

CITY COMMISSION POLICY

 <p>GRAND RAPIDS MICHIGAN</p>	NUMBER: 600-12	HISTORY	
	DATE: May 25, 1982	FILE #	DATE
	FILE NUMBER: 40357	41715	04/26/83
	DEPARTMENT: Equal Opportunity	45320	07/02/85
		45075	09/24/85
		48749	08/25/87
		51457	05/23/89
		51983	09/19/89
		54183	01/22/92
		56133	04/28/92
		64243	12/30/97
		71174	05/06/03
		72015	12/23/03
		75897	01/23/07
		77592	09/16/08
		78460	07/07/09
		85077	10/27/15
		95106	10/21/2025

SUBJECT: EQUAL BUSINESS OPPORTUNITY – CONSTRUCTION POLICY

PURPOSE: In support of the City of Grand Rapids’ Mission Statement and the City Commission Sustainability Plan, the purpose of this policy is to:

- 1) Ensure non-discrimination in the performance and administration of City contracting and subcontracting;
- 2) Promote supplier diversity by providing access to all business enterprises and an equal opportunity to participate in the performance of all City contracts; and
- 3) utilize strategies that enhance the growth and development of local small and emerging businesses.

POLICY:

1. No person, firm or corporation shall discriminate on the basis of race, color, gender, national origin, age, religion, marital status, disability, height, weight, sexual orientation or gender identity or any other extraneous consideration not directly and substantively related to effective job performance in the procurement of any contract with the City for construction projects.
2. This policy shall apply to contractors submitting bids to the City

CITY COMMISSION POLICY

NUMBER: 600-12

Page 2 of 3

- a. for construction projects in an amount of ten thousand dollars (\$10,000) or more, financed in whole or in part with City funding, and
 - b. for all construction projects of \$10,000 or more where the construction is financed in whole or in part with federal/state funds, unless otherwise regulated.
3. This policy shall apply to contractors submitting bids to others
- a. for construction projects in an amount of ten thousand dollars (\$10,000) or more, financed in whole or in part with City funding, and
 - b. for all construction projects of \$10,000 or more where the construction is financed in whole or in part with federal/state funds, unless otherwise regulated.
4. The City Manager shall promulgate Administrative Guidelines to implement this Policy. The Guidelines shall allow for the utilization of Micro Local Business Enterprise (MLBE) and Veteran Owned Small Businesses.
- a. Micro Local Business Enterprise: A business designation provided by the City of Grand Rapids to businesses that meet all of the following criteria:
 1. Business Age: Verification that the business has been in operation for at least one full year (12 months).
 2. Registration: Verification of registration with the City of Grand Rapids Purchasing Department.
 3. Location: Verification that the principal place of business has been in operation for at least six (6) months from a fixed office located in Kent County, Michigan. The local office must operate in accordance with the following criteria:
 - a) The local office functions on a daily or regular basis, and provides all services to operate the business for which certification is sought;
 - b) The local office contains all fixtures, equipment and/or space necessary to operate, including but not limited to, as appropriate, computer(s), software, copy machine(s), furniture, vehicle(s), tools, appliances and/or machinery necessary to operate the business for which certification is sought;

CITY COMMISSION POLICY

NUMBER: 600-12

Page 3 of 3

- c) The local office must be the main office for assigned personnel who conduct the business' activities necessary to operate the local business for which certification is sought;
- 4. Business Size: Verification that the latest three-year average business revenue or number of permanent employees is 35% or less of the Small Business Administration's (SBA) NAICS industry small business standards.
- 5. Personal Net Worth: Verification that the controlling owners' (totaling 51% or more) individual personal net worth, as determined for SBA (8a) status (13CFR124.104.c(2)) that does not exceed the inflation-adjusted equivalent of \$242,000 in January 2007 dollars at the time of initial application. The applicable threshold will be recalculated annually using the U.S. Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U). For continued MLBE eligibility after admission to the program, the business owner's net worth shall not exceed \$883,050 (January 2007). This verification must be performed by a Certified Public Accountant (CPA) to ensure compliance with applicable regulations. The personal net worth calculation shall exclude the equity in the primary personal residence of the controlling owner.
- b. Veteran Owned Small Business (VOSB): A small business whose size is no greater than 50% of the numerical size standard applicable to the NAICS and that is at least 51% unconditionally owned by one or more veterans; or in the case of any publicly owned business, at least 51% of the stock of which is unconditionally owned by one or more veterans; and whose management and daily business operations are controlled by one or more veterans.

Said Guidelines shall provide for an Appeal Process and a method for the granting of Exceptions to this Policy under unusual circumstances. The Guidelines shall also be used in the interpretation and application of this Policy.

- 5. The City reserves the right to accept or reject any and all bids, to refuse to award a contract, to terminate any bid or contract attempted to be secured, to advertise for new bids, and further reserves the right to award a contract in the City's best interest and, therefore, may select a bidder other than the lowest.