

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**.

****All fields must be completed.****

Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: 06/06/11

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)*

A request to approve a contract between MGT of America, Inc. and the Denver Office of Economic Development to perform a Minority/Women Owned/Disadvantaged Business Enterprise Disparity Study and Registered Apprenticeship Study.

CC#-TBD

3. Requesting Agency: Office of Economic Development

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Tamela Lee
- **Phone:** 720.913.1999
- **Email:** Tamela.Lee@DenverGov.org

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** Seneca Holmes
- **Phone:** 720.913.1533
- **Email:** Seneca.Holmes@DenverGov.org

6. General description of proposed ordinance including contract scope of work if applicable:

This contract with MGT America, Inc. for \$660,970 will provide an updated disparity study with which to direct the Division of Small Business Opportunity's Minority Business Enterprise/Women Business Enterprise (MWBE) and Disadvantaged Business Enterprise (DBE) programs. The study will 1.) Analyze construction and construction related contracts funded by the City 2.) Analyze procurement of concession related goods and services at Denver International Airport and 3.) Analyze some procurement of services by the City's Department of General Services Purchasing Division. The study will determine whether there is a significant statistical disparity between availability of qualified, willing and able minority, women owned and disadvantaged businesses and the utilization of such businesses by the City or by the City's prime contractors. In addition, the study will review the policies and procedures of the City's existing MWDBE programs and provide recommendations for changes to improve the effectiveness of the programs.

This contract also includes a study to examine and compare the historical utilization of Certified and Registered apprentices used in publicly funded projects versus private industry projects. This information will potentially inform a City implemented apprenticeship utilization program.

*****Please complete the following fields:*** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. Contract Control Number:** TBD
- b. Duration:** July 1, 2011 – December 1, 2012
- c. Location:** City and County of Denver

To be completed by Mayor's Legislative Team:

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Date Entered: _____

d. **Affected Council District:** Citywide

e. **Benefits:** Updates the 2006 Disparity Study allowing DSBO more data to effectively operate the MWBE program

f. **Costs:** \$660,970

7. **Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain**

The MWBE program has been a point of concern for Councilwoman Faatz.

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Executive Summary

The contract recipient: MGT of America, Inc.

Proposed contract amount: \$660,970

Term of the proposed contract start/end dates: July 1, 2010 – December 1, 2012

The contract control number: TBD

Selection process: RFQ

Source of funds: General Fund and Denver International Airport

Background:

Since November of 2006, the City acting through the Division of Small of Business Opportunity, Office of Economic Development has administered a Minority Business Enterprise/Women Business Enterprise (MWBE) program. This is a program of nondiscrimination in city contracts for construction, reconstruction and remodeling and professional design and construction services. The program is designed to prevent discrimination against businesses that have been certified as minority business enterprises (MBEs) and/or women business enterprises (WBEs). A disparity study for this program was conducted in May 2006 to narrowly tailor the MWBE program as required by relevant decisions in the US Supreme Court, Circuit Court of Appeals and District Courts.

The proposed contract will update the 2006 Disparity Study as well as provide recommendations to improve the effectiveness of the program and help ensure the program's legal compliance with regards to annual and specific project goal setting, certification processes, and other regulatory compliance issues. This contract also includes a study to examine and compare the historical utilization of Certified and Registered apprentices used in publicly funded projects versus private industry projects. This information will potentially inform a City implemented apprenticeship utilization program

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