



Office of the City Clerk

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Legislation Text

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Committee on Contracting Oversight and Equity Chicago City Council
Meeting February 1, 2023

ORDINANCE

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

SECTION 1. Section 2-92-450 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-92-450 Reduction or waiver of commitment.

If, in connection with a particular contract, either before the contract is let for bid, during the bid or award process, before or during negotiation of the contract, or during the performance of the contract, the chief procurement officer determines that it is impracticable or excessively costly to obtain qualified M.B.E.'s or W.B.E.'s to perform sufficient work to fulfill the commitment stated in Section 2-92-440 hereof, the chief procurement officer shall reduce or waive the commitment to M.B.E./W.B.E. participation in the contract, as may be appropriate by city ordinance. The chief procurement officer shall issue rules and regulations setting forth the standards to be used in determining whether or not such a reduction or waiver is appropriate. Except as otherwise provided in such rules and regulations, any ordinance granting a waiver or reduction shall be deemed appropriate possible if a contractor has unsuccessfully solicited SO 75 percent or more of the appropriate M.B.E.'s or W.B.E.'s to perform the work identified in the bid solicitation in accordance with Section 2-92-440(i) hereof and has documented such effort to the satisfaction of the chief procurement officer. In addition, such rules and regulations shall require that a contractor seeking a waiver or reduction shall have provided timely notice of the need for subcontractors to an appropriate association of M.B.E.'s or W.B.E.'s, which association or associations shall be entitled to comment on any waiver or reduction application. ~~If the chief procurement officer determines that a lesser percentage standard is appropriate with respect to a particular contract subject to competitive bidding prior to the bid solicitations for such contract, such bid solicitations shall include a statement of such revised standards.~~ No ordinance granting a waiver or reduction shall be accepted for any project receiving tax increment financing (TIF) funds or any other municipal funds.

SECTION 2. This ordinance shall be in full force and effect upon passage and publication.