

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT			1. Contract Number		Page of Pages		
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2. Amendment/Modification Number 003		3. Effective Date See Box 16C		4. Requisition/Purchase Request No.		5. Solicitation Caption Government of the District of Columbia Disparity Study	
6. Issued by: Code [] Office of the Deputy Mayor for Planning and Economic Development Office of Contracts, Procurement and Grants 1015 Half Street, S.E., Suite 675 Washington, D.C. 20003			7. Administered by (If other than line 6) Office of the Deputy Mayor for Planning and Economic Development Interagency Initiatives 1350 Pennsylvania Avenue, N.W., Suite 317 Washington, D.C. 20004				
8. Name and Address of Contractor (No. street, city, county, state and zip code) TO ALL PROSPECTIVE CERTIFIED CBE OFFERORS Code [] Facility []			9A. Amendment of Solicitation No. DCEB-2021-R-0001		9B. Dated (See Item 11) November 16, 2020		
			10A. Modification of Contractor/Order No.				
			10B. Dated (See Item 13)				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input checked="" type="checkbox"/> is extended. <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning one (1) copy of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) BY separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. Accounting and Appropriation Data (If Required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS , IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14							
A. This change order is issued pursuant to (Specify Authority): 27 DCMR, Chapter 36, Section 3601.2(b) The changes set forth in Item 14 are made in the contract/order no. in item 10A.							
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of:							
C. This supplemental agreement is entered into pursuant to authority of: 27 DCMR 3601.2 Change Clause, 27 DCMR 2005.6(d) as amended							
D. Other (Specify type of modification and authority) Paragraph 15, Changes, Standard Contract Provisions							
E. IMPORTANT: Contractor <input type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return one (1) copy to the issuing office.							
14. Description of Amendment/Modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)							
<p>1. DUE DATE AND TIME FOR SUBMISSION OF OFFERORS IS ON OR BEFORE 2:00PM LOCALTIME, WEDNESDAY, JANUARY 27, 2021.</p> <p>2. PROSPECTIVE OFFEROR QUESTIONS OF CLARIFICATION AND THE DISTRICT'S RESPONSES ARE AS FOLLOWS:</p> <p>Q1 – Can the same firm (a DC CBE) be on two separate teams responding to the Disparity Study RFP if they are (i) on a Joint Venture as prime on one team and (ii) a sub on the other?</p> <p>R1 – Yes. You have the right to submit as an offeror and/or as a subcontractor.</p>							
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.							
15A. Name and Title of Signer (Type or print)			16A. Name of Contracting Officer Jacque McDonald, DBA, MBA, MST, CPPO, CPPB Director of Contracts, Procurement and Grants				
15B. Name of Contractor		15C. Date Signed		16B. District of Columbia		16C. Date Signed	
(Signature of person authorized to sign)				<i>Dr. Jacque McDonald</i> (Signature of Contracting Officer)		01-13-2021	

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Q2 - Why is this integral and politically sensitive Study solicited as a Small Business Enterprise (SBE) Certified Business Enterprise (CBE) requirement, instead of being solicited in the open market with an SBE/CBE subcontracting requirement? *Note: This would afford the District of Columbia the experience of additional firms that have successfully conducted Disparity Studies for the past thirty-five plus (35+) years, since the advent of Richmond versus Croson, while ensuring CBE input and participation.*

R2 – DMPED is committed to maximizing opportunities for SBEs/CBEs in District procurements and delivering a legally defensible disparity study. The solicitation is a set-aside for CBEs or Joint Ventures (JVs) that include a CBE as a partner. Non-CBE experts are welcome to partner with CBEs in a JV partnership in response to this solicitation. For more information on JV certification, please visit <https://dslbd.dc.gov/service/certify-joint-venture>.

Q3 - Has the District ensured that the current contracting, procurement or accounts payable systems within each Agency are able to deliver contracting data in a timely manner so the Consultant can complete the project within the timeframe allotted?

R3 – District agencies, including those agencies with independent procurement authority, will coordinate to provide timely and accurate information to assist with the completion of the disparity study.

Q4 - For the period of the Study, if all of the prime and subcontracting data for the District is not available in an electronic/digitize/digital format how will the District supply records to the Consultant in a timely manner?

R4 - Section C.4 of the solicitation identifies public, primary data sources with information on both CBE firms as well as District contracting information more generally, available in electronic format. In addition to this data, District agencies, including those agencies with independent procurement authority, will coordinate to provide relevant prime and subcontracting information. Where information is not available in electronic formats, the awarded firm will have access to the appropriate paper files.

Q5 - Is procurement data centralized or decentralized for each contracting division and/or Agency?

R5 – The Procurement Automated Support System (PASS) is a centralized database that includes purchase order and direct voucher information (including basic information on supplier, amount of purchase, and NIGP Code) for over 100 District agencies. Please refer to RFP Section C.4 for additional public, primary sources of information regarding District contracting information and CBE firms. In addition to this data, District agencies, including those agencies with independent procurement authority, will coordinate to provide relevant prime and subcontracting information.

Q6 - If there are issues with the timely availability of the District's contract awards/payments for CBE and/or non-CBE firms, what processes are in place to ensure the Consultant receives current, correct and complete data to perform the empirical analysis.

R6 – The District has comprised an Interagency Following consisting of the Office of the Deputy Mayor for Planning and Economic Development (DMPED), the Department of Small and Local Business Development (DSLBD), the Office of the City Administrator (OCA), the Office of the Chief Technology Officer (CTO), the Office of Contracting and Procurement (OCP) and the Department of General Services (DGS) that will meet monthly with the awarded firm to receive status updates and provide information necessary for the study. The interagency team will prioritize the timely transfer of data to the awarded firm in order to support the comprehensive analysis necessary for a successful disparity study.

Q7 - Should there be an issue with the District providing the relevant data to complete the Study, (Refer to Questions 2, 3, 4 and 5) is there appropriate funding available for a change order(s) to add the necessary resources to complete the project?

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R7 – We have budgeted for this disparity study based on market research for disparity studies conducted in similarly-sized jurisdictions The District is prepared to support the successful completion of the study.

Q8 - Are there contracting activities or data that will be excluded from this Study? If so why and how were these determinations made?

R8 - In line with industry best practice, the District intends for this study to be comprehensive – inclusive of all agencies that contract via the Office of Contracts and Procurements (OCP) as well as agencies with independent procurement authority.

Q9 - How is prior procurement award bidder tabulation data maintained by contracting divisions and/or District Agencies that individually procure whether via RFP, IFB, IFQ or IDIQ etc.? Will this data be provided to the Consultant?

R9 – Prior bid tabulations are maintained by the awarding District agency. Information pertaining to prior awards will not be provided to the awarded contractor for this solicitation.

Q10 - Will the District require the consultant to examine the extent to which business self-employment rates are affected by race and gender in its relevant marketplace?

R10 – Please refer to Section F.3 Deliverables, for a detailed listing of contractor deliverables under this RFP. Prospective offerors may include additional tasks to either phase based on disparity study best practices so long as the proposal meets the stated requirements in the solicitation.

Q11 - The Study will require the analysis of contracting data for all primes and subcontractors; majority, minority and women-owned businesses in a timely manner. Please confirm that the District has maintained availability and utilization records for its *majority* firms.

R11 - Please see the link in Section C.4 of the solicitation to see District purchase order data. The prime supplier is listed in the purchase order data. Additional information on suppliers will be provided to the awarded firm under a non-disclosure agreement. That will include the EIN and primary address of the prime contractors. Historically, the District has not maintained structured data on subcontractors. Minimal, if any, information of this type is available in electronic format.

Q12 - RFP Sections L.20 and M.3.1.1.4: How will evaluation points be allocated to proposers or offeror who: a) Have not experienced legal challenges or had to legally defend their Studies versus; b) Those who were unsuccessful in defending their Studies versus; c) Those who successfully defended Disparity challenges or completed Disparity Studies with no challenges?

R12 – This question refers to sections within the RFP that have been since updated. Please see the amendment to this solicitation, released on 11/25/20.

Q13 - The solicitation does not contain the requirement for a Community Participation Plan (CPP). Typically, disparity study consultants are required to include their community engagement plan(s) with specific deliverables in their proposals that are evaluated by the Selection Committee. There is no requirement for a CPP in this RFP. As a result, we feel it imperative to address/include the following: a) In reference to RFP Section C.5.8, what will be the involvement of the community in the Study's monthly update meetings? b) In reference to RFP Section C.5.9, how will you monitor and track, what should be, mandatory deliverables related to community engagement/involvement in all Phases of the Study? c) In reference to RFP Section C.5.13, it is not clear by the minimum requirements, as stated in this section for the District's Study, if there is any information collected from the community or if it will be included in the Study. We *recommend* a Kick-Off meeting to announce and provide the maximum practical opportunity for community engagement. Periodic community meetings during the Study should also be scheduled and advertised.

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R13 – a) A community engagement strategy is required as part of the technical proposal and will be reviewed and discussed in further detail at the kick-off meeting per RFP Section C.5.1. Prospective offerors must submit their project plan and methodology for collecting and analyzing not only quantitative data, but qualitative information about the experience of minority and women-owned businesses in the District that will derive from extensive outreach to the local business community. The District’s interagency disparity study team will hold monthly meetings with the awarded team to review bi-monthly progress reports, including, when appropriate, progress of deliverables, summaries of meetings, analyses and assessments in progress or completed, and upcoming items. At these staff meetings, our interagency team and the awarded team will regularly review the community engagement strategy and progress towards community engagement goals. b) The awarded team will be responsible for proposing a community engagement strategy as part of the technical proposal presenting the strategy at the kick-off meeting per RFP Section C.5.1. At the kick-off meeting and subsequent monthly meetings, District staff and the awarded team will coordinate closely to ensure extensive and thorough collection of community input throughout the study; c) Qualitative data collected from the community is integral to a successful disparity study. As stated in RFP C.5.4, the awarded firm will “collect and analyze qualitative information on the experience of firms attempting to do business with the District, including but not limited to surveys, focus groups and interviews;” and d) Thank you for your recommendation; we intend to advertise meetings.

Q14 - In reference to Section F.3, entitled, “Deliverables”:

05	Participate in Phase II Monthly Meetings (C.5.10)	Monthly	Meeting	Monthly
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a) From start to finish, this project could last anywhere from twelve (12) to eighteen (18) months. Stakeholders who are the focus of this study whom the project outcome will grossly affect, should as stated in *No.5, Participate in Phase II Monthly Meetings (C.5.10)*, by providing data periodically throughout this process. DC CBE firms in all likelihood have invaluable information to provide to the Consultant gathering data and should be kept informed of outcomes throughout the process, at least quarterly.

10	Present Disparity Study findings to Relevant District agencies and Stakeholders (C.5.15)	1	Virtual PowerPoint Presentation	January 2022
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b) Items are listed that include *only one* presentation of findings to all stakeholders and is included as the last item, No.10 Excerpt above. *Present Disparity Study findings to relevant District agencies and stakeholders (C.5.15)*. Explain how these ten (10) deliverables were selected, how they will provide sufficient data for Oversight throughout this process and ensure the District will receive a comprehensive and legally sufficient Study?

R14 – a) Community involvement and input throughout the study’s duration will be a key element of both the technical proposal and the community engagement strategy that must be shared with the District’s interagency staff team, per RFP Section C.5.1; and b) Deliverables were included based on comparative RFPs and are in line with industry best practices. As stated in response to Question 10, prospective offerors may include additional tasks to either phase based on disparity study best practice so long as the proposal meets the stated requirements in the solicitation.

Q15 - In reference to RFP Section J. “Attachments:” We “Recommend”: a)Submission of subcontracting plans with the proposal made mandatory for Consultants. (Section J.8); and b) Add: J.12 –Required submission of a Community Engagement/Participation Plan to this solicitation for all Consultants.

R15 - Thank you for your recommendation. If a joint venture or CBE plans to subcontract, the subcontracting plan must be included within their response to the solicitation. As stated previously, please refer to the most recent amendment to the solicitation issued on 11/25/2020.

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<p>Q16 - In reference to Section M.2 we “Recommend”: a) Business Community - Representative(s) from the District’s business community should be included on the Selection/Evaluation Team for the Disparity Study consultant; b) Project Manager – A qualified internal Project Manager (PM) should be selected to help facilitate the completion of the Study and ensure that the District objectives are met. In addition, the PM should be utilized to assist with the implementation of remedies that may be suggested by the Study; c) Disparity Study Steering Committee - A Committee selected primarily from DC businesses and organizations to provide the Consultant with “actual” local business expertise and input into the ongoing efforts of the Study. Ultimately their expertise might be used to assist in oversight of the implementation of remedies that may be suggested by the Study; d) <i>Oversight</i> - It is suggested that one or more individuals/organizations and/or businesses with relationships and/or experience with District of Columbia businesses, Disparity Studies, policy development, etc. and not affiliated with a District agency be a participant on the District’s Disparity Study Project team that is slated to meet on a regular basis. Their input will be invaluable and assist in validating a positive transparency for this study, regardless of the outcome; e) <i>Reference to Disparity Study Guide</i> – RFP Section C5...“The study shall examine whether a disparity exists between the number of available MBE/WBEs in the District’s relevant geographic market area and the number of MBE/WBEs being utilized on District contracts. Under Phase I – Data Collection, Legal Review, and Market Analysis, there are a number of references to revisions of and inclusion of District of Columbia laws and databases. There is only mention of CBE Categories in the District’s relevant geographic and product markets. In order to accurately portray the full array of available M/WBEs in the DC geographic area, it is imperative to include all databases, dollars and projects, etc. fully or partially funded with District dollars, including eg. DC Water & Sewer Authority, DC Department of Transportation, Washington Metropolitan Area Transit Authority, Metropolitan Washington Airports Authority, Amtrak etc. and all federal projects that also utilize M/WBE firms certified or not certified that are located within the geographic area; and f) <i>Professional Services</i> - The current CBE Program has a requirement of either 50% CBE participation for District Agency contracts or 35% subcontract participation for private sector contracting on District projects. There are however <i>no requirements</i> for a specific percentage or equal CBE participation utilization of 1) Professional Services, 2) Construction Contractors or 3) Suppliers. (<i>Construction utilization is the area primarily contracted</i>). This therefore allows the potential for either of the other two (2) industry categories Professional Services and/or Suppliers, to be grossly underutilized or experience no contract usage. Professional Services experience the least contract opportunities, e.g. Solicitations that involve Surplus property owned by the DC Government; or instances where a DC Finance Tax Credit may be involved; or Development projects with little or no utilization of CBE legal, accounting, or insurance firms; or District General Obligation offerings without CBE legal or brokerage requirements, etc. It is our recommendation that the Disparity Study be required to specifically research utilization of these three (3) industries categories with the ultimate goal of suggesting concrete means of alleviating identified inequities.</p> <p>R16 – a) Thank you for your recommendation; b) Thank you for your recommendation; c) Thank you for your recommendation; d) Thank you for your recommendation; e) Thank you for your recommendation. The study will focus on the District of Columbia and include all District agencies that fall under the contracting authority of the Office of Contracting and Procurement as well as those District agencies with independent contracting authority; and f) Thank you for your recommendation.</p> <p>Q17 - In reference to RFP Section M.5.2, which states there will be no additional evaluation points or preferences for prime contractor/consultant that subcontract to CBEs. Why are no additional evaluation points afforded to all primes to incent their utilization of CBE firms?</p> <p>R17 – CBE preference points are awarded only to the Prime Contractor that is a District Certified Business Enterprise (CBE) or a District certified Joint Venture (JV). Please recall that this solicitation is only open to CBE or JV offerors.</p> <p>Q18 - Please provide all information (solicitation through close out) related to the Request for Proposal, Request for Qualification, Request for Quotes, including but not limited to, list and demographics of proposers/offeror, short-listed firms, evaluation criteria, contract awards and etc.).</p> <p>R18 – This is an active solicitation. The information requested is not currently available relative to this solicitation. Only the current solicitation (RFP) is available.</p>			

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Q19 - We request that the deadline for submitting a response be extended by two weeks – to February 3, 2021, at 2:00PM Eastern Time. The additional week requested will facilitate 2GIP's ability to provide a more fully develop a submission in response to conducting the aforementioned disparity study for the District of Columbia.

R19 – Although we are unable to accommodate the requested timeline for an extension, this amendment does extend the due date and time for submission of offerors to on or before 2:00PM local time, Wednesday, January 27, 2021.

“END”