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ACA Newsletter

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2016 Mobility Bond Program Kicked Off with First Public Information Session

On November 8, 2016, Austin voters approved City of Austin Proposition 1 authorizing a \$720 million bond program to fund transportation and mobility improvements projects. As part of the city's commitment to transparency and community engagement, the first bond-related informational session was held on Dec. 7, 2016 at City Hall on upcoming opportunities including engineering, design, and construction to be bid out next year.

City staff have also quickly jumped into action to set the program in motion by hiring the first top consulting firm, as laid out in the recommended timeline in a memorandum dated December 12th from the Interim City Manager, Elaine Hart, to Council.

In the meantime, Ms. Hart has designated the tasks ahead to key personnel as follows:

***2016 Bond Program Implementation Lead** — Assistant City Manager Robert Goode to deliver this program within the aggressive timeline

***Corridor Program Implementation Lead** — Mike Trimble, Capital Planning Officer, to head up the new Corridor Implementation Program Office and report directly to Assistant City Manager Goode



Mike Trimble, Capital Planning Officer, briefs the public during the information session.



A participant signs in assisted by Business Process Consultant Kristi Samilpa of the Small and Minority Business Resources Department (far left).

1. The Corridor Consultant is expected to be awarded on Feb.9th, 2017 to begin work in March 2017. The RFQ for the consultant was issued in November of 16 and due on December 15th.
2. Firms on an existing engineering rotation list will be employed to accelerate the preliminary engineering reports (PER) for William Cannon Drive, Slaughter Drive, and Brodie Lane. Work should start in January 2017.
3. Staff will come back to Council in early February 2017 to provide process recommendations for City Council oversight and communications of the 2016 Mobility Bond Program.

***Project Management Standards and Controls** — Assistant Public Works Director James Snow to lead the effort to create consistent standards and develop usable and transparent project controls.

The bond program will include 1) \$101,000,000 for Regional Mobility Projects 2) \$482,000,000 for Corridor Improvement Projects and 3) \$137,000,000 for Local Mobility Projects. For more details, please click the link [here](#).

SMBR Interim Assistant Director on Good Faith Efforts and New Strategies



After three years at the helm of the Small and Minority Business Resources Department's largest and most mission-critical division, the Compliance Division, Tamela Saldana will be filling the seat of the Assistant Director of the department, vacated by Debra Dibble Boone, who left the city in October 2016 to work for the Austin Independent School District as the HUB Program Director, a newly created position for the district's recently

adopted program.

The Interim Assistant Director, also a PhD in Anthropology from UT Austin, Ms. Saldana is expected to be confirmed as the official AD early 2017 to manage the day to day operations of the department.

Before her employment with the city, Ms. Saldana had been with the Texas Department of Transportation for 11 years as the DBE/HUB/SBE Program Director. The transition from her state position to the growing municipality was not an exigent one. Government minority procurement programs are similar countrywide, be it on the federal, state, or municipal level, Saldana commented.

As similar as they are in policies and procedures, so are a few concerns, however. Good Faith Efforts in these affirmative-action programs to redress economic disparity existing in small minority businesses are sometimes controversial and often criticized as perfunctory or pro forma. Good Faith Efforts require prime bidders to invite minority vendors to bid as subcontractors if they are certified for the scopes of work being solicited. Many complain that often times prime bidders have already assembled their teams beforehand, and sending the invitations is only to meet paperwork requirements.

To help clarify how her department is monitoring Good Faith Efforts, the interim director began by saying that her Business Development Counselors, who review every city solicitation to determine minority participation goals, spend 95% of the time on compliance-related tasks, tracking and monitoring MWBE participation and utilization by prime contractors/consultants. They track minority participation not only on the prime contracting level, but on every level and every tier of subcontracting jobs, which means all non-minority subcontractors on a particular project on all tiers have to comply with the city's good-faith efforts as well, not just the primes, she added.

The Department regularly publishes City Council Awards, in which all first tier subcontractors/subconsultants are listed, and if more tiers of subcon-

tractors are added, they must be reported to the city and conduct good-faith efforts using the city's minority availability lists.

There is a lot of work to track for each phase of the project, and there is almost not much time left for counselors to provide business development-related counseling services, Saldana said, adding she didn't know why there were given the title as Business Development Counselors, established before she joined the department. However last year the counselors did send out 4,000 emails of bidding opportunities and other information to minority vendors as part of their efforts to provide additional assistance to the minority and women business community, according to the interim director.

Any time a minority vendor can call SMBR to obtain subcontractors information if they are interested in bidding on any tiers, she said, except for Third Party Agreements projects, which are subject to the terms and conditions in each contract a private developer signs with the city as the seller or lessor of city properties, and the city does not track subcontractors' good-faith efforts on these private projects.

Speaking of the newly passed 2016 Mobility Bond Program, the scholar turned civil servant had a twinkle in her eye eager to share a plan she had strategized to identify key areas where the city can create "a win-win situation for all minority vendors."

In the plan, she said, it is important to sort out the scopes of work that will be solicited for the bond program, and build a profile of those firms certified for those scopes that have done business with the city and won awards and those who have not. The steps are: 1) Build performance capacity of those contractors whose resources perhaps have exceeded their workload (Group A); 2) Work with trade associations to identify and contact firms who have yet to bid or win contracts with the city (Group B); 3) Foster partnerships between Group A firms and Group B firms so firms with existing relationship with the city can share workload with those who do not.

In the meantime, the City's Purchasing Department is in the process of putting together a list of common commodity codes, an effort headed by Yolanda Miller, Deputy Purchasing Officer, to help vendors better position themselves and allocate their resources to pursue city contracts.

Using this list, Saldana added, SMBR will actively seek out new businesses to register with the city and be certified as a minority- or women-owned business. The timeline for the department to roll out the new plan is not immediately clear; however, it will continue to update the city's MWBE Advisory Committee, which meets on the first Tuesday of each month, on any progress.

City of Austin 2016 Mobility Bond Qualifications-Based Selection (QBS) Evaluation Criteria & Matrix

Capital Contracting Office

After careful consideration of legal opinion, current practices of Texas jurisdictions, and consideration of the uniqueness of Austin and its Capital Improvement requirements, the project team crafted the new QBS Matrix highlighted below. It includes the point breakdown for every evaluation criteria item and a brief description of what they City is expecting to receive in regards to a response to our criteria.

Item #	Title	Scope Specific Max Point Value (115 Total)	Rotation List Max Point Value (100 total)
1	MBE/WBE Procurement Program	NA	NA
2	Turned In All Required Documents	NA	NA
3a	Team's Structure	10	10
3b	Team's Project Approach	20	NA
4	Experience of Key Personnel	20	25
5	Prime Firm's Comparable Project	15	25
6	Major Scopes of Work—Comparable	15	20
7	Team's Experience with Austin Issues	10	10
8	City of Austin's Experience with Prime	10	10
9	Interviews	15	NA

Evaluation Criteria

Item 1—MBE/WBE Procurement Program

This criteria item remained the same and will still require the Prime Firm to meet the established solicitation goals or complete Good Faith Efforts. This will serve as a gatekeeper item

Item 2— Turned In All Required Documents

This criteria item is new and incorporates all the requested forms and documents required of the Prime Firm. This will serve as a gatekeeper item.

Item 3a— Team's Structure

This item was previously titled "Team Structure and Project Approach." In this item, the City is interested in the Team's organizational structure. The project team is required to identify project leadership, reporting responsibilities, how the prime firm will interface with the City's project manager, and how subconsultants will work within the team structure.

Item 3b— Project Approach

This item was previously titled "Team Structure and Project Approach." In this item, the City is interested in the team's overall understanding of the project scope and issues. The team is to describe any significant project issues and the team's approach in addressing those issues. Note: This item will not typically be incorporated in solicitations for Rotation Lists because there is no "project approach" at the procurement stage. Exceptions may be made on the case-by-case basis.

City of Austin 2016 Mobility Bond Qualifications-Based Selection (QBS) Evaluation Criteria & Matrix

Capital Contracting Office

Item 4— Experience of Key Personnel (PM,PP,PE, PA)

This consideration item stayed the same; however the solicitation documents will incorporate definitions of each Key Personnel. In this item, the City is interested in the experience of the Key Personnel who will be assigned to this project. Points will be awarded based on the Key Personnel selected by the City's PM. Note: Scope Specific base requirements: 3 projects within past 10 years. Rotation List base requirements: 5 projects within past 10 years.

Item 5— Prime Firm's Comparable Project Experience

This consideration item stayed the same. The City is interested in the prime firm's history and success with projects of similar programs, budgets, and/or clients as the projects described in the solicitation documents. NOTE: Scope Specific base requirements: 3 projects within past 5 years. Rotation List base requirements: 5 projects within past 5 years.

Item 6— Major Scopes of Work—Comparable Project Experience

The title of this consideration item used to be "Subconsultant Firms' comparable Project Experience." This was changed to reflect the fact that these opportunities can be accomplished by the prime firm or a major subconsultant. For this consideration item, the City is interested in the history and success of the firm (prime or sub) proposed to perform the scope of work, with projects of similar programs, budgets, and/or clients as the areas identified. NOTE: Scope specific base requirements: 3 projects within past 5 years. Rotation List base requirements: 3 projects within past 5 years.

Item 7— Team's Experience with Austin Issues

This consideration item stayed the same. However, a bullet item requesting the prime firm highlight "efficiencies derived from proximity of projects to local office" has been included to reflect Local Business Presence. For this consideration item, the City is interested in the team's experience with Austin issues, as may be evidenced by work in the Austin area.

Item 8—City of Austin's Experience with Prime Firm

This consideration item stayed the same. However, a new consultant evaluation process will be incorporated into the scoring of this new item. For this consideration item, the City will consider the history of the prime firm in complying with project programs, schedules, and budgets on previous City of Austin projects.

Item 9— Interviews (OPTIONAL)

This consideration item stayed the same. The interview process will be held if scores during the final evaluation are found to be very close. Typically interviews will be conducted if the scores for the top firms are within three tops of each other. In no instances will more than five firms be interviewed. NOTE: Interviews are not conducted for Rotation List solicitations.

CONSULTANT HOURLY RATE REVIEW

CITY OF AUSTIN CAPITAL CONTRACTING OFFICE

Any pricing information (bids, monetary cost information and/or rate information) is NOT requested, nor considered during the City's Qualification-Based Selection (QBS) and City Council Award processes.

Texas state law requires the City negotiate a fair and reasonable price with the selected firm. [Ref. Government Code Chapter 2254]

Once the Consultant is awarded a contract by City of Austin City Council on the basis of demonstrated competence and qualifications to perform professional services, *the Capital Contracting Office (CCO) will request the following information from the consultant and all subconsultants needed to begin the hourly rate review process.*

City of Austin Standard Titles/Minimum Qualifications:

The consultant will select City of Austin provided Standard Titles for all staff that will potentially work on City contracts. In order to add new Standard Titles, the consultant has to make a formal request for addition of the titles providing the job descriptions and years of experience required for each title. The Consultant can add a discipline (such as **Electrical, Civil, Mechanical, etc.**) to be considered in the evaluation of the raw rate for each title. Project Managers will be evaluated based on the Standard Title, with consideration for additional responsibilities in the project manager role.

Key Personnel and Uniquely-Qualified Individuals:

Those individuals named by the consultant in the State ment of Qualifications (S) will be named in each contract (*i.e. Project Principal, Project Manager and /or Project Engineer*). Those individuals uniquely-qualified (*i.e. nationally recognized expert*) for the project, will also be named in the contract as Key Personnel. Uniquely-qualified individuals must be approved by the City's Project Manager to work on a project (only that individual would be allowed to bill at that title and hourly rate). The subconsultant's Principal is considered a Key Personnel and will also be named in the contract.

Raw Rate:

Consultant will propose an hourly rate for each Key Personnel and Standard Title. Individual employees must meet the minimum qualifications to bill at that title.

Overhead Rate:

CCO requires a signed Statement of Overhead Rate and documentation to support the consultant's overhead. There are two ways that the consultant can meet this requirement. The CCO's preferred method is that the Consultant provide an audited overhead in compliance with *Federal Acquisition Regulations (FAR) Part 31 - Contract Cost Principles and Procedures* within the prior year. The Consultant may also provide a Texas Department of Transportation (TX DOT) approved Schedule of Indirect Costs letter within the prior year. If the consultant does not meet the CCO methods listed above, the consultant must provide a signed Statement of Overhead Rate and supporting documentation to justify their overhead.

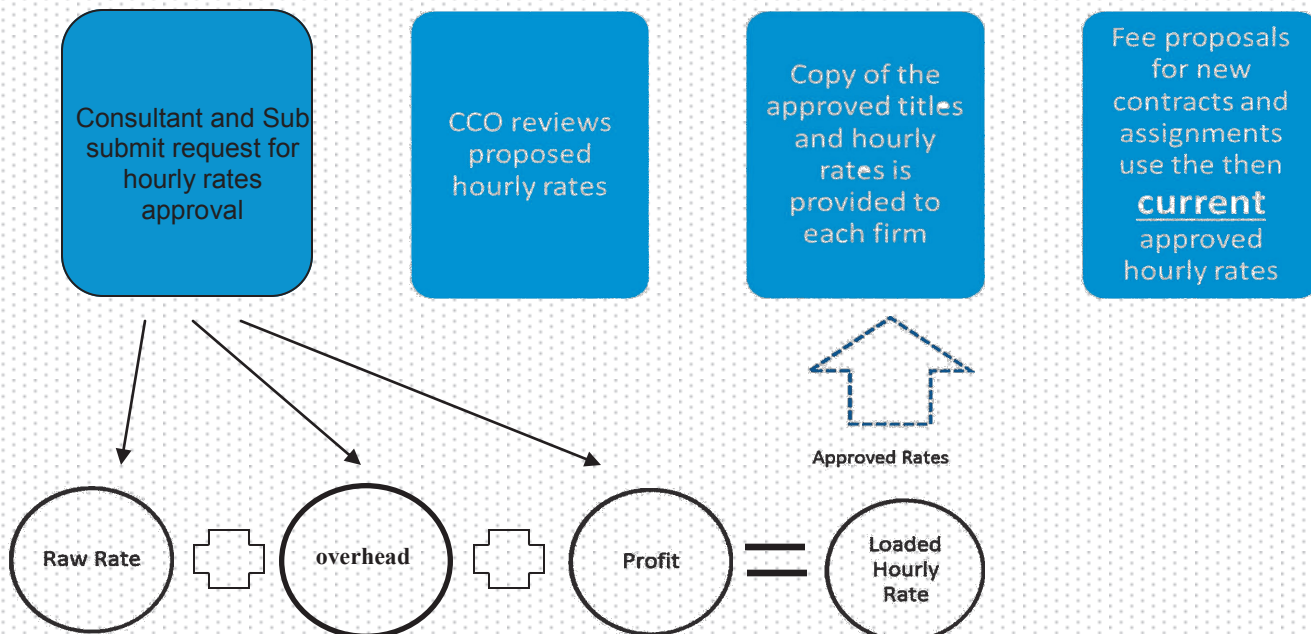
CONSULTANT HOURLY RATE REVIEW

CITY OF AUSTIN
CAPITAL
CONTRACTING
OFFICE

Profit:

The consultant will propose profit based on degree of cost responsibility. The consultant will propose Category 1 and Category 2 profits (each discussed below) for each Standard Title and Key Personnel. **All projects or assignments will use the Category 1 rate unless projects or assignments meet the Category 2 criteria.**

- ❑ The difference between the two categories is the profit associated with the degree of cost responsibility that the Consultant will assume as a result of the negotiated contract.
- ❑ The complexity of a contract as it applies to risk of cost has to be justified by the Consultant.
- ❑ A Lump Sum proposal limiting the risk of cost to the Consultant through assumptions, no matter the duration, is considered Category 1.
- ❑ A Lump Sum proposal for over 2 years in which the Consultant guarantees a ready-for-bid, 100% permitted set of plans and specifications or specified deliverable may be justification for Category 2.
- ❑ Standard Hourly Rate proposals in every case are Category 1.



City of Austin Capital Contracting Office

Questions, need additional assistance?

Please contact: Cynthia Gonzales - Division Manager
Cynthia.Gonzales2@austintexas.gov

Asian Vendor Corner



REAL Capital Group

Lynn Yuan (CCIM) is the founder and CEO of Real Capital Group-Austin 360Home, a leading real estate investment firm focused on acquisition, development, and real estate portfolio management for Asian Investors. Lynn also serves as the Managing Director of Asia-Pacific at Texas Investment Properties Group. Having lived in Austin, Texas for over 23 years, Lynn has acquired a great amount professional real estate experience as well as established a strong network among both Asian investors and fund managers. Lynn is recognized as a local market expert in commercial and residential brokerage, investment management, development projects, and property management. Mrs. Yuan has extensive experience working with clients and investors across the U.S. and Internationally. Prior to beginning her full time real estate career in early 2000, Lynn spent 15 years as a program management professional for Fortune 500 technology companies.

Mrs. Yuan has been actively involving in community activities. Lynn serves as Board of Director for Greater Austin Asian Chamber of Commerce (GAACC), Director of Asian American Resource Center (AARC), Board of Director for Chinese Society of Austin (CSA) and Board Member for Asian Pacific Islander American Public Affairs (APAPA).

Overview—REAL Capital Group is a leading real estate investment firm focused on acquiring, developing, and managing high-quality real estate. REAL Capital Group provides co-investors, clients and joint venture partners extraordinary opportunities to invest in, own and extract appreciable value and investment return on real estate assets.

REAL Capital Group works closely with individual investors as well as investor groups from United States and Asia Pacific regions, providing them with the comprehensive analysis and resources needed to advance their investment real estate holdings, acquisitions, and developments.

Mission Statement —To achieve superior risk-adjusted returns through our extensive research and analysis, unparalleled market insight, depth of experience and our creative deal structuring abilities. Build on solid investment network to help our clients to create and preserve wealth by providing the best real estate investment opportunities and advisory services available.

Commercial & Investment Brokerage Service—REAL Capital Group focuses on investment sales and acquisitions. Our experienced team offers strategic real estate solutions for buyers and sellers, landlords and tenants of real estate. Integrity and professionalism are the overarching principles that set the tone for REAL Capital Group commercial brokerage business. Combine those qualities with unmatched enthusiasm and drive to satisfy our clients, strong local market knowledge and an understanding of commercial/investment real estate principles, and the result is a higher level of brokerage service and optimal results for our clients.

For sales and leasing projects, we develop a marketing strategy that is specifically designed for your property. Whatever we determine the best strategy to be, we will utilize the latest technology in marketing your property and executing the plan. REAL Capital Group has access to all CCIM resources (Certified Commercial Investment Member) to provide up-to-date market and demographic analysis. We offer professional, interactive and graphic reports for our clients to effectively analyze the data and make informed decision.

REAL Capital Group helps our clients to align real estate requirements with strategic business objectives. Our full-service approach to brokerage ensures that the client's experience with us is outstanding from the beginning to the end.

REAL Capital Group Provides these Core Brokerage Services: Investment Sales – Acquisition and Disposition, Seller & Landlord Representation, Buyer and Tenant Representation, Market Research and Consulting,

Property Types Served:

Multi-Family, Retail Shopping Centers and Restaurants, Office Buildings, Storage, Industrial Facilities, Warehouse / Distribution Centers, Land

City of Austin Celebrates Diversity

Local firms Awarded for Contracting Efforts

SMBR honors two Primes of the Year:

- Santa Clara Construction, Ltd., Prime Contractor of the Year
- Wiss, Janey, Elstner Associates Inc., Prime Consultant of the Year

SMBR honors four Small Businesses of the Year:

- Rama Tiru - Photography
- Lewis Clark Trucking, LLC. - Hauling
- Jose I Guerra, Inc. - Engineering
- The Entermedia Group, LLC/TEG - Consulting

SMBR congratulates our 2016 Graduates:

Capitol Concrete Contractors - Concrete • Cherry Painting Company Inc. – Painting • Glenn Steel, LLC. – Welding • N-Line Traffic – Traffic Barricades • Viking Fence Company LTD. – Fencing

The Department appreciates City employees and departments for the commitment and support of SMBR's mission.

- MBE/WBE Advocate – Amelie Gonzalez, Austin Energy
- Department Award – The Purchasing Office

SMBR also recognizes the efforts of our Service Providers

- Asian Contractors Association (ACA)
- Austin Area Black Contractors Association (ABCA)
- Hispanic Contractors Association de Austin (USHCA)



Left: Rama Tiru, Asian Small Business of the Year (center) with SMBR Director Veronica Briseno (left) and SMBR Interim Assistant Director Tamela Saldana
Below: Council Member Ora Houston speaking as Guest of Honor

Below: Group photo of all the awardees with city officials

