City of San José, California

COUNCIL POLICY

<table>
<thead>
<tr>
<th>TITLE</th>
<th>POLICY ON OUTREACH FOR MINORITY AND WOMAN-OWNED BUSINESS ENTERPRISE PARTICIPATION IN CITY CONTRACTS</th>
<th>PAGE</th>
<th>POLICY NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1 of 2</td>
<td>8-8</td>
</tr>
</tbody>
</table>

EFFECTIVE DATE July 6, 1982

REVISED DATE May 1, 1984

APPROVED BY COUNCIL ACTION 7-6-82-9E; 3-22-83-101, Resolution 56342; 5-1-84-10C, Resolution 57431

BACKGROUND

It is the City Council's policy to provide minority and woman-owned business enterprises (MBE/WBE) the maximum practicable opportunity to compete for all contracts for construction, services, and purchase of supplies and equipment issued by the City of San José, in accordance with Federal, State and City regulations.

The City Administration presently makes outreach efforts to encourage the participation of minority and woman-owned firms in City contracts. Although Federal regulations mandate an outreach program for certain Federally-assisted contracts, the City Council never adopted a policy formalizing the Administration's outreach efforts on other City contracts.

On November 16, 1982, the City Council approved a goal-oriented program which specifies that a percentage goal for MBE/WBE contractor participation be established for all City construction projects, whether federally assisted or not, which exceed $50,000.

On May 1, 1984 the City Council adopted another change to this policy. This most recent policy change specifies that MBE/WBE SPECIFICATIONS shall apply to those bids exceeding $50,000, regardless of the engineer's estimate. This policy change necessitate making appropriate revisions to the Special Provisions for inclusion in the specifications and plans for City contracts.

PURPOSE

The purpose of this policy is to formalize the City's present outreach activities for minority and woman-owned business enterprises and to outline the City Council's policy regarding goal setting for construction projects in excess of $50,000.

POLICY

It is the City Council's policy:

1. To encourage the participation of minority and woman-owned firms in City construction contracts as prime contractors and subcontractors.

2. The City Administration shall make outreach efforts to inform minority and woman-owned firms of opportunities to bid on City projects and encourage prime contractors to use minority and woman-owned subcontractors to the maximum degree feasible.

3. Outreach activities of the City's Contract Compliance Officer shall take preference to his or her other duties except with respect to those which guarantee the City's full compliance with all applicable federal, state and local laws regarding contract compliance. Outreach activities may include but not be limited to:

   a. providing rosters of minority and woman-owned business enterprises to contractors;
b. delivering plans and specifications of projects to minority organizations;

c. personal contact with minority and woman-owned business enterprises to advise them of City projects; and

d. encouraging minority and woman-owned business enterprises to bid on all City contracts.

4. When a construction contract exceeds $50,000, regardless of the engineer's estimate, percentage goals for minority and woman-owned subcontractor participation shall be established by the City's Contract Compliance Officer in consultation with the operating department's project engineer, and the prime contractor shall make a good faith effort to attain the established goals.

IMPLEMENTATION

The City Manager shall promulgate such administrative procedures as may be necessary or convenient to implement this policy.