

The SWA Policy Deliberation Phase: A Proposed Timeline for Policy Development

Presenter: Franklin M. Lee, Esq.
Partner, Tydings & Rosenberg LLP

Solid Waste Authority of Palm Beach County

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Finding the Right Prescription: The SWA's Doctor's Bag for Economic Inclusion...



The Overall Process for Economic Inclusion Policy Development

- Review and acceptance of MTA disparity study for purposes of further policy deliberation
- Public comment period.
- Diagnoses based upon totality of evidence (“strong basis”) regarding race/neutral and race/conscious causes of marketplace disparities

The Overall Process for Economic Inclusion Policy Development

- Prescribe appropriate course of treatment
- Narrowly tailored remedies (consider progression from least aggressive to most aggressive and effective treatment options)
- The right medicine (R/N and R/C) at the right dose (goal setting)
- Assess resource constraints for effective administration of remedies
- Implementation Plan (Timeline)

Three Phases for Administrative Reforms, Policy Development, and Practice Implementation

- PHASE I – Short Term (ending March 31, 2018)
- Phase II – Intermediate Term (ending June 30, 2018)
- Phase III – Long Term (ending September 30, 2018)

Phase I Timeline and Tasks

- 1. Automated Centralized Bidder Registration System*** (March 31, 2018)
- 2. Adoption of Commercial Nondiscrimination Policy** (March 31, 2018)
- 3. SBE Vendor Rotation** for non-incumbent (prequalified) firms. (March 31, 2018)
- 4. Bonding Premium Cost Reimbursement Program** (**SWA staff already pursuing this modification)

Phase I Timeline and Tasks

5. Thorough review and **corrections to SBE program enforcement practices.*** (March 31, 2018)
6. Merge Sections 6 and 7 of the Purchasing Manual under the umbrella of new heading of **Economic Inclusion Policies and Procedures.** (March 31, 2018)
7. **SBE Evaluation Preferences** increased from 10 to 15-point maximum. (Reduce local preference from 10 to 5 point maximum).

Phase I Timeline and Tasks

8. **Standard Reporting of Use of Sole Source Method of Procurement and Brand Name Specifications** to the Board. (March 31, 2018)
9. Remove “Coin Toss” from Preferences Section 7.6 of Purchasing Manual. (March 31, 2018)
10. Increase **mandatory SBE Subcontract Goal from 15% to 30%** with waiver process for good faith efforts, and require at least 30% combined prime and subcontract SBE participation for bidder / proposer team’s eligibility to receive all 15 SBE evaluation preference points. (March 31, 2018)

Phase I Timeline and Tasks

11. Add requirement for **imposition of sanctions** to Section 7.7, including disqualification of bidders as non-responsible for three years and liquidated damages when bidders fail to comply with full commitment for SBE participation made at bid and in contract. (March 31, 2018)

Phase I Timeline and Tasks

12. **Evaluation Panel Diversity** – include a staff person from Equal Business Opportunity Office to serve as a voting member of selection panels.* (March 31, 2018)
13. Review of bid specifications by Equal Business Opportunity Office for purposes of suggestions for **de-bundling of large contracts**; with appeal to Board prior to issuance bid solicitation. (March 31, 2018)

Phase I Timeline and Tasks

14. Insert standard 30-day response time for bid solicitations in Procedures Manual. (March 31, 2018)
15. Insert formal process in Purchasing Manual for disappointed bidders to request **bid debriefings** from Purchasing Dept. to learn why they were unsuccessful. (** Currently being done upon request). (March 31, 2018)
16. Establish Mediation / Resolution Process in Purchasing Manual (March 31, 2018)

Phase I Timeline and Tasks

17. Insert requirement in Purchasing Manual for **vendor notification within five days of submittal of invoices of any defects** that will prevent prompt processing of payment. (March 31, 2018)
18. Add requirement for **prior written approval** from EBO for cause for **any prime contractor or vendor's substitution of designated SLMWBE subcontractors**. (March 31, 2018)

Phase II Timeline and Tasks

19. Complete **Policy Option Matrix** draft outlining legally defensible race- and gender-neutral and race- and gender-conscious remedies. (April 1, 2018)
20. Form and convene **SLMWBE Stakeholder Group** (preferably jointly with Palm Beach County) for purposes of reviewing Policy Option Matrix and making policy recommendations based upon totality of factual predicate and marketplace priorities. (April 30, 2018)

Phase II Timeline and Tasks

21. Develop **SWA Workgroup** to evaluate best practices and make recommendations for streamlining invoice payment process and **establishing “Quick Pay” procedures** to accelerate payment to within 15 days of invoice receipt.* (April 30, 2018)
22. Development of a **Financing / Bonding Workgroup** to evaluate best practices and make recommendations for improving SLMWBE access to working capital, bonding, and insurance, including SWA staff and SLMWBE stakeholders, and members of financial community.* (April 30, 2018)

Phase II Timeline and Tasks

- 23. SWA Board Workshop / Public Hearing on Policy Option Matrix (May 15, 2018)**
- 24. Draft Hybrid SLMWBE Policy (June 7, 2018)**
- 25. Presentation of Draft SLMWBE Policy to SWA Board for public comment and/or approval. (June 30, 2018)**

Phase III Timeline and Tasks

26. **EBO Implementation Plan** for SLMWBE Policy submitted to Executive Director and Board (e.g., budget, staffing, training, and other resources). (June 30, 2018)
27. Approval of **modifications to Hauler Bid Specifications** and boilerplate language consistent with modified SLMWBE Policy. (July 31, 2018)
28. **Financing, Bonding, and Insurance Workgroup** reports recommendations. (July 31, 2018)

Phase III Timeline and Tasks

29. **EBO and Purchasing Dept. outreach to prospective bidders for Hauling Bid to explain new SLMWBE requirements and eligibility standards. (July 31, 2018)**

30. **Issuance of Amended Bid Solicitation for Hauler Bid (September 30, 2018)**

SUMMARY OF TIMELINE

Implementation Plan: Timeline for Completion

- Short Term (30 days – March 31st) – identify priorities for partial changes to policy and/or administrative practices to be achieved immediately;
- Mid-term (120 days – June 30th) – implement short-term changes to policy and administrative practices; outreach to business community; apply short-term amendments of policies to solicitations and contracts;
- Long-term (210 days – September 30th) -- Complete overhaul of all SLMWBE Policies and administrative practices; final approval by SWA Board of amended contracting and procurement procedures; requisite upgrades to staffing, technology, and administrative resources completed.

QUESTIONS???

Contact:

Franklin M. Lee, Esquire

Partner

Tydings & Rosenberg LLP

One East Pratt Street, Suite 901

Baltimore, MD 21202

(410) 752-9734

E-mail: flee@tydingslaw.com