

TRANSMITTAL LETTER FOR BOARD MEETING OF DECEMBER 1, 2022

COMMITTEE ON AFFIRMATIVE ACTION

Mr. Brian A. Perkovich, Executive Director

..Title

Adopt Affirmative Action Ordinance, Revised Appendix D of the Metropolitan Water Reclamation District of Greater Chicago

..Body

Dear Sir:

It is recommended that the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago adopt Ordinance O22-14B entitled:

“AFFIRMATIVE ACTION ORDINANCE, REVISED APPENDIX D OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO”

On July 20, 1978, the Board of Commissioners (Board) adopted its Affirmative Action Program. On March 15, 1990 it adopted the Affirmative Action Ordinance, Revised Appendix D (Ordinance). The Ordinance has been amended from time to time with the most recent amendment on June 2, 2022 that extended the sunset or expiration provision to December 31, 2022.

On September 17, 2020, the Board approved an agreement with consultant Colette Holt and Associates to complete a comprehensive Disparity Study which focuses on the construction industry in the Chicago metropolitan area. The purpose of the Disparity Study was to ensure that the Metropolitan Water Reclamation District of Greater Chicago (District) remains in compliance with laws governing affirmative action. The Disparity Study has been completed.

On November 3, 2022 and November 17, 2022, the Board authorized review of the proposed amendments to the Ordinance. On November 9, 2022, the Board held a study session on the proposed amendments. Since November 17, 2022, in addition to correcting scrivener’s errors “Section 10. Certification Eligibility” of the Ordinance has been amended in the following ways:

- Sets forth the District’s verification procedures and includes a pre-certification process.
- Specifies the frequency with which the Administrator will review the certification status of MBEs and WBEs.
- Authorizes the Administrator to contact the appropriate law enforcement agency when it is determined that a business knowingly, willingly, and intentionally submitted false or misleading information during the verification process.

Pursuant to the recommendations contained in the Disparity Study, the comments received from the public, and the expressed will of the Board, it is recommended that the Board of Commissioners adopt Ordinance O22-14B, entitled Affirmative Action Ordinance, Revised Appendix D of the Metropolitan Water Reclamation District of Greater Chicago.

Requested, Regina Berry, Diversity Administrator, RDB:STM:JTM:YAT:nl

Recommended by Susan T. Morakalis, General Counsel

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Affirmative Action

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 1, 2022