



City of Chicago



O2014-4252

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 5/28/2014

Sponsor(s): Thomas (17)
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Burnett (27)
Graham (29)
Ervin (28)
Mitts (37)
Brookins (21)
Cochran (20)
Holmes (7)
Harris (8)
Sawyer (6)
Chandler (24)
Lane (18)
Dowell (3)
Beale (9)
Foulkes (15)
Thompson (16)

Type: Ordinance

Title: Amendment of Municipal Code Chapter 2-154 by adding new Section 2-154-017 titled "Diversity in Non-Minority-Owned Firms Disclosure Ordinance"

Committee(s) Assignment: Committee on Finance

ORDINANCE

WHEREAS, the City of Chicago has long had a policy of requiring the participation of minority-owned and controlled firms in public works projects and in such major transactions as issuance of municipal bonds and notes; and

WHEREAS, the policy was adopted because traditionally minority-owned and controlled firms have been smaller and lacked access to capital that can spur economic growth; and

WHEREAS, because its discretionary transactions and purchases tend to be large, the City's policy also opens opportunities for minority-owned and controlled firms to acquire valuable business experience that can lead to greater acceptance in the capital market; and

WHEREAS, many non-minority firms that participate in city transactions employ members of minority groups; and

WHEREAS, the participation of such employees in city transactions can give them the type of professional and business experience that can lead to advancement, opening of management opportunities, and eventual ownership; and

WHEREAS, it is appropriate for the City Council of the City of Chicago to encourage the development of business skills that can enhance the city's business climate and growth; now, therefore,,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-154 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 2-154-017, as follows:

2-154-017 Diversity in non-minority firms.

(a) This section shall be known as the "Diversity in Non-Minority-Owned Firms Disclosure Ordinance." The purpose of this section is to promote full and accurate disclosure to the public of the degree to which professionals who are members of minority groups and employed by non-minority-owned and controlled firms have equal opportunities to develop professional expertise and experience and to participate or otherwise work on projects derived from, assisted by or supported by the city through tax revenues or otherwise.

(b) When used in this section:

- (i) "Reporting Firm" means any vendor providing professional services in connection with a city action. The term does not include a minority business enterprise as defined in section 2-92-420(t) of this code.
- (ii) "Professional Services" includes consulting, accounting, legal, banking, financial, trustee, underwriting, financial advisory, management, brokerage, and any other professional service. The term does not include construction,

demolition, rehabilitation or remodeling of buildings, or sale of personal property.

- (iii) “City Action” means any action requiring an ordinance or amendment to an ordinance; city council approval or other city agency approval with respect to the sale, purchase or lease of real property; real property tax classification; zoning; vacation of streets and alleys; equipment leases; contracts; award of loan funds, grant funds, or bond proceeds; creation of tax increment financing redevelopment areas; concession agreements; and all similar matters that are discretionary on the part of the city.
- (iv) “Project” means any collaborative enterprise requiring City Action.
- (v) “Transaction Participant” means any person employed by a Reporting Firm in management and working on a Project.
- (vi) “Prospective Firm” means a legal entity in existence at the time another entity makes application for a City Action, and is not the applicant or an owner at time of application, but which the applicant expects to assume such status within six months of the time the City Action occurs, and would become a Reporting Firm upon assuming such status.

(c) In addition to any other information required by law, when a Reporting Firm makes application to the city for any City Action, the Reporting Firm shall disclose the name, race/ethnicity, position and title, and compensation rate of each Transaction Participant employed by the reporting Firm.

(d) Within 30 days after closing or completion of a Project in which it was involved, a Reporting Firm shall file a supplemental report stating: the total time billed for the Project; the name, race/ethnicity of each Transaction Participant; the amount of billed time attributed to each Transaction Participant; and the hourly or compensation rate of each Transaction Participant.

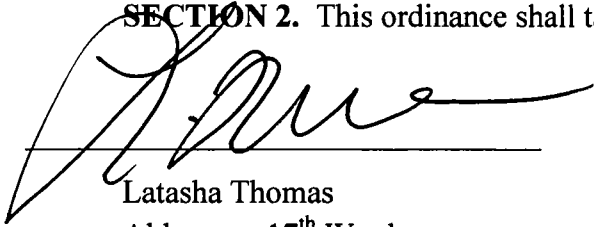
(e) A Reporting Firm shall certify the accuracy of the disclosures and information required by this section, and shall attach the disclosures and information to its original application for City Action and every supplement thereto. The required disclosures and information shall be accompanied by an affidavit as to the accuracy of contents, subscribed under oath by a knowledgeable representative of the Reporting Firm, and shall be filed with the city’s chief procurement officer.

(f) The disclosure requirements of this section shall apply to Prospective Firms.

(g) The chief procurement officer shall make the information required by this section available to the public and provide reports of such information to the city council every six months.

(h) Failure of a Reporting Firm to comply with the requirements of this section shall render the subject City Action voidable as to the city, and may result in the Reporting Firm's being barred from participating in future City Action and eligibility for city contracts.

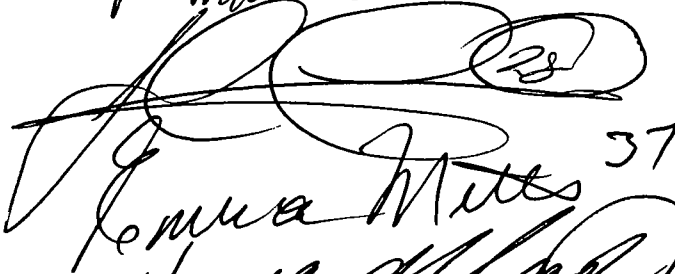
SECTION 2. This ordinance shall take effect 30 days after its passage and approval.



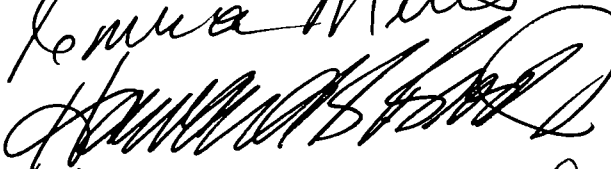
Latasha Thomas
Alderman, 17th Ward

Carrie M. Austin 34^a
Waters 5 2 27th 4

Debrah D. Jackson 9th



Emma M. White 37



William B. Smith

Yatach O. Allen 7th

Donnell D. Davis 8th

Robt A. J. (6th)

Michael D. Clarke 24
Yona Yone 18th

Pat Lowell, 3rd

Patricia Beal 9th

John S. Fuller 15th

John Hampton 16th