

BEXAR COUNTY, TEXAS

2020 Disparity Study



GRIFFIN &
STRONG P.C.

235 Peachtree Street, NE Suite 400

Atlanta, GA 30303

Phone: (404) 584-9777

Fax: (404) 584-9730

WHAT IS A DISPARITY STUDY?

A disparity study is an objective research tool that determines whether a governmental agency has actively or passively discriminated against certain groups due to their race or gender. Such studies can also be used to measure disparities between availability and utilization for race and gender neutral groups.

Discrimination, which may be the current affects of past discrimination, is determined through quantitative (statistical) and qualitative (anecdotal) evidence, as well as an examination of current policies and procedures. The findings of the disparity study will result in recommendations by the study team to remedy any discrimination or disparities found. The recommendations, if accepted, are intended to be implemented as policy.

WHY IS BEXAR COUNTY DOING A DISPARITY STUDY?

The four main reasons the County has decided to conduct a Disparity Study are to accomplish the following:

- Identify the best practices that will help the County build a business program to stimulate local business economic growth and development
- Assure equitable participation of local, minority and women owned businesses in the County' contracts and purchase orders
- Promote a sound fiduciary relationship with local businesses
- Reinforce social responsibility toward the local business community

Source: Bexar County, TX - Department of Small Business & Entrepreneurship

WHO IS CONDUCTING THE STUDY?

Griffin & Strong, P.C.

Firm Specializes in **disparity research, contract compliance, program development, training & supplier diversity consulting:**

The most qualified team in the industry:

- 4 Juris Doctors
- 2 PhD Economists
- PhD Statistician
- PhD Candidate in Anthropology
- all with expertise in disparity research.

No study conducted by Griffin & Strong, P.C. has ever been challenged or overturned in court.

RELEVANT EXPERIENCE

Fifth Circuit Engagements:

- Living Cities – City Accelerator 6 (Houston & El Paso)
- Houston Metropolitan Transit Authority, TX
- City of Jackson, MS
- Jackson (MS) Municipal Airport Authority
- Jackson Public School District
- New Orleans (LA) Aviation Board
- Port of Houston, TX

Staff Experience in the Fifth Circuit

- State of Texas Disparity Study
- San Antonio Water System (TX)

Recent County Engagements

Fulton County, GA

St. Louis County, GA

Cuyahoga County, Ohio

Clayton County, GA

Mecklenburg County, NC

Montgomery County, MD

Durham County, NC

PROJECT TEAM

Project Team Roles and Responsibilities



LOCAL PARTNER

Mae Escobar Role: Anecdotal Interviews &
Owner, Community Engagement

**aMAEzing
Marketing
Group**

Over 30 years of marketing experience
National, award-winning, full service,
multicultural agency

Recognized by the SA Business Journal
as one of the top 25 women-owned
social media, public relations and
advertising firms in San Antonio.

Native of San Antonio



LOCAL PARTNER

**Mary Ann
Beach**

**Role: Anecdotal Interviews &
Community Engagement**

**Research
and
Analytics
Consultant**
**aMAEzing
Marketing
Group**

Brings analytics to marketing strategies with over 30 years of data and research experience.

Former Director of Research & Strategy for Frost Bank. Previously worked with JP Morgan Chase, Wells Fargo, and First American Bank.

Native of San Antonio



STUDY TEAM

**Michele
Clark-
Jenkins
Sr.
Director
Consulting
Group**

Role: Project Manager

10 years of Disparity Study Project Management.

23 Disparity Studies, 4 goal- settings for Georgia DOT, 3 goal-settings for Hartsfield Jackson Atlanta Inter'l Airport.

Expertise in post-study guidance.

B.A. in Anthropology, Princeton University;

J.D. NY Law School;

Certification in Negotiations from Harvard University; PMP Certified Project Manager; and Certified Contract Compliance Administrator.



MANAGEMENT TEAM

**Austin
Broussard**

**Role: Project management and outreach
coordination**

**Deputy
Project
Manager**

Cross-industry experience with one of the world's top 3 management consulting firms, utilizing a data driven approach to craft c-suite level strategy. Responsible for coordinating project timelines and facilitating the outreach efforts that inform the study's anecdotal evidence chapter.

Skilled in business strategy creation and process improvement.

Holds dual Bachelors degrees in Finance and Spanish Morehouse College.



MANAGEMENT TEAM

**Dr. J.
Vincent
Eagan
Principal
Investigator**

Role: Principal Investigator

Foremost national expert in disparity research

Over 120 disparity studies.

Successful expert witness in 6 cases.

Member of *Bloomberg Business Week* Academic Advisory Panel on law for 12 years

J.D. from Harvard University; and Ph.D. in Economics from Georgia State University



STUDY TEAM

**Dr. B. Rom
Haghighi
Chief
Statistician**

Role: Data Analysis

30 years data management and analysis of large databases, including Center for Disease Control and other government agencies.

Over 15 Disparity Studies

Former Director of Research for the state of Texas Controller's office for 7 years.

Conducted largest disparity study on record for the State of Texas (including 149 state agencies, 9 health science centers and 52 state universities).

PhD in Statistics from Sam Houston State University; MA in Public Administration from Midwestern State University



STUDY TEAM

**Dr. Gregory
Price**

**Role: Econometric Oversight and Private
Sector Analysis**

Sr. Economist

Skilled Econometrician and Applied Theorist,
Experienced in Economic Forensics.

20 Disparity Studies

25 years of economic analysis of
discrimination and disparity of employment,
private sector contracting, lending and public
contracting.

Former president National Economics
Association.

PhD. in Economics from the University of
Milwaukee-Wisconsin.



STUDY TEAM

**Imani
Strong-
Tucker**
**Anecdotal
Research
Analyst**

Role: Anecdotal Analyst

20 Disparity Studies as Anecdotal Analyst and Deputy Project Manager.

Skilled in anecdotal analysis, planning, reporting, writing project narratives, and social media outreach.

B.A. Mount Holyoke College; MSc. Social Anthropology, University of Oxford, England; Ph.D. candidate in Anthropology, London School of Economics.



STUDY TEAM

**David Maher,
GSPC Legal
Division,
Partner**

Role: Legal Analyst

14 Disparity Studies

Litigation specialist with over 20 Years of experience in corporate defense, litigation support, civil appeals and general counsel.

Georgia Top Rated Lawyer in Appellate Law and in Labor and Employment Law.

Served as Federal Law Clerk in 11th Circuit Court of Appeals responsible for research and drafting opinions in areas of employment, civil rights, and immigration.

B.S.W from University of Wisconsin; JD from Florida State University.



STUDY TEAM

Susan Johnson
Director of
Project
Administration

Role: Project Administration

More than 30 Disparity Studies as Contractor Administrator or Deputy Project Manager.

Former Director of Human Resources for Concessions International

Contract Compliance Administrator for the City of Atlanta Office of Contract Compliance

B.A. Political Science, Spelman College;
M.S Urban Government and Administration
and an M.A. in Human Resource
Management, Georgia State University



STUDY TEAM

Omar Baig

**Data
Analyst**

Role: Data Collection and Cleaning

Talented data professional who has performed data analysis on GSPC engagements for Invest Atlanta, the City of Greensboro, NC, Cuyahoga County, Ohio, and the City of Chattanooga, TN. Responsible for data collection, cleaning and analysis.

Holds a Bachelors degree in Computer Science from the University of Georgia

Skilled in technical systems, data platforms and process improvement



STUDY TEAM

Rodney
K. Strong,
Esq

Chairman
and CEO

Role: Project Executive

Recognized as national expert in Disparity Research, Supplier Diversity, and Remedial Program Development and Implementation.

Former Director of Contract Compliance for the City of Atlanta, GAs

Project Manager for the first major municipal post-Croson disparity study

Principal architect of the City of Atlanta's EBO Program, which became the national model for post-Croson MBE programs

Testified before the U.S. Senate Committee on Small Business & Entrepreneurship



METHODOLOGY AND APPROACH

Process for Study Execution



WHAT IS THE STUDY PROCESS?



LEGAL ANALYSIS: WHY AND HOW DO WE DO DISPARITY STUDIES?

Disparity Studies Form the Factual Basis for Remedial Contracting Programs

City of Richmond v. J.A. Croson Co.,
488 U.S. 469 (1989)

Adarand Constructors, Inc. v. Peña.
515 U.S. 200 (1995)

Kossman Contracting Co. v City of Houston
(S.D. Tex. 2016)

Scott v. Jackson
199 F. 3d 206 (5th Cir 1999)



- Strict Scrutiny for race-based programs (Intermediate for gender-based programs)
 - Must have a factual basis in evidence
 - Methodology dictated by Case Law
- Narrowly-tailored remedy (to avoid over- or under-inclusion)
 - Race/Gender Neutral
 - Race/Gender Conscious

HOW WILL PURCHASING POLICIES AND PROCEDURES BE REVIEWED?

Interviews and review of written policies and procedures

- Do any policies and procedures present a barrier to SBE, MBE, DBE, DIBE, VBE, and LGBTE inclusion?
- Do procurement personnel and end users understand policies and procedures as written?
- Do procurement practices match Bexar County's written policies and procedures?

What policies and procedures could be modified to promote M/W/DBE inclusion?

WHAT DATA IS NEEDED FOR THE STUDY?

- County data sources for all firms, not just study groups
 - Prime Respondents (with subcontractors/ sub suppliers/ sub consultants)
 - Vendors and Suppliers
 - Payments
 - Prime Awards
 - Subcontractor/ Sub Supplier/ Sub Consultant Awards
 - Certified Lists
- All county offices and departments
- All work categories (Construction, Professional Services, Other Services, Goods & Commodities)
- All formal and informal procurements
- GSPC will supplement County data with third party data

DATA - WE DO THE WORK

We Do the Work



- Determine data sources
- Collect all available electronic data and provide the manpower to enter manual data
- Clean the data
- Fill in any data gaps (prime vs. subcontractors/ sub consultants/ sub suppliers)
- Maintain chain of evidence
- Keep you informed
- Provide transparency in processes

WHAT MARKET IS BEING STUDIED?

•By Geography:

- Analyze payments to determine the geographical location of at least 75% of award dollars are spent in each of the major procurement categories.
- Only firms in the geographic relevant market will be included in the Study.



•By Product:

- Determine the products and services procured by the County and by County's prime vendors.
- Only firms providing these products and services will be included in the Study.

WHO ARE THE AVAILABLE FIRMS?

Conduct Threshold Analysis

- To determine the level of contracting done by the County
- To determine the capacity needed to perform as a prime contractor for the County
- To determine the level of contracting performed by each ethnicity/gender group

Available Firms:

- Custom Census
 - The questions in the survey will assist GSPC in determining whether a firm could have performed on contracts for the County as a prime or subcontractor, or both.
- List
 - Firms contained on the County's Quoter/Bidder, Vendor, Supplier, Awardee, Subcontractor/Sub Supplier/ Sub Supplier, Certified Lists and third party lists

WHAT FIRMS WERE UTILIZATION?



- Prime Utilization and Subcontractor/ Sub Supplier/ Sub Consultant.
- Prime Utilization determined by award, purchase order and payment records.
- Subcontractor / Sub Supplier/ Sub Consultant Utilization determined by Prime Vendor Questionnaire. (County does not currently maintain Subcontractor/ Sub Supplier/ Sub Consultant data – GSPC will collect)
- Utilization analysis is disaggregated by year and group.

HOW IS DISPARITY DETERMINED?

- GSPC compares Availability and Utilization to develop Disparity Index (DI) for each work category
- Disaggregated by year and by study group.
- Perform Statistical Significance Tests (Standard Deviation)



HAS THE COUNTY BEEN A PASSIVE PARTICIPANT IN MARKETPLACE DISCRIMINATION?

Is there discrimination in the marketplace outside of the County's procurement?

Has race, ethnicity or gender status affected the utilization of firms in both the public and private sector?

- Self-employment
- Credit market
- Certification Directory

Can disparities be explained by factors other than race/ethnicity/gender status (Regression Analysis)



WHAT IS ANECDOTAL EVIDENCE?

Informational Meetings

Anecdotal Interviews

Survey of Business Owners

Public Hearings

Focus Groups

Business Civic and Trade Organization Meetings

Email/Social Media Comments



WHAT ARE THE STUDY OUTCOMES?

Findings

- Executive Summary



Recommendations

- Recommendations based findings and institutional knowledge.
- Best Practices and innovative approaches for:
 - Race/Gender Neutral or;
 - Race/Gender Conscious Remedies.
- Recommendations informed by unique findings of study and needs of the County

WHAT HAPPENS AFTER THE STUDY IS COMPLETED?

Study Roll Out Plan

- Review findings & recommendations with advisors
- Consult on release of the Study

Implementation is Key

- Presentation of Study should include strong indication on how to move forward

HOW CAN THE PUBLIC GET INVOLVED?

Participate if contacted (by random selection) for:

- Anecdotal Interviews
- Survey of Business Owners
- Focus Groups

Attend the Informational Meetings and Public Hearings and provide input

Informational Webinars:

April 29th 5-6:30PM & April 30th 12-1:30PM

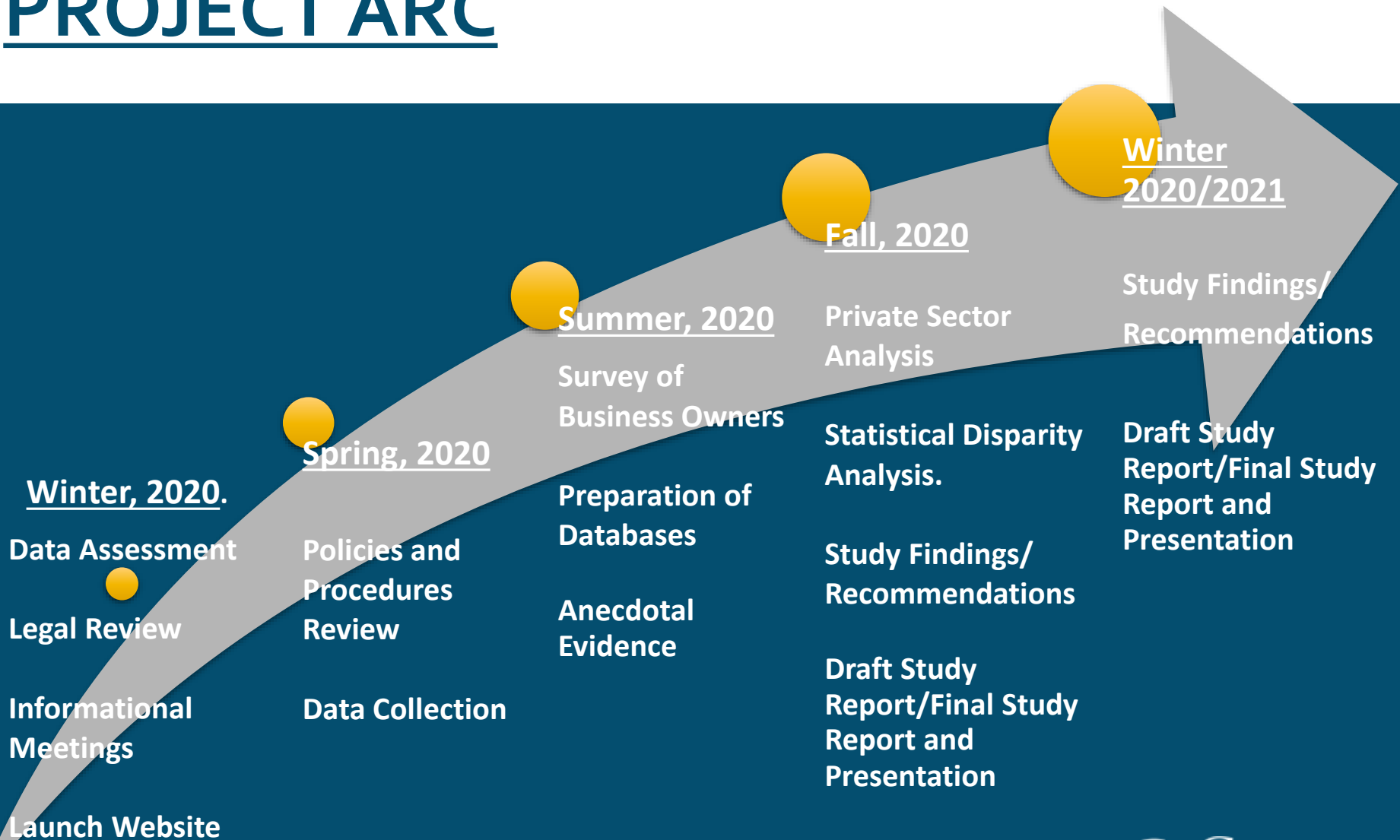
Email your comments to:

BexarCountyStudy@gspclaw.com

HOW CAN THE PUBLIC STAY INVOLVED?

- Find us on Facebook or LinkedIn, or Tweet Us & Follow the Conversation on Twitter (**@GriffinStrong**)
- Coming Soon **BexarCountyDisparityStudy.com** for information and public hearing dates

PROJECT ARC



FIND US ON THE WEB AT
WWW.GSPCLAW.COM



@GriffinStrong

QUESTIONS
& ANSWERS