

ADMINISTRATIVE POLICY AND PROCEDURE # 13

Date Issued: May 8, 2008
Date Effective: June 8, 2008

SUBJECT: **Minority Business Enterprise Program**

- I. ADMINISTRATIVE POLICY RE: MBE Program
 - A. All Departments, Divisions, Agencies, Boards, Commissions, and Authorities under the jurisdiction of the City of Toledo are directed to strengthen the Minority Business Enterprise (MBE) Program of the City of Toledo by the participation of MBE contractors and sub-contractors in the City of Toledo's construction contracts under a goal oriented program in an effort to meet and/or exceed a level of 15% Minority Business Enterprise participation in overall City funded construction projects and in an effort to meet and/or exceed a level of 21% Minority Business Enterprise participation in overall HUD assisted projects.
 - B. All Departments, Divisions, Agencies, Boards, Commissions, and Authorities under the jurisdiction of the City of Toledo are directed to strengthen the Minority Business Enterprise (MBE) Program of the City of Toledo by the participation of MBE suppliers for purchases of goods, services, materials, supplies and services, including purchases of \$40,000.00 or less which are not subject to the formal competitive bidding process, under a goal oriented program in an effort to meet and/or exceed a level of 10% Minority Business Enterprise participation in overall City funded purchases, materials, supplies and services.
 - C. All Departments, Divisions, Agencies, Boards, Commissions, Authorities under the jurisdiction of the City of Toledo shall vigorously pursue the affirmative action course stated herein and comply with this Administrative Policy and Procedure to ensure equality of opportunity and nondiscrimination in the internal affairs of City government, as well as in relation with the public and those individuals or organizations doing business with the City of Toledo. Furthermore, any and all individuals or organizations, prime or subcontractors for goods or services, doing business with the City of Toledo, shall vigorously pursue equality of opportunity, equal employment and non-discrimination in their business enterprise.
 - D. Minority Business Enterprise (MBE) goals shall be included in the annual City of Toledo's Goals and Objectives and shall be monitored quarterly and annually. Compliance with regard to MBE Goals and Objectives shall continue to be a required component of any evaluation process established for Directors, Commissioners, and Agency Heads.

II. ADMINISTRATIVE PROCEDURE RE: AFFIRMATIVE ACTION

A. The Mayor shall designate the Commissioner of Affirmative Action/Contract Compliance as the program monitor/overseer.

1. The Commissioner of Affirmative Action/Contract Compliance shall be directly accountable to the Chief of Staff and/or the Mayor and shall be responsible for, but not limited to:

- (a) Administering and enforcing this Policy and Procedure.
- (b) Providing leadership and technical assistance to the City of Toledo's departments, divisions, offices, agencies, boards, commissions, etc., consistent with and in furtherance of the purposes, goals and terms of this Policy.
- (c) Submitting to the Mayor and Chief of Staff, written reports relative to the City of Toledo's compliance with this Administrative Policy and Procedure.
- (d) Acting as the City's representative in relation with equal employment opportunity enforcement agencies.
- (e) Analyzing, currently and continuously, federal, state and local equal employment opportunity laws and their effect on the City, and reviewing problem areas with the Law Department.

B. The Office of Affirmative Action/Contract Compliance shall operate under the direct jurisdiction of the Chief of Staff and/or the Mayor. This shall be an internal City office, not to be confused with the Board of Community Relations.

1. The Office of Affirmative Action/Contract Compliance shall be responsible for developing and implementing the City's programs in regard to Minority Business Enterprises (MBE) as well as monitoring the effectiveness of the City's overall policy and plan. Furthermore, and more specifically, the Office of Affirmative Action/Contract Compliance shall, be responsible for, but not limited to, the following:

- (a) Annually evaluating the City's progress toward meeting goals and timetables relative to the Minority Business Enterprise (MBE) Program.
- (b) Revising and amending the respective goals or methods relative to the MBE Program within the dictates of the law and in furtherance of the City's commitment expressed herein.

- (c) Quarterly and annually evaluating program results.
- (d) Working with the Law Department and the Division of Taxation in those areas pertinent to the implementation of the Policy and delineated herein.

C. Directors, Commissioners, Agency Heads and Supervisors, etc. shall:

- 1. Comply with this Administrative Policy and Procedure.
- 2. Exercise and exhibit personal leadership in maintaining and carrying out the City of Toledo's Minority Business Enterprise (MBE) Program goals and objectives:
 - (a) Assure that all Department, Division and Agency employees are informed of the MBE Program and encourage their cooperation in complying with same.
 - (b) Assist the Commissioner of Affirmative Action/Contract Compliance with the assessment of companies in terms of capabilities and capacity.

III. ACCOUNTABILITY AND SANCTIONS

- A. The Mayor and/or Directors, Commissioners, Agency Heads shall, in evaluating the performance of administrators, include as an integral component of such review, a critique of said administrators' leadership and achievements in pursuit of MBE goals, where applicable.
- B. Any administrator who is unsupportive of the goals contained within this policy or who engages in obstructionist tactics as related to its implementation shall incur sanctions, including possible termination.

IV. EFFECTIVE DATE: June 1, 2008

This Administrative Policy and Procedure shall take effect and be enforced from the date of issue.

/s/ Carleton S. Finkbeiner
Mayor