

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 21-0039**

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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  
Committee Report: Favorable, with amendments  
Council action: Adopted  
Read second time: July 19, 2021

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**AN ORDINANCE CONCERNING**

**Local Hiring – Employment Plan**

FOR the purpose of requiring certain contractors to create and submit to ~~the Director of the Department of Finance~~ MOED 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~~ MOED with certain criteria; and conforming related provisions.

BY re-numbering current

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

BY adding

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

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

**Baltimore City Code**

**Article 5. Finance, Property, and Procurement**

**Subtitle 27. Local Hiring**

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 21-0039

1 § 27-8. EMPLOYMENT PLANS.

2 (A) DEFINITIONS.

3 (1) IN GENERAL.

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

5 ~~(2) DIRECTOR.~~

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

8 ~~(2) (3) ECONOMICALLY DISADVANTAGED INDIVIDUAL.~~

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

11 ~~(3) (4) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.~~

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

14 ~~(4) (5) SOCIALLY DISADVANTAGED INDIVIDUAL.~~

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

17 (B) INITIAL EMPLOYMENT PLAN.

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

21 ~~(i) MEET THE LOCAL HIRING REQUIREMENTS OF THIS SUBTITLE; AND~~

22 ~~(ii) HIRE ECONOMICALLY DISADVANTAGED, SOCIALLY DISADVANTAGED, AND  
23 SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.~~

24 (1) A BIDDER RESPONDING TO A SOLICITATION THAT QUALIFIES THEM AS A “BENEFICIARY”  
25 UNDER § 25-1(B) OF THIS ARTICLE MUST INCLUDE IN THEIR BID OR PROPOSAL AN  
26 INITIAL EMPLOYMENT PLAN OUTLINING THE BIDDER’S STRATEGY TO:

27 (i) COMPLY WITH THE LOCAL HIRING REQUIREMENTS OF THIS SUBTITLE; AND

28 (ii) HIRE ECONOMICALLY DISADVANTAGED, SOCIALLY DISADVANTAGED, OR  
29 ECONOMICALLY AND SOCIALLY DISADVANTAGED INDIVIDUALS.

30 ~~(2) AN INITIAL EMPLOYMENT PLAN SUBMITTED UNDER THIS SECTION MUST BE EVALUATED~~  
31 ~~AND SCORED BY THE DIRECTOR BASED ON THE CRITERIA LISTED IN PARAGRAPH (3) OF~~

Council Bill 21-0039

1 THIS SUBSECTION, AND THE EVALUATION WILL BE WORTH 10% OF THE OVERALL SCORE  
2 OF THE BID OR PROPOSAL.

3 (2) THE DIRECTOR OF THE DEPARTMENT OF FINANCE SHALL DETERMINE WHETHER AN  
4 INITIAL EMPLOYMENT PLAN SUBMITTED UNDER THIS SUBSECTION CONTAINS THE  
5 INFORMATION REQUIRED IN PARAGRAPH (4) OF THIS SUBSECTION.

6 (3) THE DIRECTOR OF THE DEPARTMENT OF FINANCE'S DETERMINATION THAT THE  
7 INITIAL EMPLOYMENT PLAN CONTAINS THE INFORMATION REQUIRED IN PARAGRAPH (4)  
8 OF THIS SUBSECTION IS WORTH 10% OF THE OVERALL SCORE OF THE BID OR PROPOSAL.

9 (4) (3) AN INITIAL EMPLOYMENT PLAN MUST INCLUDE THE FOLLOWING:

10 (I) DESCRIPTIONS OF THE HEALTH AND RETIREMENT BENEFITS PROVIDED TO  
11 EMPLOYEES WHO WORKED ON ANY OF THE BIDDER'S PAST 3 COMPLETED  
12 PROJECTS OR CONTRACTS WILL BE EMPLOYED ON THE PROJECT;

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

16 (III) A DETAILED DESCRIPTION OF THE BIDDER'S EFFORTS TO HIRE AND RETAIN AT  
17 LEAST 50% OF ITS TOTAL WORKFORCE THOSE WHO CONSTITUTE  
18 ECONOMICALLY DISADVANTAGED, SOCIALLY DISADVANTAGED, AND SOCIALLY  
19 AND ECONOMICALLY DISADVANTAGED INDIVIDUALS;

20 (IV) A DESCRIPTION OF PAST COMPLIANCE WITH ALL CONTRACT REQUIREMENTS  
21 DETAILED IN THIS ARTICLE, INCLUDING WHETHER THE BIDDER HAS FILED ALL  
22 INFORMATION REQUIRED BY REPORTING REQUIREMENTS FOR RECENT  
23 CONTRACTS ON TIME;

24 (V) A STRATEGY, DEVELOPED IN CONJUNCTION WITH MOED STAFF, TO ENSURE  
25 THAT CITY RESIDENTS WHO WORK ON THE PROJECT OR CONTRACT RECEIVE  
26 ONGOING EMPLOYMENT AND TRAINING OPPORTUNITIES AFTER THEY COMPLETE  
27 WORK ON THE JOB FOR WHICH THEY WERE INITIALLY HIRED AND A REVIEW OF  
28 PAST PRACTICES IN CONTINUING TO EMPLOY CITY RESIDENTS FROM ONE  
29 PROJECT OR CONTRACT TO THE NEXT; AND

30 (VI) A STRATEGY, DEVELOPED IN CONJUNCTION WITH MOED STAFF, TO HIRE  
31 GRADUATES OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM, BALTIMORE  
32 CITY PUBLIC CHARTER SCHOOLS, COMMUNITY-BASED JOB TRAINING  
33 PROVIDERS, AND HARD-TO-EMPLOY RESIDENTS.

34 (C) *REVISED EMPLOYMENT PLAN.*

35 THE WINNING BIDDER MUST SUBMIT A REVISED EMPLOYMENT PLAN THAT INCLUDES THE  
36 FOLLOWING INFORMATION TO ~~THE DIRECTOR MOED~~ FOR APPROVAL PRIOR TO BEGINNING  
37 WORK ASSOCIATED WITH THE RELEVANT GOVERNMENT PROJECT OR CONTRACT AND  
38 WITHIN 2 WEEKS OF RECEIVING A NOTICE TO PROCEED FROM THE AWARDING AGENCY:

Council Bill 21-0039

- 1           ~~(1) A PROJECTION OF THE TOTAL NUMBER OF HOURS TO BE WORKED ON THE PROJECT~~  
2           ~~OR CONTRACT BY TRADE;~~
- 3           ~~(2) A PROJECTION OF THE TOTAL NUMBER OF HOURS OF WORK BY JOURNEYMEN, BY~~  
4           ~~TRADE, TO BE WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE~~  
5           ~~TOTAL NUMBER OF HOURS OF WORK BY JOURNEYMEN, BY TRADE, TO BE WORKED~~  
6           ~~BY CITY RESIDENTS;~~
- 7           ~~(3) A PROJECTION OF THE TOTAL NUMBER OF HOURS BY APPRENTICES, BY TRADE, TO~~  
8           ~~BE WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL~~  
9           ~~NUMBER OF HOURS BY APPRENTICES, BY TRADE, TO BE WORKED BY CITY~~  
10           ~~RESIDENTS;~~
- 11           ~~(4) A PROJECTION OF THE TOTAL NUMBER OF HOURS BY SKILLED LABORERS, BY~~  
12           ~~TRADE, TO BE WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE~~  
13           ~~TOTAL NUMBER OF HOURS BY SKILLED LABORERS, BY TRADE, TO BE WORKED BY~~  
14           ~~CITY RESIDENTS;~~
- 15           ~~(5) A PROJECTION OF THE TOTAL NUMBER OF HOURS BY NON-SKILLED LABORERS TO BE~~  
16           ~~WORKED OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL~~  
17           ~~NUMBER OF HOURS OF NON-SKILLED LABORERS TO BE WORKED BY CITY~~  
18           ~~RESIDENTS;~~
- 19           ~~(6) A PROJECTION OF THE TOTAL NUMBER OF HOURS TO BE WORKED OVER THE COURSE~~  
20           ~~OF THE PROJECT OR CONTRACT BY:-~~
- 21                   ~~(i) EMPLOYEES WHO CONSTITUTE ECONOMICALLY DISADVANTAGED,~~  
22                   ~~SOCIALLY DISADVANTAGED, AND SOCIALLY AND ECONOMICALLY~~  
23                   ~~DISADVANTAGED INDIVIDUALS; AND~~
- 24                   ~~(ii) CITY RESIDENTS WHO CONSTITUTE ECONOMICALLY DISADVANTAGED,~~  
25                   ~~SOCIALLY DISADVANTAGED, AND SOCIALLY AND ECONOMICALLY~~  
26                   ~~DISADVANTAGED INDIVIDUALS;~~
- 27           ~~(1) (7) A TIMETABLE OUTLINING THE TOTAL HOURS WORKED BY TRADE OVER THE~~  
28           ~~ENTIRE PROJECT OR CONTRACT AND AN ASSOCIATED HIRING SCHEDULE;~~
- 29           ~~(2) (8) DESCRIPTIONS OF THE SKILL REQUIREMENTS BY JOB TITLE OR POSITION,~~  
30           ~~INCLUDING INDUSTRY-RECOGNIZED CERTIFICATIONS REQUIRED FOR THE~~  
31           ~~DIFFERENT POSITIONS;~~
- 32           ~~(3) (9) A STRATEGY TO FILL THE HOURS REQUIRED TO BE WORKED BY CITY RESIDENTS~~  
33           ~~PURSUANT TO THIS SUBTITLE, INCLUDING INFORMING CONTRACTORS AND~~  
34           ~~SUBCONTRACTORS ABOUT THESE REQUIREMENTS AND CREATING OUTREACH~~  
35           ~~PARTNERSHIPS WITH THE UNIVERSITY OF BALTIMORE, BALTIMORE CITY~~  
36           ~~COMMUNITY COLLEGE, THE MAYOR'S OFFICE OF EMPLOYMENT~~  
37           ~~DEVELOPMENT, OR OTHER GOVERNMENT-APPROVED, COMMUNITY-BASED JOB~~  
38           ~~TRAINING PROVIDERS;~~

Council Bill 21-0039

1 ~~(10) A REMEDIATION STRATEGY TO RESOLVE ANY PROBLEMS ASSOCIATED WITH~~  
2 ~~MEETING THESE HIRING REQUIREMENTS, INCLUDING ANY PROBLEMS~~  
3 ~~ENCOUNTERED WITH CONTRACTORS AND SUBCONTRACTORS;~~

4 (4) ~~(11)~~ THE DESIGNATION OF A SENIOR OFFICIAL FROM THE GENERAL CONTRACTOR  
5 WHO WILL BE RESPONSIBLE FOR IMPLEMENTING THE HIRING AND REPORTING  
6 REQUIREMENTS;

7 (5) ~~(12)~~ DESCRIPTIONS OF THE HEALTH AND RETIREMENT BENEFITS THAT WILL BE  
8 PROVIDED TO CITY RESIDENTS WORKING ON THE PROJECT OR CONTRACT;

9 (6) ~~(13) A STRATEGY TO ENSURE THAT THE MINUTES OF AT LEAST 1 MEETING THE~~  
10 ~~BIDDER HAD WITH MOED STAFF DURING WHICH MOED STAFF AND THE BIDDER~~  
11 ~~WORKED TOGETHER TO ENSURE THAT CITY RESIDENTS WHO WORK ON THE~~  
12 ~~PROJECT OR CONTRACT RECEIVE ONGOING EMPLOYMENT AND TRAINING~~  
13 ~~OPPORTUNITIES AFTER THEY COMPLETE WORK ON THE JOB FOR WHICH THEY WERE~~  
14 ~~INITIALLY HIRED; AND A~~

15 (7) A REVIEW OF PAST PRACTICES IN CONTINUING TO EMPLOY REGARDING THE  
16 BIDDER'S EMPLOYMENT OF CITY RESIDENTS FROM ONE PROJECT OR CONTRACT TO  
17 THE NEXT; AND

18 (8) ~~(14) A STRATEGY TO HIRE THE MINUTES OF AT LEAST 1 MEETING THE BIDDER HAD~~  
19 ~~WITH MOED STAFF DURING WHICH MOED STAFF AND THE BIDDER WORKED~~  
20 ~~TOGETHER TO ENSURE THAT THE BIDDER HIRES GRADUATES OF THE~~  
21 ~~BALTIMORE CITY PUBLIC SCHOOL SYSTEM, BALTIMORE CITY PUBLIC~~  
22 ~~CHARTER SCHOOLS, COMMUNITY-BASED JOB TRAINING PROVIDERS, AND~~  
23 ~~HARD-TO-EMPLOY RESIDENTS; AND~~

24 ~~(15) THE BIDDER'S GENERAL CITY RESIDENT HIRING PRACTICES ON PROJECTS OR~~  
25 ~~CONTRACTS COMPLETED WITHIN THE LAST 2 YEARS.~~

26 (D) ONGOING REPORTS.

27 THROUGHOUT THE COURSE OF THE PROJECT, THE BIDDER MUST PROVIDE THE FOLLOWING  
28 INFORMATION TO MOED ON A MONTHLY BASIS:

29 (1) THE TOTAL NUMBER OF HOURS WORKED ON THE PROJECT OR CONTRACT BY TRADE;

30 (2) THE TOTAL NUMBER OF HOURS OF WORK BY JOURNEYMEN, BY TRADE, WORKED  
31 OVER THE COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL NUMBER OF  
32 HOURS OF WORK BY JOURNEYMEN, BY TRADE, WORKED BY CITY RESIDENTS;

33 (3) THE TOTAL NUMBER OF HOURS BY APPRENTICES, BY TRADE, WORKED OVER THE  
34 COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL NUMBER OF HOURS BY  
35 APPRENTICES, BY TRADE, WORKED BY CITY RESIDENTS;

36 (4) THE TOTAL NUMBER OF HOURS BY SKILLED LABORERS, BY TRADE, WORKED OVER  
37 THE COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL NUMBER OF HOURS BY  
38 SKILLED LABORERS, BY TRADE, WORKED BY CITY RESIDENTS;

Council Bill 21-0039

1 (5) THE TOTAL NUMBER OF HOURS BY NON-SKILLED LABORERS WORKED OVER THE  
2 COURSE OF THE PROJECT OR CONTRACT AND THE TOTAL NUMBER OF HOURS OF  
3 NON-SKILLED LABORERS WORKED BY CITY RESIDENTS; AND

4 (6) THE TOTAL NUMBER OF HOURS WORKED OVER THE COURSE OF THE PROJECT OR  
5 CONTRACT BY:

6 (I) EMPLOYEES WHO CONSTITUTE ECONOMICALLY DISADVANTAGED,  
7 SOCIALLY DISADVANTAGED, OR SOCIALLY AND ECONOMICALLY  
8 DISADVANTAGED INDIVIDUALS;

9 (II) EMPLOYEES WHO MEET THE LOCAL HIRING REQUIREMENTS OF THIS  
10 SUBTITLE, WHICH INCLUDE POSTING JOB OPENINGS WITH MOED, HAVING  
11 CITY RESIDENTS COMPRISE AT LEAST 51% OF THE BIDDER'S EMPLOYEES,  
12 AND COMPLYING WITH MONTHLY REPORTING REQUIREMENTS; AND

13 (III) CITY RESIDENTS WHO CONSTITUTE ECONOMICALLY DISADVANTAGED,  
14 SOCIALLY DISADVANTAGED, OR SOCIALLY AND ECONOMICALLY  
15 DISADVANTAGED INDIVIDUALS.

16 (E) (D) OTHER PROJECTS AND CONTRACTS.

17 ~~THE DIRECTOR~~ MOED MUST REQUIRE ANY BENEFICIARIES OF GOVERNMENT-ASSISTED  
18 PROJECTS OR CONTRACTS UNDER THIS SUBTITLE THAT ARE NOT AWARDED THROUGH THE  
19 CONTRACTING PROCESS TO DEVELOP AND SUBMIT TO ~~THE DIRECTOR~~ MOED THE  
20 EMPLOYMENT PLAN REQUIRED IN SUBSECTION (C) OF THIS SECTION.

21 (F) (E) APPROVAL REQUIRED FOR AMENDMENTS.

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

24 **§ 27-9 [27-8]. Required reports.**

25 . . . .

26 **§ 27-10 [27-9]. Reserved.**

27 . . . .

**Council Bill 21-0039**

1    § 27-11 [27-10]. Penalties.

2    . . . .

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

6           **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
7 after the date it is enacted.

**Council Bill 21-0039**

Certified as duly passed this 16 day of August, 2021



\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 16 day of August, 2021

*Katrina B. Austin*  
\_\_\_\_\_  
Chief Clerk

Approved this 10 day of October, 2021



\_\_\_\_\_  
Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 23rd Day of August, 2021.

*Elena R DiPietro*  
\_\_\_\_\_  
Chief Solicitor