NAME & TITLE	SHIRLEY A. WILLIAMS, Chief *Williams*	CITY of
AGENCY NAME & ADDRESS	Department of Law MWBOO, 131 City Hall	BALTIMORE
SUBJECT	City Council Bill 11-0790	MEMO

DATE: October 27, 2011

TO

Honorable President and Members of
The City Council
C/o Ms. Karen Randle
Executive Secretary
City Hall, Room 400

City Council Bill 11-0790 extends the current MBE/WBE Program until June 30, 2013, and it modifies certain utilization requirements based on the contract amount.

Currently, the City is preparing to solicit proposals for a consultant to conduct a disparity study for the MBE/WBE Program. A disparity study is a compilation of evidence required to determine whether Baltimore City has a legitimate basis for maintaining a race and gender-based contracting program. The study will include statistical evidence of disparities, if any, between the availability of minority and women-owned businesses and their utilization on city contracts. The study will evaluate the current program and make recommendations as to whether it is to be continued, and if so, what initiatives, revisions, or enhancements are required to ensure its legality.

The 12-month extension proposed by the current bill will provide adequate time to conduct the study, review the recommendations for legal compliance, and to draft the appropriate legislation to be presented to the City Council for its action.

The proposed change in the utilization requirements will result in contracts up to $50,000 being advertised without MBE/WBE participation goals. This change will coincide with the City's revised definition of informal contracts as authorized by the Board of Estimates pursuant to a recent charter change. Hopefully, this change will increase the number of minority and women-owned businesses that pursue these contracts as prime contractors.

The Minority and Women Business Opportunity Office supports passage of this bill.

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SAW/lvw

Cc: George Nilson
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1400-10-53