



RESOLUTION NO. 40944

1 A RESOLUTION relating to Equity in Contracting; authorizing the establishment
2 of an Equity in Contracting Advisory Committee to monitor compliance of
the Equity in Contracting program.

3 WHEREAS the City authorized a disparity study, which was completed in
4 2018, that analyzed procurement and contracting barriers for small, disadvantaged,
5 minority, and women-owned businesses in construction, architecture and
6 engineering, services, and goods, and this study determined that there exists a
7 statistically significant under-utilization by the City of minority and women-owned
8 businesses in these contract categories, and
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10 WHEREAS on May 25, 2021, the Equity in Contracting ("EIC") staff
11 provided an update on the EIC Advisory Committee, and the Committee shall
12 be composed of 15 members from the following areas: (1) seven members
13 recruited from: Certified Businesses, Large Prime, Union Signatory Firm, and
14 Open-Shop Firm; (2) five for Council Districts (one for each Council District);
15 and (3) three recommended by the Public Utility Board from Tacoma Public
16 Utilities Service Areas, and
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19 WHEREAS each member shall serve for a term of three years, and to
20 start, all appointments shall be staggered rotations and terms which will begin
21 September 1st and end August 31st, and
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23 WHEREAS the current EIC program has operated without a formal
24 advisory committee, and
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1 WHEREAS Tacoma Municipal Code (“TMC”) 1.07.090A establishes an
2 advisory committee for the following purpose: to “monitor compliance with all
3 provisions of this chapter and the related Regulations,” and
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5 WHEREAS these changes are part of the process to create more
6 equitable opportunities in the City, will support contract compliance in City-wide
7 contracting, and will ensure that local employment practices are being adhered
8 to, thereby creating more job opportunities for those living in the City, and
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10 WHEREAS outreach to community members to identify potential
11 committee members will take place upon adoption of this resolution, and will
12 focus on the contractor community, including members of the Community
13 Workforce Agreement Task Force, stakeholders and clients from the Minority
14 Business Development Agency, current lists of certified Minority and Women’s
15 Business Enterprises, Small Business Enterprises, our trade partners, and
16 Black, Indigenous, and people of color community-based organizations, such
17 as the Black Collective and Association for Minority Contractors, and
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19 WHEREAS, City staff will engage and collaborate with the EIC Advisory
20 Committee regarding EIC program compliance and program effectiveness as
21 related to the disparity study results, and
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23 WHEREAS the Committee shall be subject to the provisions of
24 Washington’s Open Public Meetings Act; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to establish an Equity in Contracting Advisory Committee to monitor compliance of the Equity in Contracting program.


Adopted April 12, 2022


Mayor

Attest:


City Clerk

Approved as to form:


Deputy City Attorney



TO: Elizabeth Pauli, City Manager
FROM: Kacee Woods, Program Manager, Community & Economic Development Department
Jeff Robinson, Director, Community & Economic Development Department
COPY: City Council and City Clerk
SUBJECT: Request for Resolution to establish an Equity in Contracting Advisory Committee, Reading of Resolution April 5, 2022
DATE: March 21, 2022

SUMMARY AND PURPOSE:

The Community and Economic Development Department is requesting a resolution authorizing the establishment of an Equity in Contracting Advisory Committee to monitor compliance of the Equity in Contracting program as codified in TMC 1.07.

BACKGROUND:

The City authorized and completed a disparity study completed in 2018 that analyzed procurement and contracting barriers for small, disadvantaged, minority and women-owned businesses in construction, architecture and engineering, services, and goods. This study determined that there exists a statistically significant under-utilization by the City of minority and women-owned businesses in these contract categories.

TMC. 1.07.090A, establishes an Advisory Committee for the following purpose: “monitor compliance with all provisions of this chapter and the related Regulations.” On May 25, 2021, EIC Staff provided an update on the EIC Advisory Committee to include 15 members from the following areas:

- 7 for Contractor Positions by type
- 5 for Council Districts (1 for each Council District)
- 3 recommended by Utility Board from TPU Service Area

The current Equity in Contracting program has operated without a formal Advisory Committee.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Outreach to community members to identify potential committee members will focus on the contractor community and will include members of the Community Workforce Agreement Task Force stood up in 2018, stakeholders and clients from the Minority Business Development Agency (MBDA), current lists of certified Minority and Women’s Business Enterprises (MWBES), Small Business Enterprises (SBEs), our Trade partners, and BIPOC community-based organizations such as the Black Collective and Association for Minority Contractors. Related to outreach, standards for best practices set forth by the City of Tacoma Committee Boards and Commissions will also be incorporated. Outreach will take place in April and May 2022.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: (Mandatory)

These changes are part of the process to create more equitable contracting opportunities in Tacoma. It will also support contract compliance in City wide contracting, and not just in certain areas. The changes will also ensure that local employment practices are being adhered to, creating more job opportunity for those living in Tacoma.



Economy/Workforce: *Equity Index Score:* Moderate Opportunity

- Increase positive public perception related to the Tacoma economy.

Civic Engagement: *Equity Index Score:* Moderate Opportunity

- Increase the number of residents who participate civically through volunteering and voting.
- Increase the percentage of residents who believe they can have a positive impact on the community and express trust in the public institutions in Tacoma.

Explain how your legislation will affect the selected indicator(s).

These changes will positively impact public participation and perception related to the Tacoma economy and encourage civic engagement that would not otherwise happen. Staff will engage and collaborate with the Equity in Contracting Advisory Committee regarding EIC program compliance and program effectiveness as related to the Disparity Study results.

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. No action or delayed action to establish an Advisory Committee	Limited short-term impacts to prime contractors	Reduced and inequitable opportunity for minority and women contractors within City of Tacoma contracting

EVALUATION AND FOLLOW UP:

- The Equity in Contracting (EIC) Office will convene the EIC minimally, on a quarterly basis and submit EIC Advisory program feedback with future annual report (s).
- EIC Advisory Committee will monitor EIC performance and make recommendations to staff on ways to improve performance on the total number of contracts awarded to certified firms, total funds awarded to certified firms, as well as utilization rates.

STAFF/SPONSOR RECOMMENDATION:

- EIC staff recommend the creation and appointment of a formal Advisory Committee with a maximum of 15 members.

FISCAL IMPACT:

There is no fiscal impact.

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
1.			
2.			
TOTAL			



City of Tacoma

City Council Action Memorandum

What Funding is being used to support the expense? N/A

Are the expenditures and revenues planned and budgeted in this biennium's current budget?

NO, PLEASE EXPLAIN BELOW

There is no immediate fiscal impact to this biennium's current budget.

Are there financial costs or other impacts of not implementing the legislation?

No

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No

Overtime, the monitoring and tracking of the program will increase, potentially putting strains on staff time, however, staff have created program and process efficiencies, and do not anticipate a change to the City's FTE/personnel counts

ATTACHMENTS:

None

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Resolution No. 40944

Adopted: APR 12 2022

Maker of Motion: Ushka

Seconded: Blocker

Voice Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
CM Blocker	X			
CM Bushnell	X			
CM Daniels	X			
CM Hines	X			
CM McCarthy	X			
CM Rumbaugh	X			
CM Ushka	X			
CM Walker	X			
Mayor Woodards	X			

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
CM Blocker				
CM Bushnell				
CM Daniels				
CM Hines				
CM McCarthy				
CM Rumbaugh				
CM Ushka				
CM Walker				
Mayor Woodards				