



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2016-6376  
**Type:** Ordinance  
**File created:** 9/14/2016  
**Status:** Passed  
**In control:** City Council  
**Final action:** 10/5/2016  
**Title:** Amendment of Municipal Code Chapters 1-23 and 2-92 regarding ineligibility of any person or business entity to do business with City of Chicago due to debarment by government agency  
**Sponsors:** Emanuel, Rahm  
**Indexes:** Ch. 23 Qualifications Relating to City Business or City Benefits, Ch. 92 Dept. of Purchases, Contracts & Supplies  
**Attachments:** 1. O2016-6376.pdf

Date	Ver.	Action By	Action	Result
10/5/2016	1	City Council	Passed	Pass
10/4/2016	1	Committee on Budget and Government Operations	Recommended to Pass	Pass
9/14/2016	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

September 14, 2016

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY OF  
CHICAGO

Ladies and Gentlemen:

At the request of the Chief Procurement Officer, I transmit herewith ordinances amending Chapter 2-92 of the Municipal Code and associated amendments.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

## ORDINANCE

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO;

SECTION 1. Section 1-23-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

#### **1-23-020 Ineligibility to do business with the city.**

*(Omitted text is unaffected by this ordinance)*

(d) Ineligibility due to debarment by a government agency. No natural person or business entity shall be eligible to do business with the city if such natural person or business entity or any controlling person of such business entity has been debarred by any local, state or federal government agency from doing business with such government agency, for any reason or offense set forth in subsections (a), (b), or (c) of this section, or substantially equivalent reason or offense, for the duration of the debarment by such government agency.

fd4(e) Successor business entities. Notwithstanding anything to the contrary in this section, if a business entity seeking to do business with the city ("the applicant entity") acquires or is merged with a business entity that is ineligible under this section to do business with the city ("the prohibited entity"), such applicant entity shall be eligible to do business with the city if all of the following apply: (1) no controlling person of such applicant entity has made an admission of guilt or been convicted, charged or indicted for any of the criminal conduct forming the basis of the prohibited entity's ineligibility to do business with the city; and (2) no person who was a controlling person of the prohibited entity at the time such criminal conduct occurred is a controlling person of the applicant entity; and (3) all other eligibility requirements of this section have been met by the applicant entity and all controlling persons thereof.

SECTION 2. Section 2-92-320 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

#### **2-92-320 Ineligibility for city transactions - Other offenses.**

(a) No person or business entity shall participate in a transaction as defined herein, and may have its current transactions permanently or temporarily suspended or canceled, if that person or business entity:

*(Omitted text is unaffected by this ordinance)*

(6). has committed, within a 24-month period, three or more violations of Chapter 1-24 of this Code; or

(7) has been debarred by any local, state or federal government agency from doing business with such government agency as provided in subsection (d) of section 1-23-020

of the Code, for the duration of the debarment by such government agency.

*(Omitted text is unaffected by this ordinance)*

SECTION 3. This ordinance shall take effect upon its passage and approval.

