



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

November 28, 2016

5:30 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of November 28, 2016;
Her Honor Mayor Kitty Piercy Presiding

Councilors

Greg Evans, President
George Brown
George Poling
Claire Syrett

Alan Zelenka, Vice President
Mike Clark
Chris Pryor
Betty Taylor

5:30 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue

A. WORK SESSION
Equity in Contracting Program

5:30 p.m.

B. WORK SESSION
Council Communications

6:15 p.m. *

**Time approximate*

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Equity in Contracting Program

Meeting Date: November 28, 2016
Department: Central Services
www.eugene-or.gov

Agenda Item Number: A
Staff Contacts: Vicki Silvers and Clay Stilwell
Contact Telephone Number: (541) 682-5082 or (541) 682-5051

ISSUE STATEMENT

The purpose of this agenda item is to update the Council on actions taken and planned to develop an Equity in Contracting Program to increase equity and opportunities for Minority and Women Business Enterprises (MBEs and WBEs) in City contracting.

BACKGROUND

Many historic barriers have limited the scope of the marketplace of MBEs and WBEs and similar barriers impede equitable utilization rates of Minority and Women-owned businesses for public contracts. The issue of equitable utilization of MBEs and WBEs is something many agencies grapple with and for which they come under public scrutiny. It is a multi-faceted and complex issue that requires agencies to invest many resources into the development of policies, methods, and programs.

In June 2016, the City implemented a formal Equity in Contracting Program, and this statement and accompanying presentation will serve as an update on the efforts, both thus far and planned, of the program. The program will:

- Increase and institutionalize proactive efforts related to contracting equity
- Align with other state programs that have recognized the value of leveraging public buying to diversify the pool of vendors available for public contracts
- Advance both the economic and equity values expressed in the City of Eugene's Triple Bottom Line approach
- Identify and reduce barriers to ensure ease of access to City of Eugene contracts
- Create a diverse market that promotes innovation, community vitality, and improves the overall economic health of the community
- Develop tools to help improve equity in contracting that will help a wide variety of vendors, beyond certified MBEs and WBEs.

In 2015, Councilor Evans initiated a Council work session to discuss improving opportunities for Minority and Women-owned businesses to conduct business with the City. At that session, there was general support by all councilors to consider ways for the City to increase its utilization of Minority and Women-owned businesses in contracts. Subsequently, the Executive Team issued a letter of support to the organization to encourage everyone to participate in the program. See Attachment A for the Executive Team letter which was sent out to all staff on October 6, 2016.

To develop and support this effort, the Purchasing Office has hired a Program Analyst, Claudia Denton, who began work in June 2016 on the Equity in Contracting Program. Staff have made progress with the program by attending a training by the Business Diversity Institute in Portland, a training by the American Contract Compliance Association in Chicago, a Reverse Vendor Trade Show in Portland, and several meetings with diversity professionals in the Salem and Portland areas to understand their equity programs, policies, and best practices. Additionally, staff has attended various Oregon Association of Minority Entrepreneurs (OAME) events including a Vendor Trade Show in May 2016.

Staff have developed data gathering tools for collecting data in the future and have completed an Equity in Contracting vendor survey. Along with the recent outreach and networking activities, the Public Works department continues to adhere to required data collection for federally funded projects. We will outline more of the efforts and activities of the program in the Council presentation.

Successful equity in contracting efforts demonstrate a measurable change in economic impact or their respective organization or agency's contracting equity. The goal of the City's program is to balance the adoption of best practices, reduction of barriers, providing service, and gathering of complete data with which to understand the City's contracting behavior.

RELATED CITY POLICIES

Triple Bottom Line framework: Social Equity and Economic Prosperity. Part of Eugene's City Vision statement states to "Value all people, encouraging respect and appreciation for diversity, equity, justice, and social well-being" and "Encourage a strong, sustainable and vibrant economy, fully utilizing our educational and cultural assets, so that every person has an opportunity to achieve financial security."

COUNCIL OPTIONS

No council options; this is for informational purposes only.

CITY MANAGER'S RECOMMENDATION

No recommendation; this is for informational purposes only.

SUGGESTED MOTION

No suggested motions.

ATTACHMENTS

- A. Executive Team Letter of Support
- B. Equity in Contracting Survey Questions and Information
- C. Draft Data Collection Forms

FOR MORE INFORMATION

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Clay Stilwell
(541) 682-5051
Clayton.A.Stilwell@ci.eugene.or.us

October 6, 2016

Colleagues,

Our organization is grounded in the principles of equity and human rights. Because of the City's commitment to these principles, it is important that we promote and advance these values in our organization, our community, and beyond. The new Equity in Contracting Program is an opportunity to make additional strides in this direction, and keep us on a path to being an organization of the future.

National and regional studies show that significant systemic barriers to participation in the marketplace has led to historic underutilization of minority and women-owned businesses in public contracting. This underutilization has a dual impact: it limits the marketplace of vendors, thereby reducing market competition and innovation; and it limits business opportunities to minority and women-owned businesses, which perpetuates the barriers.

The City first prohibited discrimination in contracting based on race or gender through City Code in 1975. Despite taking this action, barriers still exist for minority and women-owned businesses to participate fully in serving the community through contracting with the City. City purchasing activities equal about \$124 million per year, and can be a powerful tool to help create a level playing field for all vendors. Improving minority and women owned vendors' access to business opportunities with the City develops and strengthens these organizations and in turn improves the economic prosperity and vitality of our community. Rather than reflecting past practices, these changes move us to represent an organization of 2025.

The City has been working on various fronts to understand utilization of minority and women owned business and improve access to contracting opportunities for those firms. Purchasing staff have been networking with other public agencies gaining guidance on best practices, while for federally funded capital projects, Public Works adheres to requirements for collecting utilization data. These are all good steps toward our goals and we know we can do more.

In order to create equitable opportunities for all vendors, the City implemented an Equity in Contracting Program. The program has three focus areas: data collection and analysis, organizational engagement, and external outreach.

1. Conducting critical, systematic, and comprehensive reviews of the data will:
 - Help identify and understand barriers faced by minority and women-owned businesses competing for contract opportunities;
 - Remove barriers that have impaired access by minority and women-owned businesses to contracting opportunities and,
 - Help develop a better understanding of minority and women-owned businesses in the vendor marketplace.

The Equity in Contracting Program provides the tools and data management to ensure collection and comprehensive review of available data.

2. The success of the Equity in Contracting Program requires active participation amongst project managers and associated City staff involved in the contracting process and related decisions. Engaging these key stakeholders in the Equity in Contracting Program increases awareness of the purpose and importance of the program, and connects City staff with the tools they need to conveniently access potential new vendors.

3. The Equity in Contracting Program engages in targeted outreach to minority and women-owned businesses to facilitate greater participation in City contracts by those businesses. Outreach includes a building of partnerships between community stakeholders and toolkit materials for minority and women-owned businesses to ensure all available resources and programs are put to the best use. Local businesses are a particular focus of the effort to educate vendors about City processes and the value of becoming an MBE or WBE certified organization.

The Purchasing Office in Central Services is coordinating the effort, but it takes leadership, effort and commitment from across all departments to reach our goals. The vision of having a barrier-free contracting environment with a level playing field depends on all of us participating in this important work and striving to create a different environment for our vendors. Not only does this align with how we think about our work, it helps us move toward our goals of being future-ready.

Thank you for all that you do to promote the values of equity and inclusion. By doing this work we all benefit.

Executive Team Members:

Jon Ruiz, City Manager
Sarah Medary, Assistant City Manager
Glenn Klein, City Attorney
Kristie Hammitt, Central Services
Chief Joe Zaludek, Fire and EMS
Renee Grube, Library, Recreation and Cultural Services
Denny Braud, Planning and Development
Chief Pete Kerns, Police
Kurt Corey, Public Works

Survey Monkey: Equity in Contracting Survey Questions and Information

- Survey open 9/21/16 – 10/03/16
- Sent to approximately 6,500 eBid registered vendors
- 284 respondents

Survey Questions:

1. How many contracts have you had with the City of Eugene in the last 10 years?
2. How do you learn about contracting opportunities with the City of Eugene?
3. Have you ever contracted with other public agencies in Oregon?
4. Is your business at least 51% minority or woman owned?
5. If your business is at least 51% minority or woman owned, are you certified as such?
6. What types of services or products do you offer?
7. If you've responded to solicitations or have contracted with the City of Eugene, what barriers, if any, have you faced with the process?
8. Which of the following topics would you likely seek more assistance with?
9. In what ways would you like to receive this assistance or information?
10. Do you have any additional comments or suggestions?



Subcontractor Utilization Form

City of Eugene | Finance | Purchasing Office
100 W. 10th Ave. Suite 400 | Eugene, OR 97401
Phone (541) 682-5058 | Fax (541) 682-6233

The selected contractor shall complete and submit this form to the City of Eugene **within 7 calendar days** of award. This information will be used to track utilization of certified D/MWESB firms within City contracting.

Return the completed form by e-mail to Eugene.Purchasing@ci.eugene.or.us or by fax or mail to the contact information listed above.

Project Name	Bid Amount	Contract Number (Agency use)
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Contractor (Company Name)	COBID Certification Status*, check all that apply. ☐ DBE ☐ MBE ☐ WBE ☐ ESB ☐ SDVBE ☐ None
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Authorized Representative	Authorized Representative Title
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Authorized Representative Phone	Authorized Representative Email
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By submitting this form, the contractor acknowledges and certifies that this form accurately represents the intent to utilize the firms listed below, if any, for performance on this project. The contractor certifies that the contractor had direct contact with the firms named regarding participation in this project. If more space is required, please provide the additional information on a second sheet.

As the Authorized Representative, I certify that the information contained in this form is complete and accurate to the best of my knowledge. ☐ Yes Date: _____

Name of Subcontractor(s)	City	State	Phone	COBID Certification Status*	Contract Amount
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$
				☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$

***Only list COBID certified businesses.** Certification for socially and economically disadvantaged businesses in the State of Oregon is available free of charge through the Certification Office for Business Inclusion and Diversity (COBID). Please visit www.oregon4biz.com/How-We-Can-Help/COBID for more information.



Subcontractor Utilization Monthly Report

City of Eugene | Finance | Purchasing Office
100 W. 10th Ave. Suite 400 | Eugene, OR 97401
Phone (541) 682-5058 | Fax (541) 682-6233

Contract Number (Agency use)

Report Date

Project Name		Contractor (Company Name)		COBID Certification Status*, check all that apply. ☐ DBE ☐ MBE ☐ WBE ☐ ESB ☐ SDVBE ☐ None	
Authorized Representative	Authorized Representative Title	Authorized Representative Phone	Authorized Representative Email		

This monthly report is required. The contractor shall complete and submit this form to the City of Eugene by the 5th day of every month. This information will be used to track utilization of certified D/MWESB firms within City contracting. **Return the completed form by e-mail to Eugene.Purchasing@ci.eugene.or.us or by fax or mail to the contact information listed above.**

By submitting this form, the contractor certifies that this form accurately represents the utilization of the firms listed below for performance on this project. Please list all firms, regardless of status. If more space is required, please provide the additional information on a second sheet.

As the Authorized Representative, I certify that the information contained in this form is complete and accurate to the best of my knowledge. ☐ Yes

Name of Subcontractor(s)	Tax ID Number	COBID Certification Status*	Total Contract Amount	Amount Paid This Period	Amount Paid to Date
		☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$	\$	\$
		☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$	\$	\$
		☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$	\$	\$
		☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$	\$	\$
		☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$	\$	\$
		☐ DBE ☐ MBE ☐ SDVBE ☐ WBE ☐ ESB ☐ None	\$	\$	\$

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