

Supplier Diversity Pilot Program

A. Overview and goal

The City of Boston is actively working to increase the diversity of our contracting. As part of this effort, the City is looking to contract with a proposer who is equally committed to this goal and demonstrates that commitment as part of their proposal. Proposers are required to submit a detailed plan for how they will maximize M/WBE participation as part of the project. Proposers must provide detailed information about efforts they took to engage M/WBEs for Division 1 work, commitments to using M/WBEs at the time of proposal submission, and how they will continue to engage M/WBEs over the course of the entire project.

Based on the availability of M/WBE firms to perform the work anticipated in the Division 1 work of this contract, the city has set participation goals at the following:

- TBD % of the work must be performed by Minority Owned Business Enterprises
- TBD % of the work must be performed by Woman Owned Business Enterprises

In addition to the goals on the Division 1 work, there will be M/WBE participation goals set for the whole of the contract, including the filed sub-bids. Based on our current estimates, we are suggesting the following targets for participation. Because plans are still being finalized, the City will work with the selected firm to set these goals after the award.

- TBD % of the work to be performed by Minority Owned Business Enterprises
- TBD % of the work to be performed by Woman Owned Business Enterprises

These are separate goals and must each be met. Subcontractors that are certified as both WBE and MBE may be counted towards either of these goals, but not both or a combination of the two. This applies to all components of the Supplier Diversity Plan.

100% of the dollar value of supplies purchased from or by M/WBE subcontractors may be counted towards meeting these goals.

If a bidder is a currently certified MBE or WBE and meets the eligibility criteria listed in this exhibit, it may count 100% of the dollar value of the work it intends to perform with its own resources and personnel towards the applicable goal.

Regardless of self-performance, bidders are strongly encouraged to identify subcontracting opportunities for other M/WBEs.

B. Proposal Requirements

To be deemed responsive, proposers must include the following as part of their proposals:

1. M/WBE Engagement Plan
2. M/WBE Participation Form

Proposers that fail to include one or both will be deemed non responsive.

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1. **M/WBE Engagement Plan.** Proposers are required to submit a detailed M/WBE Engagement Plan that includes:

- For Division 1 work, a list of the ethnicities of ownership, the nature of the work to be performed, and the dollar value of that work for all M/WBE subcontractors or partners. This must be documented in the M/WBE Participation Form described in section 2 below. Do not include the names or contact information for these M/WBEs;
- For Division 1 work, details about the efforts the proposer made to engage with M/WBEs as part of developing their project team and proposed scope of work;
- For Filed Sub Bid (FSB) trades, explain your approach to engage M/WBE FSB's during the qualification and bid submission process. Be specific and detailed in your explanation. A list of suggested activities is described later in this section;
- Details about the proposer's strategy for engaging or partnering with additional M/WBEs throughout the project, if appropriate, and how the proposer will continue to maximize the participation of M/WBEs as part of the project; and
- Details about how the proposer will honor their commitments to and support M/WBEs throughout the project.

The City will consider the percentage of the project proposers that have committed to M/WBEs, either through subcontracting, joint venture agreements, or other teaming arrangements. If a proposer is unable to meet or exceed the goals set for Division 1 work, they must request a Good Faith Efforts waiver from the RFP contact. This waiver must be completed and submitted with the proposal. In analyzing and evaluating these waivers, the City will consider efforts to maximize M/WBE participation and support M/WBEs in the project. Some examples of these are efforts to:

- Utilize M/WBEs throughout each phase of the project;
- Identify, meet with, and engage with M/WBEs ready, willing, and able to perform project work;
- Work with relevant local organizations, groups, and offices to recruit M/WBEs;
- Unbundle or segment project work or services to better allow for meaningful M/WBE participation;
- Solicit subcontracting proposals from M/WBEs and negotiate with them;
- Enter into a joint venture or teaming partnership with M/WBEs;
- Offer technical or other assistance and support to better position M/WBEs to join their project team and successfully perform on the project, such as mentor-protégé agreements.

The list above is not exclusive or exhaustive nor should it be interpreted as a mandatory checklist. The City will determine the sufficiency of proposers' M/WBE Engagement Plans and corresponding documentation for this solicitation at its sole discretion.

2. **MBE/WBE Participation Form.** Proposers must include a completed MBE/WBE Participation Form that must include the following information for each known M/WBE that will participate in the project:

- i. A list of the Division 1 work in this project, and the firms that will be providing those services or supplies. DO NOT provide name and contact information. The successful CM firm will be required to provide names and contact information for these firms prior to contract execution and those firms will be contacted to verify participation;

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- ii. Total dollar value of the work the business will perform;
- iii. Type of work the business will perform;
- iv. Certification status (i.e., MBE, WBE, or both);
- v. Race/ethnicity and gender of the business' ownership;
- vi. Which goal this firm's work is being counted towards.

C. Evaluative Criteria

The City will evaluate M/WBE Engagement Plans using a rating scale of “highly advantageous,” “advantageous,” or “not advantageous.” Additional detail around each rating as it relates to the M/WBE Engagement Plans is provided below.

Rating	Criteria
<i>Highly advantageous</i>	The M/WBE Engagement Plan identifies creative and aggressive efforts the proposer made to meaningfully engage with M/WBEs with specificity and detail; demonstrates substantial participation of M/WBEs; outlines detailed, specific, realistic, and actionable plans for how the proposer will continue to meaningfully engage M/WBEs during the project; and describes how the proposer will ensure it honors its commitments and provides meaningful assistance and support to M/WBEs throughout the project.
<i>Advantageous</i>	The M/WBE Engagement Plan identifies various efforts the proposer made to meaningfully engage with M/WBEs with specificity and detail; demonstrates some participation of M/WBEs; outlines detailed, specific, realistic, and actionable plans for how the proposer will continue to engage M/WBEs during the project; and describes how the proposer will ensure it honors its commitments and provides assistance and support to M/WBEs.
<i>Not advantageous</i>	The M/WBE Engagement Plan provides little information about the proposer's efforts to engage with M/WBEs or demonstrates only perfunctory efforts to engage with M/WBEs (e.g., email blasts without tailored/follow-up communications); demonstrates little or no participation of M/WBEs; provides few details on how the proposer will continue to engage M/WBEs during the project; and provides little or no detail about how the proposer will ensure it honors its commitments to and supports M/WBEs throughout the project.

D. Additional Information and Definitions:

For purposes of this solicitation, “**minority-owned business,**” or “**MBE**” means:

- i) a business that has been certified by the City's Equity and Inclusion Unit as being owned and controlled by individuals who identify as **Asian, Black, or Hispanic** and have locations in Essex, Suffolk, Plymouth, Middlesex, or Norfolk counties in Massachusetts; or

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- ii) a business that has been certified by the Commonwealth of Massachusetts as being owned and controlled by individuals who identify as **Asian, Black, or Hispanic** and have locations in Essex, Suffolk, Plymouth, Middlesex, or Norfolk counties in Massachusetts.

For the purposes of this solicitation, **“woman-owned business”** or **“WBE”** means:

- i) a business that has been certified by the City’s Equity and Inclusion Unit as being owned and controlled by women of any race or ethnicity and have locations in Essex, Suffolk, Plymouth, Middlesex, or Norfolk counties in Massachusetts; or
- ii) a business that has been certified by the Commonwealth of Massachusetts as being owned and controlled by women of any race or ethnicity and have locations in Essex, Suffolk, Plymouth, Middlesex, or Norfolk counties in Massachusetts.

Proposers are strongly encouraged to ask the City’s Supplier Diversity Program staff for help obtaining lists of certified vendors. The City’s Certified Business Directory is available at <https://www.boston.gov/certified-business-directory> and contains an up-to-date list of both City and State certified vendors. This is a tool, but it is ultimately the proposer’s responsibility to identify and engage with potential M/WBEs, and to confirm their eligibility for the work of this contract.

M/WBEs participating in the project must perform commercially useful functions in the execution of the contract. A commercially useful function means the performance of real and distinct work for which the business has the skill, experience, and responsibility to manage and perform.

E. Reporting and Compliance

Once the project has begun and the contract executed, the contractor must file monthly reports of payments to subcontractors and partners through the City’s B2Gnow system. Subcontractors and partners will separately enter how much they were paid by the CM Firm. The City will compare the final payment information to the finalized M/WBE Engagement Plan and MBE/WBE Participation form and track the progress the contractor makes towards the commitments it makes to M/WBEs during the project.

Prior to final payment, the contractor shall submit a report detailing M/WBE participation in the project. If the contractor fails to submit the required documentation, or materially misrepresents information in the documentation, the contractor may be deemed in breach of the contract, suspended, or debarred from contracting with the City, and payment may be withheld.

F. M/WBE Substitution

If the successful CM Firm seeks to remove a M/WBE subcontractor or partner they identify as part of their award of the contract or substitute an M/WBE subcontractor or partner with a different business, or change the scope or dollar amount of its agreement with an M/WBE subcontractor or partner, then it must notify the City. In its request, the contractor shall provide the reasons why it seeks to remove, substitute, or otherwise change its agreement with an MBE or WBE subcontractor or partner. The City may object to any such change.