

**ORDINANCE NUMBER O14-014**

AN ORDINANCE PROVIDING FOR A REVISED AND  
AMENDED SUNSET DATE AT SECTION 18 OF ORDINANCE  
012-003, "REVISIONS TO THE AFFIRMATIVE ACTION INTERIM  
ORDINANCE, APPENDIX D OF THE METROPOLITAN WATER  
RECLAMATION DISTRICT OF GREATER CHICAGO"  
FROM DECEMBER 6, 2014 TO JUNE 4, 2015, WHICH WAS  
PREVIOUSLY ADOPTED ON NOVEMBER 15, 2012

Adopted by the Board of  
Commissioners of the Metropolitan  
Water Reclamation District of  
Greater Chicago on the 20<sup>th</sup> day of  
November, 2014

## **ORDINANCE NUMBER 014-014**

AN ORDINANCE PROVIDING FOR A REVISED AND AMENDED SUNSET DATE AT SECTION 18 OF ORDINANCE 012-003, REVISIONS TO THE AFFIRMATIVE ACTION INTERIM ORDINANCE, APPENDIX D OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO FROM DECEMBER 6, 2014 TO JUNE 4, 2015, WHICH WAS PREVIOUSLY ADOPTED ON NOVEMBER 15, 2012

### **PREAMBLE**

Whereas, the Board of Commissioners previously undertook a comprehensive review of its Affirmative Action Program and adopted Interim Ordinance 12-003 on November 15, 2012;

Whereas, Section 18 of the Interim Ordinance contains a sunset provision that states: This Appendix D shall be reviewed no later than two years from its adoption and shall expire on December 6, 2014, unless the District finds its remedial purposes have not been fully achieved and that there is a compelling interest in continuing to implement narrowly tailored remedies to redress discrimination against M/WBEs so that the District will not function as a passive participant in a discriminatory marketplace in the Metropolitan Chicago construction industry;

Whereas, as part of the aforementioned two-year review process, in April 2014, the District commenced a comprehensive and expansive disparity study focusing on the construction industry in the Metropolitan Chicago area to continue to ensure that the District remains current and in compliance with the laws governing Affirmative Action and may form the basis of any subsequent revisions to the current Interim Ordinance;

Whereas, the disparity study involves the compilation and analysis of voluminous records relating to prime contractors and their contracts with the District over a period of years and the gathering of such records has proven to be a time-consuming process;

Whereas, completion of a thorough analysis of the prime contractor records that have now been gathered is an integral part of the disparity study and will require additional time beyond the current sunset date of the Interim Ordinance;

Whereas, to facilitate completion of the aforementioned analysis, the sunset provision of the Interim Ordinance at Section 18, for good cause shown must now be revised and extended from December 6, 2014 to June 4, 2015.

NOW THEREFORE BE IT HEREBY ORDAINED AS FOLLOWS:

Section 18 of the Affirmative Action Interim Ordinance, Appendix D, Ordinance 012-003 is hereby deleted therefrom in its entirety, and substituted therefore is the following:

This Appendix D shall be reviewed no later than June 4, 2015 and shall expire on June 4, 2015, unless the District finds its remedial purposes have not been fully achieved and that there is a compelling interest in continuing to implement narrowly tailored remedies to redress discrimination against M/WBEs so that the District will not function as a passive participant in a discriminatory marketplace in the Metropolitan Chicago construction industry.

All other provisions of the Affirmative Action Interim Ordinance, Appendix D, remain the same.

This Ordinance shall be in full force and effect forthwith upon its adoption.

Dated: this \_\_\_\_ day of \_\_\_\_\_, 2014

Approved as to Form and Legality:

\_\_\_\_\_  
Head Attorney

\_\_\_\_\_  
General Counsel

Attest:

Approved:

\_\_\_\_\_  
Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

\_\_\_\_\_  
Kathleen T. Meany, President  
Board of Commissioners  
Metropolitan Water Reclamation District of  
Greater Chicago