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**Subject:       VENDOR OUTREACH AND INCLUSION POLICY****No.   70.3****Date:           September 15, 2008****age: 1 of: 2**

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**PURPOSE:**

The City of Kalamazoo recognizes that the economic well being of the City is directly related to the well being of all businesses located locally, regionally, and within the State of Michigan; and desires to do business with those vendors when it does not harm competition nor equal treatment of vendors. Therefore, the VENDOR OUTREACH AND INCLUSION POLICY is adopted.

**POLICY:**

- A. When soliciting competition for contracts City staff should make reasonable efforts to generate maximum feasible competition, contacting enough bidders to access the vendor resources available in the marketplace. City staff must be inclusive of all sectors of our diverse economy. Technology should be used advantageously to identify and notify bidders of potential city contracting opportunities.
- B. The City of Kalamazoo shall not discriminate against a business or bidder with respect to soliciting bids, evaluating bids, awarding bids or administering contracts because of race, sex, color, ethnicity, or national origin.
- C. Contracts requiring formal sealed bids shall include the Elliott-Larson Civil Rights Act requirement that the contractor and his subcontractors not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Breach of this requirement may be regarded as a material breach of the contract. (Elliott-Larsen Civil Rights Act section 209)
- D. General contractors shall not discriminate against subcontractors because of race, sex, color, ethnicity, or national origin. Breach of this requirement may be regarded as a material breach of the contract.
- E. The City of Kalamazoo shall continue to seek Federal grant funding and comply with the contracting and employment requirements of that Federal grant.
- F. City purchasing staff will provide technical assistance for all bidders. Assistance will include providing information regarding available business opportunities and how to participate in the City's bidding and contracting process.

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- G. City purchasing staff will collect data regarding participation by minority and women business enterprises in the City's contracts. In order to gather and use this data purchasing staff will:
- a. Maintain a directory of minority and women owned businesses. Inclusion in the directory will be by a notarized statement that the business meets the Federal definition for a minority and/or women owned business.
  - b. Report annually the City's total purchases by dollar amount and the dollar amount purchased from minority owned businesses and women owned businesses.
- H. Nothing in the policy should be construed as to limit the City's ability to award contracts based upon the responsiveness of the bid to City specifications and the determination that the bidder will be a responsible contractor. Responsible is defined as a business that has the capability, in all aspects, to fully perform the contract requirements. Experience, integrity, capacity, facilities, equipment, reliability, and financial resources are some of the attributes that will be used to determine a responsible bidder.

**EFFECTIVE DATE:** September 15, 2008**HISTORY:**

- March 24, 1981 The City Commission adopted the *Minority/Women Business Enterprise Goal Policy*
- September 12, 1983 Resolution 83-230 revised the MBE/WBE Policy.
- October 21, 1985 Resolution 85-314 revised the MBE/WBE Policy.
- June 24, 1991 The City Commission adopted revisions to the MBE/WBE Policy.
- September 15, 2008 As a result of changes to Article 1, Section 26 of the Michigan State Constitution, the City Commission adopted Resolution 08-82, which rescinded the *Minority/Women Business Enterprise Goal Policy* and created the *Vendor Outreach and Inclusion Policy*.