



Procurement Division
200 E University Avenue, Rm 339
Gainesville, FL 32601
 (352) 334-5021(main)
 Issue Date: December 3, 2020

REQUEST FOR PROPOSAL: # EODX-210013-DM
City Of Gainesville Disparity Study

PRE-PROPOSAL MEETING: Non-Mandatory Mandatory N/A Includes Site Visit
DATE: **TIME:**
LOCATION:

QUESTION SUBMITTAL DUE DATE: December 28, 2020 at 5:00 p.m.

DUE DATE FOR UPLOADING PROPOSAL: January 4, 2021 3:00PM

SUMMARY OF SCOPE OF WORK:

The City of Gainesville, Florida seeks to ensure equity in its procurement. The City now operates a small business program that includes outreach, training, direct solicitation of bids and price preferences for certified small businesses. The City seeks a disparity study to assess whether there are disparities between the utilization of minority- and women-owned businesses (MBEs and WBEs) in City procurement and the availability of MBE/WBEs even with the small business program in place.

For questions relating to this solicitation, contact: McPhallDT@cityofgainesville.org

Bidder is not in arrears to City upon any debt, fee, tax or contract: Bidder is NOT in arrears Bidder IS in arrears
 Bidder is not a defaulter, as surety or otherwise, upon any obligation to City: Bidder is NOT in default Bidder IS in default

Bidders who receive this bid from sources other than City of Gainesville Procurement Division or DemandStar.com MUST contact the Procurement Division prior to the due date to ensure any addenda are received in order to submit a responsible and responsive offer. Uploading an incomplete document may deem the offer non-responsive, causing rejection.

ADDENDA ACKNOWLEDGMENT: Prior to submitting my offer, I have verified that all addenda issued to date are considered as part of my offer: Addenda received (list all) # 1 and #2

Legal Name of Bidder: Griffin & Strong, P.C.

DBA: _____

Authorized Representative Name/Title: Rodney K. Strong/Chairman and CEO

E-mail Address: rodney@gspclaw.com FEIN: 58-2086394

Street Address: 235 Peachtree Street, N.E., Suite 400; Atlanta, GA 30303

Mailing Address (if different): _____

Telephone: (404) 584-9777 Fax: (404) 584-9730

By signing this form, I acknowledge I have read and understand, and my business complies with all General Conditions and requirements set forth herein; and,

Proposal is in full compliance with the Specifications.

Proposal is in full compliance with the Specifications except as specifically stated and attached hereto.

SIGNATURE OF AUTHORIZED REPRESENTATIVE: Rodney K. Strong

SIGNER'S PRINTED NAME: Rodney K. Strong **DATE:** January 4, 2021

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4.1(b) TECHNICAL PROPOSAL

A. Project Approach

1. Basis of Study

Disparity studies are the product of City of Richmond v. J.A. Croson Company, 488 U.S. 469, 709 S.Ct. 706 (1989), Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995), and their progeny. In Croson the Court stated that strict scrutiny was the standard of judicial review for any race-conscious program. In that, the state or local governmental entity would have to demonstrate both a compelling state interest by a factual predicate that identifies discrimination and a narrowly tailored remedy to the findings of any discrimination.

As a formula for discrimination, Croson states that:

"Where there is a significant statistical disparity between the number of qualified minority contractors willing and able to perform a particular service and the number of such contractors actually engaged by the locality or the locality's prime contractors, an inference of discriminatory exclusion could arise."

A disparity study must adhere to the legal requirements of U.S. Supreme Court decisions like Croson and Adarand. In addition, there have been important cases out of the U.S. Judicial Circuit Court of Appeals for the Eleventh Circuit, as well as other circuit courts, that assist with establishing the methodology to be used in disparity studies and the resulting assurance of narrowly tailored programs.

The following methodology clearly defines how Griffin & Strong, P.C. ("GSPC") will provide the work described in the RFP and demonstrates that GSPC's proposed approach will fulfill City of Gainesville's ("City") goals and objectives, while conforming to the legal requirements set forth in Croson, Adarand, and their progeny.

The goal of the disparity study will be to answer the following research questions:

- Is there is a statistically significant disparity in the relevant geographic and product markets between the percentage of qualified minority and woman owned firms ("MBE and WBE" respectively) willing and able to provide goods or services to the City in each of the Industry Categories (as hereinafter defined) of contracts and the percentage of dollars awarded to such firms by the City (whether as prime contractors/consultants or subcontractors/consultants)?
- If a statistically significant disparity exists, have factors, other than race and gender been ruled out as the cause of that disparity, such that there can be an inference of discrimination?
- If found, can the disparity be adequately remedied with race and gender-neutral remedies?
- If race and gender-neutral remedies are not sufficient, does the evidence from the Study legally support a race and/or gender conscious remedial program?

- Are the proposed remedies narrowly tailored to the strong basis in evidence from the disparity study?

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2. Study Period

The City states that the study should cover the five-year period from January 1, 2016 through December 31, 2020 (CY2016-2020). The Study Period is acceptable because it is important that the data be analyzed over a number of years in order to demonstrate a trend and not just an occurrence. Further, the data should be current enough to still be applicable and not stale. This is also why it is important that studies be delivered in a timely manner so that the data utilized does not become stale before the report is completed.

3. Detailed Review of Applicable Legal Standards and Requirements

GSPC will analyze the significance of relevant case law, including City of Richmond v. J.A. Croson Company, 488 U.S. 469, 709 S.Ct. 706 (1989) and prepare summary information of all important post-Croson U.S. Supreme Court decisions and those of the U.S. Judicial Circuit Court of Appeals for the Eleventh Circuit that are related to minority and women-owned business enterprise programs and participation. Although cases from other jurisdictions may not be controlling, GSPC will include relevant outcomes from those cases to demonstrate the trends in the judicial system and their impact on disparity study methodologies.

The analysis will include judicial and econometric support for GSPC's methodologies for each aspect of the Study.

The firm will also determine if there are any pending legal cases that may affect the existing City program and will analyze the City's existing regulatory framework and its current policies, executive orders and local legislation that relate to the City's MBE and WBE contracting and procurement activities. GSPC will determine if these conform to the current legal environment and will monitor new cases in the area of equal protection and affirmative action in general and assess their impact on the City.

Finally, the firm will determine, revise and document, any necessary adjustments in the methodology for analysis of procurement and contract data, based upon the foregoing legal analysis and appropriate statistical and economic principles.

4. Review of City Procurement Policies, Procedures and Programs

GSPC will provide the history of the City's procurement policies, practices, and procedures to determine their impact on MBE and WBE firms:

- a. Whether there is any policy that will inherently present a barrier that will more highly impact minority or woman-owned business enterprises' participation in the City's procurement process;
- b. Whether the City personnel involved in the procurement process understand the City's procurement policies, particularly as they relate to MBE and WBE;

c. Whether the practices of the City's procurement personnel match the City's policies. GSPC will examine the statutes, publicly disseminated policy statements, internal policy and procedure manuals and memoranda and all written staff directives from management regarding procurement. In addition, GSPC will interview the City's staff in each prominent procurement area with regard to inquiring about all aspects of procurement, including the types of contracts and market areas covered by solicitations, advertising, and mailing.

The findings of this chapter will assist GSPC in recommending ways that the policies, procedures, and programs can better promote equal access and participation in opportunities to MBE and WBE firms, again ensuring that such recommendations are narrowly tailored to the results of the Study.

5. Contract and Subcontract Data Collection

Data is key to determining accurate outcomes of availability and other processes in a disparity study so the data collection and review methods are important to the accuracy of the analysis. As a law firm, GSPC maintains its data as a chain of evidence by maintaining regular change logs/data books for data files (which detail what was done to a data file). This allows an objective opportunity to trace the steps taken from GSPC's receipt of data through the process of work on that file until it is prepared for analysis. In addition, all processes are documented in the report, as well as assumptions, and workarounds for any data gaps.

GSPC's first step is to properly assess the data by meeting with procurement, IT, finance, and compliance personnel to determine what data the City has, in what format, and how GSPC can obtain the data. This process also includes preliminary discussions about the City's purchasing, practices, policies, and procedures to get a better understanding of how procurement operates. It is also important for GSPC's team to get to know procurement personnel and understand how to operate the Study in a manner least intrusive to the City's personnel. The research team will also gather all historical data from City of Gainesville's marketplace, including but not limited to previous disparity studies and will create and execute a plan to collect all electronic and physical data for the Study.

GSPC will do the work of gathering all available data and for determining "work arounds", surveys, and alternative data sources where there are data gaps. All data processes will be explained in the Study with full transparency. GSPC will oversee the entry of all data into appropriate databases and enter any manual data as required. Utilizing electronic data entry forms specific to the requirements of this jurisdiction, GSPC will hire temporary personnel and oversee the input of manual data on-site or remotely, as indicated.

GSPC's team will verify all electronic data by sampling data and utilizing third party lists (e.g. publicly available data), to cross reference against all databases in order to, not only verify and correct data, but also to assist in assigning missing Industry Categories.

GSPC will submit a Data Assessment Report and Data Collection Plan to the City for approval. The Data Collection Plan details the type of data and whether it will need to be collected electronically or manually, as well as when and from whom the data will be collected. Once approved, GSPC will issue data requests, if necessary, based upon the Data Collection Plan.

a. Data Requirements and Data Sources

For each element of the disparity study analysis below, GSPC has included its plans for what data it is collecting and how it plans on collecting said data.

b. Data Cleanup and Verification

After the completion of data collection, the data will be electronically and manually “cleaned” to eliminate duplicates, fill in unpopulated fields, and resolve any anomalies. In the cleanup process, GSPC will assume that any vendor that was not otherwise identified as an MBE and WBE is owned by a Non-MWBE.¹ The senior economist will be consulted if there is a need to fill any data gaps.

6. Definition of Relevant Geographic Market Area and Subindustries for the Study

a. Determination of Relevant Geographic Market

GSPC will also conduct an independent analysis of Relevant Market for purposes of the disparity study and will run the availability, utilization, disparity study using both outcomes, if the analysis determines a different Relevant Market.

The determination of the relevant geographic market is essential because all aspects of the Study will encompass only firms located within the geographic relevant market of each business category. Within the relevant market, GSPC will estimate the percentage of firms in each race, ethnicity, and gender group that are ready, willing, and able to perform services utilized by the City within each business category.

Croson supports the now commonly held idea that the relevant market area should encompass at least seventy-five to eighty-five percent of the "qualified" vendors that serve a particular sector. This concept also has its origins in antitrust lawsuits. United States Supreme Court, Justice Sandra Day O'Connor in Croson, wrote that the relevant statistical comparison in determining a disparity is one between the percentage of Minority Business Enterprises in the marketplace [or Relevant Market] who were qualified to perform contracting work (including prime and subcontractors) and the percentage of total contracting dollars awarded to minority firms. GSPC uses the 75% benchmark for the determination of the relevant market and will only measure firms that are within the relevant market (by work category: Construction, Professional Services, Goods, Other Services in both its availability and utilization determinations.

¹ This assumption was made because MBEs and WBEs are specifically identified and certified as such by governmental entities. To the contrary, Non-MBEs and WBEs are not typically given any identifier and have no indication of race/ethnicity/gender, or if they are identified, it has included that identification on the lists. Further, GSPC will use various lists to cross-reference against each other to verify race/ethnicity/gender. Where there are any inconsistencies, GSPC will research and confirm the correct race/ethnicity/gender. Not-for-profits and governmental entities do not have individual owners, so those firms will be deleted from all analyses used in the Study. Publicly traded corporations are considered, Non-MBE and WBE firms.

GSPC defines the geographic relevant market by accessing the award dollars in each major work category. In analyzing the relevant market data, GSPC will tabulate the percentage of award dollars by location of the firm awarded, beginning with the firms located in the City of Gainesville and radiating out by Metropolitan Statistical Area (MSA), Combined Statistical Area (CSA), surrounding counties, and states.

GSPC utilizes a “radiate-out” methodology for determining the relevant geographic market because the courts have been consistent in ruling that it is appropriate for the relevant market to encompass the jurisdiction of the governmental entity and that the relevant market may extend beyond the “jurisdictional boundaries” of the governmental entity to contiguous jurisdictions, or even MSAs. Courts have clearly upheld cases where a whole state and surrounding states could be included, if indicated.

b. Determination of Relevant Category of contracts (Industry Categories)

In addition to the Relevant Geographic Market, GSPC will determine the Relevant Product Markets, which are the Industry Categories that are utilized by the City (for primes) and the City primes (for subcontractors). For example, if the databases utilized to determine prime availability contain Industry Categories for hairdressers, but the City does not hire hairdressers, then that firm will not be counted in the availability estimates.

All Work categories will be aggregated in one of the major business categories:

- Construction
- Professional Services
- Goods
- Other Services

The analysis will be conducted based upon the most narrowly defined categories based upon the data. GSPC will endeavor to assign the appropriate NIGP codes to the data, or otherwise narrowly define the types of work utilized by the City. GSPC will also provide a utilization analysis by NIGP code.

7. Availability Analysis

In order to determine availability, GSPC will compile the following databases into a “Master Vendor File”

The City Lists:

- Current Vendors
- Bidders from the Study Period²
- Awardees from the Study Period
- Payees from the Study Period
- Subcontractors from the Study Period

² GSPC will use bidder data if it is reasonably available without pulling each hard copy bid package, which would substantially increase the proposed costs.

➤ Certified Lists

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Potential Outside Lists:

- Vendor/contractor lists (including certified MBEs and WBEs) from the State of Florida, and Florida DOT DBE and SBE Directories, as well as County and neighboring jurisdiction lists)

The purpose of the Master Vendor File is to collect, in one database, a representative listing of all firms that are ready, willing, and able to do business with the City. By including the outside vendor lists, there is a broader inclusion of firms that have expressed an interest in doing business with government.³

The definition of the categories of minority- or women-owned businesses for purposes of a disparity study is critical under *City of Richmond v. Croson Company*, 488 U.S. 469, 109 S.Ct. 706, 102 L.Ed.2d 854 (1989) for determining what groups should be included in any remedial program if an inference of discrimination is found. Croson stated,

“The random inclusion of racial groups that, as a practical matter, may never have suffered from discrimination in the construction industry in Richmond suggests that perhaps the City's purpose was not in fact to remedy past discrimination... The gross over inclusiveness of Richmond's racial preference strongly impugns the City's claim of remedial motivation.”

Unless otherwise indicated, GSPC will utilize the race/ethnicity classifications, but will review the definitions of ethnicities:

- African American
- Asian American
- Hispanic American
- Native American
- Non-MBE

The availability estimates of qualified MBEs and WBEs and other businesses categorized by industry and by major racial/ethnic and gender categories is part of the quantitative, or statistical, portion of the disparity study. GSPC will separate its determination of available MBE and WBE firms and will disaggregate by the various race/ethnicity/gender classifications. The quantitative analysis is made up of several key statistical components, all of which are based upon exacting data collection and the processing of information collected from the City and other appropriate sources. The following economic definitions are necessary for the estimation of availability rates, conducted for the Relevant Market:

Definitions:

³ GSPC only included firms from the outside vendor list that are registered to do business in the Industry Categories in which the City also does business.

Let: A = Availability Rates

A (Asian) = Availability Estimates for Asian Business Enterprises

N (Asian) = Number of Asian Business Enterprises in the relevant market

N (MBE and WBE) = Number of MBEs and WBEs

N (t) = Total number of businesses in the pool of bidders in the procurement category (for example, Construction)

Availability, (A), is a percentage and is computed by dividing the number of firms in each MBE/WBE group by the total number of businesses in the pool of bidders for that procurement category, N (t). For instance, availability for Asians is given by:

$$A \text{ (Asian)} = N \text{ (Asian)} / N \text{ (t)},$$

and total availability for all MBE and WBE groups is given by:

$$A \text{ (MBE and WBE)} = N \text{ (MBE and WBE)} / N \text{ (t)}.$$

Further, GSPC utilizes the “Ready, Willing, and Able” standard for determining availability.

a. Ready

There are numerous approaches to measuring available, qualified firms. GSPC has established a methodology of measuring availability based upon demonstrated and active interest in doing business with government entities. In determining whether a firm is ready, willing, and able, it cannot be presumed that simply because a firm is doing business in a relevant market, it desires, or is capable of, working for the City, particularly as a prime, which may require a particular capability. However, for a determination of availability for subcontractors to be made strictly based upon the City’s existing vendor base assumes that there are no discriminatory barriers (either by practice or perception) associated with registration. This is why the Master Vendor File which constitutes the pool of firm from which the availability estimates are taken, includes databases only from governmental entities.

The methodology utilized to determine the availability of businesses for public contracting is crucial to understanding whether a disparity exists within the relevant market. Availability is a benchmark to examine whether there are any disparities between the utilization of MBEs and WBEs and their availability in the marketplace. Although Croson defined availability as willing and able to perform the work, the courts have provided only general guidance on how to measure availability. GSPC’s measures of availability incorporate the following criteria:

- The firm does business within an Industry Category from which the City makes certain purchases;
- The firm's owner has taken steps to do business with some government entity through registering, being certified, bidding, or actually doing business with a governmental entity;
- The firm is located within a relevant geographical area such that it can do business with the City.

b. Willing

The willingness of MBEs and WBEs to perform the City work is not a simple calculation, but instead is a story that is weaved from various sources. The first step is to include in the Master Vendor List, all MBEs and WBEs that have actively expressed an interest in doing business with governments by registering, certifying bidding, or actually doing business with a government entity within the relevant market.

c. Able (With Regression)

First, GSPC performs a threshold analysis of the level of contracting done by prime contractors to determine if it is reasonable to believe that the firms in the marketplace that have at least registered to do business with governments and that are included in our availability lists, have the ability to perform as prime contractors, or only as subcontractors. (a) The threshold analysis shows the ladder of awards at each level (Under \$200,000; \$200,001-\$500,000; \$500,001-\$750,000, etc.). GSPC determines whether there is a substantial difference between the level of contracting performed by City of Gainesville's prime contractors as compared to City of Gainesville's subcontractors, such that there should be separate availability analyses. For example, if 80% of the contacts awarded by the City of Gainesville in construction are under \$200,000, and the average subcontractor award is over \$200,000, then there is no need to perform separate analysis. However, if 80% of the contracts awarded by the City in construction are \$2,000,000 and the average subcontractor award is \$100,000, then there would likely be a need for separate prime and subcontractor availability analysis.

Secondly, GSPC determines the highest awards made by the City to MBEs and WBEs across each race/ethnicity/gender groups to see if the level of contracting of MBEs and WBEs matches with those of Non-MBEs and WBEs in contracting with the City of Gainesville. It then compares the level of actual MBE and WBE contracting with the City to the results of the GSPC Survey of Business Owners which allows GSPC to determine the highest levels of contracting by MBE and WBE firms in all private and public contracting. If the level of overall contracting by MBE and WBE firms in general are higher than that of City contracts, GSPC determines a level of "unutilized capacity" by MBE and WBE firms. In other words, at how much of a higher level are MBE and WBE firms contracting that is not being utilized by the City.

Thirdly, the regression analysis can show if race/ethnicity/gender factors are impediments to overall to the success of MBEs and WBEs in obtaining awards and whether, but for those race/ethnicity/gender statuses, firms would have the capacity to perform the work.

Further, GSPC will conduct a regression analysis in the event that a disparity is found to test the cause of the disparity by devising a disparity model focused on capacity controlling factors, and that will account for the differences among the "willing, qualified and able" MBE and WBE firms that have conducted business within the relevant market. The theory of capacity, when used in the analysis of differences in utilization by race, ethnicity, and gender of owners, will focus on the following:

1. Education of the Owners
2. Age of the Firm or Length of Time Principal Has Conducted Business
3. Gross Revenues Over a Given Period of Time
4. Amount of Bonding Received by the Company Over a Period of Time
5. Financial Standing of the Firm
6. Ethnicity and Gender of the Owners (held constant)

➤ The Model:

$$Y_i = B_1 + B_2X_{2t} + B_3X_{3t} + B_4X_{4t} + B_5X_{5t} + B_6X_{6t} + ut$$

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Y_i = Utilization of Minority owned firms

X_1 = Education of the Owners

X_2 = Age of the Firm or Length of Time Principal Has Conducted Business

X_3 = Gross Revenues Over a Given Period of Time

X_4 = Amount of Bonding Received by the Company Over a Period of Time

X_5 = Financial Standing of the Firm

X_6 = Ethnicity and Gender of the Owners (held constant)

8. Utilization Analysis

GSPC will review and evaluate the procurement history of the City, analyzing prime contractor and total utilization of Prime plus Subcontractors only of firms in the Relevant Geographic Markets.

First, prime utilization will be taken from the City's award, P.O. and payment records and represent the entire data set of awards over \$10,000.

GSPC will assess whether the subcontractor data maintained by the City is sufficiently reliable to conduct the analysis on Construction awards \$50,000 or more and subcontractors in other Industry Categories. If not, GSPC will conduct a Prime Contractor Questionnaire that will be sent to all prime contractors with Construction awards \$50,000 or more and subcontractors in other Industry Categories (except Goods where there is little or no subcontracting) to gather information about their subcontractors.

For all utilization analysis the data will be disaggregate by work category for each year of the Study Period (to show annual trends) by race/gender/ethnicity, all within the relevant market. In addition, utilization will be determined as a percentage of the total dollars awarded and the number of firms in each of the Industry Categories of Construction, Professional Services, Goods, Other Services. As with availability, all utilization will include only firms in the Relevant Geographical and Product Markets.

GSPC will also provide addendum with analysis by:

- NIGP Codes;
- Smaller and larger contracts; and
- Funding Source
- Separate analysis of General Government and Gainesville Regional Utilities (GRU).

9. Disparity Analysis

a. Determining Disparity

In determining first, the existence and extent of disparity, GSPC will compare the utilization percentages to the availability percentage of each race/gender/ethnicity group for each year of the Study.

The Disparity Index is defined as the ratio of the percentage of MBE and WBE firms utilized (U) divided by the percentage of such firms available in the marketplace, (A):

Let: U = Utilization percentage for the MBE and WBE group

A = Availability percentage for the MBE and WBE group

DI = U/A or Utilization divided by Availability, the Disparity Index for the MBE and WBE group

When the DI is one, which indicates that the utilization percentage equals the availability percentage, there is parity or an absence of disparity. In situations where there is availability, but no utilization, the corresponding disparity index will be zero. In cases where there is utilization, but no availability, the resulting disparity index is designated by the infinity (∞) symbol. Finally, in cases where there is neither utilization nor availability, the corresponding disparity index is undefined and designated by a dash (-) symbol. Disparity analyses are presented separately for each procurement category and for each ethnicity/race/gender status group. They are also broken out by year, for each year of the Study Period.

The results obtained by a disparity analysis will result in one of three conclusions: overutilization, underutilization, or parity. Underutilization is when the Disparity Index is below one hundred. Overutilization is when the Disparity Index is over one hundred. Parity is when the Disparity Index is one hundred.

b. Determining the Significance of Disparity Indices

The U.S. Circuit Court of Appeals for the Eleventh Circuit has directed that standard deviation analysis "describes the probability that the measured disparity is the result of mere chance." Typically, the determination of whether a disparity is "substantially significant" can be based on any disparity index that is less than .80. Further, GSPC uses a statistical test that considers whether or not the typical disparity index across all vendor categories is equal to unity. This constitutes a null hypothesis of "parity" and the test estimates the probability that the typical disparity index departs from unity, and the magnitude of the calculated test statistic indicates whether there is typically underutilization or overrepresentation. Statistical significance tests will be performed for each disparity index derived for each MBE and WBE group, and in each procurement category.

10. Quantitative Analysis of Marketplace Conditions

An analysis of the private sector is conducted to determine whether the City of Gainesville has been a passive participant in discrimination carried out by the private sector. Indeed, Justice O'Connor, speaking for the Supreme Court in *Croson* indicated that a City "has the authority to eradicate the effects of private discrimination within its own legislative jurisdiction."

a. Nexus Between Private Sector Disparities and City Contracting

Passive discrimination will be addressed through disparity analysis of the utilization by majority prime contractors of MBE and WBE construction subcontractors on non-City projects. These comparisons will assess the extent to which majority prime contractors only hire subcontractors to satisfy public sector requirements. The data for this analysis will come primarily from the results of the GSPC Survey of Business Owners, the integration of the vendor files of the City with public and private sector construction databases (such as FW Dodge and CMD Group, formerly Reed Construction Data) and building permit data. This analysis will allow for an assessment of a “nexus” (connection) between private sector disparities and City contracting. This analysis will be used to verify anecdotal complaints, if any, from MBEs and WBEs of their lack of usage in the absence of remedial programs.

b. Disparities in Employment and Self-Employment

GSPC will also provide a statistical analysis of disparities in employment (by race and gender) and how that may impact self-employment (and therefore the availability of MBEs and WBEs in the marketplace) and revenue from self-employment using data from the American Community Survey Public Use Micro Sample (PUMS) from the Census Bureau and present a Binary Logistic Regression for an analysis of race/gender/ethnicity on the likelihood of being self-employed in the private sector in the City’s service area, controlling for various business owner characteristics such as race/gender/ethnicity, property values, education, marital status, age, spouse’s income, number of children at home, personal handicaps, and access to capital. Our analysis will compare the actual availability of MBEs and WBEs with expected or potential availability of MBEs and WBEs if they were to form businesses at the same rates of non- MBEs and WBEs with similar characteristics. We will then present a Multivariate Linear Regression for an analysis of Ethnicity/Race/Gender effects on the relative earnings of an individual’s self-employment earnings in the private sector of the City’s service area, controlling for such factors as years of education, age, geographic market, bonding, and other demographic characteristics.

This self-employment analysis will be supplemented with background marketplace disparity ratios from U.S. Census Bureau data for the major procurement categories in the study. This analysis will be conducted on firms with and without paid employees.

c. Credit Markets

GSPC will perform a Multinomial Logistic regression analysis of private sector discrimination in credit markets relying upon direct evidence from the GSPC Survey for Business Owners on disparities, if any, in denial rates for credit, bonding and insurance, controlling for firm characteristics; claims of discrimination. Consequently, the model will control for variables representing creditworthiness, firm size (e.g., annual sales, number of employees), firm age, firm assets, firm liabilities, form of business, and location. These results will be compared with regional results from the Panel Study on Entrepreneurial Dynamics on credit disparities. (The National Survey on Small Business Finance is no longer current).

In addition, GSPC will report disparities in loan denials and credit treatment in the Home Mortgage Disclosure Act (HMDA) data for the City of Gainesville area. Given the evidence that home equity is often an important element in small business funding, the HMDA evidence may indicate further barriers to MBEs and WBEs in credit markets.

11. Qualitative Analysis of Marketplace Conditions (Anecdotal Evidence)

Anecdotal evidence is a widely accepted research tool that is based upon observation, interviews, public hearings, and surveys. It is used in conjunction with statistical research to foster clarity and assist in understanding the statistical findings. Anecdotal information may help provide more meaning to the pure quantitative analysis and can also be utilized to help determine methods for improving the business practices of an entity. GSPC will undertake various means of gathering anecdotal evidence from business owners and other members of the City of Gainesville community as part of the Study, including:

- Online Survey of Business Owners
- Thirty (30) Anecdotal Interviews
- Two (2) Public Hearings
- Two (2) Focus Groups
- Organizational Meeting
- Two (2) Informational Meeting
- Email Comments
- Dedicated Website

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GSPC's experience in conducting disparity studies has shown that anecdotal data collected through multiple methods provides more comprehensive information than methodologies using a single-pronged approach. For this reason, GSPC will use a combination of survey of business owners, focus groups, public meetings, face-to-face interviews, informational meetings, meetings with local organizations, and online comments to collect anecdotal information and to identify issues that are common to businesses in the market area.

The focus of the anecdotal evidence is to identify the respondents' experiences in conducting business with the City. GSPC will solicit participation and responses from community members, and businesses that have done or attempted to do business with the City.

Griffin & Strong will conduct in-depth personal interviews with minority, women-owned, and non-minority owned businesses and business organizations, trade and professional associations, majority-owned firms and other organizations and individuals knowledgeable about the relevant industries. Interviewees that are from business enterprises will be taken from a random sample that reflects the availability of firms in each procurement category in the relevant market. Other subjects will be identified by working with the City personnel to develop a database of diverse suppliers that represent the categorical designations of the City, including outreach to local and regional organizations that advocate for diverse suppliers.

Our anecdotal team will provide a dedicated website for the disparity study, social media, email blasts, and an informational meeting about the upcoming study. We will also alert firms to the possibility that they will be contacted to participate in GSPC's collection of anecdotal evidence. This reduces the potential for a series of calls to unknowing and skeptical participants. It also increases the buy-in of stakeholders throughout the City.

In addition, our firm will conduct two (2) focus groups and two (2) public hearings, by advertising to the public and business community. GSPC will provide a dedicated email address for firms that would like to comment but are unable to attend either the focus group or public hearing. This, in

essence, gives every firm a chance to participate. Public information sessions will be held at the beginning of the Study and public hearings further into the schedule.

During this process GSPC will document and summarize reports of identified past or ongoing discrimination that may have impeded the formation, growth, availability, or utilization of MBEs and WBEs. The anecdotal analysis will determine whether certain barriers faced by minority and women owned firms might be race/gender/ethnicity based, or whether they are issues faced by all small businesses. GSPC's anecdotal researchers will document and summarize reports of identified past or ongoing discrimination that may have impeded the formation, growth, availability, or utilization of minority and women owned businesses.

12. Analysis of Remedies

GSPC will produce detailed findings from the Study and provide expert opinion of the meaning of such findings and make recommendations based upon the findings of the Study.

GSPC will ensure that a race/gender neutral remedy has been considered for any discrimination identified in the review, by examining the existence of barriers to MBEs that might be addressed through race and gender-neutral means.

The City's contracting and purchasing policies and procedures will be reviewed and the effectiveness of any race and gender-neutral initiatives implemented by the City will be assessed. Remedies for neutral barriers will be identified and evaluated. For example, if bonding is a problem for all small or new firms, and if MBEs are more likely to be small or young firms, MBE firms might have limited ability to compete for public sector contracts. Initiatives to evaluate programs that provide bonding to all small firms could be a possible race and gender-neutral approach to addressing this barrier. Croson requires that state and local jurisdictions first examine how race and gender-neutral programs might be applied to redress discrimination. Cost and administrative constraints to implementing these programs can be considered. GSPC will also evaluate whether these measures alone will ensure that the City will not be a passive or active participant in discrimination against MBE businesses. Recommendations will also account for the resources necessary to execute the recommendations, including staffing.

If GSPC determines that race and gender-neutral remedies are not sufficient, it will recommend race and gender-based actions.

13. Presentations, Reports and Other Deliverables

GSPC will submit a detailed Draft Work Plan that includes each phase of the Study, tasks, milestones, deliverables, and a project schedule immediately upon receipt of the Notice to Proceed ("NTP")

GSPC will also have a standing monthly team meeting by phone (with a call-in number) that the City is invited to participate in to hear the progress of the research team and ask any questions it might have.

GSPC shall provide drafts of each chapter of the disparity study report for initial review by the City. In addition, it shall provide the data assessment report and data collection report for review and approval by the City.

GSPC shall provide utilization and availability data for review by the City within 9 months following the NTP.

GSPC shall provide all notes, work papers, records and documentation that would be useful in legally defending the study if it were ever challenged.

GSPC shall comply with the Study Draft & Final Report/Presentations requirements outlined in the RFP as follows:

Draft report components. GSPC will submit to the City preliminary draft versions of key report chapters and appendices (including utilization, availability and disparity report sections and supporting appendices, if any). Each of these key sections will be submitted within 11 months of NTP, however, the entire draft report does not need to be completed at that time. The City plans to be able to provide comments on those sections within three weeks of receiving them.

Complete draft report. GSPC will submit to the City a complete draft report. Each of these key sections should be submitted within 13 months of NTP. Because the City plans to post the draft report for public comment, the draft report should be of a quality suitable for public distribution. In addition to the complete report, the GSPC will prepare a short Executive Summary prepared for the interested public. (Only an electronic version of the draft report documents should be submitted.)

Presentation of study results. At about Month 13 of the project schedule, the GSPC will make three formal presentations of study results: one to City leadership, one to City Council and one at a Town Hall. The City will work with the GSPC to schedule these presentations to be held during the same week. The City plans for them to be in person. GSPC will review draft PowerPoint presentations to the City Project Manager prior to these presentations.

Complete final report. GSPC will submit to the City a complete final report within three weeks of receiving final comments from the public or other groups on the published draft report. The report will be submitted in electronic form. This is expected to be around Month 15 of the project schedule.

In the event the City adopts GSPC's Study and Recommendations, GSPC shall testify on all aspects of the Disparity Study and defend the City's policies and programs based upon those Recommendations.

B. Project Schedule

NOTICE TO PROCEED⁴ – March 15, 2020

**1. FINALIZE WORK PLAN/FINAL METHODOLOGY (March 15, 2021–
March 16, 2021)**

Subtasks:

- Establish a final, mutually acceptable final methodology, work plan, reporting formats and schedules, project milestones, relationships.
- Create scope management plan & set up project management plan, including project processes & phases.
- Acquaint team members with specific subtasks they will perform and the scope.
- Hold first team meeting.
- Finalize subcontractor agreements.
- Plan for Data Assessment.
- Meet with the City on Job Procedures and Scheduling
- Plan for Project Kickoff Meeting.

Milestone:

- Final Work Plan

**2. KICK OFF MEETING AND VIRTUAL DATA ASSESSMENT (March 29-
April 9, 2021)**

Subtasks:

- Schedule and meet with appropriate procurement representatives from the City, regarding: i) data assessment; ii) purchasing practices, policies, and procedures; iii) MBE and WBE policies and programs.
- Determine the availability, amount and format of vendor, contractor, bidder, payment, contract, purchase order, and subcontractor data, particularly determine if all data is available electronically, or if, and in what amount, manual data entry will be required.
- Also, finalize the determination of outside lists, if any, from which to collect data
- Evaluate the quality and usability of data.
- Determine most efficient manner to gathering information data that is not maintained by the City.
- Request any past reports or disparity studies including goal setting reports or utilization reports.
- Obtain the most recent list of MBEs and WBEs.
- Obtain purchasing practices, policies, and procedures documents.
- Obtain the names and contact information of all persons who will provide data.
- Obtain information on current MBE and WBE policies and programs.
- Obtain any electronic data that is readily available.
- Draft preliminary outline of the disparity report.

Milestones:

- Kick off/Data Assessment (virtual) Meeting Estimated March 30, 2021
- Detailed Data Assessment Report

3. PLAN FOR DATA COLLECTION (April 12-April 23, 2021)

Subtasks:

⁴ Presumes a March 15, 2021 start date.

- Debriefing of On-Site Data Assessment.
- Organization & Cataloging of Preliminary Data Collected
- Determine staffing necessary to collect remaining data.
- Finalize data collection plan.
- Create appointment schedule to collect data from appropriate parties.

Milestones:

- Detailed Data Collection Plan
- Monthly Progress Reports
- Data Requests Sent

4. CONDUCT INFORMATIONAL MEETINGS & LAUNCH WEBSITE (April 1-May 21, 2021)

Subtasks:

- PR Firm assists GSPC in preparing for community informational meeting
- Gather City's vendor email list and other surrounding jurisdictional and certified email lists.
- Create organizational list so they can outreach to membership
- Create Press Release for City approval.
- Create Flyer for community informational meeting.
- Create PowerPoint for presentation.
- Start sending email blasts and get on local calendars 3-4 weeks ahead of the meeting
- Send flyer and letter to organizations to assist in attendance at meeting.
- Conduct informational meeting.
- Begin meeting and interviewing local organizations.
- Secure URL
- Provide copy to web designer
- Provide access to City to preview and approve website
- Launch website before community informational meeting.

Milestones:

- Conduct Informational Meetings on or about May 19, 2021)
- Launch Website on or about May 18, 2021 (before Informational Meeting)
- Monthly Progress Report

Personnel: Core Team

5. COLLECT QUANTITATIVE DATA: (April 26-August 31, 2021)

Subtasks:

- Create forms for manual data collection, if needed.
- Collect award files, payment files, bid tabs, bidder files, vendor files, the directory of certified MBEs and WBEs, and any subcontractor data, purchase order, and other pertinent files from the City per the Data Collection Plan.
- Collect any information on subcontractors from the City.
- Obtain any data keys or descriptions.
- Collect all data electronically if possible, then collect any physical materials
- Enter manual data into Access forms, if needed.
- Review data collected with the appropriate City representatives.
- Verify data using overlapping data sources. E.g. Hoover, third party data, various City data sources.
- Collect all non-City data and lists in the relevant market, if available and useable.
- Obtain letter from City management requesting participation of local firms
- Collect any additional data needed for Private Sector Analysis, including FW Dodge, CMD

Group Data and Building Permit Data.

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Milestones:

- Inventory List of Data Files Collected
- Monthly Progress Reports

6. CONDUCT CASE LAW REVIEW (March 29-May 7, 2021)

Subtasks:

- Report various decisions from Federal Courts, including U. S. Supreme Court, U. S. Courts of Appeals for the Eleventh Circuit and lower court decisions related to minority and woman owned businesses.
- Analyze City of Richmond v. J.A. Croson, 488 U.S. 469 (1989) and Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995) and all important post-Croson decisions (in all jurisdictions).
- Examine all judicial decisions and statutes at the City of Gainesville and State of Florida level that are related to MBE and WBE business enterprise participation programs.
- Determine if there are any pending legal cases that may affect MBE and WBE programs.
- Explain methodology's consistency with case law history.

Milestones:

- Draft Legal Chapter
- Monthly Progress Report

7. POLICY REVIEW (March 29-June 11, 2021)

Subtasks:

- Identify and analyze relevant local, state, and federal statutes, regulations, policies, procedures, practices, and programs governing procurement during the Study Period.
- Conduct in-depth interviews with the City staff with procurement responsibility regarding the methods of contracting and types of contracts issued.
- Review present and past procurement practices, policies, & procedures and determine whether such has or had a discriminatory effect or whether such assisted in providing a level playing field to MBEs and WBEs.

Milestone:

- Draft Purchasing, Practices and Procedures Chapter

8. CONDUCT ANECDOTAL INTERVIEWS- (July 1-September 17, 2021)

Subtasks:

- Collect samples for anecdotal interviews.
- Collect email addresses for email blasts.
- Conduct in-person anecdotal interviews of random sample of vendors by race/ethnicity/gender and document any accounts of marketplace discrimination.
- Organize interviews and condense into groups with quotations.

Milestones:

- Provide Coversheets of Anecdotal Write-Ups (redacted)
- Monthly Progress Report

9. CONDUCT ONLINE SURVEY OF BUSINESS OWNERS (September 6-October 22, 2021)

Subtasks:

- Draft online survey instrument.

- Review survey instrument with City
- Compile email list of broad number of firms from all marketplace data.
- Launch Survey on or about May 24, 2021).

Milestone:

- Tables from online survey cross-tabulated by race/ethnicity/gender.

10. COLLECT AND ANALYZE ANECDOTAL EVIDENCE- (July 12-
November 19, 2021)

Subtasks:

- Collect email addresses for email blasts.
- Interview other members of business and civic communities around the City's marketplace that are recommended or desire to be interviewed (separately from random sample).
- Document all evidence or lack of evidence found.
- Use vendor lists to pull random sample for focus groups.
- Call firms to request participation in focus groups, also post on the website
- Conduct public hearings and focus group.
- Report statements from public hearings.
- Report findings from focus group.

Milestones:

- Draft Anecdotal Chapter
- Monthly Progress Report

11. PREPARE DATABASES (September 1-September 17, 2021)

Subtasks:

- Cross reference databases to match Industry Categories.
- Cross reference databases for race/ethnicity/gender assignments.
- Inform client of any data deficiencies.
- Provide client with databases to review prior to analysis.
- Make any adjustment to databases and prepare for analysis.
- Collect supplemental data, if needed

Milestones:

- Present preliminary databases to the City
- Monthly Progress Report, including report on the status of all data.

12. CONDUCT RELEVANT MARKET ANALYSIS (September 1-September
22, 2021)

Subtasks:

- Establish the relevant geographic and product market area for each contract classification using contract dollars' Construction, Professional Services, Goods, Other Services.

Milestones:

- Relevant Market Determination with Tables
- Monthly Progress Report

13. CONDUCT UTILIZATION ANALYSIS (September 23-October 22, 2021)

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Subtasks:

- Conduct analysis for the Relevant Market
- Determine utilization of firms by work category and grouped into major contract classifications Construction, Professional Services, Goods, Other Services
- Under each major contract classification, determine utilization of firms by number of firms, number of contracts, and dollar values for each race/ethnicity/gender, disaggregated by year.
- Conduct separate analysis for MBEs and WBEs (including minority women in both analysis)
- For each contract classification, determine the number of MBEs and WBEs that were awarded contracts as compared to non-MBEs and WBEs.
- For each contract classification, determine the number of contracts awarded to each MBE and WBE and the total dollar amounts awarded to each MBEs and WBEs, disaggregated by year.

Milestones:

- Determine Utilization with Tables on all awards for two-week review by the City.
- Monthly Progress Report

14. CONDUCT AVAILABILITY ANALYSIS (October 25-November 19, 2021⁵)

Subtasks:

- Conduct analysis for the Relevant Market
- Establish the number of available firms in each Race/ethnicity/gender in the relevant markets with respect to City commodity codes.
- Disaggregate by the MBE and WBE status.
- Conduct separate analysis for MBEs and WBEs (including minority women in both analysis)

Milestone:

- Availability Rate Tables for two-week review by City

15. CONDUCT DISPARITY ANALYSIS (November 22-December 15, 2021⁶)

Subtasks:

- Conduct analysis for the Relevant Market
- Compare utilization (percentage of dollars) and availability data (percentage of firms) to determine the levels of disparity (if any).
- Calculate the disparity indices for each work category by: each Race/ethnicity/gender.
- Conduct separate analysis for MBEs and WBEs (including minority women in both analysis)

Milestone:

- Determine Disparity Indices with Tables

16. CONDUCT STATISTICAL SIGNIFICANCE TESTS- (November 22-December 15, 2021)

Subtask:

- Conduct standard deviation tests on disparities.

Milestones:

- Monthly Progress Report
- Draft Statistical Chapter

⁵ Overlaps with Utilization review period.

⁶ Overlaps with Availability review period.

17. PRIVATE SECTOR ANALYSIS – (October 25, 2021-December 30, 2022)

Subtasks:

- Complete PUMS analysis: binary logistic regression on self-employment and multivariate linear regression of effects on earnings (expansion).
- Conduct an econometric analysis to determine the relationships between race/ethnicity/gender factors in explaining the levels of disparity among firms by MBE and WBE category and the impact of race/ethnicity/gender on firm capacity utilizing information obtained during the GSPC Survey of Business Owners (education of the owners, age of firm or length of time principal has conducted business, gross revenues, bonding, financial standing, race/ethnicity/gender).
- Determine through anecdotal and other reported or documented accounts of any past or present discriminatory practices and patterns of trade associations, unions, suppliers, lending institutions, sureties, and insurance companies, and contractors.
- Create utilization and disparity tables from building permits, FW Dodge and CMD Group data. Investigate nexus between private sector and the City.
- Credit tables on mortgage loans denials from HMDA data.
- Conduct regression in local survey data on loan denials by race/ethnicity/gender.
- Conduct logit analysis on barriers to credit in the Panel Study on Entrepreneurial Dynamics. See if the results are confirmed in the GSPC Survey of Business Owners

Milestones:

- Draft Private Sector Chapter
- Monthly Progress Report

**18. COMPLETE FINDINGS AND RECOMMENDATIONS (January 3-
January 14, 2022)**

Subtasks:

- Identify Overall findings of the Study, including impact of past race-neutral and race conscious initiatives of the City.
- Complete Recommendations for modifications or revisions to existing policies, programs, laws, rules, regulations, procedures, processes, or practices based upon the findings of the study.
- Determine whether the City should create any new programs or program elements to assist in creating or maintaining a level playing field for all firms to participate equally in the procurement process.
- Recommend race/gender neutral programs, and if indicated, race conscious programs.
- Perform Policy Review by reporting on successful MBE and WBE and race/gender neutral programs from other jurisdictions that may be recommended to the City. Further explain why such programs are successful. Specifically review set asides, contract goals, mentor-protégé programs, and price preference.
- Recommend any changes or processes that the City should institute to carry out any recommendations made by GSPC (increased staffing & resources) and that would be compatible for the City's data system.
- Provide a best practices review of existing policies and recommendations.

Milestones:

- Draft of Findings and Recommendations
- Monthly Progress Report

19. Complete Draft Report (January 17-February 15, 2022)

Subtask:

- Complete Draft of Full Study

Milestones:

- Rough Draft of Full Study

**20. CITY STAFF REVIEW (3 weeks) AND REVISE STUDY REPORT
(March 8-April 15, 2022)**

Subtasks:

- Meet with the City representatives to answer questions regarding the findings and analyses of the disparity study.
- Make any additional revisions as requested

Milestones:

- Final Report
- Executive Summary

21. PRESENTATIONS & FINALIZE STUDY (April 18-June 15, 2022)

Subtasks:

- Orally present the Study to the City Leadership or as otherwise directed, outlining the findings.
- Orally present the Study in a Town Hall Meeting to the Public

Milestones:

- PowerPoint Presentations of Final Report to appropriate entities
- Finalize Report 3 weeks following final comments.

GAINESVILLE, FLORIDA

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DISPARITY STUDY

GRIFFIN & STRONG, P.C.
PRICE PROPOSAL

Project Budget by Task

Project Budget by Task	
1. Finalize Work Plan	\$ 4,400.00
2. Kick Off Meeting & Data Assessment	\$ 8,900.00
3. Plan for Data Collection	\$ 4,500.00
4. Conduct Informational Meetings & Launch Website	\$ 9,900.00
5. Collect Quantitative Data	\$ 24,200.00
6. Conduct Case Law Review	\$ 6,400.00
7. Policy Review	\$ 15,200.00
8. Anecdotal Interviews	\$ 33,700.00
9. Conduct Online Survey	\$ 17,600.00
10. Collect and Analyze Anecdotal Evidence	\$ 30,250.00
11. Prepare Databases	\$ 33,100.00
12. Conduct Relevant Market Analysis	\$ 4,300.00
13. Conduct Utilization Analysis	\$ 4,300.00
14. Conduct Availability Analysis	\$ 4,300.00
15. Conduct Disparity Analysis	\$ 4,300.00
16. Conduct Statistical Significance Tests	\$ 4,300.00
17. Private Sector Analysis	\$ 18,400.00
18. Findings & Recommendations	\$ 17,800.00
19. Draft Report	\$ 31,000.00
20. Revised Report and Executive Summary	\$ 11,700.00
21. Presentations & Final Draft	\$ 10,000.00
Total Bid	\$ 298,550.00

Direct Included in Project Budget

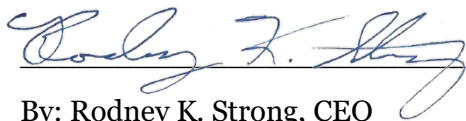
Out of Pocket Expenses	
Travel (Public Hearings, Town Hall, Presentations)	\$ 6,500
Dun & Bradstreet (Hoover) allocation	\$ 1,500
Public meetings/focus group venue cost, snacks, food	\$ 350
mailing house for Prime Vendor Questionnaire	\$ 1,000
Website design and hosting	\$ 2,000
Court Reporter for Public Hearings	\$ 1,000
PR Wire	\$ 200
Proofreader	\$ 5,000
Total Expenses	\$ 17,550
Subcontractor Fees	
Veronica Anderson & Associates	\$ 30,000
Creative Research Solutions & Survey	\$ 9,500
Total Subcontractor Fees	\$ 39,500

Key Team Members Project Hours and As Needed Rates

	Total Hours by Team Member	HOURLY RATE BILLED	Total Billed
Rodney K. Strong-Project Executive	74	\$ 300.00	\$22,200
Dr. Gregory Price - Sr. Economist	78	\$ 250.00	\$19,500
Dr. Vince Eagan-Principal Investigator	102	\$ 250.00	\$25,500
Michele Jenkins-Project Manager	222	\$ 200.00	\$44,400
David Maher- Legal & Policy Analyst	78	\$ 200.00	\$15,600
Omekah Edmondson/Ana Duarte Deputy Project Managers	216	\$ 150.00	\$32,400
Marcus Garner - Anecdotal Analyst	84	\$ 150.00	\$12,600
Sascha Hollingsworth – Data Analyst	296	\$ 150.00	\$44,400
Susan Johnson - Project Administrator	96	\$ 150.00	\$14,400
Winnie Clark – Graphic Design	20	\$ 100.00	\$2,000
Data Entry	80	\$ 50.00	\$4,000

Cost Proposal

Submitted by Griffin & Strong, P.C.



By: Rodney K. Strong, CEO

January 4, 2021

Qualifications (4.1d and 4.2 b and c)

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Minimum Qualification Requirements (4.1d and 4.2 b)

- At least one member of the study team demonstrates participation in the completion of at least one disparity study in the past five years.

Griffin & Strong, P.C. is a minority-owned firm, based in Atlanta, Georgia, organized in 1992 and incorporated in 1996. Since the firm’s inception, it has been directed by *Rodney K. Strong*, who is the Project Executive on all the firm’s engagements. Attorney Strong has an extensive background in the area of public contracting, with specific experience conducting disparity studies, evaluating M/W/DBE programs, developing supplier diversity programs and drafting legislation. Attorney Strong is nationally recognized as one of the foremost experts in the areas of disparity research, DBE/MBE/SBE/WBE and supplier diversity program development

Griffin & Strong, P.C. is nationally recognized in the areas of supplier diversity and disparity research. Disparity studies are a creation of the courts and the methodology for conducting them is controlled by case law, as well as econometrics. We are unique in that we are a law firm with a public policy consulting division, whose sole focus is disparity research, government and private consulting, and supplier diversity program development. We have conducted more than forty (40) studies and consulted on more than forty (40) other engagements in disparity research, including assisting jurisdictions with developing minority, women and small business programs, and providing supplier diversity program management.

In the past five years, Griffin & Strong, P.C. has completed sixteen studies, as illustrated by the following table:

Disparity Study Client	Duration of Contract
Georgia Department of Transportation (included state and federal-funded contracts)	March 2015 to December, 2016
City of Savannah (GA)	April 2015-April 2016
City of Memphis (TN)-Disparity Study and follow-up consulting services)	May 2015-August 2016; August 2016-present (consulting)
St. Louis County (MO)	June 2016-December 2017
Louisville Water Company (KY) (Availability Study); Program implementation services	September 2016-July 2017; June 2018-December 2018
City of Greensboro (NC) Disparity Study MWBE Program Consulting	February 2017-April 2018; December 2018-June 2019
Fulton County, GA (study completed and accepted; drafted legislation to implement recommendations; rollout delayed due to Pandemic)	June 2017-2019
Invest Atlanta (City of Atlanta)	June 2017-2019
Metropolitan Government of Nashville and Davidson County (Disparity Study and Minority Enterprise Growth and Needs Study) and Program Consulting	July 2017-August 2018 August 2018-June 2020 (Consulting)
City of Tacoma (WA) Disparity Study Post-study consulting (to translate the study findings to NAICS codes, assist in goal-setting process and general consulting)	August 2017-September 2018 (study) November 2019-June 2020 (consulting)
City of Chattanooga	October 2018-September 2019
North Carolina Department of Transportation (draft of study has been submitted)	October 2018-present
Sound Transit (WA)	November 2018-April 2020

Metropolitan Nashville Airport Authority (draft of study has been submitted)	November 2018-present
Cuyahoga County (OH)-final report submitted	January 2019-Present
Mecklenburg County (NC) (final report has been submitted, study results presented and accepted)	April 2019-present

Key members of our team have participated in all of the studies completed in the past five years, including:

Rodney K. Strong, Project Executive
 Michele Clark Jenkins, Project Manager
 Dr. Gregory Price, Senior Economist
 Susan G. Johnson, Project Administrator

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In addition to the team members listed above, the following team members participated on the Disparity Study completed for the City of Greensboro (<https://www.greensboro-nc.gov/home/showdocument?id=42152>):

David Maher, Legal Analyst
 Dr. J. Vincent Eagan, Principal Investigator
 Creative Research Solutions, Online Survey of Business Owners

The following team members participated on the Cuyahoga County (OH) Disparity Study, in addition to the team members listed above (<https://cuyahogacounty.us/docs/default-source/default-document-library/disparitystudyreport.pdf>):

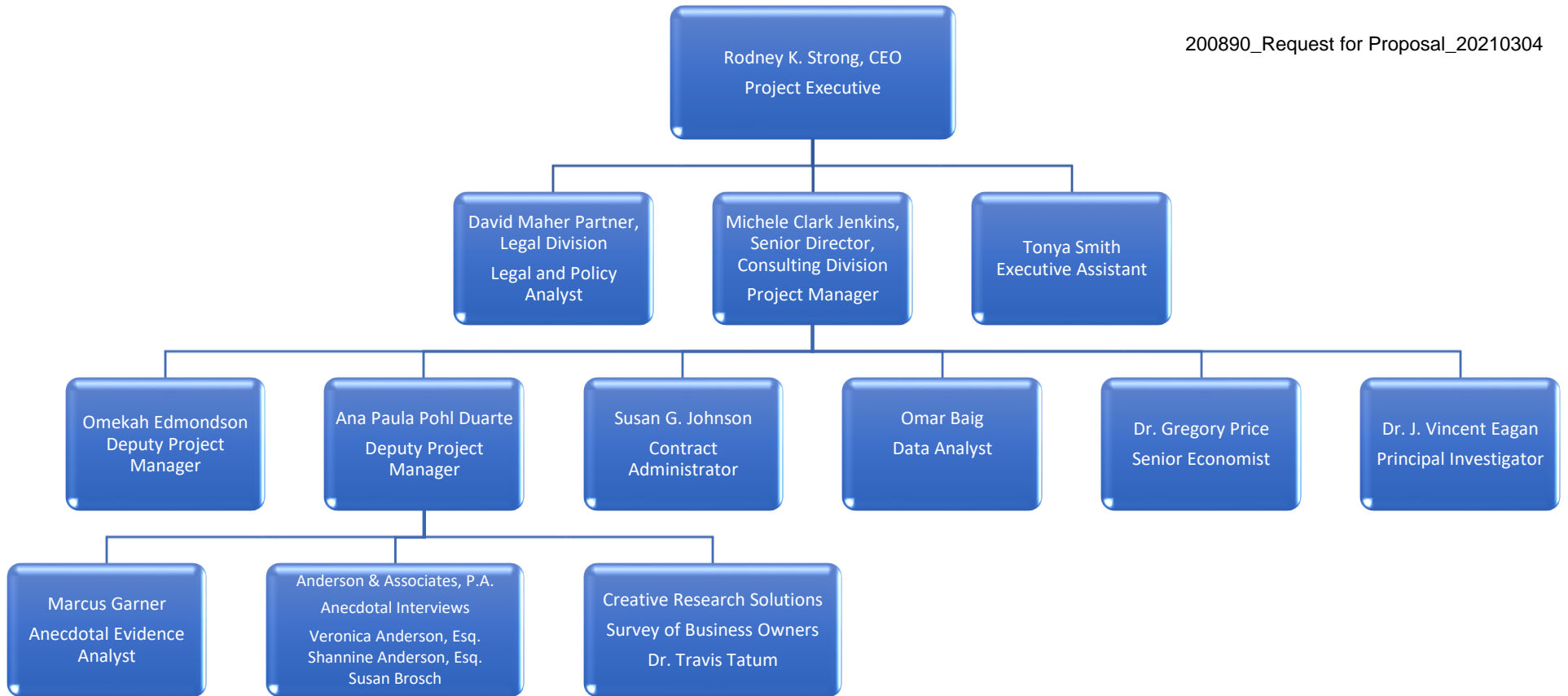
Omekah Edmondson, Deputy Project Manager (replaced Sterling Johnson)
 Marcus Garner, Anecdotal Analyst
 Omar Baig, Data Analyst

Here is a link to Mecklenburg County Disparity Study:
<https://www.mecknc.gov/edo/Documents/Mecklenburg%20County%20Disparity%20Study%20Final%20Report.pdf> and Metropolitan Nashville Study:
<https://www.nashville.gov/Portals/0/SiteContent/Finance/docs/BAO/2018DisparityStudy.pdf>

Our subconsultant, Anderson & Associates, P.A., has also participated in the completion of disparity studies in the past five years. Please see the link to a study completed in 2017:
<https://www.ci.mammoth-lakes.ca.us/DocumentCenter/View/8344/DBE-Goals-2019---2021--Disparity-Study?bidId=>

Griffin & Strong, P.C. Organizational Chart-City of Gainesville Disparity Study

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Project Team

Following is information on the key personnel who will be participating in the Disparity Study.

Rodney K. Strong, Esq., Chairman and CEO, Project Executive



Experience: Founder of Griffin & Strong, P.C., which was organized in 1992, incorporated in 1996; Licensed attorney in Georgia, with over 28 years of experience. Represents a range of public sector and corporate clients, specializing in public contracts, supplier diversity, real estate and community economic development issues. He has served as Project Principal or Project Manager on 35 previous disparity studies, public policy consulting engagements, goal-settings, benchmarking, and supplier diversity engagements. He oversaw the first post-Crosun disparity study for the City of Atlanta and developed the first post-Crosun MWBE program. He testified before the U.S. Senate Committee on Small Business and Entrepreneurship on the topic of “Business Start-up Hurdles in Underserved Communities: Access to Venture Capital and Entrepreneurship Training” on September 11, 2008 (part of the Congressional Record).

Education/Training: J.D., University of Memphis, Cecil C. Humphreys School of Law-1983; B.A. Political Science, Morehouse College, 1977.

Michele Clark Jenkins, J.D., Senior Director, Consulting Division, Project Manager



Experience: 12 years of experience as head of the consulting division of Griffin & Strong, P.C., and has served as project manager for disparity studies for Fulton County (GA); City of Tacoma, WA; Needs Assessment and Disparity Study for the Metropolitan Government of Nashville and Davidson County, TN; Sound Transit (WA); Georgia Department of Transportation; Louisville Water Company, KY; City of Memphis, TN (second generation study); City of Greensboro, NC; Cuyahoga County, OH, the City of Savannah, GA, the City and County of Durham, NC, Montgomery County, MD, the State of Tennessee, and the City of Jackson, MS; served as the lead consultant on goal setting projects for the Georgia Department of Transportation and Hartsfield Jackson Atlanta International Airport; has also served as project manager for consulting engagements for State Farm Arena (GA); City of Charlotte, and currently for City of Memphis (TN). She is currently Project Manager for disparity studies for Mecklenburg County (NC) (final stages); Bexar County (TX); Port of Houston Authority (TX) (final stages), NCDOT (final stages); State of North Carolina; and Metropolitan Nashville Airport Authority and for consulting engagements with the City of Greensboro (NC) and Clayton County (GA). Ms. Jenkins is responsible for the day-to-day managing of the project, assisted by a Deputy Project Manager.

Education/Training: B.A. in Anthropology from Princeton University (1976) and a J.D. from New York Law School (1982); Project Management Certificate from Kennesaw State University; Negotiation Certificate from Harvard University. She is also certified in Contract Compliance Administration by Morgan State University. Ms. Jenkins has also been trained on the B2Gnow system and has experience with B2Gnow on numerous projects.

David Maher, J.D., Partner, Legal Division, Griffin & Strong, P.C., Legal and Policy Analyst



Experience: Atty. Maher is a litigation specialist with over 20 years of experience. He previously served as a Federal Law Clerk, in the Staff Attorney's Office of the United States Court of Appeals, Eleventh Circuit, where he conducted extensive legal research and drafted legal memoranda in a number of practice areas, including employment, civil rights and immigration. He has performed legal analysis on disparity studies for City of Chattanooga (TN); Cuyahoga County (OH); Bexar County (TX); Fulton County (GA); City of Greensboro (NC); City of Tacoma (WA); NCDOT; Metro Nashville Airport Authority; Metro Nashville Government, including drafting MWBE Program Policies and Procedures; Mecklenburg County (NC); State of North Carolina; Sound Transit (WA); Invest Atlanta; and performed legal analysis and policy review on studies that are currently in progress for Bexar County (TX); Charles County (MD); City of Frederick (MD); Port of Houston Authority (TX); Charles County (MD). He has also done consulting work on various MBE and SBE programs for City of Charlotte (NC); Dekalb County (GA); and Louisville Water Company (KY).

Education/Training: J.D., with High Honors, from Florida State University College of Law (1993) and a B.S.W. in Criminal Justice from the University of Wisconsin (1987).

Other Qualifications: Recognized as Georgia Top Rated Lawyer in Appellate Law and in Labor and Employment Law, 2013, 2014 and 2015; admitted to practice in U. S. Court of Appeals for the Eleventh (includes Alabama, Florida, Georgia) and Seventh Circuits; and the U. S. District Court for the Northern District of Florida and the Northern District of Georgia.

State Bar: He is an active member in good standing of the State Bars of Georgia and Florida

Omekah Edmondson, Deputy Project Manager



Experience: Ms. Edmondson served as Deputy Project Manager for study recently completed for Cuyahoga County (OH) and is currently Deputy Project Manager on studies being conducted for the City of Frederick (MD), City of Birmingham (AL), Bexar County (TX), and City of Augusta (GA). Prior to joining Griffin & Strong, Ms. Edmondson also had experience as a Project Manager and Change Management marketing specialist with several firms. Her skills include Community Outreach and Engagement, market strategy business development.

Education: B.A. degree in Journalism in Public Relations, Public Relations major, Communication Studies minor, University of Georgia Grady College of Journalism and Mass Communications.

Dr. Gregory Price, Senior Economist, Private Sector Analysis



Experience: Dr. Price has over 15 years of experience conducting economic analyses of discrimination and disparity in employment, private sector contracting, lending and public contracting. He has had numerous articles and reports published in journals such as the American Economic Review, Southern Economic Journal, Review of Economics and Statistics, Applied Economics, and the Quarterly Review of Economics and Finance. He was the senior economist for

the City of Greensboro, NC; St. Louis County, MO; City of Memphis, TN; Georgia Department of Transportation; City of Savannah, GA; Cuyahoga County, Ohio; City and County of Durham, NC; Montgomery County, MD; State of Tennessee and City of Jackson, MS. He is currently serving as Professor, Department of Economics and Finance, Urban Entrepreneurship & Policy Institute, University of New Orleans (on leave from Morehouse College). He previously held these positions: Professor and Director of Mississippi Urban Research Center at Jackson State University, 2004-2006; Program Director at National Science Foundation-2000-2002; Associate Professor at North Carolina A&T, 1993-2000.

Education/Training: Dr. Price has both a Ph.D. (1993) and M.A. (1984) in Economics, from the University of Wisconsin-Milwaukee, and a B.A. in Economics from Morehouse College, Atlanta, GA (1982).

Dr. J. Vincent Eagan, J.D., Principal Investigator/Policy Analyst



Experience: Has worked on over 120 disparity studies since 1993, including studies for Orange County, Hillsborough County Aviation Authority, and City of Pensacola, all in Florida; NCDOT; State of North Carolina; Bexar County (TX); Port of Houston Authority (TX); City of Chattanooga (TN); City of Greensboro (NC); City of Tacoma (WA); and State of Texas, San Antonio Water System, and San Antonio Consortium, to name a few. He has also served as a successful expert witness in six cases involving minority business programs, in particular, for the Nebraska Department of Roads, and the North Carolina Department of Transportation. His testimony supported disparity studies upheld at the federal court level.

Education: BA, Economics, Georgia State University, 1977; PhD, Economics, Georgia State University, 1986; JD, Harvard Law School, 1991.

Other Qualifications: Served in an editorial capacity on several academic journals, Charter Fellow of the Southern Center for Public Policy Studies, specializing in minority business issues; presented on minority business and economic development issues at the Airport Minority Advisory Council, the American Contract Compliance Association, American Economic Association, the National Conference of Black Mayors, the U.S. Department of Transportation, Federal Civil Rights Conference, the Virginia Legislative Black Caucus, the National Association of Minority Contractors, the North Carolina Institute for Minority Economic Development, and the National Association of African-American Studies. Has

taught in the business department at Morehouse College in Atlanta, GA for more than 30 years.

Marcus Garner, Anecdotal Analyst



Experience: Mr. Garner is a multi-platform communications professional who has more than 20 years of experience in written and oral communications. He has written opinion pieces and special articles for industry publications, such as “Governing Magazine and “U.S. Security Post,” and analyzed and modified public policy documents for Griffin & Strong. He also served as Director of Communications for Dekalb County Office of the District Attorney and Solicitor-General, where he managed day-to-day responses to local and national media requests and wrote articles as needed. He has served as a senior reporter for Atlanta’s main local newspaper, where he managed a team of investigative journalists that produced government oversight stories, served as legal reporter and covered breaking news. He has prepared the anecdotal chapter on studies for NCDOT, State of North Carolina, Port of Houston Authority, City of Frederick (MD); Mecklenburg County (NC); Charles County (MD); and Cuyahoga County (OH).

Education/Training: Mr. Garner has a M.S. in Newspaper Journalism, from Syracuse University, and B.A. in English from Clark Atlanta University.

Omar Baig, Data Scientist



Mr. Baig is an experienced data analyst, with a background in Computer Science. He is currently serving as Data Analyst on four studies that are in progress, including City of Birmingham (AL), City of Augusta (GA), Charles County (MD); City of Frederick (MD). He assists with data collection and data assessment, compiles and cleans databases, conducts analysis and serves as liaison with client IT personnel.

Experience: He previously served as data analyst on studies for Cuyahoga County, Mecklenburg County (NC), Sound Transit (WA), Invest Atlanta, North Carolina Department of Transportation and Metro Nashville Airport Authority. He has previously performed analysis of New York City Public Schools, FIFA World Cup Historical Analysis and Forecasting Avocado Prices using open-source Prophet library.

Education/Training: Mr. Baig has a B.S. in Computer Science from the University of Georgia and participated in Python for Data Science and Machine Learning Bootcamp at Udemy.

Susan G. Johnson, Contract Administrator



Experience: Contract Administrator/deputy project manager on more than 25 disparity studies, supplier diversity engagements and policy consulting engagements, including studies for City of Atlanta; Fulton County (GA); City of Columbus (OH); and supplier diversity engagements for Mercedes-Benz Stadium and Philips Arena (both in Atlanta, GA), the World of Coca-Cola (Atlanta, GA), and The FedEx Forum (Memphis, TN). She is currently serving as contract administrator on disparity studies for North Carolina Department of

Transportation; Port of Houston Authority; Bexar County (TX); State of North Carolina; Mecklenburg County (NC); Charles County (MD); City of Frederick (MD); City of Birmingham (AL); and consulting engagements for Clayton County (GA); City of Greensboro (NC). She has significant experience in the area of public contracting, having served as a Contract Compliance Specialist with the City of Atlanta.

Education/Training: B.A. in Political Science from Spelman College (1977); M.S. in Human Resource Management (2000) and M.S. in Urban Government Administration (1983), both from Georgia State University.

Additional Staff Qualifications

The following members of our team have been qualified as an expert witness in Federal or State Court to testify about the findings and methodology of a disparity study:

- Rodney K. Strong
- J. Vincent Eagan, Ph.D.

The cases on which they were qualified are as follows:

Rodney K. Strong:

- a. Caption of litigation: Pryor Tire v. The Atlanta Public Schools (1998, Northern District of Georgia)
- b. Daubert witness
- c. Judge qualified Attorney Strong as expert on the basis
- d. The case was settled prior to trial, so Attorney Strong did not actually testify. However, he drafted the program for the Atlanta Public Schools, which was approved by the Court.
- e. Since case was settled before trial, there is no decision where the testimony was cited.
- f. Contact information for lead counsel: The Honorable Amy Totenberg, was the Atlanta School Board Attorney at the time who represented the defendant. Contact: The Honorable Amy Totenberg, U. S. District Judge, Northern District of Georgia, 2388 Richard B. Russell Federal Building and U. S. Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Ga 30303. Phone: 404-215-1438

Dr. J. Vincent Eagan:

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- a. Caption: H. B. Rowe v. North Carolina Department of Transportation
- b. Daubert Witness
- c. Court accepted expert witness report
- d. Ruled for client who had hired Dr. Eagan
- e. A copy of the decision is attached (following resumes)
- f. Contact information for lead counsel: Elizabeth McKay, North Carolina Department of Transportation; 1 South Wilmington Street; Raleigh, NC 27601. Phone: 919-707-4480.

Case 2:

- a. Caption: Gross Seed v. Nebraska Department of Roads, Case No. 4:00CV3073 (ED Nebraska 2002)
- b. Testified as Daubert Witness
- c. Court accepted expert witness report
- d. Ruled for client
- e. Copy of decision is attached (following resumes)
- f. Lead counsel: Stephen D. Mossman, Mattson Ricketts, Federal Trust Building; 134 South 13th Street, Suite 1200; Lincoln, NE 68508. Phone: 402-475-8433

Both Atty. Strong and Dr. Eagan will be available for consultation and expert witness services to the City if needed.

Subconsultants

We are pleased to have the following subconsultants as part of our team:

Anderson & Associates, P.A.: Sanford, Florida-Anecdotal Interviews



Anderson & Associates, P.A. was founded by Veronica Anderson, Esq. over 20 years ago. The firm provides legal and consulting services in public policy and policy implementation as it relates to DBE and M.WBE and SBE programs. Since its inception, it has been involved in drafting policies, legislation, plans, program goals, monitoring compliance and implementing program initiatives. Ms. Anderson has participated on numerous disparity studies, including studies for Orange County, City of Orlando, Public Schools and GOAA-2015-2016 Multi-jurisdictional study, and Miami-Dade County 2013-2014. She previously worked with us on City of Memphis Disparity Study in 2008. She has a wealth of knowledge, having previously served as the Orange County Minority and Women Business Department Manager, MBE Coordinator for City of Orlando, and Executive Administrator of the State of Florida, Office of Supplier Diversity. Shannine Anderson, Esq. and Susan Brosch will also assist on this project.

Creative Research Solutions, LLC-Survey of Business Owners; Snellville, Georgia



**CREATIVE
RESEARCH
SOLUTIONS**

An award-winning minority-owned research firm founded by Dr. Travis Tatum and Dr. Shanesha Brooks-Tatum, located in Snellville, Georgia. Their core competencies include survey development, qualitative data analysis, focus groups, and structured and unstructured interviews. They were recipients of the 2015 Business of the Year, Community Workforce Award: DeKalb County Chamber of Commerce, and 2014 Shining Star Award, National Association of Women-Owned Small Businesses. The business is also certified as a DBE by the Georgia Department of Transportation. Some of their clients include Annie E. Casey Foundation, United Nations Foundation, University System of Georgia, and Dekalb Chamber of Commerce (GA). For this project, they will be conducting the survey of business owners. They have conducted the survey of business owners on several studies that we have conducted or are in progress, including City of Frederick (MD); Bexar County (TX); State of North Carolina; North Carolina DOT; Cuyahoga County (OH); City of Chattanooga; Sound Transit (WA); Louisville Water Company, KY (Availability Study); City of Greensboro (NC); Metropolitan Nashville and Davidson County, TN; City of Tacoma, WA; and Fulton County, GA.

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Statement of all Qualifications (4.2c)

Griffin & Strong, P.C. (GSPC) is an Atlanta, Georgia-based professional corporation that focuses on law and public policy consulting. The firm was organized in 1992, incorporated in June 1996, and has been in business continuously since that time—over twenty-five years. GSPC is a small, minority business enterprise owned by attorneys Rodney K. Strong and Delmarie A. Griffin and is certified as such in Georgia, North Carolina and Tennessee.

Griffin & Strong, P.C., has methodically built its experience and reputation in the area of public policy consulting and has conducted disparity studies, disparity research, and public hearings; managed supplier diversity programs; drafted legislation; performed goal-settings and benchmarking; and evaluated, developed, and implemented remedial programs for close to 100 public engagements. Because of the unique experience of this firm (a law firm with a public policy consulting division whose sole focus is Disparity Research and DBE/MBE/WBE Program Analysis and Development), we are perfectly suited to analyze and respond to the current legal climate which confronts governmental efforts to ensure that all citizens are given an equal opportunity to compete in the area of public contracting. In addition to conducting high-quality disparity studies and quantitative research, we have increasingly found that it is important to understand the total legal and political environment of each client and to have an open and flexible approach toward policy options that pass muster under intense legal and political scrutiny.

Since the firm's inception, it has been directed by Rodney K. Strong, who is the Project Executive on all the firm's engagements. Attorney Strong has an extensive background in the area of public contracting, with specific experience conducting disparity studies, evaluating M/W/DBE programs, developing supplier diversity programs and drafting legislation. Attorney Strong is nationally recognized as one of the foremost experts in the areas of disparity research, DBE/MBE/SBE/WBE and supplier diversity program development:

- He testified before the U. S. Senate Committee on Small Business & Entrepreneurship on the topic of “Business Start-up Hurdles in Underserved Communities: Access to Venture Capital and Entrepreneurship Training.” His testimony was published in the Congressional Record.
- He oversaw the first major post-Crosun disparity study and developed the first major post-Crosun minority and women business enterprise program, including assisting in the drafting of the legislation.
- His entire career has been dedicated to diversity program development and disparity research and he has provided consulting services to numerous jurisdictions to develop small and diverse programs.

Experience of the firm in performing Disparity Studies as stated in the scope of work: GSPC has conducted forty (40) major disparity studies as a prime contractor, performed benchmarking, and provided program development and consulting services for numerous clients as illustrated in the following table:

Disparity Study	Duration
City of St. Louis, Missouri	1994-1995
Atlanta (GA) Public Schools	1997
New Orleans (LA) Aviation Board	1996-1997
City of Cincinnati (OH)	1998-2003
Jackson (MS) Public School District	1998-1999
Jackson (MS) Municipal Airport Authority	1998-1999
City of Jackson (MS)	1998-1999
Commonwealth of Kentucky	September 1999-January, 2001
City of Columbus (OH)	October 2002-August 2003
Metropolitan Government of Nashville and Davidson County (TN) (6 agencies, including public schools)	2003-2004
Montgomery County (MD)	April 2004-April 2005
City of Atlanta (GA)	July 2005-2007
Durham County (NC)	October 2006-August 2007
Metropolitan Nashville Airport Authority (TN)	January to August 2007
City of Memphis (TN)	January 2007-July 2008
State of Tennessee (including Dept. of Education and State Board of Education)	September 2007-2009
City of Jackson (MS)	June 2007-2008; 2010-2012
Montgomery County (MD)	June 2013-June 2014
City and County of Durham, NC (2 separate entities, studies conducted simultaneously)	October 2013-January 2015
Cuyahoga County (OH) (except disparity analysis)	January 2014-2015
Georgia Department of Transportation (included state and federal-funded contracts)	March 2015 to December, 2016
City of Savannah (GA)	April 2015-April 2016
City of Memphis (TN)-Disparity Study and follow-up consulting services)	May 2015-August 2016; August 2016-present
St. Louis County (MO)	June 2016-December 2017

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Louisville Water Company (KY) (Availability Study); Program implementation services	September 2016-July 2017; June 2018-present
City of Greensboro (NC) Disparity Study MWBE Program Consulting	February 2017-April 2018; December 2018-August 2019
Fulton County, GA (study completed and accepted; also drafted legislation to implement recommendations; legislation has been approved; study rollout delayed due to the pandemic)	June 2017-present
Invest Atlanta (City of Atlanta)	June 2017-present
Metropolitan Government of Nashville and Davidson County (Disparity Study and Minority Enterprise Growth and Needs Study) and Program Consulting	July 2017-August 2018 (study) August 2018-present (program consulting)
City of Tacoma (WA)	August 2017-September 2018
Sound Transit (WA)	September 2018-March 2020
City of Chattanooga (TN)	October 2018-September 2019
Metropolitan Nashville Airport Authority-Draft report submitted	December 2018-present
Mecklenburg County (NC) (final report has been submitted, study results presented and accepted)	April 2019-present

From the above list of studies that we have performed, we have served several repeat clients, namely the City of Atlanta (GA), City of Memphis (TN), City of Jackson (MS), Metropolitan Government of Nashville and Davidson County (TN), Metropolitan Nashville Airport Authority, Montgomery County (MD, and Durham County (NC). This is a testament to the quality of our work and the stability of our firm.

In addition to disparity studies, GSPC has performed on numerous other public engagements, including goal-settings, benchmarkings, availability studies, supplier diversity program management, program development and implementation, legislative recommendations and drafting, as well as general diversity consulting. Please see a representative listing of these engagements below:

Public Policy Consulting:

- Living Cities (Cohort Lead for 10 cities)-in progress; also led previous 5-city cohort
- Atlanta Development Authority (Atlanta, GA)
- Georgia Lottery Corporation
- Houston Metropolitan Transit Authority (TX)
- City of Gainesville, (FL)
- Richmond County (GA)
- Newark, New Jersey Consortium
- Georgia Department of Transportation-DBE Consultant
- Sound Transit, Seattle WA-DBE Consultant

Supplier Diversity:

- State Farm Arena Renovations (Atlanta, GA)

- Mercedes-Benz Stadium (New Home of the Atlanta Falcons)
- College Football Hall of Fame (Atlanta, GA)
- National Center for Civil and Human Rights (Atlanta, Ga)
- The New World of Coca-Cola (Atlanta, GA)
- FedEx Forum (Memphis, TN)

Other Diversity Statistical Studies:

- State of Georgia Department of Administrative Services
- Metropolitan Nashville and Davidson County (Minority Growth & Needs)
- Louisville Water Company (Louisville, KY) Availability Study

Program Development:

- Atlanta Committee for the Olympic Games (GA)
- Tennessee Valley Authority
- Clayton County (GA)
- City of Memphis, TN
- Charlotte, NC
- Louisville Water Company
- Fulton County, GA
- City of Greensboro, NC

Program Legislation:

- Clayton County (GA)
- State of Tennessee
- Metropolitan Government of Nashville and Davidson County (TN)
- Durham County, NC
- City of Atlanta, GA
- Commonwealth of Kentucky
- City of Jackson, MS
- City of Cincinnati, Ohio
- Atlanta Public Schools (GA)
- City of Tucson and Pima County, Arizona
- Clark County, Nevada
- City of Phoenix, Arizona
- City of Greensboro, NC

Goal-Setting

- Georgia Department of Transportation
- Hartsfield-Jackson Atlanta International Airport

Unique Capabilities

Our firm is unique in that it is a law firm with expertise in conducting disparity studies. We have unique capabilities that set us apart from our competitors which allow us to provide timely, quality services for the City of Gainesville:



Innovators

- Each study different - catered to different communities & their individual characteristics
- Different outcomes require different recommendations
- Thinkers, innovators, overcomers with passion for disparity research

Post Study Activities

- CEO's expertise in factual predicate research and D/M/WBE program development
- Uniquely capable of hands-on development of any recommended program or modifications to existing program
- Recommend and draft legislation, create business model

Secure Data Storage

- Adhere to strict requirements of confidentiality
- Client data deposited directly from client to box.com account, password protected with encrypted storage and transfer
- Login and logout reports document access
SSAE 16 Type II security standards

Chain of Evidence

- All data and documents maintained as chain of evidence
- All databases and documents inventoried, change logs maintained
- Direct evidence allows inquirer to "peel back the onion skin" to see all processes conducted on data

Focus on Communications

- Stakeholder analysis conducted up front
- Communications plan developed
- Outreach to community stakeholders
Monthly team conference calls
Monthly status report

PMI Project Management Processes

- We take delivery dates set by clients very seriously
- We pride ourselves on on-time delivery

In addition, we include some of the most experienced team members in the area of disparity research:

1. Members of our team have participated in more than 150 disparity studies over the last 25 years.
2. Our core team includes 4 JDs, and 2 PhDs in Economics
3. Our Principal Investigator has been a successful expert witness in 6 cases involving minority business programs. In 2 cases, the testimony supported disparity studies upheld at the federal court level.
4. Our legal analyst, who received his legal training in Florida and initially practiced there, was recognized for four consecutive years as a Top-Rated Lawyer in Georgia, with over twenty years of experience.
5. Our Senior Economist and Principal Investigator are widely published in scholarly journals in the areas of disparity research and discrimination in employment, private sector contracting, lending and public contracting.
6. Our Senior Economist adds the unique and invaluable ability to empirically analyze anecdotal evidence and test its objective use as statistical data.

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DRUG-FREE WORKPLACE FORM

The undersigned bidder in accordance with Florida Statute 287.087 hereby certifies that


Griffin & Strong, P.C.

does:

(Name of Bidder)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for the drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this bidder complies fully with the above requirements.


Bidder's Signature

January 4, 2021

Date

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In the event of a tie bid, bidders with a Drug Free Workplace Program will be given preference. To be considered for the preference, this document must be completed and uploaded to DemandStar.com with your Submittal.

BIDDER VERIFICATION FORM

LOCAL PREFERENCE (Check one)

Local Preference requested: YES NO

A copy of the following documents must be included in your submission if you are requesting Local Preference:

- Business Tax Receipt
- Zoning Compliance Permit

QUALIFIED SMALL BUSINESS AND/OR SERVICE DISABLED VETERAN BUSINESS STATUS (Check one)

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Small Business? YES NO

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Service-Disabled Veteran Business? YES NO

LIVING WAGE COMPLIANCE

See Living Wage Decision Tree:

(Check one)

- Living Wage Ordinance does not apply (check all that apply)
- Not a covered service
 - Contract does not exceed \$100,000
 - Not a for-profit individual, business entity, corporation, partnership, limited liability company, joint venture, or similar business, who or which employees 50 or more persons, but not including employees of any subsidiaries, affiliates or parent businesses.
 - Located within the City of Gainesville enterprise zone.
- Living Wage Ordinance applies and the completed Certification of Compliance with Living Wage is included with this bid.

NOTE: If Contractor has stated Living Wage Ordinance does not apply and it is later determined Living Wage Ordinance does apply, Contractor will be required to comply with the provision of the City of Gainesville's living wage requirements, as applicable, without any adjustment to the bid price.

REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA

Is Bidder registered with Florida Department of State's, Division of Corporations, to do business in the State of Florida?

YES NO (refer to Part 1, 1.6, last paragraph)

If the answer is "YES", provide a copy of SunBiz registration or SunBiz Document Number (# F07000003782)

If the answer is "NO", please state reason why: _____

DIVERSITY AND INCLUSION (Applies to solicitations above \$50,000)

Does your company have a policy on diversity and inclusion? YES NO

If yes, please attach a copy of the policy to your submittal.

Note: Possessing a diversity and inclusion policy will have no effect on the City's consideration of your submittal, but is simply being requested for information gathering purposes.

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Griffin & Strong, P.C.

Bidder's Name

Rodney K. Strong, Chairman and CEO

Printed Name/Title of Authorized Representative


Signature of Authorized Representative

1-4-2021
Date

This page must be completed and uploaded to DemandStar.com with your Submittal.

REFERENCE FORM

Name of Bidder: Griffin & Strong, P.C.

Provide information for three references of similar scope performed within the past three years. You may include photos or other pertinent information.

#1 Year(s) services provided (i.e. 1/2015 to 12/2018): 1/2017 to 4/2018

Company Name: City of Greensboro (NC)
Address: 300 West Washington Street
City, State Zip: Greensboro, NC 27401
Contact Name: Gwendolyn Carter
Phone Number: 336-414-8615 Fax Number: _____
Email Address (if available): gwendolyn.carter@greensboro-nc.gov

#2 Year(s) services provided (i.e. 1/2015 to 12/2018): 4/2019 to Present

Company Name: Mecklenburg County (NC)
Address: 600 E. Fourth Street, Suite 226
City, State Zip: Charlotte, NC 28202
Contact Name: Jamila Davis, MWSBE Program Manager
Phone Number: 980-314-2940 Fax Number: _____
Email Address (if available): jamila.davis@mecklenburgnc.gov

#3 Year(s) services provided (i.e. 1/2015 to 12/2018): 10/2018 to 9/2019

Company Name: City of Chattanooga
Address: 101 E. 11th Street
City, State Zip: Chattanooga, TN 37402
Contact Name: Anthony Sammons, Deputy Chief Operating Officer
Phone Number: 423-643-7800 Fax Number: _____
Email Address (if available): sammons_a@chattanooga.gov

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Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Griffin & Strong, P.C.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
235 Peachtree Street, N.E., Suite 400

6 City, state, and ZIP code
Atlanta, Georgia 30303

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

				-						
--	--	--	--	---	--	--	--	--	--	--

or

Employer identification number

5	8	-	2	0	8	6	3	9	4
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ **January 4, 2021**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

200890_Request for Proposal_20210304



ADDENDUM NO. 2

Date: December 31, 2020
Bid Date: January 4, 2021, at 3:00 P.M. (Local Time)

Bid Name City of Gainesville Disparity Study
Bid No.: EODX-210013-DM

NOTE: This Addendum has been issued only to the holders of record of the specifications.

The original Specifications remain in full force and effect except as revised by the following changes which shall take precedence over anything to the contrary:

The following are answers/clarifications to questions received:

1. Please find attached:
 - a) Copy of the blackout period information (Financial Procedures Manual Section 41-423 Prohibition of lobbying in procurement matters).
2. Question: On page 13, 4.1d-Qualifications, it includes one minimum qualification, and states that a bidder that fails to provide supporting documentation will not be further considered. The minimum requirement listed is that at least one member of the study team demonstrates participation in the completion of at least one disparity study in the past five years. Please provide examples of the documentation required--i.e., list of studies team members have participated in during the past five years, sample report listing team members, etc.?

Answer: We would like to see all individuals identified specifically who have directly participated in the completion of a disparity study within the past 5 years. This should include any sample reports identifying the team member(s) involved in the study. Additionally, please include what their role was explicitly throughout the study to its completion. You will only need to name **one** study for each member that has been involved in a disparity study—a link to the study would also be preferred.

3. Question: On page 17, 5.1b, Technical Qualifications Evaluation, it indicates that a firm's record with providing this type of work, particularly in the City of Gainesville or State of Florida, will be assessed. If a firm has significant experience in conducting disparity studies in locations other than Gainesville or State of Florida, how will this affect evaluation of the firm's qualifications?

Answer: Please refer back section 17, 5.1b, Technical Qualifications Evaluation.

- 4. Question: Is the City's procurement centralized or decentralized?

Answer: Currently, the City Of Gainesville is using centralized and decentralized procurement. The City's departments can make purchases up to \$50,000.00 within the department. Any purchases \$50,000.00 or greater must go through the procurement department or identify a method of source selection.

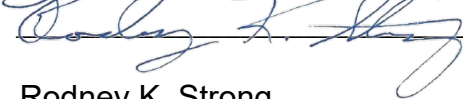
- 5. Question: Is there any specific financial documentation required to be submitted with proposal?

Answer: A narrative/statements or any documents that demonstrate financial stability is acceptable.

ACKNOWLEDGMENT: Each Proposer shall acknowledge receipt of this Addendum No. 2 by his or her signature below, **and a copy of this Addendum to be returned with proposal.**

CERTIFICATION BY PROPOSER

The undersigned acknowledges receipt of this Addendum No. 2 and the Proposal submitted is in accordance with information, instructions, and stipulations set forth herein.

PROPOSER:  _____

BY: Rodney K. Strong _____

DATE: January 4, 2021 _____

CITY OF _____ FINANCIAL SERVICES GAINESVILLE PROCEDURES MANUAL

41-423 Prohibition of lobbying in procurement matters

Except as expressly set forth in Resolution 060732, Section 10, during the blackout period as defined herein no person may lobby, on behalf of a competing party in a particular procurement process, City Officials or employees except the purchasing division, the purchasing designated staff contact. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

Black out period means the period between the issue date which allows for immediate submittals to the City of Gainesville Purchasing Department for an invitation for bid or the request for proposal, or qualifications, or information, or the invitation to negotiate, as applicable, and the time the City Officials and Employee awards the contract.

Lobbying means when any natural person for compensation, seeks to influence the governmental decision making, to encourage the passage, defeat, or modification of any proposal, recommendation or decision by City Officials and Employees, except as authorized by procurement documents.

200890_Request for Proposal_20210304



ADDENDUM NO. 1

Date: December 30, 2020
Bid Date: January 4, 2021, at 3:00 P.M. (Local Time)

Bid Name City of Gainesville Disparity Study
Bid No.: EODX-210013-DM

NOTE: This Addendum has been issued only to the holders of record of the specifications.

The original Specifications remain in full force and effect except as revised by the following changes which shall take precedence over anything to the contrary:

The following are answers/clarifications to questions received:

1. Any questions shall be submitted in writing to the City of Gainesville Purchasing Division by 3:00 p.m. (local time), December 28, 2020. Questions may be submitted as follows:
Email: mcphalldt@cityofgainesville.org

2. Please find attached:
 - a) Copy of the blackout period information (Financial Procedures Manual Section 41-423 Prohibition of lobbying in procurement matters).

3. Question: Confirm Attachments 4, 5, and 6 are to be completed and returned with proposals?

Answer: These attachments do not have to be completed by bidders. These were included for vendors to be able to view what documents the City utilizes because this may be data consultants will request during the analysis.

4. Question: Is there a MBE/WBE participation goal for the study?
 - If so, provide.
 - What certifications does the City accept?

Answer: No, there is no MBE/WBE participation goal.

5. Question: The RFP states that draft report is due within 13 months from project initiation, which is the total timeline in which the City would like to have the study completed?

Answer: We have answered your question regarding proposed study schedule below referencing *Task 12 on pages 10 and 11 of RFP # EODX-210013-DM, City of Gainesville Disparity Study issued December 3, 2020.*

Task 12. Presentations, reports and other deliverables specifies study schedule under parts **d, e, f** and **g**. A summary follows:

- d. Draft report components (key report chapters and appendices) -- **to be submitted within 11 months of Notice to Proceed (NTP)**;
- e. Complete draft report (including Executive Summary) of a quality suitable for public distribution -- **to be submitted within 13 months of NTP**;
- f. Presentation of study results including three formal presentations: one to City Leadership, one to City Council and one a Town Hall -- **at about Month 13 of the project schedule**; and
- g. Complete final report delivered in electronic format within three weeks of receiving final comments from the public or other groups on the published draft report -- **expected to be around Month 15 of the project schedule.**

6. Question: What is the allocated budget for the study?

Answer: We rely on subject matter experts to submit a competitive price within the current market.

7. Question: The Sample Contract within the RFP does not include a limitation of liability. We would like the contract revised to limit the liability of the Contractor to the value of the contract.

Answer: This terms that you are referencing are sample terms and the actual terms will only be negotiated with the winning “bidder” to this project.

8. Question: The Sample Contract within the RFP includes examples of payment terms. We would like the contract payment terms revised to state that the City will pay invoices within 30 days of receipt.

Answer: This terms that you are referencing are sample terms and the actual terms will only be negotiated with the winning “bidder” to this project.

9. ***Bid Opening Information via Zoom Meeting Monday, January 4, 2021 at 3:00P.M. Attendance is NOT Mandatory.***

<https://us02web.zoom.us/j/84127315170?pwd=a21YSWZ6V2kzalc3S1k1U0N6M1ZKZz09>

Meeting ID: 841 2731 5170

Passcode: 7df3TV

One tap mobile

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+13017158592,,84127315170#,,,,*859493# US (Washington D.C)
+13126266799,,84127315170#,,,,*859493# US (Chicago)

Dial by your location

- +1 301 715 8592 US (Washington D.C)
- +1 312 626 6799 US (Chicago)
- +1 646 876 9923 US (New York)
- +1 408 638 0968 US (San Jose)
- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 841 2731 5170

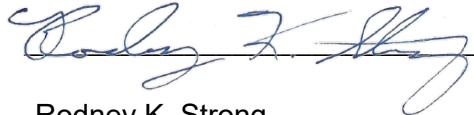
Passcode: 859493

Find your local number: <https://us02web.zoom.us/j/84127315170>

ACKNOWLEDGMENT: Each Proposer shall acknowledge receipt of this Addendum No. 1 by his or her signature below, **and a copy of this Addendum to be returned with proposal.**

CERTIFICATION BY PROPOSER

The undersigned acknowledges receipt of this Addendum No. 1 and the Proposal submitted is in accordance with information, instructions, and stipulations set forth herein.

PROPOSER:  _____

BY: Rodney K. Strong

DATE: January 4, 2021

CITY OF _____ FINANCIAL SERVICES GAINESVILLE PROCEDURES MANUAL

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200890_Request for Proposal_20210304