



# Office of the City Clerk

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## Legislation Text

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Committee on Contracting Oversight & Equity

### RESOLUTION

WHEREAS, Executive Order No. 2017-2 was signed by Mayor Rahm Emanuel on August 15, 2017; and

WHEREAS, Executive Order No. 2017-2 was received and filed by Clerk Anna Valencia on August 15, 2017; and

WHEREAS, the City of Chicago is committed to enhancing the economic growth and prosperity of minority and women-owned business enterprises ("M/WBEs"); and

WHEREAS, a diverse business community and work force strengthens the City's economy; and

WHEREAS, the City continues to address a legacy of segregation and discrimination that is visible today in the concentrations of wealth and poverty that affect certain of the City's community areas; and

WHEREAS, many parts of the downtown and surrounding areas, as well as many neighboring communities, are thriving, while other neighborhood communities, particularly on the south and west sides, are struggling with poverty and economic disinvestment; and

WHEREAS, the City remains committed to continuing its efforts to mitigate the effects of segregation and disinvestment, both as a moral obligation and a measure to enhance Chicago's position as a global city; and

WHEREAS, the City enacted MCC Section 5 2-92-650 et seq. to foster participation of M/WBEs in City construction contracts and enacted MCC Section 2-92-420 et seq. to foster participation of M/WBEs in City non-construction contracts for goods and services; and

WHEREAS, the City's M/WBE program has been effective in increasing opportunities for M/WBE's in the public sphere, but they do not address hiring and contracting disparities in the private sector; and

WHEREAS, Executive Order No. 2017-2 directed the Department of Planning & Development (DPD) and the Plan Commission to encourage goals of 26% MBE and 6% WBE participation applicable to the total construction budget for each planned development; and

WHEREAS, DPD and the Chicago Plan Commission are directed to require applicants for planned development zoning approval to report their intended and actual employment of certified M/WBE's prior to

being placed on a Chicago Plan Commission agenda, which report shall include the applicant's outreach plan to encourage the participation of M/WBEs in the design, engineering and construction of the proposed project, and

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WHEREAS, Executive Order No. 2017-2 further requires that upon the filing for Part II approval from DPD, such report shall include an update to the applicant's outreach plan to encourage the participation of M/WBEs in the design, engineering and construction of the proposed project; and

WHEREAS, Executive Order No. 2017-2 additionally, requires that upon application for a Certificate of Occupancy from the Department of Buildings, such report shall include the applicant's actual level of participation by local city residents and M/WBEs in the design, engineering and construction of the proposed project; and

WHEREAS, Executive Order No. 2017-2 also directs DPD and the Chicago Plan Commission to develop forms for the purpose of collecting and evaluating data regarding the extent to which M/WBEs are utilized in planned development projects; and

WHEREAS, DPD is further directed by Executive Order 2017-2 to report the data it collects regarding projected and actual employment of M/WBEs in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor; and

WHEREAS, in the fall of 2020 Commissioner Cox indicated that just 11 of the 354 private projects that had been subject to Plan Commission review since Executive Order No. 2017-2 took effect had actually included M/WBE goals; and

WHEREAS, this disparity demonstrates the need for the City Council to develop an ordinance to ensure actual M/WBE participation on private projects;

### **NOW THEREFORE BE IT RESOLVED**

WE THE MAYOR AND MEMBERS OF THE CITY COUNCIL call on the Commissioner of the Planning & Development, Chairperson of the Plan Commission, Corporation Counsel and the Chief Procurement Officer to appear before the Contracting, Oversight and Equity Committee to discuss ways in which the data can be used develop measures that can be enacted to ensure M/WBE's are included in private projects that require Plan Commission approval; and

### **BE IT FURTHER RESOLVED**

WE THE MAYOR AND MEMBERS OF THE CITY COUNCIL respectfully request the Committee on Contracting, Oversight and Equity invite representatives of the Assist Agencies that serve M/WBE construction owners to attend the hearing and provide information on experiences their members have

had with the process thus far.