

Refer TO:  
Committee  
on Contracting Oversight & Equity

## 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;

### **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) Monitor, track, report and enforce compliance on all City Contracts including but not limited to redevelopment, tax incremental funding and revenue generating contracts. The Chief Procurement Officer (CPO) shall monitor, track, report and enforce local business participation and workforce hiring programs under Chapter 2-92 Department of Procurement Services of the Municipal Purchasing Act, and any comparable voluntary contractual work regardless of which purchasing unit procures the good or service. (iv) 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 (SEDA) 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 (v) promulgate rules to administer and enforce the foregoing Code provisions and standards.

The Chief Procurement Officer is authorized to engage one or more agents in the performance of the CPO's functions, including, but not limited to, conducting procurements using innovative methods as provided in Section 2-92-640 and Section 2-92-535 Mentoring program provided in this Code, or the disposal of City surplus goods and equipment, old fleet vehicles or salvage and scrap.

**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 developer, contractor and subcontractors, shall submit to the City Chief Procurement Officer on a timely basis completed weekly certified payroll, (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.

The developer, contractor and subcontractors shall submit to the Chief Procurement Officer, on a timely basis, payroll data in a format approved by the Chief Procurement Officer including but not limited to electronically uploading their data from the developer, contractor or its subcontractors internal payment and payroll systems into the city's department of procurement services, payment and payroll tracking reporting systems. Additionally, the developer, contractors and their subcontractors and vendors shall ensure that its subcontractors provide all analytical data points as required by the Chief Procurement Officer.

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 developer, contractor and subcontractors shall submit, to the Chief Procurement Officer, payroll data in a format approved by the Chief Procurement Officer including but not limited to the electronic uploading, 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 the analytical data. The race and gender of employees should be clearly named or coded each week. The developer, contractor and it's subcontractor's contractor is are responsible for forwarding their payroll data from its internal payroll systems, as applicable, into the city's department of procurement services centralized payroll tracking monitoring systems. Additionally, the developer, contractors and subcontractors shall ensure all analytical data as required by the Chief Procurement Officer is received on a timely basis a completed for every worksite subcontractor's weekly certified payroll. Supportive information regarding an employee's analytical data-race, gender or work classification of such is required by the Chief Procurement Officer. Failure to report fully all required workforce information will subject the developer and/or 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:

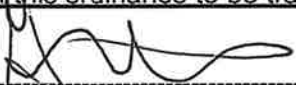
#### **2-92-500 City officers - Consultation and cooperation.**

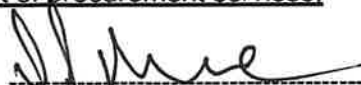
The head of any executive department or agency of the City's government who exercises any contracting power on behalf of the City shall contact the Chief Procurement Officer and cooperate in ensuring that the developer, contractors, their subcontractors, suppliers and vendors on all City contracts inclusive of revenue generating, new and redevelopment contracts are informed immediately that the monitoring, tracking and reporting payment and workforce hiring will be administered entirely by the department of procurement services. 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 (SEDA) resident work hours under Section 2-92-390, and all City certification eligible participation programs under this section, including, but not limited to: (a) promptly implementing rules and procedures promulgated by the Chief Procurement Officer 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 ~~450~~ 60 days after passage and publication.

**SECTION 7.** This ordinance is also intended to allow any funding strip associated with the subject matter of this ordinance to be transferred to the department of procurement services.

  
Gilbert Villegas  
Alderman, 36<sup>th</sup> ward  
5/22/25 Version 3

  
David Moore  
Alderman, 17<sup>th</sup> ward