

FROM	NAME & TITLE	Chichi Nyagah-Nash, Director 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of General Services 800 Abel Wolman Municipal Building		
	SUBJECT	Report on City Council Bill 19-0452		

DATE: July 29, 2020

TO The Honorable President and Members
of the Baltimore City Council
Attn: Samuel Johnson, Jr.
Staff, Labor Committee
City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0452: Employee-Owned Businesses--Reporting

Dear President and City Council Members:

The Department of General Services (DGS) has reviewed this Council Bill, which would require The Director of DGS to submit a report annually containing information on contracts awarded to employee-owned businesses.

Information to be contained in the annual report, which includes number and total value of contracts awarded to employee-owned business, is not currently collected as a part of our contracting procedures. DGS will therefore need to create the procedures and documents necessary for this information capture and reporting. Our initial assessment of what these needs would be lead us to two proposed paths.

1. Contracts for capital projects.

The City's Office of Boards and Commissions is responsible for the prequalification, and subsequent annual re-qualification of contractors and consultants as part of the capital improvement contracting process. The capital projects undertaken by the Departments of General Services, Transportation, Public Works and Recreation and Parks are all required to be performed using these prequalified entities. For that reason, the capturing of information pertaining to employee-owned businesses should be performed as part of this process.

2. Contracts for non-capital procurement:

The central procurement system may be the best option to capture and record information on employee-owned businesses. DGS will look to the Bureau of Procurement (as they assess how they will use solicitation documents and systems such as CitiBuy and Workday for this information gathering and storage) as well as the Minority and Women's Business Opportunity Office (MWBOO) , which currently undertaking a significant creation of systems for subcontractor reporting, for reference on what systems we would need to set up internally. Working collaboratively with these groups, as well as the other agencies required to report will yield the most cost-effective and centrally-aligned process.

Beyond the information gathering process, DGS will want to understand the proposed use and parameters for the data. This would include, for instance, any effect it may have on the contract bidding process threshold contract amounts, determinant in scoring through a bid process, and effect of failure (on the part of the employee-owned business) of provide information during the bid process. An understand of the use and parameters will allow DGS (and all other identified agencies) to determine what information should be included; this would need to account for any quantitative and qualitative reporting factors required through this Council Bill.

Agency Position: The Department of General Services supports this Bill and any efforts made to assess if there exist, within the process of competing for City contracts, any inherent difficulties or obstacles for employee-owned businesses. We will collaborate with the other Agencies identified in this Bill to implement the necessary information-collection mechanisms. If you have any further questions or concerns, please contact Chichi Nyagah-Nash, at 410-396-3704 or via email at Chichi.Nyagah-Nash@baltimorecity.gov.