



Legislation Text

File #: 111326, **Version:** 1

111326
SUBSTITUTE 1

ALD. HAMILTON

A substitute ordinance relating to small business participation requirements in city development agreements.

355-13-4 rc

355-17-2 am

This ordinance requires that the developer of any project receiving direct financial assistance of \$1 million or more from the city use small business enterprises for project expenditures in a total aggregate dollar amount equal to the following:

1. Construction: 25%.
2. The purchase of goods and services: 25%.
3. The purchase of professional services: 18%.

The ordinance establishes that these requirements shall be included in a written agreement and allows other types of certified businesses to be used in meeting these requirements in certain circumstances.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 355-13-4 of the code is repealed and recreated to read:

355-13. Other Requirements.

4. SMALL BUSINESS ENTERPRISES. a. The developer of any project receiving direct financial assistance from the city shall use small business enterprises as defined in s. 370-1-23 for project expenditures in a total aggregate dollar amount equal to the following:

1. Construction: 25%.
2. The purchase of goods and services: 25%.
3. The purchase of professional services: 18%.

b. The requirement to use small business enterprises shall be included in a written agreement between the city and the entity receiving the direct financial assistance.

c. A business that is certified with Milwaukee county, the state of Wisconsin or the U. S. federal government as a disadvantaged, emerging or small business enterprise, or some other program that in the discretion of the manager of the office of small business development is comparable to the city's small business enterprise program, shall qualify as a small business enterprise for the purposes of this chapter, and shall be included when determining compliance with this subsection.

d. If the developer demonstrates that city-certified small business enterprises are not available in either sufficient numbers or in the necessary areas of expertise, then the developer may utilize city-certified minority or woman business enterprises for purposes of compliance with this subsection.

Part 2. Section 355-17-2 of the code is amended to read:

355-17. Sanctions.

2. Specific performance or specified remedies under any ~~[[emerging business enterprise]]~~ >>written
<< agreement >>pertaining to small business enterprise participation<< or first-source recruitment
agreement.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Mary E. Turk
4/26/12
LRB136757-2