

<b>Program</b>	<b>Residents Preference (DPW) s. 309-41</b>	<b>Residents Preference (Private) s. 355-7</b>	<b>Small Business Enterprise Ch. 370</b>	<b>Local Business Enterprise Ch. 365</b>
<b>Effective</b>	July 1991	August 2009	January 2012	August 2009
<b>Pertains to:</b>	City/State/Federally-funded DPW construction contracts.	Projects receiving over \$1m in combined direct City \$ assistance.	Utilization of small businesses on city contracts.	Awarding of City contracts.
<b>Program Requirements or Standards</b>	40% of the worker hours performed by unemployed or underemployed city residents.	40% of the worker hours performed by unemployed or underemployed city residents.	1. Construction: 25% of total \$. 2. Goods/services: 25%. 3. Professional services: 18%.	Preference given to local businesses performing 10% of the \$ value of a contract's work
<b>Exceptions</b>	Up to 1/3 of required worker hours may be achieved via workers on other projects.	Up to 1/3 of required worker hours may be achieved via workers on other projects.	N/A	N/A
<b>General Administration</b>	DPW	DCD, OSBD (DOA)	OSBD (DOA)	Purchasing Director (DOA)
<b>Administrative Recordkeeping Requirements</b>	Maintain racial demographics & residency information for DPW construction contracts.	None, specifically. "Information to assist the CC in its annual reappraisal of the RPP..."	None, specifically. Manager required to "develop a reporting & evaluation system."	None
<b>Reporting Entity</b>	DPW	DCD, OSBD (separate reports)	OSBD (DOA)	Purchasing Director (DOA)
<b>Reporting Frequency</b>	Annual	Annual	Unspecified	Annual
<b>Administrative Reporting Requirements</b>	Various. See s. 309-41-5-a to i. (demographics not required).	Various. See s. 355-7-3-a to g (similar to DPW's RPP reporting).	Review SBE participation and submit report to mayor & CC.	None specified.
<b>Audit</b>	Independent annual audit every 3 years by Comptroller or accounting firm.	Independent annual audit every 3 years by Comptroller or accounting firm.	None required.	None required.
<b>Program Review</b>	Annual (Oct. 1). DPW to prepare resolution regarding reappraisal/continuance of program.	Annual reappraisal (Oct 1), per s. 309-41-4.	OSBD (DOA) to annually review & adjust SBE percentage goal, with CC approval.	CC determines applicable % of bid award standards for LBEs every 2 years. Ordinance sunsets August 8, 2016.

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<b>Contracting Agency Reporting</b>	N/A	N/A	Quarterly to OSBD (DOA) (see s. 370-5-c, different than LBE requirements).	Quarterly to DOA (see s. 365-7-2, different than SBE requirements).
<b>Contents of Report</b>	N/A	N/A	See s. 370-5-c. Different than LBE reporting requirements.	\$ amount of contracts awarded to LBEs & as established by Purchasing Director.
<b>Contractor Recordkeeping</b>	Maintain name, address, race & gender of all employees for each contract for 7 years.	Maintain name, address, race and gender of all employees for each contract for 7 years.	N/A	N/A
<b>Contractor Reporting</b>	Quarterly to DPW or within 10 days of work completion.	Quarterly to OSBD (DOA) or within 10 days of work completion.	N/A	N/A
<b>Sanctioning Triggers</b>	If any document contains false, misleading or fraudulent information or if contractor fails to comply with s. 309-41.	If any document contains false, misleading or fraudulent information or if contractor fails to comply with ch. 355.	If any document contains false, misleading or fraudulent information.	If any document contains false, misleading or fraudulent information.
<b>Sanctions</b>	1. Withholding of payments. 2. Termination, suspension or cancellation of contract. 3. After a due process hearing, denial of right to participate in future contracts awarded by the City for 2 years.	1. Requirement that remedial efforts be undertaken. 2. Specific performance or specified remedies under any written agreement pertaining to SBE participation or first-source recruitment agreement. 3. Remedies available under a development agreement.	1. Withholding of payment. 2. Termination, suspension or cancellation of the contract. 3. Denial to participate in any further city contracts for 1 year after 1st violation & 3 years after subsequent violations.	1. Withholding of payments. 2. Termination, suspension or cancellation of contract. 3. Denial of right to participate in future City contracts.
<b>Penalty</b>	\$1,000 to \$5,000	\$2,000 to \$5,000	\$2,000 to \$5,000	\$2,000 to \$5,000
<b>Enforcing Entity</b>	DPW	DOA	OSBD (DOA)	Contracting Agency or Purchasing Director (DOA)