



## CITY OF SAINT PAUL

*Christopher B. Coleman, Mayor*

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### **AFFIRMATIVE ACTION / EQUAL EMPLOYMENT OPPORTUNITY CONTRACT SPECIFICATIONS**

#### **Definition of Terms:**

1. **What is considered City Funds?** money originating from the City of Saint Paul or other federal and state funds. This is defined as money originating from Capital Investment Bonds (CIB), U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG), Federal Low Income Housing Tax Credits (LIHTC), Housing Redevelopment Authority (HRA), Home Investment Partnership Program (HOME), Metropolitan Council funding programs, multi-family Housing Revenue Bonds, Sales Tax Revitalization (STAR), Tax Increment Financing (TIF), and any combination of loans, grants, and land write-down or other funding vehicles.
2. **What is considered a Contract?** (for AA/EEO compliance monitoring, the word “contract” is used to refer to all agreements) a formal agreement between the City of Saint Paul and a contractor or other business. A contract is defined as a development agreement, master contract, a professional service agreement, a purchase order, a service agreement, and any other contract where the City provides funding.
3. **Who is a Contractor?** Any person entering into a contract or agreement with the City of Saint Paul.
4. **Person:** includes natural persons, firms, corporations, partnerships, joint ventures, companies, organizations, for profit and nonprofit, agencies, clubs, groups, or any other association of natural persons, legal entities, or both.

1. The City of Saint Paul Human Rights Ordinance, Section 183.04 of the Saint Paul Legislative Code and Rules Governing Affirmative Requirement in Employment requires persons who have been awarded or enter into a contract with the City that meets or exceeds \$50,000 within the preceding twelve-month period to submit the company's Affirmative Action Program (AAP) to the City for certification.
  - a. There is a fee of \$75 to cover the costs of certifying the affirmative action plan for compliance.
  - b. An Affirmative Action Program (AAP) Registration document is provided by the City for contractor to use as needed in lieu of submitting an AAP. Affirmative Action Program certification shall apply at all times during the performance and term of the contract.
2. The AAP certification document indicates that equal employment opportunity is the policy of the contractor, that the contractor is committed to affirmative action, that the contractor fully supports incorporation of non-discrimination and affirmative action rules and regulations into contracts and agreements, and that the contractor intends to implement those policies.
3. The contractor shall take specific actions to ensure equal employment opportunity. The evaluation of the contractor's compliance with these specifications must be based upon its effort to achieve maximum results from its actions. Good faith effort affirmative action steps are as follows but not limited to:

- a. Designating a responsible official to monitor employment activities.
  - b. Maintaining an environment free of harassment, intimidation, coercion and discriminatory acts.
  - c. Establishing and maintaining face-to-face relationships with recruitment sources for people of colors and individual with disabilities.
  - d. Annually reviewing the affirmative action plan activities.
4. If the contractor fails to comply with the requirements of Section 183 of the Saint Paul Legislative Code, its implementing rules, or these specifications, the Director may proceed with appropriate sanctions, including: suspension, termination, cancellation of existing contracts until corrective steps are taken, and declarations of non-eligibility to bid or a combination these.
  5. The contractor shall not enter into any contract or agreement with any person or firm debarred from government contracts under Section 183 of the Saint Paul Legislative Code, Chapter 139 of the Minneapolis Ordinances, Federal Executive Order 11246, or whose state certificate of compliance has been suspended or revoked pursuant to Minnesota Statutes, Section 363.073.

**Contact:**

HREEO

AA/EEO Contract Compliance Officer

Email: [affirmativeaction@ci.stpaul.mn.us](mailto:affirmativeaction@ci.stpaul.mn.us)

Phone: 651-266-8900

**SUPPLEMENTAL  
WORKFORCE INCLUSION GOALS FOR CONSTRUCTION CONTRACTS  
Effective July 17, 2017**

The following supplemental AA/EEO specifications shall apply to all contracts for construction which receive City funding. All contractors shall include these Supplemental AA/EEO Specifications for construction contracts in all lower tier contracts for construction work. Developer and Prime contractor shall communicate to all subcontractors the following:

City workforce utilization goals for City funded construction projects of \$50,000 or more are expressed as a percentage of the total hours performed by female and minority construction workers.

**32%    Minority Total Project hours  
20%    Female Total Project hours**

After the contract has been awarded, but before construction begins, all contractors that have been selected to work on the project will be required to meet in a Pre-Construction Conference with the Compliance Officer been assigned to monitor the project. This conference will be held to discuss the utilization goals for minority and women, how the goals will be met, and any problems that may affect the project's ability to achieve the goals.

Every contractor must submit the **Identification of Prime Contractors** identifying the names, addresses, telephone numbers, start date, completion date and nature of work must be listed for the each contractor, as well as all lower tier contractors (including material suppliers).

All lower tier or sub-contractor must complete and submit to the Prime the Mandatory **Project Employment Utilization (PEU)** form indicating the total number of project work hours they anticipate it will take to complete their scope of work on the construction project, the total women work hour and total minority work hours. All contractors must indicate on the bottom of the PEU form if they will meet the goals through their internal work force or by hiring additional employees. If they are unable to meet the goals, they must indicate the reason at the bottom of the PEU form. The Prime must collect and submit all the PEU forms to the City's AA/EEO Compliance Officer at: [affirmativeaction@ci.stpaul.mn.us](mailto:affirmativeaction@ci.stpaul.mn.us)

**Workforce inclusion** on construction projects is generally monitored via certified payroll in **LCP Tracker**. The LCP Tracker service is a paperless, online system of entering Certified Payroll Reports. Payroll data may be entered directly into the system or uploaded from major construction accounting and payroll programs. In LCP Tracker, contractors are required to select the job classification, gender and race of each individual worker. In the rare instances where LCP Tracker is not used, contractors shall report monthly workforce inclusion manually on the Monthly Employment Utilization (MEU) form.

**Failure to make Good Faith Efforts:**

Should a contractor fail to make and demonstrate a good faith effort to meet the goals for participation of women and minorities set forth in these specifications, the Director may take appropriate measures to sanction the contractor pursuant to Section 183 of the Saint Paul Legislative Code.

**Questions/Concerns:**

AA/EEO Contract Compliance Officer

Email: [affirmativeaction@ci.stpaul.mn.us](mailto:affirmativeaction@ci.stpaul.mn.us)

Phone: 651-266-8900

**City of Saint Paul**

**MANDATORY: PROJECT EMPLOYMENT UTILIZATION (PEU)**

*(To be completed by all contractors performing labor on the job. Please return completed form to the General Contractor or email the completed form to affirmativeaction@ci.stpaul.mn.us)*

PROJECT DESCRIPTION \_\_\_\_\_

CONTRACTOR NAME \_\_\_\_\_ PRIME \_\_\_\_\_ SUB \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

TYPE OF WORK TO BE PERFORMED \_\_\_\_\_

CONTRACT AMOUNT \_\_\_\_\_ EST START DATE \_\_\_\_\_ EST COMPLETION DATE \_\_\_\_\_

**WORKFORCE INCLUSION GOALS (City Funded Projects):**

**Minority Skilled/Unskilled Hours**

**32% of Total Project Work Hours**

**Female Skilled/Laborer Hours**

**20% of Total Project Work Hours**

**Please complete the section below and include your company's anticipated construction work hours on the project:**

**A. TOTAL PROJECT WORK HOURS** \_\_\_\_\_

**B. TOTAL MINORITY WORK HOURS** \_\_\_\_\_  $\frac{\quad}{[(B \div A) \times 100]}$  %

**C. TOTAL FEMALE WORK HOURS** \_\_\_\_\_  $\frac{\quad}{[(C \div A) \times 100]}$  %

**D. TOTAL NO. OF EMPLOYEES TO WORK ON PROJECT** \_\_\_\_\_

Indicate if company will use current employees and/or hire additional workers to meet the utilization goals for this project. If you are unable to meet the goals, indicate the reason below. Include the name, job title, race, gender and hire date for all current employees in the job categories which will be used on this project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
NAME (PLEASE PRINT)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DATE