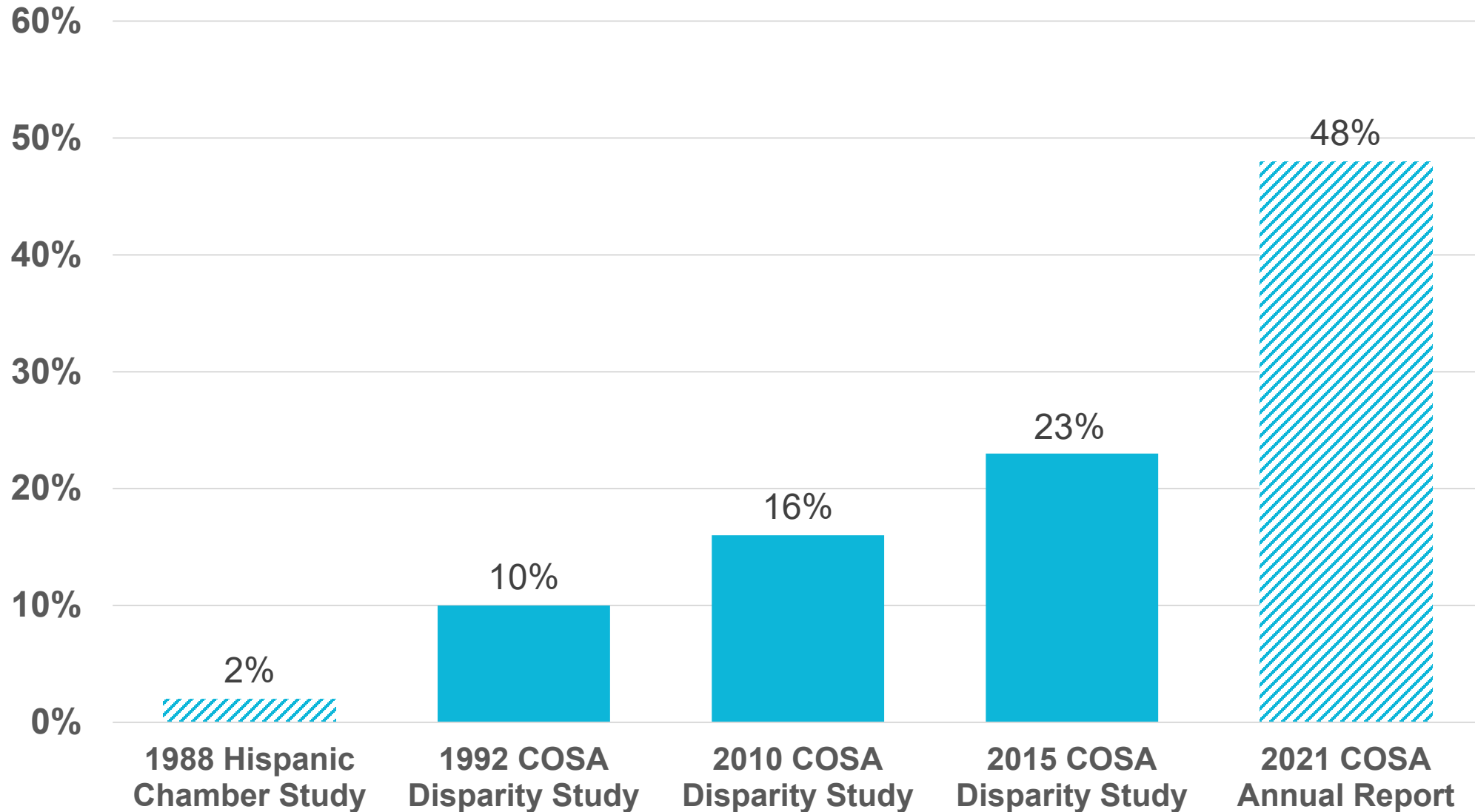
Economic & Workforce Development Committee
March 22, 2022
Michael Sindon, Administrator

PURPOSE OF THE SBEDA PROGRAM

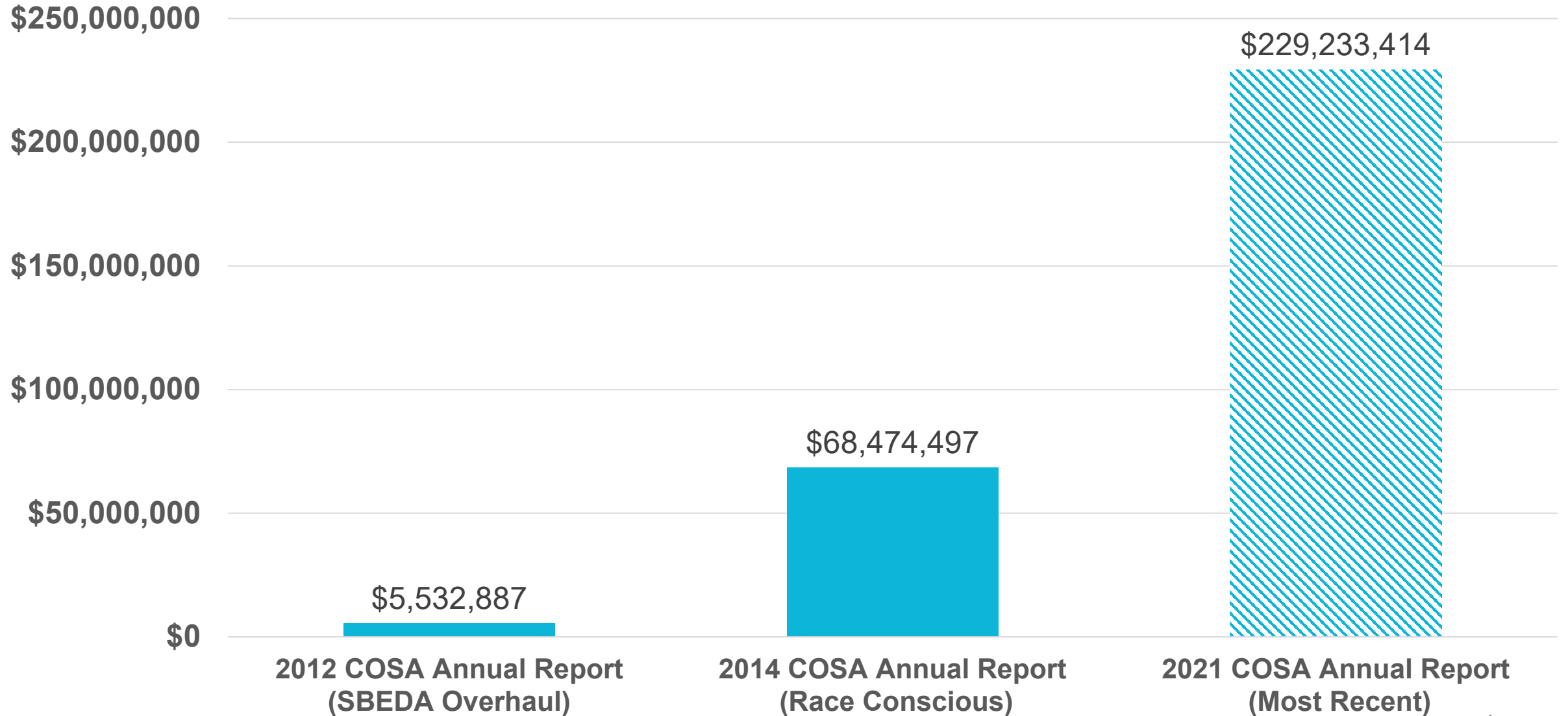
**Promote the use of local small, minority,
and women-owned businesses on
City contracts to cure documented
racial and gender disparities**



PERCENT UTILIZATION OF M/WBES

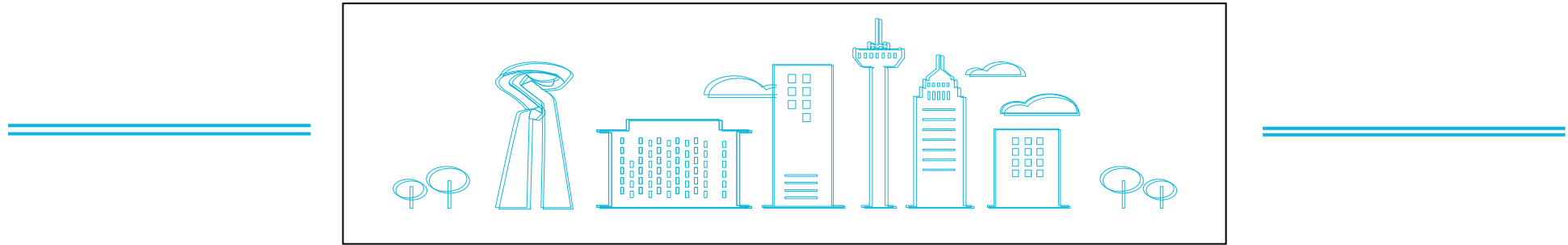


DOLLAR UTILIZATION OF M/WBES



DISPARITY STUDY PURPOSE

It is a legal requirement to compile and evaluate evidence in order to set minority & woman-owned SBEDA tools on City contracts



- ***Richmond v Croson*, Supreme Court 1989** - M/WBE contracting programs must meet “strict constitutional scrutiny”
 - Statistical evidence of disparities must exist in the market area
 - Anecdotal evidence (personal experience) of barriers for fair inclusion
 - Tools to cure issues found must be “narrowly tailored” to that evidence
- Industry standard is to conduct a disparity study every five to seven years

DISPARITY STUDY PURPOSE

Recommend the **suspension, continuation,**
or **expansion** the SBEDA program

- 1) Define the **relevant marketplace**
- 2) Calculate **custom availability** of minority and women-owned businesses
- 3) Analyze minority and women-owned business **utilization**
- 4) Determine any causation between **disparities** and **discrimination**
- 5) Determine if **barriers** exist through public and private practices
- 6) Analyze the effectiveness of current **race- and gender-neutral remedies**

DISPARITY STUDY COMPONENTS

- Evaluate City of San Antonio contracting data from 2014 through 2020
- Evaluate other various public and private sector data
- Research if disparities exist in the following business ownership ethnic and gender categories:

All Minority and Women Combined	African American	Asian American
Hispanic American	Native American	Women

- Research will be broken down in the following business industry categories:

All Industries Combined	Construction	Architecture & Engineering
Professional Services	Other Services	Goods & Supplies

DISPARITY STUDY TIMELINE

DISPARITY STUDY

SBEDA ORDINANCE REVISION

Initiation
Phase

Analysis
Phase

**August 2021 –
February 2022**

**March 2022 –
January 2023**

**February 2022 –
August 2023**

- Data gathering
- Communication material development
- Stakeholder engagement

- Legal analysis
- Additional data collection
- Small business surveys and focus groups
- Complete data analysis
- Study adoption

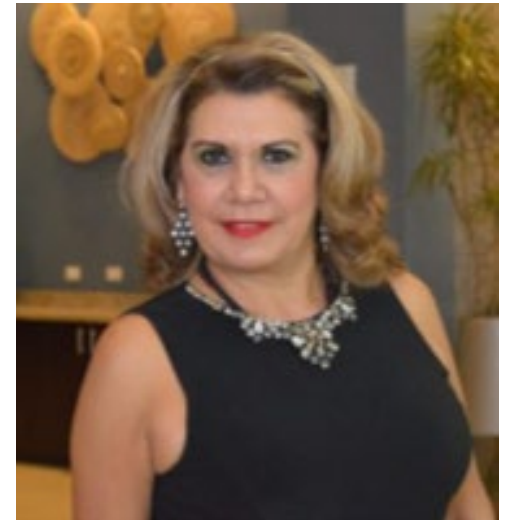
- Utilizing disparity study results, potentially recommend amendments to SBEDA
- Small business stakeholder feedback
- City Council to potentially amend SBEDA

OUR CONSULTANTS



Prime
Colette Holt &
Associates

Subcontractor
aMAEzing
Marketing
Group



CITY DATA & DOCUMENTS



Data:

- City contracts and standalone POs over \$50,000 2014-2020
- Associated SBEDA information

Documents:

- SBEDA related documents
- City small business programs
- Outreach
- Staffing

DATA COLLECTION AND ANALYSIS

- Colette Holt & Associates will review COSA data
- If clarity or additional information is needed, prime contractors will be sent letters requesting data



CITY OF SAN ANTONIO

Dear Business Owner:

Colette Holt & Associates (CHA) is conducting a disparity study for the City of San Antonio regarding its Small Business Economic Development Advocacy (SBEDA) Program. This research is being conducted to ensure that minority and woman-owned businesses (M/WBEs) have equal access to City contracting opportunities and that the SBEDA Program remains successful and legally defensible.

CHA was awarded the contract to complete this study as they are a national, San Antonio-based expert in conducting complex disparity studies and will be collecting City contract and purchase order information. The collection of this information is critical to determine accurately whether the city's contracting policies are fair to all firms.

This is where your company plays a key role to ensure a successful disparity study, as CHA needs data from your firm that was not included in the City's records. This data requested may include information on your company, the work performed on the contract, as well as any missing or incorrect payment amounts. In addition to the details of your contract with the City, we may also require a list of any subcontracts entered into to complete the work and related information on those subcontracts.

CHA will contact you with instructions on how to provide the necessary information to complete this data collection. Please provide this information within 10 business days of receipt of the request from CHA.

If you have any questions regarding the study or content of this letter, please contact the following:

Colette Holt & Associates
sanantonio-study@mwbelaw.com
855-mwbelaw / (855) 692-3529

City of San Antonio
SBEDAInfo@sanantonio.gov
210-207-3957

Information on the study is available at: <http://sanantonio.disparity-study.com>.

Thank you in advance for your cooperation.

Sincerely,

Brenda Hicks-Sorensen
Director
Economic Development Department

ECONOMIC DEVELOPMENT DEPARTMENT

100 W. HOUSTON, SUITE 1800 • SAN ANTONIO, TX 78205 • TEL: 210-207-8080

DISPARITY STUDY WEBSITE

sanantonio.disparity-study.com

- Information
 - Disparity study overview & why it is important
 - Meet the consultant
 - How to participate
 - Contact consultant & public comment



City of San Antonio Disparity Study

The City of San Antonio ("the City") is conducting a disparity study of its Small Business Economic Development Advocacy ("SBEDA") Program. The study seeks to ensure that minority and women-owned businesses (M/WBEs) have equal access to contracting opportunities and that the City's current program remains legally defensible and effective in its mission.



A disparity study involves compilation of evidence to determine whether the City has a strong basis to continue to implement race- and gender-conscious contracting remedies, and if so, how to narrowly tailor its SBEDA program to cure the disparities. The study will determine the City's utilization of M/WBEs and the availability of M/WBEs as a percentage of all firms in the market area and relevant industries. The study will analyze whether there are disparities, if any, between the availability of M/WBEs and their utilization on City-funded contracts and related subcontracts and throughout the San Antonio area economy as a whole.



PUBLIC INFORMATIONAL WEBINAR

- Held on January 24, 2022
- Invitations
 - 60 stakeholder organizations
 - Central Vendor Registry vendors
 - South Central Texas Regional Certification Agency Vendors
 - SBEDA Committee
- Event recording available on study website

CITY OF SAN ANTONIO Disparity Study Public Informational Webinar



The City of San Antonio ("City") is conducting a disparity study of its Small Business Economic Development Advocacy ("SBEDA") Program. The study seeks to ensure that minority and woman-owned business ("M/WBEs") have equal access to contracting opportunities and that the City's current program remains legally defensible and effective in its mission. Analysis will include statistical evidence of disparities, if any, between the availability of M/WBEs and their utilization on City contracts and related subcontracts and throughout the San Antonio economy as a whole.

Further, the study will examine qualitative experiences and solicit suggestions of business owners and stakeholder groups for possible enhancements to assist M/WBEs bidding on

City contracts. Your participation is therefore critical to informing the study results and recommendations.

The public information webinar will introduce the study team, present the study elements and methodology, describe the study process, and outline how stakeholders and business owners can participate.

The City welcomes the participation of all business owners, those who are currently doing business with the City, as well as those interested in City contracting opportunities.

Please join us to learn about this important project and how you can participate.

PUBLIC INFORMATION WEBINAR:

**Monday January 24, 2022
2:00 PM**

https://us02web.zoom.us/webinar/register/WN_Gdxrpx6UTb2BaFF8facH-Q

QUESTIONS AND GENERAL INFORMATION

Study Website:
sanantonio.disparity-study.com

Consultant conducting the study:
Colette Holt & Associates
sanantonio-study@mwbelaw.com
(855) 692-3529



CITY OF SAN ANTONIO
ECONOMIC DEVELOPMENT
DEPARTMENT

PUBLIC ENGAGEMENT

Business owner can share their experiences in the San Antonio marketplace and the City's Program:

- Business Owner/Stakeholder small group business owner interview sessions - Spring 2022
- Business Owner/Stakeholder electronic survey - Spring/ Summer 2022

All feedback will be confidential

Participate

It is crucial that business owners, M/WBE focused organizations, industry and trade groups and community partners participate in the study's process and contribute to the study's findings. Confidentiality of all comments received will be maintained to the extent permitted by law.

Public Introductory Webinar

The webinar introduced the community to the disparity study methodology and elements and answered questions pertaining to the study.

[Download the Presentation Slides](#)

[View the Presentation Online](#)

Electronic Survey of Business Owners

CHA will administer a comprehensive electronic survey to collect anecdotal information. The survey will elicit firms' experiences in the overall San Antonio marketplace and with the City's SBEDA program in particular.

Small Group Business Owner Interview Sessions

CHA will conduct business owner small group interviews. These sessions are designed for participants to additionally share experiences and insights in doing business with the City and barriers to obtaining work in the greater San Antonio area economy.

Written Submissions

We also welcome written comments to be submitted through the dedicated study email: sanantonio-study@mwbelaw.com.

NEXT STEPS

Contact prime contractors to gather additional information

Small Business Owner/Stakeholder surveys

Small Business Owner/Stakeholder focus groups

Conduct legal analysis

Compile data analysis

City Council adoption of the study

DISPARITY STUDY CONTACT INFORMATION



Study website sanantonio.disparity-study.com



Study email sanantonio-study@mwbelaw.com



Study
telephone
number 855-mwbelaw (855-692-3529)



City contact

Economic Development
Department

- SmallBizInfo@sanantonio.gov
- 210-207-3957

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