

ORDINANCE

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

SECTION 1. Section 2-92-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-92-010 Establishment – Composition – Chief Procurement Officer.

(Omitted text is unaffected by this ordinance)

The Chief Procurement Officer is authorized to: (i) administer Article II of Chapter 1-23 of this Code, as supplemented by Section 2-92-320; (ii) implement standards for ineligibility under said Article II comparable to those set forth in Section 8-10-11 of the Municipal Purchasing Act; ~~and~~ (iii) in consultation with the supervising department, as applicable, monitor and ensure compliance with city resident and project area resident work hour requirements under Section 2-92-330, the City's bid incentive for socio-economically disadvantaged area resident work hours under Section 2-92-390, any applicable certification eligible business participation programs under this chapter, including any comparable voluntary contractual work hour or certification eligible business utilization commitments; and (iv) promulgate rules to administer and enforce the foregoing Code provisions and standards.

SECTION 2. Section 2-92-330 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-92-330 Contracts – Percentages of city and project area residents work hours – Enforcement.

(Omitted text is unaffected by this ordinance)

(b) Implementation of the requirements established in subsection (a) of this section will be achieved by including in contracts and subcontracts described therein the following language:

(Omitted text is unaffected by this ordinance)

~~Weekly~~ The contractor shall submit to the Chief Procurement Officer on a timely basis completed weekly certified payroll reports (U.S. Department of Labor Form WH-347, Illinois Department of Transportation Form RE-48, or equivalent) submitted to the commissioner of the supervising department in triplicate, which must shall identify clearly the actual residence of every employee on each submitted certified payroll. The first time that an employee's name appears on a payroll, the date that the company hired the employee should be written in after the employee's name.

Full access to the contractor's and subcontractors' employment record shall be granted to the chief procurement officer, the commissioner of the supervising department, the Superintendent of the Chicago Police Department, the inspector general, or any duly authorized representative thereof. The contractor and subcontractors shall maintain all relevant personnel data in records for a period of at least three years after final acceptance of the work.

At the direction of the Chief Procurement Officer-supervising department, affidavits and other supporting documentation will be required of the contractor to verify or clarify an employee's actual address when doubt or lack of clarity has arisen.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 2-92-390 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-92-390 Equal employment opportunity regulations for contracts – Enforcement.

(b) (1) For any construction project having an estimated contract value of \$100,000.00 or more, and which is directly supervised by the City of Chicago, beginning with the calendar year 1984, the city shall have as its yearly equal employment opportunity goals the following percentages of construction aggregated work hours in each of the categories of construction journeyworker and apprentice:

(Omitted text is unaffected by this ordinance)

(3) In order to effectuate the achievement of these goals, the chief procurement officer shall employ the canvassing formula described in subsection (c) of this section in the bidding for and in the awarding of all contracts involving construction projects having an estimated contract value of \$100,000.00 or more and which are directly supervised by the City of Chicago.

These goals shall also apply to construction projects subsidized in part with federal revenues pursuant to congressionally created grant programs which are intended to encourage economic revitalization including improved opportunities for the poor, minorities, and unemployed within the municipality to which the grant was given (including, without limitation, Community Development Block Grants, Urban Development Action Grants and Economic Development Administration Grants), and shall be monitored by the Chief Procurement Officer-supervising department.

(Omitted text is unaffected by this ordinance)

(c) Fulfillment of these equal employment opportunity goals for construction projects having an estimated contract value of \$100,000.00 or more which are directly supervised by the City of Chicago will be achieved through contracts which shall include the following language:

(Omitted text is unaffected by this ordinance)

Reporting

The contractor shall submit to the Chief Procurement Officer City on a timely basis a completed weekly certified payroll, (U.S. Department of Labor Form WH-347, Illinois Department of Transportation Form RE-48, or equivalent) with race and gender of employees clearly named or coded each week. The contractor is responsible for forwarding every worksite subcontractor's weekly certified payroll. Supportive information regarding an employee's race, gender or work classification of such is required by the Chief Procurement Officer-City. Failure to report fully all required workforce information will subject the contractor to liquidated damages in the total amount listed in line 14 above.

SECTION 4. Section 2-92-500 of the Municipal Code of Chicago is hereby deleted in its entirety, and replaced with a new Section 2-92-500, as follows:

2-92-500 City officers – Consultation and cooperation.

The head of any executive department or agency of the City's government who exercises any contracting power on behalf of the City shall cooperate and consult with and advise the Chief Procurement Officer in ensuring compliance with, or in achieving the stated goals of, as applicable, the city resident and project area resident work hour requirements under Section 2-92-330, the bid incentive for socio-economically disadvantaged area resident work hours under Section 2-92-390, and all City certification eligible participation programs under this Chapter, including, but not limited to, by: (a) promptly implementing rules and procedures promulgated under this chapter; and (b) timely providing or reporting to the Chief Procurement Officer, at times and in the manner reasonably requested by the Chief Procurement Officer, any documents, affidavits, records, or other relevant information regarding compliance with such requirements, incentives, and programs.

SECTION 5. Section 2-92-750 of the Municipal Code of Chicago is hereby deleted in its entirety.

SECTION 6. This ordinance takes effect 150 days after passage and publication.



GILBERT VILLEGAS
Alderman, 36th Ward



DAVID MOORE
Alderman, 17th Ward