

<b>FROM</b>	NAME & TITLE	Timothy Krus, City Purchasing Agent 	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Bureau of Purchases Suite 300, 231 E. Baltimore Street (410-396-5700)		
	SUBJECT	City Council CCB 12-0159 – Local Hiring		

DATE: January 9, 2013

**TO**

Honorable President and  
Members of the City Council  
C/O Karen Randle  
Room 409, City Hall

City Council Bill 12-0159 – Local Hiring proposes to require employers benefitted by City contracts and subsidies to fill at least 51% of the new jobs required to complete the contract or project with Baltimore City residents. It provides that the Mayor’s Office of Employment Development (MOED) may grant certain exceptions and adopt additional rules and regulations. Before the disbursement of any City funds to the employer, MOED and the employer must perform an employment analysis of the contract or project. Detailed monthly reporting is also required. Penalties for intentional failure to comply include one year debarment of both the employer and any other entity in which the employer has an interest and a criminal fine of not more than \$500.

**Analysis**

The Finance Department finds MOED’s existing initiatives, including Employ Baltimore to be sufficient for encouraging employers to bid on City work and to consider hiring City residents when they are awarded that work. The existing approach is also consistent with the Baltimore City Charter’s provisions regarding the competitive bidding process. In Article VI, Section 11(h)(1)(ii), the City Charter requires that ,after the opening of bids, the Board of Estimates shall award a given contract, as an entirety to the lowest responsive and responsible bidder or by items to the respective lowest responsive and responsible bidders, or in the case of Requests for Proposals to the highest scoring responsive and responsible bidder, or shall reject all bids. The Finance Department believes that a local hiring requirement cannot be included as a measure of a bidder’s responsiveness without violating this City Charter provision.

**Recommendation**

The Finance Department recommends that the existing regulations to encourage the hiring of City residents prevail in lieu of new legislation.

CC: Harry Black  
William Voorhees  
Angela Gibson

