



City of Chicago



R2017-502

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 6/28/2017

Sponsor(s): Maldonado (26)
Moreno (1)
Burnett (27)
Villegas (36)
Ramirez-Rosa (35)
Mitts (37)
O'Connor (40)
Scott, Jr. (24)
Arena (45)
Cappleman (46)
Moore (17)
Curtis (18)
Foulkes (16)
Lopez (15)
Quinn (13)
Moore (49)
Silverstein (50)
Ervin (28)
Sadlowski Garza (10)
Cardenas (12)
Munoz (22)

Type: Resolution

Title: Call for cessation of negotiations with City Partners seeking amendments, extensions or gate and use agreements at Chicago airports until responses to questions related to opportunities afforded to businesses owned by minorities, women and disadvantaged persons are provided

Committee(s) Assignment: Committee on Committees, Rules and Ethics

RESOLUTION

WHEREAS, the City of Chicago (the "City") encourages those doing business with the City ("City Partners") to take affirmative action to ensure that businesses owned by minorities, women and disadvantaged persons opportunities provide goods and services to City Partners; and

WHEREAS, certain City Partners operating at the Airports reference the Federal Aviation ("FAA") Administration Airport Concession Disadvantaged Business Enterprise Program (the "ACDBE Program"); and

WHEREAS, the FAA may set lower goals or set lesser obligations for City Partners to enter contracts with minorities, women and disadvantaged persons than the award goals established by Chicago Municipal Ordinance Section 2-92-430 ("City Goal"); and

WHEREAS, on October 23, 2016, Alderman of the 26th Ward, Roberto Maldonado transmitted a letter to the Commissioner of the Department of Aviation, Ginger Evans, requesting responses to twelve questions related to the opportunities afforded to businesses owned by minorities, women and disadvantaged persons by City Partners that use facilities at Chicago O'Hare International Airport ("O'Hare") and Chicago Midway International Airport ("Midway") (collectively "the Airports"); and

WHEREAS, the City Council has not received information in response to the inquiries about City Partners operating at the Airports; and

WHEREAS, the City Council should be fully informed of the affirmative action efforts, if any, that City Partners operating at the Airports are taking to ensure that businesses owned by minorities, women and disadvantaged persons opportunities provide goods and services to such City Partners;

NOW THEREFORE, BE IT RESOLVED as follows:

1. The City Council hereby demands that the Department of Aviation, the Department of Law, and all other City employees, agents, and contractors to cease negotiations with any City Partner seeking amendments to, extensions of, or new gate and use agreements at Chicago O'Hare International Airport ("O'Hare") and Chicago Midway International Airport ("Midway") (collectively "the Airports") until such City Partner has provided the City Council answers to the questions stated on Exhibit A.

2. The City Council directs the City's Department of Procurement Services to assist the City Partners operating at Airports in facilitating relationships with businesses owned by minorities, women and disadvantaged persons capable of meeting the City Partners purchasing requirements.

3. In adopting this Resolution and requiring responses to the questions stated on Exhibit A, the City Council does not intend that City initiatives supersede, conflict with or in any way impair the ACDBE Program, any federal statute, rule or regulation relating to the operations of the Airports, or the City's M/WBE Program.

EXHIBIT A

1. Do the existing O'Hare or Midway use and lease agreements include requirements for the airlines to meet the City's MBE/WBE requirements for contracts?
 - a. Are goals for MBE/WBE participation being met for construction contracts?
 - b. Are goals for MBE/WBE participation being met for all contracts other than those for construction ("ongoing operations")?
2. Will the new O'Hare use and lease agreements include requirements for the airlines to meet the City's MBE/WBE requirements for contracts related to ongoing operations?
3. Are other major airport authorities using use and lease agreements to require airlines to meet municipal MBE/WBE requirements for ongoing operations?
 - a. What standards do other airport authorities impose?
 - b. Please provide sample language from similar contracts approved by other airport authorities.
 - c. What best practices do other major airport authorities follow when negotiating MBE/WBE requirements for ongoing operations from the airlines as part of use and lease agreements?
4. Do all the airlines that have use and lease agreements have diversity policies?
5. What are the airlines' that have use and lease agreements policies and goals for diversity in hiring, promotion, and contracting (including professional services)?
6. Please provide a report on the airlines that have use and lease agreements demonstrated diversity in employment, with particular attention to complete demographic information about management and executives, pilots, mechanics, and flight attendants.
7. How long have the airlines that have use and lease agreements had diversity goals?
8. How long have the airlines that have use and lease agreements been tracking their numbers for MBE/WBE participation in contracts related to ongoing operations?
9. Please provide reports that show whether and how the airlines are meeting diversity goals in employment.
 - a. Are the airlines meeting their own internal goals?
 - b. Have the airlines been found to be discriminating against any racial group or women as part of hiring?

10. How are the airlines' diversity performance measured by the City of Chicago at this time?

- a. Are the goals measured as a percentage of revenue? If so, are airlines would be able to fulfill goals by hiring just one minority owned company – like a fuel provider?
- b. Are the goals measured as a percentage of total number of contracts (or potential contracts)? If so, has this policy encouraged airlines to help small and midsize MBE/WBE companies?

11. Please provide a list of the top MBE/WBE vendors/suppliers for the airlines from this region? Please include information for the following categories:

- a. Professional services
- b. Ongoing operations
- c. Secondary participation

12. Please provide information about vendors and suppliers by race and gender.

SPONSORS
(RESOLUTION IN SUPPORT OF DISCLOSURE)

Robert M. ... 26

John ... 17

Joseph ... 27

Carol ... 18

Walter ... 27

Lisa ... 16

John ... 36th

Ray ... 15

Carl ... 35

Mary ... 13

James ... 37

John ... 49

John ... 40th

Paul ... 50

Paul ... 24

Paul ... 25

James ... 45

Susan ... 41st

James ... 46

John ... 47

