

SUPPLIER DIVERSITY FACILITIES MASTER PLAN



CLEVELAND PUBLIC LIBRARY
www.cpl.org

May 21, 2019

A&E RFQ REVISIONS & RECOMMENDATIONS

FINAL REPORT

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Executive Summary

The following report was developed in response to a request from the Cleveland Public Library (“Library”) to update its current Request for Qualifications (RFQ) for Architecture and Engineering Services document. The objective of this effort is to include language reflective of the Library’s intent to integrate Supplier Diversity requirements into its selection process. These recommendations have been completed in preparation for release of an RFQ in mid-June 2019 as part of the \$62 million Facilities Master Planning Program. All recommendations are based on the proposed Supplier Diversity Policy, New Exhibit E (Appendix); which includes the following objectives:

1. Increase the Library’s annual utilization of Minority Business Enterprises (MBEs) consistent with the availability of MBEs in the Library’s geographical market.
2. Explore conducting a disparity study of the Library’s historical spend with available MBEs in the Library’s geographical market to determine the extent of underutilization.
3. Identify and eliminate procedural and administrative barriers limiting MBEs’ full participation in the Library’s contracting and purchasing program.
4. Provide MBEs with greater access to CPL leadership by establishing Mentor-Protegee relationships with MBE owners/leaders.
5. Provide internship opportunities for minority students and early-careerists.

Included are the following documents:

1. Revised RFQ for Architecture & Engineering Services
2. New RFQ Exhibit “E” – Supplier Diversity Policy
3. Revised Evaluation Scoresheet
4. Suggested Contract Language

To prepare these recommendations, background/context documents were provided by the Library for review, along with the applicable solicitation statutes from the Ohio Revised Code. A list of the reviewed materials are included (Appendix). Additionally, a high-level review of several Ohio public institutions’ websites was completed for comparison purposes. A list of those websites and a summary of their content relative to Supplier Diversity has been included (Appendix).

The public institutions which have clearly-defined Supplier Diversity programs, have all completed disparity studies, or in one case, requested a waiver from the federal government to support the necessity of race and gender-conscious purchasing policies. The City of Cleveland maintains a copy of its study on its website, while the Greater Cleveland Regional Transit Authority (GCRTA) makes its rationale available for public review by request.

In 2015, in its issue brief: “Contracting for Equity; Best Local Government Practices that Advance Racial Equity in Government Contracting and Procurement”(by Tim Lohrentz, Insight Center for Community Economic Development); the Racial Equality Alliance aggregated the results of 100 disparity studies (including the study commissioned by the City of Cleveland) and reached the following conclusion:

“In 1989, the Supreme Court ruled in the Croson case that the City of Richmond, Virginia, could continue its MWBE sub-contracting program if it was more narrowly tailored – based on availability rather than population – and based on a disparity study. The ruling resulted in the use of disparity studies as a staple of local government race-conscious programs, which usually have mandatory sub-contracting goals. Disparity studies compare the availability of MWBEs for specific types of work to the utilization of MWBEs for that type of work. When disparities exist, a race-conscious approach is appropriate and allowable.”

Based on these findings, it is recommended that the Library begin a preliminary disparity study concurrent with the release of the revised RFQ in June, and concurrent with implementation of race and gender-neutral strategies to increase MBE participation in its purchasing and contracting programs. It is further recommended that the Library seek a legal opinion of its intent, pending development of a full and comprehensive diversity study.

Architecture & Engineering Services – RFQ

New “Exhibit E – Supplier Diversity Policy”

The RFQ for the Library’s South Branch Project was used as the source document for the proposed RFQ integrating Supplier Diversity initiatives. The document revisions are based on a new “Exhibit E – Supplier Diversity Policy”, which includes the below Policy Statement and five (5) policy objectives:

“It is the intent of the Cleveland Public Library to include provisions for Supplier Diversity in all of its contract and purchasing activities. Through its Supplier Diversity Program, the Library intends to implement procedures to provide contract/purchasing opportunities to all members of the business community; to identify and eliminate barriers to full participation by Minority Business Enterprises (MBEs); to develop skills required to support and grow inclusion companies by serving as a training institute in its role as the “People’s University; and to partner with other institutions, organizations and companies to build sustainable, inclusion companies in support of the Northeast Ohio economy”

The Policy objectives are as follows:

1. Increase the Library’s annual utilization of Minority Business Enterprises (MBEs) consistent with the availability of MBEs in the Library’s geographical market.

2. Explore conducting a disparity study of the Library's historical spend with available MBEs in the Library's geographical market to determine the extent of underutilization.
3. Identify and eliminate procedural and administrative barriers limiting MBEs' full participation in the Library's contracting and purchasing program.
4. Provide MBEs with greater access to CPL leadership by establishing Mentor-Protegee relationships with MBE owners/leaders.
5. Provide internship opportunities for minority students and early-careerists.

This recommended policy, upon approval by the CPL Leadership team, may serve in the short term as a policy specifically for the Facilities Master Plan Capital Program (FMP). Approving it as part of the FMP, may provide an opportunity for a "soft" roll-out on a project-by project basis, providing valuable feedback for continued development to the policy before Board approval/full implementation (applicability to all capital purchases).

RFQ Revisions

The recommended revisions to the RFQ document are summarized below:

Intent to Integrate Supplier Diversity

A statement of the Library's intent to integrate Supplier Diversity into its purchasing program has been appended to the end of the "Agency Authority and Mission" statement on the first page of the RFP. The objective is to identify this work as a part of the CPL mission going forward. It's inclusion in this section is meant to communicate that this work is not specific to this project.

New Exhibit E – Supplier Diversity Policy

The Policy statement and objectives are to communicate, at a high level, the Library's Supplier Diversity values and what it wants to achieve in its contracting program; the Policy is not meant to be prescriptive to vendors. The RFQ seeks creative vendor solutions for diversity along with the other standard design and contract management requirements. Further, the RFQ language expresses the desire for a proposal team which comprises an inclusion partner; proposers who chose to propose as individual firms will not be disqualified, but teams are preferred.

The document does not explicitly state an inclusion goal expressed in terms of a percentage of total dollars spent. A decision on both the methodology for project goals (e.g. annual program-wide basis or on a project-by-project basis) along with actual percentages will have to be determined by the Library and can be incorporated into the solicitation process at that time. It is recommended that the Library conduct, at a minimum, a preliminary disparity study before determining inclusion percentages.

Teams & Firms

Throughout the document, all references to "firm" have been modified to "firm/team". The intent of this language is to communicate the Library's intent to build diversity and inclusion at all levels of the engagement in lieu of a typical team structure engaging inclusion companies solely as subs (contractors

or consultants) for specific elements of the work effort. As the RFQ includes a reference to the budget for the work, this language modification inserting “teams” communicates that the proposed *partnership* is still required to meet the same budget limitations (along with professional/licensing qualifications of proposed staffing). Similarly, references throughout the document to one firm have been pluralized.

Evaluation Criteria Modifications

The current Scorecards provided to the selection panels include all of the *Evaluation Criteria* requirements as stated in the RFQ document, with the exception of two (2) items: (1) *Experience with projects involving construction manager agent or construction manager at risk*; and (2) *Proximity of firm/team to Owner and ability to meet with Owner in person*. These have now been included in the modified scorecard.

Additionally, a new item has been added to reflect the inclusion requirements (3) *Experience working/teaming with inclusion partners with representation at all levels of the project/design team including Executive/Principal, Project Management/Design, Contract Administration, and Back-Office Administration*. Again, the statement is not meant to be prescriptive, but leaves it to the proposers to develop solutions to meet the CPL Policy Statement. See “*Architecture & Engineering Services – Evaluation Scorecard Revisions*” below for additional modifications to the scorecard.

Project Specific Information (Selection Process)

A new item (e) has been inserted into this requirement: “*Project Supplier Diversity Strategy: A brief summary of the firm/team’s understanding of the Supplier Diversity strategy and it’s prior experience working with inclusion partner-firms.*”. This section now has six (6) requirements; former item “e” is now “f”. This new statement is consistent with item “a” of this requirement, where proposers are asked to give their understanding of the (overall) project. Responses to this statement may provide valuable feedback from proposers which may be used to enhance future communications. It will also give insight to any follow-up discussions with proposers during the selection process.

Selection and Project Schedule

The following items have been added to the selection timeline:

Business Community Outreach #1

It is recommended that the Library convene the first major outreach to MBEs for the selection process on either the same day as the release of the RFP or on the day immediately following. The intent will be to provide maximum transparency and time for proposal preparation. The *Racial Equality Alliance* (REA) report states anecdotal evidence suggests that knowledge of solicitations is inconsistently communicated to inclusion proposers (particularly sub-consultants), limiting available time to complete and submit proposals. Further, existing network and relationship opportunities often provide majority competitors with advanced awareness of pending projects, resulting in more time to prepare; while inclusion competitors typically become aware near the proposal deadline.

It is further recommended that quarterly communications of pending solicitations be made to diverse networking organizations (in addition to the general business community) to minimize such barriers. (See “*Procedure Recommendations*” below.)

Business Community Outreach #2

The modified selection schedule includes a second major outreach on the same day as the site walk-through to provide a second opportunity, early in the selection process, for companies to hear about the project and start their proposal activities. The added benefit is that it may draw more competitors to the pending site walk through for valuable insight into the project, networking opportunities, and discussions among participants.

Mentor-Protégé Kick-Off and Monthly Meetings

Upon Board approval of the Contract, it is recommended that the Library initiate monthly meetings with inclusion vendors and CPL Leadership to build relationships, increase access, and provide better understanding of the inner workings of the Library and its needs. In this scenario, the Library Executive team (and other CPL leaders) serve as mentors to the inclusion vendors. Monthly small group meetings with various leaders could bridge an “access” gap to more inclusion participation. It will be the intent to open participation in these monthly small meetings for the duration of the contract agreement. Participation by majority companies in this process may also provide valuable networking and relationship building among potential prime and subs (consultants and contractors).

Architecture & Engineering Services – Evaluation Scorecard Revisions

As stated above, three (3) items have been added to the scorecards: (1) *Experience with projects involving construction manager agent or construction manager at risk*; (2) *Proximity of firm/team to Owner and ability to meet with Owner in person*; and (3) *Experience working/teaming with inclusion partners with representation at all levels of the project/design team including Executive/Principal, Project Management/Design, Contract Administration, and Back-Office Administration*.

Further modifications include a reorganization of the existing criteria and *considerations* into five (5) indicators; and the addition of a sixth indicator for Supplier Diversity. All of the *criteria* and *considerations* from the original scorecard remain in the revised document. In some instances, items that appear to be duplicates have been consolidated into one indicator.

The considerations for original indicator #4 below:

4. **Demonstrated ability** to meet owners' programmed project vision, **scope, budget, and schedule on previous projects.**

Have now been combined with original indicator #1:

1. **Past performance** of prospective firm and its proposed consultants as reflected by the evaluations of **previous clients** with respect to such factors as **control of costs, quality** of work, meeting of **deadlines**, and **compliance** with contract

The revised scoresheet combines a weighting system and an 11-point scale, including 0. The weighting system gives more “weight” to indicators that are more impactful to a successful selection, “Past Performance” has a weight of “20” as compared to “Proximity of Firm” to CPL offices, which has a weight of “5”. It is valuable to have teams ready and able to have face-to-face meetings with the Owner; but local proximity would not have greater impact on the selection and success of the project than past

performance. The original scoring system required evaluators to rate each proposal indicator from a score of “1” to “10”, resulting in a maximum possible score of 100 points.

As described by the Primary Intelligence at the website: www.primary-intel.com; the 11 point scale gives evaluators equal scoring options above and below a neutral score of “5”. Their research has shown that the 11-point scale results in greater differentiation in evaluations along with a clear indicator of top score (10) versus low score of zero (0). This scale is also consistent with many Performance Evaluation tools, with which many of the selection panel will be familiar. With a neutral set-point, evaluators have an increased chance of objectively measuring the merits of the proposal directly against the Evaluation Criteria rather than against the merits of a competing proposal. The neutral score of “5” gives the evaluators the opportunity to determine whether or not the proposal complied with the particular indicator or failed to do so.

Architecture & Engineering Services – Contract Revisions

The Supplier & Diversity proposal submitted by the winning team, will be incorporated into the standard contract agreement as part of “Exhibit A”. Article 1.1.1: *“Please see the Architect’s Schedule of Professional Fees & Project Approach which is attached hereto and incorporated herein as Exhibit “A”. In the event of a conflict between the terms of this Agreement and Exhibit “A”, Exhibit “A” shall prevail”*. This would appear to protect the contractual obligation of the team to meet the proposed Supplier Diversity goals, assuming that the order of precedence does not change in favor of the Agreement over the attachment.

Article 1.1.1 requires that the Architect identify their representative. The RFQ Supplier Diversity language states that inclusion is to be at all levels of the project team, which would include the project representative. It would be expected that there would be at least two representatives identified in the contract; one from the inclusion partner.

The standard agreement did not appear to contain a requirement that the Architect seek the Owner’s approval to change team members and/or subconsultants. It is recommended that this modification be included to ensure inclusion partners named in the selection process are fully included as a party to the contract.

State & Local Public Institutions – Disparity Studies

A high-level review of the websites for several state of Ohio and local public institutions resulted in the below information relative to the importance of conducting disparity studies. The Racial Equity Alliance (REA), in aggregating the results of 100 disparity studies determined that while the basic methodology of the disparity studies is consistent; the process of completing the studies are varied. Unlike private institutions which may use voluntary programs based on a desire to reflect the diversity in the community which the company; organization; or institution serves, the disparity study aims to determine an accurate count of “available” MBEs in the Owner’s “market”, and compares the historic utilization compared to its spend with majority owned companies in the same market. Below are examples from two (2) institutions. (See Appendix for additional agencies).

City of Cleveland - Mayor's Office of Equal Opportunity

"In December of 2012, the City of Cleveland's Mayor's Office of Equal Opportunity released results from an updated Disparity Study. The purpose of the Disparity Study is to ensure compliance with constitutional mandates and to learn more regarding minority and women business (M/WBEs) enterprise best practices. Specifically, the Study examines the geographic and product markets based on the City of Cleveland's contracting and procurement."

The City of Cleveland website includes a link to the study which was completed at both the prime and subcontracting levels. The REA in its aggregation report found that many studies combined the results for prime and subcontractors, in some cases because the available data tracked by many organizations did not effectively capture subcontractor data to develop meaningful analyses. While observing this as not uncommon, the report supports the importance of tracking and analyzing subcontractor data for a comprehensive assessment. Lastly, the City of Cleveland determines the inclusion goals on a purchase-by-purchase basis rather than an overall annual or purchase type (e.g. construction, supplies) basis.

Cuyahoga County - Chapter 503: Small Business Enterprise Program Policies & Procedures

Section 503.01 Policies and Procedures Manual

"The revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, attached to Ordinance No. O2014-0002 as Exhibit A, is hereby adopted effective February 15, 2014."

Section 503.02 Policies and Procedures Manual

*"The Small Business Enterprise Program is hereby expanded to allow the Cuyahoga County Office of Procurement and Diversity ("OPD") to set aspirational Minority Business Enterprise and /or Women Business Enterprise subcontractor participation goals for every Request for Bid, Request for Proposal, and Request for Qualifications issued by the County based upon available information including, but not limited to, the **disparity study**."(emphasis added)*

Cuyahoga County revised its ordinances in 2014 after completing its disparity study. Similar to the City of Cleveland, the County determines its inclusion goals on a purchase-by-purchase basis. In the early "90s, The Greater Cleveland Regional Transit Authority set its construction goals on a project-by-project basis. They currently set a three (3) year goal which is made available for public feedback; rationale for the goal is available to the public by requests.

State of Ohio "Encouraging Diversity, Growth & Equity" (EDGE) Program

"The State of Ohio's Encouraging Diversity, Growth and Equity (EDGE) program establishes an annual goal for state agencies, boards and commissions, as well as guidelines for state universities in awarding contracts to certified EDGE businesses. The EDGE program is designed to assist socially and economically disadvantaged businesses in obtaining state government contracts in the following areas: construction, architecture and engineering; professional services; goods and services; and information technology services. (In contrast to the Minority Business Enterprise program, the EDGE program does apply to construction contracts.)"

EDGE Graduation and Participation Time Limit

“An EDGE-certified business and economically disadvantaged owner is subject to a 10-year time limit and the business or owner cannot exceed the personal net worth and size standards requirements while in the EDGE program.”

The state’s EDGE program includes a 5% aggregated goal and limits participation of certified companies to 10 years. Additionally, the state has a Minority Business Enterprise goal of 20% set-aside and 5% participation for “100% state-funded purchases”. The site does not go into detail about projects that have multiple funding sources and how such funding may or may not affect the established inclusion goals.

Recommendations

In addition to the recommendations included throughout this document, below are further recommendations to promote greater transparency to the public of steps taken by the Library to promote equity in its purchasing program. This list is not meant to represent fully-developed steps, but rather recommendations for further consideration. For the items on the list that are currently a part of the Library practice, an evaluation of the success of each is suggested.

1. Talk to all of the proposers. Current procedures allow for Library personnel to speak with individual proposers. A declaration to talk to all proposers in individual groups (or none of them, at the Library’s discretion) will support the Library’s commitment to a fair process and equal information to all proposers.
2. Convene a diverse team of Library representatives to participate in meetings with individual proposers to support the Library’s commitment to a fair process and to give greater internal transparency to participating Library staff.
3. Debrief teams not selected, including inclusion partners to provide valuable feedback on proposal strengths and opportunities for improvement.
4. Develop a Quarterly newsletter to all proposers of pending opportunities.
5. Schedule time at various meetings of inclusion networking groups to present pending opportunities.
6. Debrief Proposers after selection is completed.
7. Require that appropriate inclusion partners participate in contract, change order and claims negotiations; and other face-to-face meetings with Library leadership.

Conclusions

In conclusion, the proposed RFQ for release in mid-June is based on a proposed policy for Supplier Diversity. The policy consists of an umbrella policy statement and five (5) objectives. Both the policy and the RFQ document contain race/gender neutral strategies along with a clear intent to eliminate barriers to MBE participation in the Library's purchasing and contracting program.

The RFQ addresses this objective by the following:

- Including Supplier Diversity In The Library's Mission Statement;
- Stating its Desire to see MBEs Fully Integrated Into the Design Teams at all Levels;
- Making a Creative and Responsive Inclusion Strategy a Basis Of Selection;
- Requiring Proposers Declare their Understanding of the Diversity Goals & Past Experience;
- Modifying the Selection Timeline to include Multiple "Outreaches" to the MBE Community;
- Establishing A Mentor-Protégé Program to Encourage Access & Relationship-Building; and
- Modifying the Scoring Process

Lastly, the policy and this report include a recommendation to complete a disparity study in order to develop the rationale for the Supplier Diversity program; identify underutilization of MBEs; and to tailor its diversity spend goals to a comprehensive and narrowly tailored remedy. To this end, it is recommended that the Library commence a preliminary disparity study concurrent with roll-out of this new policy and RFQ; and at the earliest opportunity complete a full disparity study.

Appendix

Revised RFP – South Library Branch – Source Document

This document is being sent under separate attachment.

New RFQ Exhibit E – Supplier Diversity Policy

Exhibit E – Supplier Diversity Policy

It is the intent of the Cleveland Public Library to include provisions for Supplier Diversity in all of its contract and purchasing activities. Through its Supplier Diversity Program, the Library intends to implement procedures to provide contract/purchasing opportunities to all members of the business community; to identify and eliminate barriers to full participation by Minority Business Enterprises (MBEs); to develop skills required to support and grow inclusion companies by serving as a training institute in its role as the “People’s University; and to partner with other institutions, organizations and companies to build sustainable, inclusion companies in support of the Northeast Ohio economy.

The objectives of the Cleveland Public Library Supplier Diversity Program relative to its Capital Construction program are as follows:

1. Increase the Library’s annual utilization of Minority Business Enterprises (MBEs) consistent with the availability of MBEs in the Library’s geographical market.
2. Explore conducting a disparity study of the Library’s historical spend with available MBEs in the Library’s geographical market to determine the extent of underutilization.
3. Identify and eliminate procedural and administrative barriers limiting MBEs’ full participation in the Library’s contracting and purchasing program.
4. Provide MBEs with greater access to CPL leadership by establishing Mentor-Protegee relationships with MBE owners/leaders.
5. Provide internship opportunities for minority students and early-careerists.

Revised Evaluation Scoring Sheet

Evaluation Scoresheet - (To Include Directions for Evaluators)					Weight or Weighted Average (W)	Score (S)	Total Points = (W x R)						
Poor	Average								Excellent				
0	1	2	3	4	5	6	7	8	9	10			
1	Previous experience comparable with the proposed project (e.g. type, size)									25	5	125	
	Has this team (or these firms) performed work similar to our project?												
	Considerations:												
	Previous experience with public sector projects												
	Need not be only libraries, but library projects should take precedence.												
	Experience with Renovations of and improvements to historic buildings that have been designated as City												
	Past experience unique to this team that sets them apart from other proposers?												
	Omissions in this indicator that set proposer apart from other proposers?												
	Experience with projects involving Construction Manager Agent (CMA) or Construction Manager at Risk (CMR)												
	Experience with Prevailing Wage, ADA (Have they ever successfully applied for a waiver from ADA requirements?)												
Poor	Average								Excellent	Weight or Weighted Average (W)	Score (S)	Total Points = (W x R)	
0	1	2	3	4	5	6	7	8	9				10
2	Past performance of prospective firm/team and its proposed consultants; evaluations of previous clients: cost control, work quality, meeting deadlines, contract compliance									20			
	How was this firm's/team's work received by former clients?												
	Considerations:												
	Past experience unique to this team that sets them apart from other proposers?												
	CPL projects (if any) should be given a heavier weight												
	Demonstrated ability to meet CPL vision, scope, budget and schedule on previous projects												
	Companies philosophy and approach to the project												
	Omissions in this indicator that set proposer apart from other proposers?												
Poor	Average								Excellent	Weight or Weighted Average (W)	Score (S)	Total Points = (W x R)	
0	1	2	3	4	5	6	7	8	9				10
3	Qualifications and experience of individuals who would be directly									20			
	Of their staffing, what is the experience level of those is assigned to our project?												
	Considerations												
	Past experience unique to this team that sets them apart from other proposers?												
	Have they worked for CPL previously?												
	Have they worked on other Library Projects												
	Have they worked on non-library projects of similar complexity?												
	Have they worked on other Public Sector and Cultural Institutions, Colleges or Universities												
	If they have not worked for CPL previously, do they have other projects where those experiences can be												

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Poor	Average									Excellent																									
0	1	2	3	4	5	6	7	8	9	10																									
4	Experience working/teaming with inclusion partners										15																								
What is firm/team's experience with DEI. This represents x% of highest weighted questions and y& of total																																			
Considerations																																			
Past experience unique to this team that sets them apart from other proposers?																																			
Did the team utilize inclusion firms at all levels of the team organization																																			
Company's/Team's internal philosophy on DEI																																			
Does team share the CPL Vision for importance of DEI																																			
Inclusion experience unique to this team that sets them apart from other teams?																																			
<table border="1"> <tr> <td>Poor</td> <td colspan="9">Average</td> <td>Excellent</td> </tr> <tr> <td>0</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> </table>											Poor	Average									Excellent	0	1	2	3	4	5	6	7	8	9	10	Weight or Weighted Average (W)	Score (S)	Total Points = (W x R)
Poor	Average									Excellent																									
0	1	2	3	4	5	6	7	8	9	10																									
5	Proposer's apparent resources and capacity to meet the project needs										10																								
Considerations																																			
Past experience unique to this team that sets them apart from other proposers?																																			
What specialty and disciplines are listed																																			
Are any required disciplines missing?																																			
Availability of personnel compared to existing workload																																			
Does the firm have the software to do 3D modeling																																			
Are they interested in Revit, etc. What are their electronic capabilities?																																			
Ability of the firm in terms of workload; availability of qualified personnel, equipment and facilities to																																			
Omissions in this indicator that set proposer apart from other proposers?																																			
<table border="1"> <tr> <td>Poor</td> <td colspan="9">Average</td> <td>Excellent</td> </tr> <tr> <td>0</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> </table>											Poor	Average									Excellent	0	1	2	3	4	5	6	7	8	9	10	Weight or Weighted Average (W)	Score (S)	Total Points = (W x R)
Poor	Average									Excellent																									
0	1	2	3	4	5	6	7	8	9	10																									
6	Proximity of firm/team to CPL Main Offices to meet with the Owner in										10																								
Local preference. The team's ability to respond quickly. Do we have the standing for a local preference																																			
Considerations																																			
Past experience unique to this team that sets them apart from other proposers?																																			
Omissions in this indicator that set proposer apart from other proposers?																																			
<p>Note: This scoresheet can be electronic or hard copy. In electronic form will include a summary page of all totals for Committee Chairperson.</p>																																			

Document Review (Provided by the Cleveland Public Library)

Request for Qualifications – Architecture & Engineering – South Branch

2. CPL Policy for Selection of Architecture and Engineering
3. RFQ Scorecards - Selection of Architecture & Engineering – South Branch
4. CPL Procedure for Selecting an Architecture/Engineering Firm
5. HBM Agreement – Architect & Engineering Services – South Branch
6. Request for Qualifications – Construction Manager – South Branch
7. CPL Procedure for Selecting a Construction Manager Firm
8. RFQ Scorecards – Selection of Construction Manager
9. Albert M. Higley – CMR Agreement – South Branch
10. Development Agreement – UC City Center LLC – MLK Branch
11. Draft CMR Agreement – Panzica CMR Services – MLK Branch
12. Statement of Qualifications – AE Services - Moody Nolan – MLK Branch - 2017
13. Statement of Qualifications – AE Services – Bialosky Cleveland – MLK Branch 2017
14. Statement of Qualifications – AE Services - Bostwick Design Partnership – MLK Branch – 2019
15. Cleveland Public Library Website
16. CPL Facilities Master Plan Handout
17. Ohio Revised Code Sections:
 - a) 1531-6-01, Page 2 Of 6, C1e: Diversity & Inclusion Requirements
 - b) 9331 - Advertising
 - c) 9332 – Selection, Negotiating Terms
 - d) 9333 – Financial assurances required
 - e) 9334 – Selection
 - f) 153.501 - Subcontracts by construction manager at risk
18. J. Kurtz Architects Agreement – Architecture & Engineering Services – MLK
19. City of Richmond v. J.A. Croson Co.
20. F. Buddie Contracting Company v City of Elyria, Ohio
21. Cleveland Construction v City of Cincinnati
22. RFQ Exhibit – No Findings for Recovery Affidavit
23. RFQ Exhibit – Fair Employment Practices Report

Ohio Public Institutions - Website Review

A cursory review of the below websites were made for this effort. A more thorough review of each would be recommended for more information on each institutions' approach to Supplier Diversity

1. Cleveland Public Library
2. Cincinnati & Hamilton County Public Library
3. Columbus Public Library
4. Cuyahoga County Library
5. The City of Cleveland
6. Cuyahoga County
7. The Greater Cleveland Regional Transit Authority (GCRTA)
8. The Cuyahoga Metropolitan Housing Authority (CMHA)
9. The Ohio State University (OSU)
10. The Ohio Department of Transportation (ODOT)
11. The Ohio Department of Administrative Services (ODAS)

Ohio Public Institutions Supplier Diversity Info (Statements)

The Greater Cleveland Regional Transit Authority (GCRTA) Website:

“In accordance with Section 49 Part 26 of the Code of Federal Regulations, RTA is announcing the proposed DBE participation goal for Federal Fiscal Years 2019-2021. The proposed DBE participation goal is tentatively set at 22.5%, and applies to all construction, professional and A/E services, and equipment and supply procurements over \$25,000.”

*“Public review of the proposed DBE participation goal **and its rationale** (emphasis added) is available during normal business hours for 30 days following the date of this notice. Written comments will be accepted for 45 days from the date of the notice...This notice was posted Wednesday, August 29, 2018”*

“Every three years, RTA is required by federal regulations to calculate an annual three-year overall DBE participation goal. The current goal is 21.3% on all federally assisted contracts of \$25,000 or more. This goal is effective through Sept. 31, 2018.”

The GCRTA includes a specific system goal and aggregates all inclusion groups into one group, “Disadvantaged Business Enterprises”. The goal is recalculated every 3 years and available for public comment. The “rationale” for the goal is available for public viewing upon request. In the early ‘90s, RTA established construction goals on a procurement-by-procurement basis.

Ohio State University

*“Encouraging Diversity, Growth & Equity (EDGE), administered through the State of Ohio’s Department Administrative Service, provides business opportunities for economically and socially disadvantaged business enterprises. **It established goals** for The Ohio State University in awarding contracts to certified EDGE-eligible businesses when procuring supplies, services, professional services, information technology, construction, and professional design.” (Emphasis added)*

Ohio State University uses the EDGE program administered by the Ohio Department of Administrative Services and specifically states “it (ODAS) established goals”. By this statement it appears that OSU did not perform an independent study of its spending, but has been aggregated in studies performed by the State of Ohio, or any waivers attained by specific departments within the state (ODOT).

The Ohio Department of Transportation (ODOT)

“The Ohio Department of Transportation submitted a waiver request to the US Department of Transportation in 2016. This waiver would allow the Department to implement a race-conscious goal pursuant to Code of Federal Regulations, Title 49, Section 26.15, so that the State of Ohio may create stronger parity and expanded opportunities for small and disadvantaged business enterprises within the heavy highway construction and engineering industries.”

The Ohio Department of Transportation submitted a “waiver request” to implement “race-conscious” goals. The website does not go into detail about the details of the waiver, but provides a Federal statute for further review. ODOT, like RTA uses Disadvantaged Business Enterprises (DBE) along with Small Business Enterprises (SBE). Actual percentage goals were not apparent in the website, but may be identified with a more detailed review of the site.

Other Resources

1. Government Alliance on Race and Equity; “Contracting for Equity Best Local Government Practices that Advance Racial Equity in Government Contracting and Procurement”, Issue Brief, Tim Lohrentz, Insight Center for Community Economic Development, RacialEquityAlliance.org; 2015
2. www.primary-intel.com/blog/the-magic-in-a-0-to-10-rating-scale