



MEMORANDUM

TO: Mayor Diane Wolfe Marlin and City Council Members
FROM: Carol Mitten, City Administrator
DATE: September 23, 2020
SUBJECT: A Resolution Approving an Intergovernmental Agreement Between the City of Champaign and the City of Urbana Regarding the Champaign Diversity Advancement Program

Introduction: The City of Urbana is interested in increasing the amount of contracting with socially disadvantaged and local economically disadvantaged businesses for City products and services. The City of Champaign has developed a certification program and has agreed to let Urbana participate under the terms set forth in the attached Intergovernmental Agreement (IGA).

Discussion: Among the Mayor/Council priorities is the desire to “increase minority participation in city procurement, hiring, and contracting and to work with the Human Relations Commission to develop a system to incentivize and advocate for equity and increased minority employment rates.” An important step to advancing this effort was taken by the City of Champaign in developing their [Champaign Diversity Advancement Program \(CDAP\)](#).

CDAP is a progressive and proactive way for businesses in targeted groups to identify themselves. Champaign has led the way in our community by developing this voluntary certification program, and the leadership in Champaign has consented to allow Urbana to leverage their efforts. Not only will the CDAP database be a resource for the City of Urbana when procuring goods and services, but it will allow City staff to develop realistic and tailored participation goals for various types of projects.

Recommendation: I recommend that City Council approve the attached Resolution, which will allow the City of Urbana to utilize the City of Champaign’s CDAP database in order to increase contracting with businesses owned by women, racial and ethnic minorities, and other economically disadvantaged businesses.

Attachments: Draft Resolution
Intergovernmental Agreement Between the City of Champaign, Illinois and the City of Urbana, Illinois Regarding the Champaign Diversity Advancement Program

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHAMPAIGN,
ILLINOIS AND THE CITY OF URBANA, ILLINOIS REGARDING THE CHAMPAIGN
DIVERSITY ADVANCEMENT PROGRAM**

This Agreement, by and between the City of Champaign, Illinois, a municipal corporation and the City of Urbana, Illinois, a municipal corporation, collectively referred to as the "Parties," is made and entered into in consideration of the mutual promises contained in this Agreement.

WHEREAS, as home rule units of local government, the Parties are authorized by Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, to enter into contracts with one another to jointly exercise any function pertaining to their government and affairs;

WHEREAS, the City of Champaign has created the Champaign Diversity Advancement Program ("CDAP"), a program intended to foster and increase the utilization of socially disadvantaged and local economically disadvantaged groups in purchasing and contracting with the City of Champaign;

WHEREAS, as part of CDAP, the City of Champaign maintains a certified database of qualified contracting entities that are 51 percent owned and operated by females, minorities, or individuals in other socially disadvantaged groups; or that are local, economically disadvantaged businesses;

WHEREAS, the City of Champaign also provides its own "CDAP Certification" to businesses that qualify as contracting entities that are 51 percent owned and operated by females, minorities, or individuals in other socially disadvantaged groups; or that are local, economically disadvantaged businesses;

WHEREAS, the City of Urbana wishes to use the City of Champaign's certified database to further its own efforts to increase utilization of socially disadvantaged and local economically disadvantaged groups in purchasing and contracting with the City of Urbana;

NOW, THEREFORE, in consideration of all the foregoing and the benefits accruing to the Cities of Champaign and Urbana, by virtue of the execution of this Agreement, the Parties agree to the following:

1. The City of Urbana will pay an initial one-time sum of five thousand dollars (\$5,000.00) to the City of Champaign for the first year of this agreement.
2. This Agreement shall be effective when signed by the last of the Parties. The Agreement shall renew annually and remain in effect unless terminated by 30 days' written notice by either Party. Any annual renewal costs for services described in this Agreement will not exceed \$5,000.00 per year unless otherwise negotiated by the Parties.

3. The City of Champaign will share access to its certified database of CDAP-qualifying vendors and contracting entities with the City of Urbana for the City of Urbana's use in encouraging diversity and inclusion in public contracting and purchasing. The access will not include administrative functions used by the City of Champaign to maintain and monitor the software.
4. Any additional features of the City's CDAP program or database the City of Urbana may request to use will require an analysis of costs and an amendment to the contract to include such costs.
5. The City of Urbana may publicly market that it recognizes CDAP certification by the City of Champaign in its own diversity in purchasing initiatives and communications.
6. The City of Urbana may state in its Invitations to Bid, Requests for Proposals, and other solicitation and contract documents that it recognizes CDAP certification by the City of Champaign as evidence that a business is qualified as a contracting entity that is 51 percent owned and operated by females, minorities, or individuals in other socially disadvantaged groups; or is a local, economically disadvantaged business.
7. No amendment to this Agreement shall be effective unless it is in writing and signed by the Parties.

IN WITNESS WHEREOF, the City of Champaign and the City of Urbana have caused this Agreement to be executed and delivered.

CITY OF CHAMPAIGN, ILLINOIS

CITY OF URBANA, ILLINOIS

By: _____

City Manager

By: _____

City Administrator

Approved as to Form:

Approved as to Form:

By: _____

City Attorney

By: _____

City Attorney

RESOLUTION NO. 2020-09-048R

**A RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT**

**(Intergovernmental Agreement Between the City of Champaign, Illinois and the City of
Urbana, Illinois Regarding the Champaign Diversity Advancement Program)**

WHEREAS, the City of Urbana (“Urbana”) and the City of Champaign (“Champaign”) are home rule units of local government pursuant to Section 6 of Article VII of the State of Illinois Constitution of 1970; and

WHEREAS, as home rule units of local government, Urbana and Champaign are authorized by Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, to enter into contracts with one another to jointly exercise any function pertaining to their government and affairs; and

WHEREAS, Champaign has created the Champaign Diversity Advancement Program (“CDAP”), a program intended to foster and increase the utilization of socially disadvantaged and local economically disadvantaged groups in purchasing and contracting with Champaign; and

WHEREAS, as part of CDAP, Champaign maintains a certified database of qualified contracting entities that are fifty-one percent owned and operated by females, minorities, or individuals in other socially disadvantaged groups; or that are local, economically disadvantaged businesses; and

WHEREAS, Champaign also provides its own “CDAP Certification” to businesses that qualify as contracting entities that are fifty-one percent owned and operated by females, minorities, or individuals in other socially disadvantaged groups; or that are local, economically disadvantaged businesses; and

WHEREAS, Urbana wishes to use Champaign’s certified database to further its own efforts to increase utilization of socially disadvantaged and local economically disadvantaged groups in purchasing and contracting with Urbana.

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

Section 1.

The Intergovernmental Agreement Between the City of Champaign, Illinois and the City of Urbana, Illinois Regarding the Champaign Diversity Advancement Program shall be and hereby is authorized and approved in substantially the form appended hereto.

Section 2.

The Mayor of the City of Urbana, Illinois, shall be and is hereby is authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, shall be and hereby is authorized to attest to and execute the Intergovernmental Agreement Between the City of Champaign, Illinois and the City of Urbana, Illinois Regarding the Champaign Diversity Advancement Program in substantially the form appended hereto.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor