

M E M O R A N D U M

TO: Chief Administrative Officer

FROM: City Comptroller

RE: Amendments to 2-119 and 2-115 of City Code

DATE: April 13, 2006

Brief Description of the Item. The attached ordinance amends the City Code to increase the level that a contractor or vendor doing business with the City of Urbana is required to provide certain written information to be reviewed by the City Human Relations Commission and Human Relations Officer, adds certain definitional language and clarifies procedures currently utilized by the City in implementation of this section of the Code, and increases the level at which formal bidding is required on all purchasing to \$10,000. Also attached is a list of procedures to be used to pre-qualify contractors and vendors.

Recommendation. Approval of the attached ordinance.

Background Information. Section 2-119 of the Code outlines the policy of the City of Urbana to encourage and require equal opportunity in employment through expenditure of monies by the City of Urbana. It establishes standards and procedures by which contracting entities may comply with this policy.

This section requires contractors, labor organizations, financial institutions and vendors contracting with the City at certain levels of business to make certain assurances, take certain actions, and provide information to the City, such that the Human Relations Commission and the City Human Relations Officer can determine whether this policy is being met. Failure to comply with this section or to make a good faith effort to comply may invoke certain penalties including termination of the contract, declaring the entity ineligible for further contracts, and other sanctions pursuant to law.

Because submission of these documents and information, review of the information, and possible follow up, requires a significant amount of time and effort by both the contracting entities and City staff and officials, it is prudent and

efficient to apply these requirements to entities that do certain minimum level of business with the City. The current level of \$5,000 has been in force without any change for at least since 1975. Adjusting for the annual average increase in commodities purchased by municipalities since 1975 would increase this level to \$56,000 (Municipal Price Index for Commodities as published by the Illinois Institute for Rural Affairs).

This level will be increased to \$25,000 for contractors and \$30,000 for vendors with this ordinance.

Section 2-115 of the Code has no impact on these equal opportunity provisions, but specifies the level of purchasing that requires a formal bidding process. The current amount of \$2,500 also has not been increased since at least 1975. City staff is recommending a level of \$10,000. City purchasing procedures are in place to require and document a competitive purchasing process for all purchases above \$1,000. Requiring a formal bidding process does not allow employees to utilize more cost efficient methods for shopping such as telephone quotes, catalogue pricing, etc.

This Ordinance:  
AMENDS the Code of Ordinances.

### ORDINANCE NO. 2006-02-015

AN ORDINANCE AMENDING SECTIONS 2-115 AND 2-119(D) OF THE CODE  
OF ORDINANCES  
(FINANCES AND PURCHASES BY CONTRACTORS AND VENDORS)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF URBANA, ILLINOIS, as follows:

**Section 1.** That Section 2-115 of the Code of  
Ordinances of the City of Urbana is amended, to read as  
follows:

All contracts for the purchase of supplies or  
equipment requiring an expenditure of a sum in excess  
of ~~two thousand five hundred dollars (\$2,500.00)~~ ten  
thousand dollars (\$10,000.00) shall be advertised for  
bids and let to the lowest responsible bidder, the  
city council, however, reserving the right to reject  
all bids.

**Section 2.** That Section 2-119 (d) of the Code of  
Ordinances of the City of Urbana is amended, to read as  
follows:

d) *Definitions.* For the purpose of this section:

Contractor shall mean any person who contracts  
with the City for the construction, rehabilitation,  
alteration, conversion, demolition or repair of  
buildings, highways or other improvements to real  
property in a total amount greater than twenty-five  
thousand dollars (\$25,000). This definition will  
include subcontractors that contract with  
contractors. Suppliers of only materials to the  
contractor shall not be considered to be a  
subcontractor for this purpose.

Vendor means any person who sells goods or  
services to the City in non-construction contracts  
and any financial depository in which the City  
deposits funds in a total amount greater than thirty  
thousand dollars (\$30,000).

*Employment practices* shall mean practices relating  
to employment as they affect employment recruiting,  
referral, screening, selection, training,

apprenticeships, compensation, placement, promotion, working conditions, seniority, layoffs and terminations.

*Labor organizations* shall include any organization or labor union, craft union, or any voluntary unincorporated association designed to further the cause of the rights of union labor which is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms, or conditions of employment, including apprenticeships or applications for apprenticeships.

**Section 3** That Section 2-119 of the Code of Ordinances of the City of Urbana is amended, to add the following:

Section (e). All contracts for purchases entered into by the City, except as excluded by this Section, shall include the City policy as contained in 2-119 (a).

Section (f). This Section shall not be applicable to the following contracts:

- (1) Individual contracts not exceeding the purchasing limit as specified in Section 2-119 (d), unless the contracting entity has accumulated greater than an amount which exceeds the purchasing limit in individual contracts with the City in that fiscal year, in which case the contracting entity shall comply with provisions of this Section.
- (2) Contracts or options for the purchase or sale of all or any interest in real estate, any lease to which the City is a party, or for the development or annexation of real estate.
- (3) Collective bargaining and employment contracts.
- (4) Contracts for the purchase of certain goods and services which can only be made from a single source (for example utilities).
- (5) Contracts with entities that the Human Relations Officer and Human Relations Commission determines have met similar affirmative action requirements of other governmental entities.
- (6) Contracts with contracting entities which

employ only owners or owners's relatives, or  
which employ less than three persons to work as  
employees.

This Ordinance is hereby passed by the affirmative vote,  
the "ayes" and "nays" being called, of a majority of the members  
of the Council of the City of Urbana, Illinois, at a meeting of  
said Council.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2006.

AYES:

NAYS:

ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor



VACELLIA CLARK  
HUMAN RELATIONS OFFICER

**City of Urbana**  
400 South Vine Street  
Urbana, IL 61801

384-2466  
FAX (217) 384-2426  
[vpclark@city.urbana.il.us](mailto:vpclark@city.urbana.il.us)

TO: Bruce Walden, Chief Administrative Officer

FROM: Vacellia P. Clark, Human Relations Officer *vpc*

RE: City of Urbana Contracts - Pre-Qualification Procedures  
For Vendors, Contractors and Subcontractors

Date: April 5, 2006

Attached are the procedures for the vendor, contractor and subcontractor pre-qualification program for the City of Urbana. I am recommending that these procedures be used as our internal process but not be included in the Code of Ordinances 2-119(d).

I will be working with the Finance Department to coordinate the implementation of this program. Please let me know if you have any questions.

vpc



# **CITY OF URBANA**

## **CONTRACT PRE-QUALIFICATION PROCEDURES**

- 1. Letters will be sent out to all vendors, contractors, sub-contractors, labor unions and the Illinois Department of Employment Security inviting all parties to pre-qualify for future contract opportunities with the City of Urbana.**
- 2. The following forms will be provided to all entities pre-qualifying for future City Contracts: (see attachments)**
  - a. Equal Employment Opportunity Report Form**
  - b. Questionnaire on company's policies and procedures**
  - c. Workforce demographics**
  - d. Definitions of Terminology used in workforce analysis**
  - e. Statement of company commitment to EEO guidelines**
- 3. Review of all documentation will be conducted by the Human Relations Commission or its designee.**
- 4. If a company is not deemed compliant with EEO guidelines, the HRO will contact the company to set up a meeting to discuss strategies that will improve their minority and or female representation. An annual progress review will be conducted by the HRO.**
- 5. Companies who are compliant with EEO guidelines will be certified to conduct business with the City of Urbana for one year following their certification. A certificate of compliance will be issued to the company.**
- 6. Notices will be sent out to all companies participating in the City's pre-qualify program three months prior to the expiration of certification. At that time, they will be asked to update the information EEO information in order to be recertified for the next two years.**

- 7. All companies who bid on City contracts who are not pre-qualified will be required to submit their EEO information to the HRO for approval prior to bid awards. As such the HRO will be responsible for executing and approving the required EEO paperwork in order to allow the contractor or vendor to participate in the bid process.**
- 8. A list of all the City's pre-qualified vendors, contractors and subcontractors will be maintained and available in the Human Relations Division.**
- 9. An educational workshop on the requirements necessary for companies to be bid on City contracts will be conducted annually.**
- 10. An annual report will be provided to the Urbana City Council and Human Relations Commission on the workforce statistics of vendors, contractors and subcontractors that have done business with the City over the previous year.**
- 11. Companies, contractors and vendors who can show they have met EEO guidelines and are deemed compliant through work with other municipalities in Champaign County or with the State of Illinois, shall be considered as pre-qualified in the City of Urbana. A certificate of compliance will be issued to the company.**



<p style="text-align: center;"><b>CITY OF URBANA HUMAN RELATIONS DIVISION 400 SOUTH VINE ST. URBANA, ILLINOIS 61801 (217) 384-2466 (phone); 384-2426 (fax) vpclark@city.urbana.il.us</b></p>	<b>Office Use Only</b>		
	<b>Requested by:</b>		<b>Date:</b>
	<b>Approved by:</b>		<b>Date:</b>
	<b>Vendor Number:</b>		<b>Certification Date:</b>
	<b>Certificate Number:</b>	<b>Certificate Expiration Date:</b>	

**EQUAL EMPLOYMENT OPPORTUNITY (E.E.O.) WORKFORCE STATISTICS FORM**

Failure to properly complete this form may result in a delay or denial of eligibility to bid or do business with the City of Urbana.

**Section I. Identification**

**1. Company Name and Address:**

Name:

d/b/a:

Address:

City/State/Zip:

Telephone Number(s) include area code:

Check one of the following

Corporation	Partnership	Individual Proprietorship	Limited Liability Corp.
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FEI Number:	Social Security Number:
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**2. Name and Address of the Company's Principal Office (*answer only if not the same as above*)**

Name:

Address:

City/State/Zip

**3. Major activity of your company (product or service)**

## SECTION II. Policies and Practices

Description of EEO Policies and Practices		YES	NO
A.	Is it the Company's policy to recruit, hire, train, upgrade, promote and discipline persons without regard to race, color, creed, class, national origin, religion sex, age, marital status, physical or mental disability, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income?		
B.	Has someone been assigned to develop procedures, which will assure that the EEO policy is implemented and enforced by managerial, administrative, and supervisory personnel? If so, please indicate the name and title of the official charged with this responsibility. Name: _____ Title: _____ Telephone: _____		
C.	Does the company have a written Equal Employment Opportunity plan or statement? <b>Note: If no, a copy of an E.E.O statement is enclosed. An E.E.O. statement must be submitted in order to be considered eligible to do business with the City of Urbana.</b> If you have any questions, please contact the Human Relations Office at (217) 384-2466.		
D.	Has the company developed a written policy statement prohibiting Sexual Harassment? <b>Attach a copy of the policy statement.</b>		
E.	Have all recruitment sources been notified that the company will consider all qualified applicants without regard to race, color, creed, class, national origin, religion, sex, age, marital status, physical and mental disability, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income?		
F.	If advertising is used, does it specify that all qualified applicants will be considered for employment without regard to race, color, creed, class, national origin, religion, sex, age, marital status, physical and mental disability, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income?		
G.	Has the contractor notified all of its sub-contractors of their obligations to comply with the Equal Opportunity requirements either in writing, or by inclusion in subcontracts?		
H.	Is the company a state certified minority/women owned business? If yes, please attach a copy of state certification.		
I.	Does the company have collective bargaining agreements with labor organizations?		
J.	Have the labor organizations been notified of the company's responsibility to comply with the Equal Employment Opportunity requirements in all contracts with the City of Urbana?		

## SECTION III. WORKFORCE DEMOGRAPHICS

- a. Please complete the company work force analysis on the bottom of this page. Use the number of employees as of the most recently payroll period. Be sure to complete all applicable columns.
- b. Job Classifications, see descriptions attached
- c. If minorities and females are currently under-represented in your workforce, please attach a copy of an explanation of your plan to recruit and hire qualified minorities and females.

Job Categories	Overall Totals		White (Not of Hispanic Origin)		Black or African-American (Not of Hispanic Origin)		Hispanic or Latino		Asian or Pacific Islander		American Indian or Alaskan Native	
	M	F	M	F	M	F	M	F	M	F	M	F
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Officials & Mgrs												
Professionals												
Technicians												
Sales Workers												
Office & Clerical												
Craft Workers (Skilled)												
Operatives (Semi-Skilled)												
Laborers (Unskilled)												
Service Workers												
<b>TOTAL</b>												
M = MALE, Column B is sum of Rows D, F, H, J and L.												
F = FEMALE, Column C is sum of Rows E, G, I, K and M.												
<b>Date of above Data:</b> _____												

## SECTION IV. Certification

The company certifies that it has answered all of the foregoing questions truthfully to the best of its knowledge and belief and agrees that it/he/she will comply and abide by the City of Urbana's Code of Ordinances (Section 2-119).

<b>Signature:</b>	<b>Typed Name &amp; Title</b>	<b>Telephone Number</b>	<b>Date</b>

# DEFINITIONS OF TERMS LISTED ON THE WORKFORCE STATISTICS FORM

*(See previous Page)*

## DESCRIPTION OF RACE/ETHNIC CATEGORIES

Race /ethnic designations as used by the Department do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than *one* race/ethnic group. The race/ethnic categories for this report are:

**White (Not of Hispanic origin).** All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

**Black of African-American (Not of Hispanic origin).** All persons having origins in any of the Black racial groups of Africa.

**Hispanic or Latino.** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

**Asian or Pacific Islander.** All persons having origins any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa.

**American Indian or Alaskan Native.** All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

## DESCRIPTION OF JOB CATEGORIES

Each employee should be counted in only one job category. Select the category containing the jobs most similar to that performed by the employee. The jobs listed in each category are intended to provide an example, not a complete list, of all job titles falling into that category.

**Officials and managers.** Occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of firm's operations. Includes: officials, executives, middle management, plant managers, department managers, and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, railroad conductors and yard masters, ship captains, mates and other officers farm operators and managers, and kindred workers.

**Professionals.** Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, layers, librarians, mathematicians, natural scientist, registered professional nurses, personnel and labor relations specialist, physical scientist, physicians, social scientist, teachers, surveyors and kindred workers.

**Technicians.** Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through 2 years of post high school education, such as is offered in many technical institutes and union colleges, or through equivalent on-the-job training. Include: computer programmers, drafters, engineering aides, junior engineers, mathematical aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, technical illustrators, technicians (medical, dental, electronic, physical science), and kindred workers.

**Sales.** Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and sales workers, insurance agents and brokers, real estate agents, and brokers, stock and bond sales workers, demonstrators, sales workers and sales clerks, grocery clerks, and cashiers/checkers, and kindred workers.

**Office and clerical.** Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non manual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, collectors (bills and accounts), messengers and office helpers, office machine operators (including computer), shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, legal assistants, and kindred workers.

**Craft workers (skilled).** Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators who are not members of occupations, compositors and typesetters, electricians, engravers, painters (construction and maintenance), motion picture projectionists, pattern and model makers, stationary hand painters, coaters, bakers, decorating occupations, and kindred workers.

**Operatives (semiskilled).** Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto service and stitchers, dryers, furnace workers, heaters, laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (manufactured articles), photographic process workers, truck and tractor drivers, knitting, looping, taping and weaving machine operators, welders and flame cutters, electrical and electronic equipment assemblers, butchers and meatcutters, inspectors, testers and graders, handpackers and packagers, and kindred workers.

**Laborers (unskilled).** Workers in manual occupations which generally require no special training who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, groundskeepers and gardeners, farmworkers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operation and kindred workers.

**Service workers.** Workers in both protective and nonprotective service occupations. Includes: Attendants (hospital and other institutions, professional and personal service, including nurses aides, and orderlies), barbers, charworkers and cleaners, cooks, counter and fountain workers, elevator operators, firefighters and fire protection, guards, doorkeepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, amusement and recreation facilities attendants, guides, ushers, public transportation attendants, and kindred workers.

# EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

\_\_\_\_\_  
Company Name

This is to state that it is the policy of \_\_\_\_\_ to act in accordance with all local, state and federal Equal Employment Opportunity guidelines and procedures. This policy is in accordance with the Civil Rights Act of 1964, Equal Employment Act of 1972, and all other applicable laws. \_\_\_\_\_ also strives to assure compliance with the Illinois Fair Employment Practices Act, the Illinois Human Rights Act, City of Urbana Human Rights Ordinance and all other laws pertaining to equal employment opportunity.

\_\_\_\_\_ Policy includes recruiting, hiring, training, upgrading, promoting, and disciplining without regard to any of the protected classes found in local, state or federal E.E.O laws. \_\_\_\_\_ has developed procedures to assure this policy is understood and carried out by managerial, administrative, and supervisory personnel.

**ASSIGNMENT OF RESPONSIBILITY:** \_\_\_\_\_ has undertaken a positive E.E.O Program to effectively implement and enforce this policy at all times. The EEO officer or person designated for monitoring the company's E.E.O. Program is: \_\_\_\_\_

**PROCEDURES FOR DISSEMINATION OF POLICY:** A copy of this statement is posted in the main office at \_\_\_\_\_ and copies of the policy are available to employees, vendors and/or subcontractors.

**UTILIZATION ANALYSIS:** \_\_\_\_\_ will monitor its workforce and job classifications. It will analyze availability and under-utilization and respond accordingly. \_\_\_\_\_ will attempt to advertise job vacancies in places where minorities and females may more likely become aware of the job openings.

**GOALS AND TIMETABLES:** \_\_\_\_\_ will identify those areas within its workforce in which minorities and women are being under-utilized and set up a system of goals and timetables for correcting the deficiencies.

**SYSTEM FOR MONITORING COMPLIANCE AND RECRUITMENT OF WORKFORCE:** When adding new employees \_\_\_\_\_ policy is to assure there are minorities and females in the applicant pool \_\_\_\_\_ supports EEO programs.

**SYSTEM OF RECORDS AND ANNUAL SUMMARY:** \_\_\_\_\_ will monitor applicant data, employee records and job descriptions to assist in its Equal Employment efforts.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# **CITY OF URBANA**

## **CERTIFICATION OF COMPLIANCE**

This is to certify that \_\_\_\_\_ has submitted an Equal Employment Opportunity statement and/or other necessary documents satisfactory to the City of Urbana Human Relations Commission. The above named company is hereby approved to do business with the City of Urbana for a period of two year.

\_\_\_\_\_  
Human Relations Officer (Signature)

\_\_\_\_\_  
Date

Date Issued \_\_\_\_\_

Date Expires \_\_\_\_\_

Certificate Number \_\_\_\_\_