

# MARTIN LUTHER KING PARK

SBEDA PRESENTATION



# SBEDA Eligibility



CITY OF SAN ANTONIO  
ECONOMIC DEVELOPMENT  
DEPARTMENT



Certified  
by SCTRCA



HQ or  
Significant  
Business  
Presence in  
SAMSA

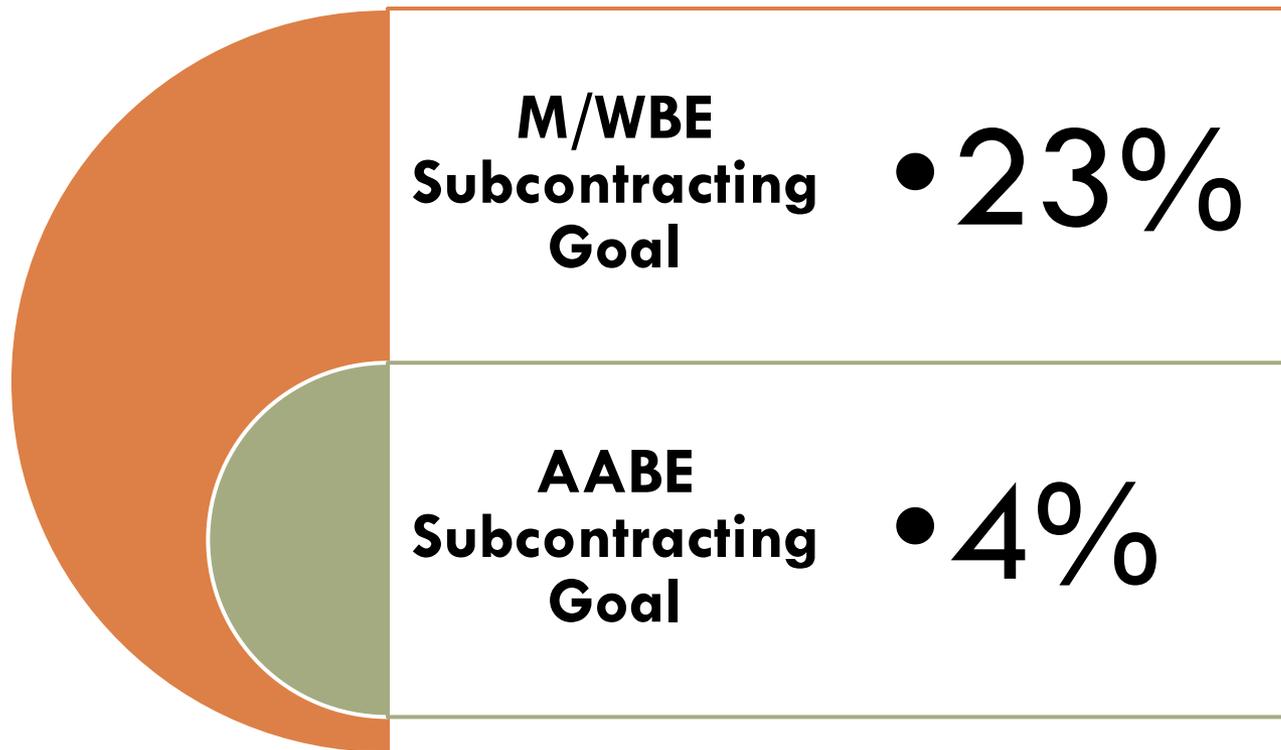


Registered  
in CVR

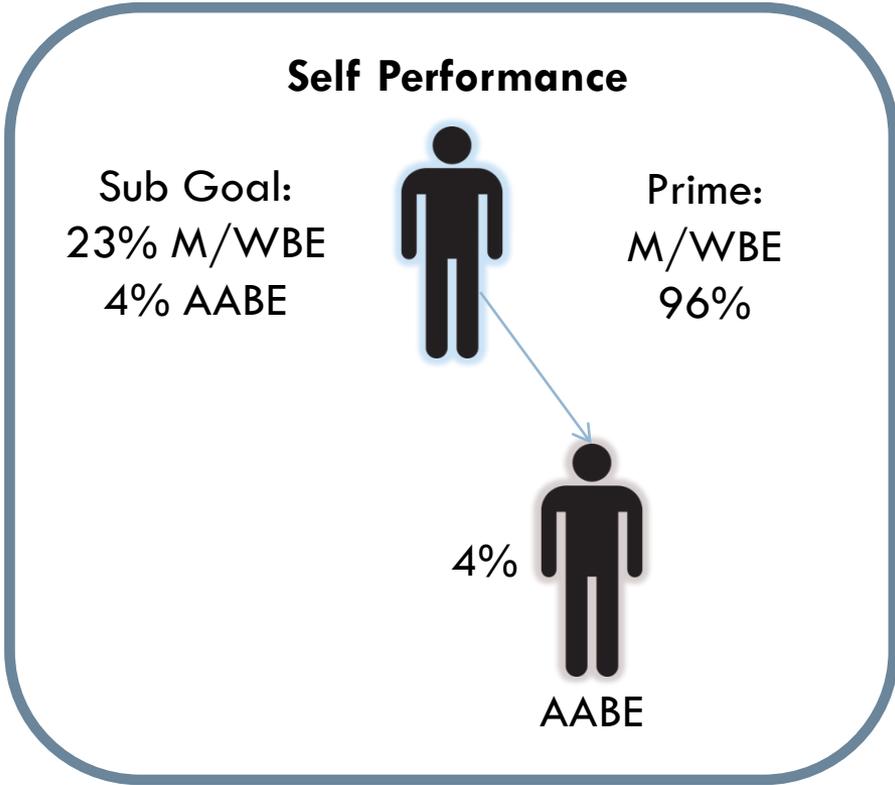
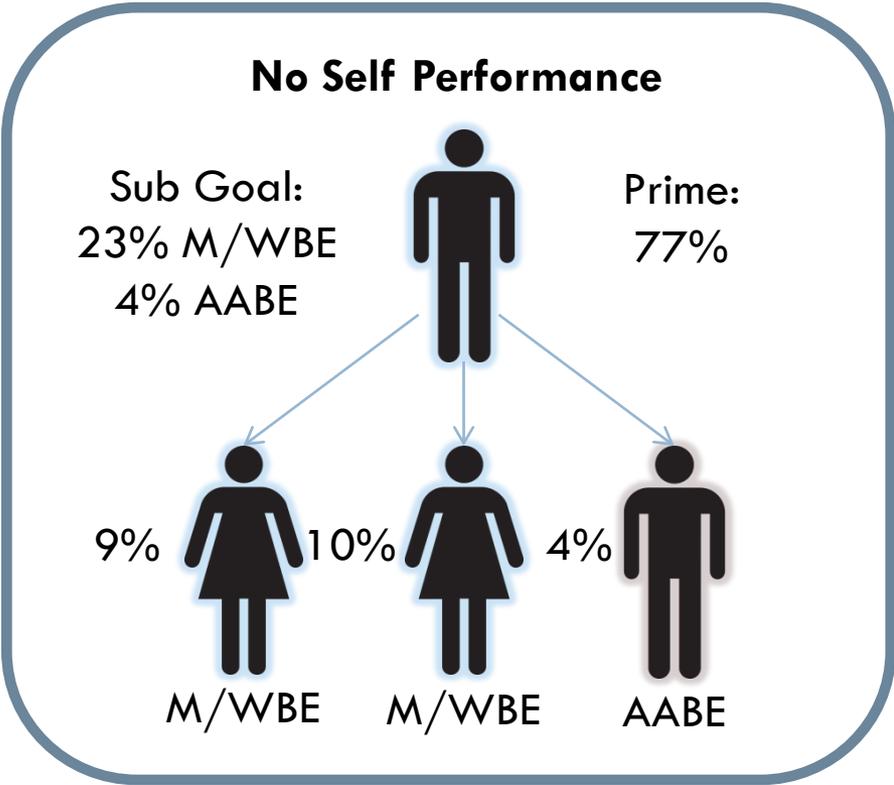
# SBEDA Affirmative Procurement Initiatives (APIs)

## Subcontracting Program

For a Prime Contractor or Subcontractor to count toward a City required subcontracting goal(s), the Prime Contractor or Subcontractor must be SBEDA eligible and have the same certification(s) as the City required goal(s).



# Prime Self-Performance of sub goals





# CITY OF SAN ANTONIO SUBCONTRACTOR/SUPPLIER UTILIZATION PLAN

SOLICITATION NAME: *Name of the solicitation*

PRIME CONTRACTOR NAME:

**Please review the following information before completing the form:**

1. Prime contractor must list **ALL** certified and non-certified Subcontractors/Suppliers that will be utilized for the entire contract period (see page 2).
2. A Subcontractor/Supplier Utilization Plan that does not satisfy City subcontracting goal(s) placed on this solicitation and absent an approved Subcontracting Goal- Waiver (at the time of bid submission) by the Small Business Office will be deemed **NON-RESPONSIVE**.
3. For a Prime contractor or Subcontractor to count toward a City required subcontracting goal(s), the Prime contractor or Subcontractor must be SBEDA eligible and have the same certification(s) as the City required subcontracting goal(s).
4. To be SBEDA eligible, a Prime contractor or Subcontractor must be certified as a Small Business Enterprise (SBE) through the South Central Texas Regional Certification Agency ([www.SCTRCA.org](http://www.SCTRCA.org)) AND must be headquartered or have a significant business presence in the San Antonio Metropolitan Statistical Area.

**For further clarification, please contact Small Business Office at (210) 207-3922 or refer to the SBEDA language within the solicitation document(s).**

To be Completed by City Staff			To be Completed by Prime Contractor		
SOLICITATION API's	EVALUATION POINTS APPLIED	CITY REQUIRED SUBCONTRACTING GOAL	PERCENT SBEDA ELIGIBLE PARTICIPATION	MEETING THE GOAL? (Y/N)	WAIVER SUBMITTED? (Y/N)
[Text]	[Text]	[Text]			
[Text]	[Text]	[Text]			
[Text]	[Text]	[Text]			
[Text]	[Text]	[Text]			

*Remove if not needed* \*Please note that the participation by AABE subcontractors automatically counts towards the SBE subcontracting goal.

**I hereby affirm that the information on this form is true and complete to the best of my knowledge and belief. I possess internal documentation from all proposed Subcontractors/Suppliers confirming their intent to perform the scope of work for the price or percentage indicated. I understand and agree that if approved, this document shall be attached thereto and become a binding part of the contract.**

Prime Contractor's Authorized Agent:	Sign and Date <input style="width: 150px; height: 25px;" type="text"/>	Name <input style="width: 150px; height: 25px;" type="text"/>	Title <input style="width: 150px; height: 25px;" type="text"/>
Director or Designee of Economic Development:	Sign and Date <input style="width: 150px; height: 25px;" type="text"/>	<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	



**All sections of the following table must be completed for all firms listed. List all certified or non-certified Subcontractors/Suppliers that will be utilized for the entire contract period, excluding possible extensions, renewals and/or alternates. Use additional pages if necessary.**

ROLE	NAME OF FIRM	SBEDA ELIGIBLE (YES/NO)	DOLLAR AMOUNT BY FIRM	% OF TOTAL CONTRACT VALUE BY FIRM	WORK TO BE PERFORMED (5 DIGIT NIGP CODE)
PRIME CONTRACTOR					
SUB					

# Subcontracting Goal - Waiver Request Form

(Attach Subcontractor/Supplier Utilization Plan Form at the time of bid submission with this waiver)

## SECTION D: Attendance at Pre-Submittal Conference

5

City staff maintains documentation regarding attendance at the pre-submittal conference:

- Below, list the individuals from your firm that attended the pre-submittal conference

## SECTION E: Other Criteria (Bonding / Insurance /Supplier Credit Assistance)

15

Please provide documentation and supporting evidence to show how the criteria was fulfilled. To receive all 15 points, three (3) additional good faith efforts must be completed. Note the items below are recommendations of 'other criteria'.

The vendor may identify other good faith efforts in the area provided below (subject to approval):

- Participate in a mentoring program in the San Antonio Metropolitan Statistical Area (SAMSA)
- Provide easy access to plans and specifications for S/M/WBEs
- Host outreach events for S/M/WBEs in SAMSA
- Offer joint check services or bonding assistance or lines of credit to S/M/WBEs
- Advertise and utilize member listings from multiple trade organizations and Chambers of Commerce
- Other (if Other Please List Below)

*Respondents must obtain a total of 70 or more points to receive a waiver approval. No partial points will be awarded to respondents in sections (A-D) for not meeting the criteria. Respondents will be considered Non-Responsive upon denial of the Subcontracting Waiver Request and Subcontractor/Supplier Utilization Plan. For more information on the Subcontracting Waiver Criteria or for assistance on completing the Subcontracting Waiver Request Form, please contact the Small Business Office at (210) 207-3922.*

### AFFIRMATION

I CERTIFY THAT ALL INFORMATION CONTAINED IN THIS FORM IS ACCURATE AND COMPLETE, AND UNDERSTAND THAT IF THIS REQUEST FOR WAIVER IS DENIED AND I FAIL TO MEET THE REQUIREMENTS OF THIS SOLICITATION, MY RESPONSE TO THIS SOLICITATION WILL BE DEEMED NON-RESPONSIVE.

SIGNATURE

PRINT NAME/ TITLE

DIRECTOR ECONOMIC DEVELOPMENT  
DEPARTMENT

Approved

Denied

TOTAL SCORE: \_\_\_\_/100

- A full or partial waiver of a specified subcontracting goal may be requested, for good cause, by submitting the *Subcontracting Goal-Waiver Request* form with the solicitation response
- Form is available at: <http://www.sanantonio.gov/SBO/Forms.aspx>
- Waiver request must fully document subcontractor unavailability despite good faith efforts to comply with the goal
- Please refer to the SBEDA Subcontracting Goal-Waiver Request guide for additional information on how to complete a *Subcontracting Goal – Waiver Request Form*:

# Subcontracting Goal – Waiver Request Evaluation Criteria

Section		Points
A	Identification of Sufficient Subcontracting Work to Meet Goal	25
B	Initial Communications to Potential S/M/WBE Subcontractors	20
C	Follow-up Communications & Bid Negotiations with Potential Subcontractors	35
D	Attendance at Pre-Submittal Conference	5
E	Other Criteria	15

**Passing Score – 70**

# Important Notes

## Respondents may request an Exception from SBEDA

- Submit with response and are subject to SBO approval  
<http://www.sanantonio.gov/SBO/Forms.aspx>

## All primes and subcontractors must be registered in SAePS

- <http://www.sanantonio.gov/purchasing/saeps.aspx>
- For technical assistance please call (210) 207-0118

## Vendor listing available online

- The City of San Antonio has a new and improved vendor search function. Please visit the COSA Vendor Listing to view or to download a listing of certified and non-certified vendors registered with the City.  
<http://sanantonio.gov/purchasing/vendorinformation/cosavendorlisting.aspx>

## Assistance available developing proposal, completing the Utilization Plan and priority certification

- Priority certification is not guaranteed before bid closing
- To download the application, please visit the SCRTCA website: <http://www.sctrca.org/>

# CONTACT US



## **David Rodriguez, Sr. Economic Development Specialist**

- David.Rodriguez3@sanantonio.gov
- (210) 207- 0071

## **UTSA PTAC is available to provide assistance to SMWBEs**

- Website: [ptac.txsfdc.org](http://ptac.txsfdc.org)
- Email: [ptac@utsa.edu](mailto:ptac@utsa.edu)
- (210) 458-2458



**SBEDA**  
**SUBCONTRACTING**  
**GOAL-WAIVER REQUEST**

Evaluation Criteria



CITY OF SAN ANTONIO  
**ECONOMIC DEVELOPMENT**  
**DEPARTMENT**



## Subcontracting Program Overview

The SBEDA Ordinance outlines tools that promote the growth of Small, Minority, and Women owned businesses by providing opportunities to participate in City of San Antonio solicitations. One of the tools available is the Subcontracting Program, which may be applied on City solicitations. If the Subcontracting Program is applied, Respondents must meet the required subcontracting goals. Respondents have the option to request a full or partial waiver of the required subcontracting goal. When the Respondent submits their bid/proposal, this waiver request must be included. Waiver requests turned in after bid/proposal submittal will not be accepted.

## Subcontractor Waiver Criteria Overview

The City developed this booklet as a guide to provide a clear outline of the City's expectations when a respondent requests a full or partial waiver from the required subcontracting goal. In this booklet, the criteria for each section of the Subcontractor Waiver Request Form will be outlined. Each section has allocated points that will be awarded to Respondents fully satisfying the specific criteria.

Outlined below are the assigned point values of each section and their criteria:

### Subcontracting Goal-Waiver Request Evaluation Criteria

Section	Criteria	Points
<b>A</b>	Sufficient Commercially Useful Work Identified to Meet Subcontracting Goal	<b>25</b>
<b>B</b>	Initial Communications to Potential S/M/WBE Subcontractors Using Central Vendor Registry / Website Posting of Subcontractor Solicitations	<b>20</b>
<b>C</b>	Follow-up Communications & Bid Negotiations with Potential Subcontractors	<b>35</b>
<b>D</b>	Attendance at Pre-Submittal Conference	<b>5</b>
<b>E</b>	Other Criteria (Bonding / Insurance / Supplier Credit Assistance)	<b>15</b>

**Respondents must obtain a total of 70 or more points in order to pass .  
No partial points will be awarded to Respondents in sections not meeting the criteria .**

Respondents will be considered non-responsive upon denial of the Subcontracting Waiver Request.

For more information on the Subcontracting Waiver Criteria or for assistance on completing the Subcontracting Waiver Request Form, please contact the Small Business Office contact listed on the solicitation.

# Section A

**Identification a Sufficient Commercially Useful Work Identified to Meet Subcontracting Goal.**

**25pts**

In its solicitation of subcontractor bids, Respondent identified adequate commercially useful subcontracting opportunities by breaking down or combining elements of work in economically feasible units to facilitate applicable S/M/WBE participation without unduly burdening the capacity of those S/M/WBE subcontractor(s) that are being solicited.

Respondent should reference, but not be limited to, the elements of work City staff identified as commercially useful when setting the subcontracting goals for this specific contract. In its effort to reach the subcontracting goal, Respondent must solicit a reasonable number of available S/M/WBE subcontractors that are capable of performing each type of work that Respondent is subcontracting out.



## REQUIRED DOCUMENTATION

- ◆ Provide a list of combined or segmented elements of the scope of work, specifically referencing appropriate NIGP codes, and estimated percentages of subcontracting opportunities and estimated percentage of work to be self-performed by Respondent.
  - ◇ City staff must confirm the commercial usefulness of any elements of work listed by a Respondent, but not originally included in the list of NIGP codes associated with the contract.
  - ◇ City staff must evaluate scope of work retained by Respondent for self-performance to determine whether it is susceptible to further subcontracting of commercially useful functions, and / or whether Respondent is instead capable of retaining and self-performing a different scope of work that would enable it to meet overall S/M/WBE subcontracting goals.
- ◆ No points will be awarded for this category if the respondent fails to identify sufficient commercially useful subcontracting opportunities to meet the established goal.



**Exception to SBEDA Policy** – *If the Respondent has determined NO commercially useful subcontracting opportunities exist for a specific contract, Respondent should complete the request for Exception to SBEDA Policy form, rather than the Subcontracting Waiver Request Form.*

# Section B

## Initial Communications to Potential S/M/WBE Subcontractors Using Central Vendor Registry / Website Posting of Subcontractor Solicitations

20pts

For each NIGP / construction category of commercially useful work for which the Respondent is soliciting S/M/WBE subcontracting bids, the Respondent must present written documentation of email or fax solicitations that it has sent to no fewer than five, or the total number (whichever is lesser), of the certified S/M/WBE subcontractors that are registered in the Central Vendor Registry (“CVR”) as being capable of performing each such category of work. ([www.sanantonio.gov/purchasing/SAePS\\_intro.aspx](http://www.sanantonio.gov/purchasing/SAePS_intro.aspx))

- ◆ Each such subcontractor solicitation must be documented to have been sent by Respondent no later than seven calendar days prior to the City’s bid due date, and to have been sent to the last known email address or fax number and contact person for the S/M/WBE firm that has been registered with the City.
- ◆ Each initial communication to potential S/M/WBE subcontractors by Respondent must contain in the subject line a reference to “subcontractor solicitation” as well as the name of the project and bid solicitation number as provided in the City’s bid solicitation.
- ◆ The body of each initial communication to S/M/WBE subcontractors from Respondent must contain a current web link to:
  - (a) the City’s web page established for purposes of posting the prime contract solicitation; or
  - (b) Respondent’s own web page wherein its solicitation for subcontractors for various scopes of work for that specific prime contract are posted.

In either case, such web posting by Respondent must reference the City’s bid solicitation number and the project name and description, and it must also provide plain descriptions of the various scopes of work for which subcontracting bids are being solicited by Respondent, as well as the specific NIGP codes referenced by the City as being available for subcontracting.

In addition, Respondent’s web posting must provide detailed instructions to prospective subcontractors as to the appropriate format and means for submitting a subcontract bid, as well as all information that is required for submitting a bid to the Respondent, including, but not limited to, Respondent’s contact information for subcontracting bid submittals, bid specifications for each element of subcontracted work, the bid due date for subcontractors, bonding and insurance requirements for subcontractors, and reference requirements.



## REQUIRED DOCUMENTATION

- ◆ For each category of work identified by Respondent as being available for subcontracting, copies of emails or fax correspondence to no fewer than five, or the total number (whichever is less), of certified S/M/WBE subcontractors that are registered in the Central Vendor Registry (“CVR”) as being capable of performing that category of commercially useful work. (City’s Staff will verify the status of S/M/WBE recipients via [www.sanantonio.gov/purchasing/SAePS\\_intro.aspx](http://www.sanantonio.gov/purchasing/SAePS_intro.aspx)).
- ◆ Copies of email and/or fax records reflecting that each such subcontractor solicitation sent by Respondent was sent no later than seven calendar days prior to the bid due date as established by the City of San Antonio, and that each such solicitation was sent to the last known fax number and / or email address and contact person for the S/M/WBE firm that has been registered with the City as being capable of performing each such category of work.
- ◆ Documents reflecting or confirming that the web link to the web page contained in the initial communication was current and valid as of the date the communication was sent to prospective S/M/WBE subcontractors. (Printed web pages reflecting the web page address and the date of printing may suffice.)
- ◆ The reference line and the body of each copy of initial communication with prospective S/M/WBE subcontractors must contain the content as outlined above (i.e. reference line: “subcontractor solicitation”, City bid solicitation number, and brief description of project; body of initial written communication: brief description of subcontractor bid solicitation requirements and instructions for clicking on web page links to visit either the City’s website page or the Respondent’s website page wherein full descriptions of scopes of work available for subcontracting, and requirements for format, substance, and procedures for submittal of subcontractor bids are posted.)

 Respondent will **ONLY RECEIVE POINTS** for this Section if **ALL REQUIRED DOCUMENTATION** listed above is included with the Subcontracting Waiver request and if outreach occurred within the specified time frame.

# Section C

## Follow-up Communications & Bid Negotiations with Potential Subcontractors

35pts

Respondent must follow-up on initial communications by contacting identified SBEDA-eligible firms no less than three (3) calendar days prior to the City of San Antonio solicitation response deadline to determine, with certainty, whether the SBEDA-eligible firms are interested in performing as subcontractors/suppliers on the project. Respondent must conduct bid negotiations regarding scope of work and pricing with prospective subcontractors in a fair and non-discriminatory fashion.

Respondent must negotiate in good faith with potential subcontractors/suppliers and not unfairly reject bids received. While Respondents are NOT required to accept any subcontractor/supplier based solely on certification status, price alone is not sufficient reason for rejecting a SBEDA eligible bid, unless Respondent can document with sufficient clarity that price difference is excessive.



### REQUIRED DOCUMENTATION

- ◆ Communication log documenting telephone/fax/e-mail follow-up. This log must include the SBEDA-eligible subcontractor's/supplier's company name, telephone number, e-mail address, fax number, contact person, time, date, and result of the follow-up communication.
- ◆ Respondent must follow-up with all solicited SBEDA-eligible potential subcontractors/suppliers who have not responded to initial notification or must state reasonable basis for lack of follow-up action.
- ◆ If Respondent does not receive feedback from initial communication or receives notification that initial outreach was not successfully received (wrong or disconnected phone/fax number, email delivery failure), Respondent must show alternative methods of communication utilized for outreach.
- ◆ Copies of all emails, faxes, subcontractor bid offers, Respondent's written responses to subcontractor bid offers, and other written communications exchanged between Respondent and prospective subcontractors during the bidding process must be provided.



Respondent will **ONLY RECEIVE POINTS** for this Section if **ALL REQUIRED DOCUMENTATION** listed above is included with the Subcontracting Waiver request and if outreach occurred within the specified time frame.

# Section D

## Attendance at Pre-Submittal Conference

5pts

Potential subcontractors/suppliers are encouraged to attend pre-submission meetings, which serve as an opportunity to meet potential prime Respondents. Respondents demonstrate attendance at pre-submittal conference by signing-in physically or via teleconference.



### REQUIRED DOCUMENTATION

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- ◆ None by Respondent; City staff will maintain internal documentation.

# Section E

**Other Criteria (e.g., Bonding / Insurance / Supplier Credit Assistance)**

**15pts**

Respondents may identify other factors, outside of those mentioned above, that demonstrate a Respondent's Good Faith Effort, including, but not limited to:

- ◆ Respondent provided subcontractors with detailed information on how, where (within the SAMSA) and when (during normal business hours) interested subcontractors may view or obtain the plans and specifications for the project free of charge. Plans and specifications may be made available on-site or via the internet by the Respondent's internet website.
- ◆ Respondent advertised for bids/quotes from interested SBEDA-eligible businesses not less than 10 business days prior to City of San Antonio solicitation response deadline in one or more daily or weekly newspapers, trade association publications, minority- or trade-oriented publications, trade journals, magazines, newsletters, or trade websites.
- ◆ Use of the South Central Texas Regional Certification Agency ([www.sctrca.org](http://www.sctrca.org)) to identify additional potential SBEDA-eligible subcontractors/suppliers for the bid solicitation.
- ◆ Outreach to other organizations' Vendor Directories/Listings, including professional and trade associations, chambers of commerce, other certifying entities and internal vendor directories/listings to contact certified SBEs or M/WBEs who have been identified to perform Commercially Useful Functions for subcontracting work identified for the bid solicitation.
- ◆ Assistance provided or offered to potential subcontractors/suppliers in obtaining bonding, lines of credit with suppliers or financial institutions, and insurance in connection with the bid solicitation.
- ◆ Offering joint check services to SBEDA-eligible businesses in bid solicitation.
- ◆ Participating as a mentor in business mentoring programs in the SAMSA within the past calendar year.
- ◆ Attending/hosting SBEDA-eligible business outreach events within the past calendar year.



## REQUIRED DOCUMENTATION

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- ◆ Respondent should submit any documentation reflecting Respondent's participation in no fewer than three of the above activities to demonstrate their Good Faith Effort under this criterion.



