



August 7, 2019

Mayor Andrew Ginther
City of Columbus

CC:

Damita Brown, Interim Director, Office of Diversity and Inclusion

Shannon Hardin, Council President, Columbus City Council

Elizabeth Brown, Council President Pro Tempore, Columbus City Council

Mitchell Brown, Council Member, Columbus City Council

Rob Dorans, Council Member, Columbus City Council

Shayla Favors, Council Member, Columbus City Council

Emmanuel Remy, Council Member, Columbus City Council

Priscilla Tyson, Council Member, Columbus City Council

Mayor Ginther and all copied,

On behalf of the Central Ohio African American Chamber of Commerce and the National Association of Minority Contractors Central Ohio Chapter, we must strongly urge swift action to remediate disparities and barriers identified in the Disparity Study released on July 24, 2019. As representatives of some of the community's most affected business owners, we ask that you seriously consider the importance of expediency in resolution of these matters. Further, inaction by your administration perpetuates the systemic discrimination revealed in the study.

Due diligence has been your administration's stated method of operation during this process – and we'd ask that you do the same when it comes to how we as a City move from here. However, we must insist that your administration and City Council move quickly to implement select recommendations from Mason Tillman Associates and others from the community as good faith efforts.

We believe that the following must happen by December 31, 2019 if not sooner:

1. **Immediate removal or suspension of the Prequalification requirement from city code:** Creating additional paperwork to a process that is already cumbersome is unfair, and only benefits larger companies. Many construction contractors must obtain licenses to do work, general contractors are required to prequalify all of their contractors (per state law), and contracts require proof of bonding

and additional documentation. The City's yearly prequalification application is easiest to complete by firms with large teams who can dedicate someone to do the 30-page application without slowing operations.

2. **Hire a Chief of Diversity and Inclusion and hire staff for the department:** The Office of Diversity and Inclusion has been severely understaffed for over eighteen months and without an appointed chief for over a year. None of the recommendations will work without executive level commitment from you which can be best demonstrated through full staffing of this office with competent individuals ready to complete the tasks at hand. Hire a Chief and give them the resources they need to build the team we need. In the interim, select functions of ODI should be contracted out via a public bidding process (i.e. marketing/outreach, data collection, process review/improvement, etc.).
3. **Select a Business Advisory Council** (composed of business owners, business development groups, appropriate City Staff): who should be consulted in developing the plan for Supplier Diversity programming moving forward. It is our understanding that a Diversity Council exists - utilize the existing council body, diversify if based on the suggestions above, make its membership and meetings public.
4. **Revise the Informal Bid Process:** Set a five-call requirement for all informal bids, at least one of the calls must be to an MBE and at least one of the calls must be to a WBE. As part of compliance and oversight, reports must be made to the Office of Diversity and Inclusion. In the future, the informal bid threshold should be lowered and/or include approval process through Diversity and Inclusion.
5. **Establish Subcontracting Goals by industry and availability** as laid out by the Mason Tillman Disparity Study. These goals need to be in effect on all contracts effective January 1, 2020 and must be met per contract at time of bid opening.

In addition to the recommendations laid out by Mason Tillman, we believe that the following must also happen immediately – both of which are within the direct control of your office:

1. **Immediate removal or suspension of the Community Benefit Agreement practice** of requiring small businesses to pay union dues. In addition to prequalification, forced unionization of all contractors through Community Benefit Agreements is unfair and creates an additional barrier to participation to our firms.
2. **Mayoral Directive on Administration-Wide Culture Shift:** Your Administration is famous for touting the desire to be “America's Equal Opportunity City,” and this Study presents an awesome opportunity to be data-driven and intentional in your efforts to make it so. We believe that all recommendations and strategies are simple platitudes without a strong directive from your office to your department heads demanding a culture shift towards true inclusion.

We, our members, stakeholders, and partners intend to remain diligent in seeing policy and administrative adjustments to remediate the disparities noted in the report and we all look forward to being active participants in the path forward.

Thank you in advance for your support.

Sincerely,

J. Averi Frost, Executive Director, Central Ohio African American Chamber of Commerce

Mayo Makinde, Executive Director, National Association of Minority Contractors – Central Ohio Chapter