

December 15, 2021

**RESOLUTION AUTHORIZING THE EXTENSION OF THE REMEDIAL PROGRAM FOR MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE PARTICIPATION IN CONSTRUCTION PROJECTS AND GOODS AND SERVICES POLICIES**

**WHEREAS**, In 2006 and 2007, the Board undertook a review of the affirmative action remedial plan adopted in 1991 and determined that the implementation of various race-neutral and gender-neutral measures would help the construction procurement program to overcome barriers and assist in the growth and development of financially stable minority and women-owned business enterprises;

**WHEREAS**, The Board has determined that the steps it has taken since 1991 to ameliorate the effects of racial and gender discrimination in the construction marketplace through a variety of race and gender neutral measures have not been sufficient;

**WHEREAS**, The Board adopted a Remedial Program for Minority and Women-Owned Business Enterprises Participation in Construction Projects (the "Program") with a term commencing August 1, 2006 and ending December 31, 2011 (Board Report 06-0726-PO9), as well as the Remedial Program for Minority and Women-Owned Business Enterprises Participation in Goods and Services (the "Program") with a term commencing March 1, 2007 and ending December 31, 2012 (Board Report 07-0228-PO1);

**WHEREAS**, Both of these Programs were extended through December 31, 2016, and again through December 31, 2021.

**WHEREAS**, The Board has embarked on a study to determine if Board Report 16-1207-PO1 and 16-1207-PO2 are still policies that are needed to meet the goals of these Programs;

**NOW, THEREFORE**, the Board hereby directs as follows:

1. These Programs shall be extended for a term of one year commencing January 1, 2022 and ending December 31, 2022.
2. The Program will continue to: (1) apply to all construction projects required by the Board to be awarded through competitive bid (currently \$25,000 and above), (2) operate the same annual Aspirational Goals for M/WBE participation in all district-wide construction projects of 30% to qualified Minority-owned Business Enterprises and 7% to qualified Women-owned Business Enterprises, (3) authorize the Office of Business Diversity to establish Contract specific Goals for individual contraction projects and (4) authorize OBD to specify certain construction projects to be let without M/WBE participation goals in order to evaluate the marketplace.
3. The Program will continue to: (1) apply to goods and services contracts required by the Board to be awarded through competitive procurement, (2) operate the same annual Aspirational Goals for M/WBE participation in all goods and services contract of 30 % to qualified Minority-owned Business Enterprises and 7% to qualified Women-owned Business Enterprises, (3) authorize the Office of Business Diversity to establish Contract specific Goals for individual contracts and (4) authorize OBD to specify certain goods and services projects to be let without M/WBE participation goals in order to evaluate the marketplace.

4. The Program is being extended for an outside consultant to assess past performance data, conduct focus groups and submit a recommendation for future actions. The Program will continue in accordance with legal requirements, to reflect the Board's current organizational structure and practice, and to clarify various provisions;
5. This Resolution is effective immediately upon adoption.