

RESOLUTION NO. _____

WHEREAS, each year, the City of Austin enters into interlocal contracts with other governmental entities, as described in the Interlocal Cooperation Act, Texas Government Code Chapter 791; and

WHEREAS, interlocal contracts include contracts between the City and another governmental entity for cooperative purchases of services or commodities (Cooperative Purchases); and

WHEREAS, in the case of Cooperative Purchases, the contract between the City and other governmental entity is followed by a contract between the City and a vendor for delivery of the service or commodity; and

WHEREAS, in the case of Cooperative Purchases, the City desires to make compliance with the standards and principles of the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program (M/WBE Program) a supplementary term in the City's contract with the service or commodity vendor; **NOW, THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. It is the City's policy that Cooperative Purchases with subcontracting opportunities comply with the standards and principles of the City's M/WBE program.
2. Standards and principles of the City's M/WBE program include the Small and Minority Business Resources Department (SMBR) providing the vendor with contact information for subcontractors

certified by the City of Austin; SMBR encouraging the vendor to meet the City's annual M/WBE goals in any subcontracting opportunities; the vendor meeting the goals established by SMBR or demonstrating a good faith effort to meet the goals; and the vendor submitting monthly reports to SMBR regarding subcontracting activity.

3. The City may, on a case by case basis, propose project specific goals for a Cooperative Purchase if all scopes of work are known at time of solicitation.
4. The supplemental terms regarding M/WBE standards and principles shall be included in the City's solicitation documents, if any, and in the contract between the City and the vendor to the extent such terms are not inconsistent with the master contract between the vendor and the cooperative agency.
5. Failure to comply with supplemental terms regarding M/WBE standards and principles shall be addressed according to the terms of the contract.
6. The City employees who negotiate Cooperative Purchase contracts will be trained in the standards and principles of the City's M/WBE Program in order to carry out the directives of this resolution.
7. Eligible Cooperative Purchase contracts do not include interlocal agreements administered by another governmental entity.

ADOPTED: _____, 2010 **ATTEST:** _____

Shirley A. Gentry
City Clerk