

## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto: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: January 17, 2014**

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:** A bill for an ordinance amending Divisions I and III of Article III and Article VII both in Chapter 28 of the Denver Revised Municipal Code pertaining to the establishment and duties of the Division of Small Business Opportunity, implementation of the Minority and Women Business Enterprise contracting ordinance in furtherance of nondiscrimination in City construction and construction related contracts, and the implementation of the Small Business Enterprise program for construction and construction related contracts.

**3. Requesting Agency:** Office of Economic Development

**4. Contact Person:**

- **Name:** Christopher Martinez
- **Phone:** 720-913-1999
- **Email:** Chris.Martinez@Denvergov.org

**5. Contact Person:**

- **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 ordinance repeals and reenacts various City ordinances related to the Minority and Women Business Enterprise (MWBE) and Small Business Enterprise (SBE) contracting processes to provide a race and gender-neutral defined selection pool program for selection of SBE's as bidders and proposers, subcontractors and suppliers on certain City contracts and on concession agreements. The particular ordinance changes are listed in the attached executive summary

**a. Contract Control Number:** TBD

**b. Duration:** N/A

**c. Location:** N/A

**d. Affected Council District:** Citywide

**e. Benefits:** Addresses a statistical disparity between the availability of qualified MWBEs and the utilization of such firms by the City and City's prime contractors in construction, professional design, and construction related services.

**f. Costs:** N/A

**7. Is there any controversy surrounding this ordinance?**

**Please explain:** There is potential for controversy surrounding this ordinance. Please contact Chris Martinez for more information.

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## ORDINANCE/RESOLUTION REQUEST

### Executive Summary

Below is a summary of the proposed changes to the existing Minority and Woman Business Enterprise ordinance:

#### 1. Five Current Certification Classifications:

ACDBE – Airport Concession  
DBE – Federal Program w/ Federal Dollars  
SBE – Race Neutral Program  
M/WBE – Local Program w/ City Dollars  
SBEC – Market Place at DIA

**One new one EBE – Emerging Business Enterprise** – the smallest firms, revenues well below the SBA standards. Three Year Average Revenue - Construction <\$3m Professional Services <\$1m

2. **Increased Size Standards for Construction:** 100% of SBA size standards (Professional Services-Construction Related 50% of SBA Size Standards)
3. **Mentor Protégé Program:** to encourage majority and minority trade associations to work jointly to connect MBE and WBE protégés with well established mentor firms. DSBO shall facilitate the implementation and coordination of this program. The program may include appropriate incentives to encourage firms to mentor MBE and WBE protégés.
4. **Encouragement of more Joint Ventures:** Partnerships with certified firms and the primes.
5. **Teaming Agreements:** means an agreement between a prime or general contractor and an MBE or WBE subcontractor or an agreement between a consultant and an MBE or WBE sub-consultant to (a) develop the capacity of the MBE or WBE under the bid or proposal to the City; and (b) describes how the parties are going to share work under the bid or proposal for the prime scope of work under the bid or proposal.
6. **Mega Projects:** Projects (Construction >\$10m and Professional Services >\$250K), Agency and DSBO will evaluate if what participation tools can be utilized on these projects.
7. **Set Asides for SBE's** – More projects put into the SBE pool giving certified firms the opportunity to be the prime.
8. **Set Asides for EBE's** – Putting some projects (Target under \$100,000) where only the certified EBE's complete for the opportunity.
9. **Technical Assistance:** Through the city resources and partners create a listing of resources available to certified firms. Seminars to include – How to do business with the City/DIA. How to qualify for or increase Bonding? Relationship Building, compliance, and other industry related opportunities.

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**10. Graduation:** re-entry if eligible (size standards and/or Personal Net Worth)

**11. Reporting:** DSBO will be preparing public quarterly and annual reports on the participation of certified firms (MWBE and SBE).

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