City of Seattle
Office of the Mayor

Date April 23, 2010

To Department Directors

From Mayor Mike McGinn

Subject **Mayor's Executive Order 2010-05 for Outreach to Women and Minority Businesses**

I have stated on many occasions my commitment to provide Seattle's diverse communities and businesses with fair access to, and competition in, City contracting and purchasing activities. I have also stated my belief that the highest levels in City government have to remain engaged and committed to assure continued, and even greater access, consideration, and economic opportunities for women and minority-owned businesses (WMBEs). It is with this in mind that I have signed Executive Order 2010-05 "Outreach to Women and Minority Owned Businesses."

When I was first on the campaign trail, and now as Mayor, businesses, constituents, and community leaders have expressed their concerns regarding the barriers confronting WMBE firms that aspire to do business with the City. Executive Order 2010-05 provides a clear statement of my personal commitment to removing such barriers by directing active outreach and engagement with women and minority-owned businesses to provide successful inclusion and participation in City contracts. The executive order affirms and, in fact, strengthens and advances, a long-standing City commitment toward WMBE businesses, and holds Department directors accountable for the successful pursuit and performance of the order's directives.

Please begin work to implement these directives and, by May 7th, 2010 email City Purchasing Director Nancy Locke the name of your staff that will be responsible for supporting the initiatives within your respective departments or offices. DEA continues to have a team to support various aspects of the WMBE initiatives for your departments. Nancy Locke and Dolly Small of City Purchasing will provide you directions and materials in the coming weeks regarding the 2010 goals, the Annual WMBE Plan instructions, and other supporting materials and guidance. In addition, the Contracting Services Director will be your resource for leadership on WMBE initiatives in public works projects, consultant contracting, and Outreach Plans for those respective bids and projects.

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City of Seattle

Executive Order 2010-05
Outreach to Women and Minority-Owned Businesses

An Executive Order directing City departments to increase contracting with, and purchasing from, women and minority-owned businesses (WMBEs) by expanding outreach efforts, creating new opportunities, and establishing direct accountability.

WHEREAS, it is the policy of the City of Seattle to be inclusive of all its residents; and

WHEREAS, Ordinance 119603 found that race and gender discrimination continues to create barriers for WMBE businesses that aspire to work with the City, and that City departments should strive to use all legal means to ensure WMBE businesses are not subjected to unfair obstacles and barriers when competing for City contracts; and

WHEREAS, the "Equality in Contracting" Ordinance 121717, as codified under Seattle Municipal Code Chapter 20.42, found that WMBE businesses are significantly under-represented and underutilized in City contracting, and so directed departments to pursue affirmative efforts to ensure WMBE participation in City contracting and subcontracting opportunities; and

WHEREAS, one of the goals of the City's Race and Social Justice Initiative is to end racial disparities in internal City practices and calls for the development of a strategy to increase contracting equity; and

WHEREAS, the Mayor seeks greater commitment and increased opportunities for WMBE firms in City contracting and subcontracting; and

WHEREAS, the Mayor seeks increased visibility of City departments and awareness of City contracting opportunities by the WMBE community;

NOW, THEREFORE, I, MICHAEL MCGINN, Mayor of Seattle, hereby order that every City department shall actively pursue equitable WMBE utilization opportunities, specify and report on measurable WMBE aspirational goals, and actively reach out to the WMBE business community. To this end, I direct:

Heads of Executive City departments and offices shall be accountable to the Mayor to ensure their department performs outreach to the WMBE community and makes a concerted effort toward increasing WMBE utilization and participation in City contracts.

Under the direction of the Department of Executive Administration (DEA) or its successors, each head of an Executive City department or office shall establish specific aspirational WMBE utilization goals for purchasing and consultant contracts.

Each head of an Executive City department or office shall submit an annual WMBE Plan to the Mayor through DEA or its successors, that specifies the department's action plans to meet the aspirational goals for purchasing and consultant contracts. DEA may also request certain departments consider a participation goal for Job Order Contracting opportunities.

Departments with public works projects shall work with DEA or its successors to ensure that such projects and their associated contracts are structured, bid, and managed to ensure viable opportunities for WMBE contractors and subcontractors.

Each head of an Executive City department or office shall work to ensure that department employees are complying with this Executive Order. To this end, each Department Director shall:

1. Identify at least one individual who shall be responsible to support these initiatives in his or her department;
2. Train department employees on City contracting and purchasing policies, outreach opportunities, processes, and tools such as vendor and contract search mechanisms, Job Order Contracting, and the limited public works program, to help achieve department aspirational goals;
3. Assign department representatives to attend appropriate outreach events in the WMBE community to support increased WMBE utilization goals;
4. Size projects into a scale and scope appropriate to achieving greater WMBE opportunities while adhering to competitive bid requirements;
5. Ensure Contracting Agents require a WMBE Outreach Plan as a material submittal for any purchasing, consultant, or construction bid or contract when WMBE participation can be improved through subcontract of feasible and commercially useful work. The Outreach Plan shall be required at the time a vendor submits a bid or proposal, at which time the Contracting Agent will review the Plan to ensure meaningful WMBE opportunity. The Contracting Agent will require the successful bidder to comply with the submitted Outreach Plan in execution of the contract and during contract performance, to the extent of City authority; and
6. Pursue the help and assistance of other resources, such as the Contractor Development and Competitiveness Center (CDCC), Tabor 100, the Northwest Minority Supplier Development Council, the Regional Small Development Business Program, or others as appropriate to support the department's contracting goals.

FURTHERMORE, as City departments or offices establish purchasing standards for products, equipment, or services, they shall ensure that such standards allow for reasonable WMBE participation opportunities to the greatest extent possible while still achieving City business requirements.

Inquiries regarding this Executive Order should be directed to the Department of Executive Administration or its successors.

Dated this 26 day of April. 2010.

MICHAEL MCGINN
Mayor, City of Seattle