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**BALTIMORE CITY COUNCIL
EDUCATION, WORKFORCE, AND YOUTH
COMMITTEE**

Mission Statement

The Committee on Education, Workforce and Youth (EWY) is responsible for creating opportunities for our young people, ensuring economic opportunity and prosperity for Baltimore's workforce, and supporting our most vulnerable neighbors. The committee's areas of jurisdiction include public education, labor relations, workforce development, employment, public parks, recreation, and youth affairs. Issue areas include, but are not limited to: education, including adult education, higher education, workforce development, labor, senior affairs, veterans, childcare, accessibility and disability issues, recreation and parks, and historical landmarks.

**The Honorable Robert Stokes, Sr.
Chairman**

PUBLIC HEARING

**THURSDAY, APRIL 15, 2021
10:00 AM**

VIRTUAL WEBEX MEETING

Council Bill 21-0039

Local Hiring – Employment Plan

CITY COUNCIL COMMITTEES

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John Bullock – Vice Chair
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes
Staff: Jennifer Coates

WAYS AND MEANS (W&M)

Eric Costello, Chair
Kristerfer Burnett
Ryan Dorsey
Danielle McCray
Sharon Green Middleton
Isaac “Yitzy” Schleifer
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James Torrence
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CITY OF BALTIMORE

BRANDON M. SCOTT, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Education, Workforce and Youth

Bill: 21-0039

Local Hiring – Employment Plan

Sponsor: Councilmember Stokes, et al

Introduced: February 8, 2021

Purpose:

For the purpose of requiring certain contractors to create and submit to the Director of the Department of Finance initial employment plans to bid on government-assisted construction projects or contracts that receive government assistance totaling \$5 million or more; requiring the Director of the Department of Finance to score the bids using the Director’s evaluation of the employment plan as 10% of a bidder’s score; requiring the winning bidder to submit a revised employment plan to the Director of the Department of Finance with certain criteria; and conforming related provisions.

Effective: On the 30th day after the date it is enacted.

Agency Reports

Law Department	<i>None as of this writing</i>
Mayor’s Office of Employment Development	<i>None as of this writing</i>
Department of Finance	<i>None as of this writing</i>

Analysis

Current Law

I. Baltimore City Code – Article 5 – Finance, Property & Procurement, Subtitle 27 – Local Hiring - outlines the (local hiring) policies and/or mandates for any person who has a contract for more \$300,000 with Baltimore City or who will benefit from more than \$5 million in assistance for a City-subsidized project.

Background

If enacted, Council Bill 21-0039 will add new requirements for specific contractors who plan to bid on certain contracts or projects for Baltimore City government; it is an amendment to the existing law. Applicable contractors while planning their bid proposals must prepare [an initial employment plan](#) and when a contractor is awarded the contract/project; he/she must submit [a revised employment plan](#) that includes [more in-depth information](#) about their employment plan for completing the contract/project.

Included in the initial and revised employment plans must contain the bidder's strategy to meet the City's local hiring requirements and must include the hiring of economically and socially disadvantaged individuals [residing in Baltimore City](#).

All employment plans are to be submitted to the [Director of the Department of Finance](#).

Per City Council President Mosby, "Local hiring is critical! The legislation provides a point system, a scoring system and provides an additional advantage for hiring city residents."

Additional Information

Fiscal Note: None

Information Source(s): Baltimore City Code, Council Bill 21-0039, and all agency reports received as of this writing.

Marguerite M. Currin

Analysis by: Marguerite M. Currin
Analysis Date: April 12, 2021

Direct Inquiries to: (443) 984-3485

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Agency Reports

None received

as of

this writing

**CITY OF BALTIMORE
COUNCIL BILL 21-0039
(First Reader)**

Introduced by: Councilmember Stokes, President Mosby, Councilmembers Schleifer, Conway,
Costello, Glover, Middleton, Porter, Torrence, Ramos, Cohen, Bullock

Introduced and read first time: February 8, 2021

Assigned to: Education, Workforce, and Youth Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Mayor's Office of Employment
Development, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Local Hiring – Employment Plan**

3 FOR the purpose of requiring certain contractors to create and submit to the Director of the
4 Department of Finance initial employment plans to bid on government-assisted construction
5 projects or contracts that receive government assistance totaling \$5 million or more; requiring
6 the Director of the Department of Finance to score the bids using the Director's evaluation of
7 the employment plan as 10% of a bidder's score; requiring the winning bidder to submit a
8 revised employment plan to the Director of the Department of Finance with certain criteria;
9 and conforming related provisions.

10 BY re-numbering current

11 Article 5 - Finance, Property, and Procurement
12 Section 27-8, 27-9, and 27-10 to 27-9, 27-10, and 27-11, respectively
13 Baltimore City Code
14 (Edition 2000)

15 BY adding

16 Article 5 - Finance, Property, and Procurement
17 Section 27-8
18 Baltimore City Code
19 (Edition 2000)

20 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
21 Laws of Baltimore City read as follows:

22 style="text-align:center">**Baltimore City Code**

23 style="text-align:center">**Article 5. Finance, Property, and Procurement**

24 style="text-align:center">**Subtitle 27. Local Hiring**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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§ 27-8. EMPLOYMENT PLANS.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) *DIRECTOR.*

“DIRECTOR” MEANS THE DIRECTOR OF THE DEPARTMENT OF FINANCE OR THE DIRECTOR’S DESIGNEE.

(3) *ECONOMICALLY DISADVANTAGED INDIVIDUAL.*

“ECONOMICALLY DISADVANTAGED INDIVIDUAL” HAS THE MEANING STATED IN STATE FINANCE AND PROCUREMENT ARTICLE § 14-301.

(4) *SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.*

“SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL” HAS THE MEANING STATED IN STATE FINANCE AND PROCUREMENT ARTICLE § 14-301.

(5) *SOCIALLY DISADVANTAGED INDIVIDUAL.*

“SOCIALLY DISADVANTAGED INDIVIDUAL” HAS THE MEANING STATED IN STATE FINANCE AND PROCUREMENT ARTICLE § 14-301.

(B) *INITIAL EMPLOYMENT PLAN.*

(1) BIDS AND PROPOSALS RESPONDING TO A SOLICITATION TO BE A BENEFICIARY UNDER THIS SUBTITLE MUST INCLUDE AN INITIAL EMPLOYMENT PLAN OUTLINING THE BIDDER’S STRATEGY TO:

(I) MEET THE LOCAL HIRING REQUIREMENTS OF THIS SUBTITLE; AND

(II) HIRE ECONOMICALLY DISADVANTAGED, SOCIALLY DISADVANTAGED, AND SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.

(2) AN INITIAL EMPLOYMENT PLAN SUBMITTED UNDER THIS SECTION MUST BE EVALUATED AND SCORED BY THE DIRECTOR BASED ON THE CRITERIA LISTED IN PARAGRAPH (3) OF THIS SUBSECTION, AND THE EVALUATION WILL BE WORTH 10% OF THE OVERALL SCORE OF THE BID OR PROPOSAL.

(3) AN INITIAL EMPLOYMENT PLAN MUST INCLUDE THE FOLLOWING:

(I) DESCRIPTIONS OF THE HEALTH AND RETIREMENT BENEFITS PROVIDED TO EMPLOYEES WHO WORKED ON ANY OF THE BIDDER’S PAST 3 COMPLETED PROJECTS OR CONTRACTS;

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1 (II) A DESCRIPTION OF THE BIDDER’S EFFORTS TO PROVIDE CITY RESIDENTS WITH
2 ONGOING EMPLOYMENT AND TRAINING OPPORTUNITIES AFTER THEY COMPLETE
3 WORK ON THE JOB FOR WHICH THEY WERE INITIALLY HIRED;

4 (III) A DETAILED DESCRIPTION OF THE BIDDER’S EFFORTS TO HIRE AND RETAIN AT
5 LEAST 50% OF ITS TOTAL WORKFORCE THOSE WHO CONSTITUTE
6 ECONOMICALLY DISADVANTAGED, SOCIALLY DISADVANTAGED, AND SOCIALLY
7 AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.

8 (C) *REVISED EMPLOYMENT PLAN.*

9 THE WINNING BIDDER MUST SUBMIT A REVISED EMPLOYMENT PLAN THAT INCLUDES THE
10 FOLLOWING INFORMATION TO THE DIRECTOR FOR APPROVAL PRIOR TO BEGINNING WORK
11 ASSOCIATED WITH THE RELEVANT GOVERNMENT PROJECT OR CONTRACT:

12 (1) A PROJECTION OF THE TOTAL NUMBER OF HOURS TO BE WORKED ON THE PROJECT
13 OR CONTRACT BY TRADE;

14 (2) A PROJECTION OF THE TOTAL NUMBER OF HOURS OF WORK BY JOURNEYMEN, BY
15 TRADE, TO BE WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE
16 TOTAL NUMBER OF HOURS OF WORK BY JOURNEYMEN, BY TRADE, TO BE WORKED
17 BY CITY RESIDENTS;

18 (3) A PROJECTION OF THE TOTAL NUMBER OF HOURS BY APPRENTICES, BY TRADE, TO
19 BE WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL
20 NUMBER OF HOURS BY APPRENTICES, BY TRADE, TO BE WORKED BY CITY
21 RESIDENTS;

22 (4) A PROJECTION OF THE TOTAL NUMBER OF HOURS BY SKILLED LABORERS, BY
23 TRADE, TO BE WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE
24 TOTAL NUMBER OF HOURS BY SKILLED LABORERS, BY TRADE, TO BE WORKED BY
25 CITY RESIDENTS;

26 (5) A PROJECTION OF THE TOTAL NUMBER OF HOURS BY NON-SKILLED LABORERS TO BE
27 WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL
28 NUMBER OF HOURS OF NON-SKILLED LABORERS TO BE WORKED BY CITY
29 RESIDENTS;

30 (6) A PROJECTION OF THE TOTAL NUMBER OF HOURS TO BE WORKED OVER THE COURSE
31 OF THE PROJECT OR CONTRACT BY:

32 (I) EMPLOYEES WHO CONSTITUTE ECONOMICALLY DISADVANTAGED,
33 SOCIALLY DISADVANTAGED, AND SOCIALLY AND ECONOMICALLY
34 DISADVANTAGED INDIVIDUALS; AND

35 (II) CITY RESIDENTS WHO CONSTITUTE ECONOMICALLY DISADVANTAGED,
36 SOCIALLY DISADVANTAGED, AND SOCIALLY AND ECONOMICALLY
37 DISADVANTAGED INDIVIDUALS;

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1 (7) A TIMETABLE OUTLINING THE TOTAL HOURS WORKED BY TRADE OVER THE ENTIRE
2 PROJECT OR CONTRACT AND AN ASSOCIATED HIRING SCHEDULE;

3 (8) DESCRIPTIONS OF THE SKILL REQUIREMENTS BY JOB TITLE OR POSITION, INCLUDING
4 INDUSTRY-RECOGNIZED CERTIFICATIONS REQUIRED FOR THE DIFFERENT POSITIONS;

5 (9) A STRATEGY TO FILL THE HOURS REQUIRED TO BE WORKED BY CITY RESIDENTS
6 PURSUANT TO THIS SUBTITLE, INCLUDING INFORMING CONTRACTORS AND
7 SUBCONTRACTORS ABOUT THESE REQUIREMENTS AND CREATING OUTREACH
8 PARTNERSHIPS WITH THE UNIVERSITY OF BALTIMORE, BALTIMORE CITY
9 COMMUNITY COLLEGE, THE MAYOR'S OFFICE OF EMPLOYMENT DEVELOPMENT,
10 OR OTHER GOVERNMENT-APPROVED, COMMUNITY-BASED JOB TRAINING
11 PROVIDERS;

12 (10) A REMEDIATION STRATEGY TO RESOLVE ANY PROBLEMS ASSOCIATED WITH
13 MEETING THESE HIRING REQUIREMENTS, INCLUDING ANY PROBLEMS
14 ENCOUNTERED WITH CONTRACTORS AND SUBCONTRACTORS;

15 (11) THE DESIGNATION OF A SENIOR OFFICIAL FROM THE GENERAL CONTRACTOR WHO
16 WILL BE RESPONSIBLE FOR IMPLEMENTING THE HIRING AND REPORTING
17 REQUIREMENTS;

18 (12) DESCRIPTIONS OF THE HEALTH AND RETIREMENT BENEFITS THAT WILL BE
19 PROVIDED TO CITY RESIDENTS WORKING ON THE PROJECT OR CONTRACT;

20 (13) A STRATEGY TO ENSURE THAT CITY RESIDENTS WHO WORK ON THE PROJECT OR
21 CONTRACT RECEIVE ONGOING EMPLOYMENT AND TRAINING OPPORTUNITIES AFTER
22 THEY COMPLETE WORK ON THE JOB FOR WHICH THEY WERE INITIALLY HIRED AND A
23 REVIEW OF PAST PRACTICES IN CONTINUING TO EMPLOY CITY RESIDENTS FROM
24 ONE PROJECT OR CONTRACT TO THE NEXT;

25 (14) A STRATEGY TO HIRE GRADUATES OF THE BALTIMORE CITY PUBLIC SCHOOL
26 SYSTEM, BALTIMORE CITY PUBLIC CHARTER SCHOOLS, COMMUNITY-BASED JOB
27 TRAINING PROVIDERS, AND HARD-TO-EMPLOY RESIDENTS; AND

28 (15) THE BIDDER'S GENERAL CITY-RESIDENT HIRING PRACTICES ON PROJECTS OR
29 CONTRACTS COMPLETED WITHIN THE LAST 2 YEARS.

30 (D) *OTHER PROJECTS AND CONTRACTS.*

31 THE DIRECTOR MUST REQUIRE ANY BENEFICIARIES OF GOVERNMENT-ASSISTED PROJECTS
32 OR CONTRACTS UNDER THIS SUBTITLE THAT ARE NOT AWARDED THROUGH THE
33 CONTRACTING PROCESS TO DEVELOP AND SUBMIT TO THE DIRECTOR THE EMPLOYMENT
34 PLAN REQUIRED IN SUBSECTION (C) OF THIS SECTION.

35 (E) *APPROVAL REQUIRED FOR AMENDMENTS.*

36 ONCE APPROVED, THE EMPLOYMENT PLAN REQUIRED BY SUBSECTION (C) OF THIS SECTION
37 MAY NOT BE AMENDED EXCEPT WITH THE APPROVAL OF THE DIRECTOR.

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1 **§ 27-9 [27-8]. Required reports.**

2

3 **§ 27-10 [27-9]. Reserved.**

4

5 **§ 27-11 [27-10]. Penalties.**

6

7 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance
8 are not law and may not be considered to have been enacted as a part of this or any prior
9 Ordinance.

10 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
11 after the date it is enacted.