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City Council Document Tracking Sheet

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Matter ID: SO2024-0008201

Meeting Date: 3/20/2024

Type: Ordinance

Title: First Substitute sent at 3:40 PM

Amendment of Municipal Code Chapter 2-68 by adding new Section 2-68-050 requiring City data to be processed, stored, transmitted and disposed within United States jurisdiction with variable storage credit allowed or denied by Chief Procurement Officer at eight percent for data retention within city or six percent if within Illinois as defined herein

[FIRST SUBSTITUTE TRANSMITTED AT 3:40 PM JULY 8] Committee meeting July 9, 2024]

Committee Assignment: Committee on Economic, Capital and Technology Development

Sponsor(s): Villegas (36) *

Hopkins (02) (C)

Dowell (03) (C)

Robinson (04) (C)

Yancy (05) (C)



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Hall (06) (C)

Mitchell (07) (C)

Harris (08) (C)

Beale (09) (C)

Chico (10) (C)

Lee (11) (C)

Ramirez (12) (C)

Quinn (13) (C)

Gutierrez (14) (C)

Lopez (15) (C)

Coleman (16) (C)

Moore (17) (C)

Curtis (18) (C)

O'Shea (19) (C)

Taylor (20) (C)

Mosley (21) (C)

Rodriguez (22) (C)

Tabares (23) (C)



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Scott (24) (C)

Sigcho-Lopez (25) (C)

Fuentes (26) (C)

Burnett (27) (C)

Ervin (28) (C)

Taliaferro (29) (C)

Cruz (30) (C)

Cardona (31) (C)

Waguespack (32) (C)

Rodriguez Sanchez (33) (C)

Conway (34) (C)

Ramirez-Rosa (35) (C)

Mitts (37) (C)

Sposato (38) (C)

Nugent (39) (C)

Vasquez (40) (C)

Napolitano (41) (C)

Reilly (42) (C)



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Knudsen (43) (C)

Lawson (44) (C)

Gardiner (45) (C)

Clay (46) (C)

Martin (47) (C)

Manaa-Hoppenworth (48) (C)

Silverstein (50) (C)

SUBSTITUTE
ORDINANCE

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

SECTION 1. Chapter 2-68 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-68-050, as follows:

2-68-050 Data residency requirements for City data.

(a) Unless otherwise authorized by the Chief Information Officer, any contract entered into by the City after the effective date of this section that provides for the storage of any City data shall include a requirement that such City data must be processed, stored, transmitted, and disposed of within the jurisdiction of the United States.

(b) (1) Unless otherwise prohibited by any federal, state, or local law, and subject to paragraphs (2) and (3) of this subsection (b), for any contract for the storage of City data, the Chief Procurement Officer shall allocate to any qualified bidder an earned credit of: (A) six percent of the contract base bid for ensuring that all such City data is stored within the State of Illinois outside the City limits; and (B) eight percent of the contract base bid for ensuring that all such City data is stored within the City limits.

(2) If a contractor is allocated a bid preference pursuant to Section 2-92-412, the contract shall not be eligible to receive the earned credit allocated pursuant to this section.

(3) The Chief Procurement Officer may determine not to allocate an earned credit under this section when the Chief Procurement Officer determines doing so is not in the City's best interest.

(4) As part of the contract close-out procedure, if the Chief Procurement Officer determines that the contractor has successfully met its data residency commitment, the Chief Procurement Officer shall issue an earned credit certificate that evidences the amount of earned credits allocated to the vendor. The vendor may apply the earned credits as the bid preference for any future contract bid of equal or greater value. The earned credit certificate is valid for three years from the date of issuance and shall not be applied to any future contract bid after the expiration of that period. To receive the earned credit certificate, the vendor shall maintain accurate and detailed books and records necessary to monitor compliance with this section and shall submit such reports as required by the Chief Procurement Officer or the commissioner of the supervising department. Full access to the contractor's records shall be granted to the Chief Procurement Officer, the commissioner of the supervising department, or any designee thereof. The contractor shall maintain all relevant records for at least three years after final acceptance of the work.

(c) For purposes of this section:

"City data" means final versions of information that are: (1) in alphanumeric form reflected in a list, table, graph, chart, or other non-narrative form, that can be digitally stored and retrieved; (2) created or maintained by or on behalf of a City agency and are controlled by that City agency; and (3) related to the mission of a City agency. The term "City data" shall not include information that is: (1) provided to a City agency by other entities; (2) created or maintained by or on behalf of a City or other United States public safety official operating in their official capacity outside of the United States; or (3) subject to one or more international exchange agreements for the exchange of criminal justice information with one or more foreign government agencies.

“Earned credit” means the amount of the bid preference allocated to a vendor upon completion of a contract during which the vendor met a data residency commitment under subsection (b)(1) of this section during the performance of a City contract.

SECTION 2. After passage and publication, this ordinance shall take effect on January 1, 2025.



GILBERT VILLEGAS
Alderman, 36th Ward