



Request for City Council Committee Action from the Department of Civil Rights

Date: June 6, 2012

To: Council Member Don Samuels, Chair - Public Safety, Civil Rights and Health Committee

Subject: Unified Certification Program Agreement

Recommendations: Authorize the City of Minneapolis to become a party to the Unified Certification Program Agreement.

Department Information

Prepared by: Cynthia Govan, Administrative Assistant to the Director

Approved by:

Presenter in Committee: Velma J. Korb, Director

Financial Impact

- NONE

Supporting Information

The City, acting through its Department of Civil Rights, will become a "Certifying Agency" authorized to certify Disadvantaged Business Enterprises ("DBE") upon becoming a party to the Minnesota UCP to promote the policy and goals of encouraging contracting with women-owned business enterprises ("WBE") and minority-owned business enterprises ("MBE"). The City Council for the City did adopt the Small and Underutilized Business Enterprise Program Ordinance, Minneapolis Code of Ordinances, Chapter 423 ("SUBP").

It is the policy of the City of Minneapolis (City) to provide equal opportunities to all contractors and to redress discrimination in the City's marketplace and in public contracting by encouraging the hiring of women-owned business enterprises and minority-owned business enterprises.

RESOLUTION
OF
THE CITY OF MINNEAPOLIS
BY
Council Member Don Samuels

Authorizing the City of Minneapolis to become a party to the Unified Certification Program Agreement (UCP) and to become a Certifying Agency as provided in the UCP.

WHEREAS, it is the policy of the City of Minneapolis (City) to provide equal opportunities to all contractors and to redress discrimination in the City's marketplace and in public contracting by encouraging the hiring of women-owned business enterprises ("WBE") and minority-owned business enterprises ("MBE"); and

WHEREAS, to promote the policy and goal of encouraging contracting with WBE and MBE, the City Council for the City did adopt the Small and Underutilized Business Enterprise Program Ordinance, Minneapolis Code of Ordinances, Chapter 423 ("SUBP"); and

WHEREAS, the WBEs and MBEs that are certified pursuant to the City's SUBP may also be certified as Disadvantaged Business Enterprises ("DBE") for the purpose of participating in contracts for which financial assistance is provided by the U.S. Department of Transportation (USDOT) as provided in 49 CFR Part 26, Subparts D and E; and

WHEREAS, to facilitate the certification of DBEs, the USDOT requires that certain state and local public agencies that receive USDOT funds establish a Unified Certification Program (UCP) that satisfies the requirements contained in 49 CFR, Section 26.81; and

WHEREAS, the State of Minnesota Department of Transportation (MnDOT), the Metropolitan Council (MC) and the Metropolitan Airports Commission (MAC) were required to establish a UCP pursuant to 49 CFR, Section 26.5 and were designated as "Certifying Agencies" by the USDOT on or about April 25, 2005; and

WHEREAS, pursuant to 49 CFR, Section 26.81, the City as a recipient of USDOT funds, is required to participate in the UCP; and

WHEREAS, MnDOT, the MC, the MAC and the City have prepared a Minnesota Unified Program Certification Agreement dated September 30, 2011 (the "Minnesota UCP"); and

WHEREAS, the City, acting through its Department of Civil Rights, will become a "Certifying Agency" authorized to certify DBEs upon becoming a party to the Minnesota UCP.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Minneapolis:

That the City Council does hereby authorize the City of Minneapolis to enter the UCP.

BE IT FURTHER RESOLVED that pursuant to the UCP, the City acting through its Department of Civil Rights, is a "Certifying Agency" as provided in the UCP and accepts the rights and responsibilities associated with its designation as Certifying Agency.