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EXECUTIVE ORDER NO. 4

**TO: ALL BOARDS, COMMISSIONS, DEPARTMENT
HEADS AND ELECTED OFFICIALS**

FROM: DENNIS W. ARCHER, MAYOR

DATE: OCTOBER 28, 1994

**SUBJECT: UTILIZATION OF DETROIT-BASED BUSINESSES AND
SMALL BUSINESSES**

Approximately a year and a half ago, the City of Detroit ordinance establishing the City's race-and-gender-based sheltered market program was found unconstitutional by the United States District Court in the aftermath of the United States Supreme Court's decision in City of Richmond v. J.A. Croson. As a result, the City was forced to abandon that program, which had set aside specific percentages of City contracts for minority-owned businesses and women-owned businesses.

The provision of jobs to Detroit residents, as well as the success of Detroit-based businesses and small businesses, nevertheless, are paramount goals of this administration.

City government has a significant interest in encouraging the creation of employment opportunities for its residents and in fostering the success of its resident businesses. Furthermore, because City government is a major purchaser of goods and



services, it has an opportunity to play a major role in the economic revitalization of the City. This City's budget for this fiscal year is \$2.2 billion, a substantial percentage of which will be used to acquire goods and procure services to equip the City to serve the needs of its citizens. Moreover, the City itself stands to gain from improvements in expanded job and business opportunities for Detroit residents and businesses through the additional tax revenues thereby generated.

It is the policy of this administration to develop opportunities for small and local businesses where possible, except as limited by the Charter of the City of Detroit. The purpose of this Executive Order is to direct City departments and agencies to implement specific purchasing goals for Detroit-based businesses and small businesses. The goal of this administration is to award thirty percent (30%) of the total dollar value of all contracts let by the City to Detroit-based businesses and small businesses, recognizing that the ability of individual departments to achieve this goal may vary as a function of the types of goods or services required and the availability of local and/or small businesses to perform any given contract.

For the purposes of this Executive Order, "Detroit-based" has the meaning assigned to it by Section 18-5-1 of the Detroit City Code, as follows:

Detroit-based shall mean the physical and economic relationship to this city determined by the payment of city income taxes on the contractor's net profits, city excise taxes, and city property taxes on a plant or office and equipment such as is ordinarily required for the performance of the contract bid upon or on other real or personal property in the city equivalent in value to such plant or




office and equipment, for not less than one taxable year immediately prior to the date of determination.

The term "small business" shall have that meaning assigned to it by the Finance Department based on the federal Small Business Administration's regulations and local economic conditions in and surrounding the City of Detroit.

This Executive Order is effective immediately. The Finance Director is hereby directed to prepare administrative guidelines for the implementation of this Executive Order within thirty (30) days. The administrative guidelines shall become effective within thirty (30) days of the date of this Executive Order.

All City departments and agencies are directed to identify suitable contracts and subcontracts for Detroit-based businesses and small businesses, and to review their contracting practices and procedures for implementation of this Executive Order. Responsibility for monitoring and enforcing the provisions of this Executive Order is committed to the Finance Department and such other City Departments that the Mayor may from time to time designate.


DENNIS W. ARCHER
Mayor

FINANCE DIRECTIVE NO. 134

TO: ALL BOARDS, COMMISSIONS, DEPARTMENT HEADS
AND ELECTED OFFICIALS

FROM: ERIC TUCKER
DIRECTOR, FINANCE DEPARTMENT

RE: ADMINISTRATIVE GUIDELINES FOR IMPLEMENTING
EXECUTIVE ORDER NO. 4

DATE: JANUARY 18, 1995

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INTRODUCTION

On October 28, 1994, Mayor Dennis W. Archer issued Executive Order No. 4, which targets thirty percent (30%) of the total dollar value of all contracts let by the City to Detroit-based businesses and small businesses. Acknowledging that the ability of individual City departments and agencies to achieve this goal may vary as a function of the types of goods or services required and the availability of local and/or small businesses to perform any given contract, Executive Order No. 4 does not require that thirty percent (30%) of each City contract be awarded to Detroit-based businesses and/or small businesses. Rather, Executive Order No. 4 permits the individual departments and agencies to identify those contracts and subcontracting opportunities, in whole or in part, that are to be included in the Detroit-based Businesses and Small Businesses Program (hereinafter "DSBP").

This Finance Directive establishes the administrative guidelines for implementation of Executive Order No. 4 with regard to construction contracts, purchase contracts and imprest cash purchases. The application of Executive Order No. 4 to professional services contracts shall be the subject of a separate Finance Directive.

This Finance Directive shall be conditionally implemented pending the public hearing required by Section 2-111 of the Detroit City Charter and the adoption of permanent guidelines following that hearing.

1.0 DEFINITIONS

For the purposes of this Finance Directive, the following terms have the meanings specified below:

- 1.01 **Affiliate** means any *business*, including, but not limited to, a parent *business*, subsidiary *business* or a sibling *business*, that has any of the following relationships to another *business*:
- (a) Directly or indirectly owns or holds with power to vote, five percent (5%) or more of the outstanding voting securities of such other *business*;
 - (b) Five percent (5%) or more of whose outstanding voting securities are directly or indirectly owned or held with power to vote by such other *business*; or
 - (c) Directly or indirectly controlling, controlled by, or under common control with such other *business*. For the purposes of this Subsection, the term "control" means the power to exercise a controlling influence over the management policies of a *business*.
- 1.02 **Book type contract** shall mean a contract for construction that includes extensive technical specifications that are bound together in a book.

- 1.03 **Business** shall mean any association, cooperative, corporation, individual, joint venture, partnership, sole proprietorship or other legal entity.
- 1.04 **City** shall mean the City of Detroit, Michigan.
- 1.05 **Contract Compliance Division ("CCD")** shall mean the Contract Compliance Division of the *Human Rights Department*.
- 1.06 **Contracting department** shall mean a *City* department or a *City* agency for which any of the following are sought: construction contract, *purchase contract* or imprest cash purchase.
- 1.07 **Detroit-based business ("DBE")** shall mean a *business* having a physical and economic relationship to the *City* determined by the payment of the following for not less than one (1) taxable year immediately prior to the date of application for *DSBP* certification: *City* income taxes on the *business*' net profits; *City* excise taxes; and *City* property taxes on a plant or an office and equipment such as is ordinarily required for the performance of the contract bid upon or on other real or personal property in the *City* equivalent in value to such plant or office and equipment,

To be certified as "Detroit-based," pursuant to Section 2.0 of this Finance Directive, a *business* shall satisfy the definition included in the first paragraph of this Subsection as well as two (2) of the criteria listed below:

- (a) Verification that an existing inventory of the product(s) the *business* proffers to the *City* is physically located within the corporate limits of the *City*;
 - (b) Verification of the *business*' ability to service/repair products to be sold to the *City* at a site located within the corporate limits of the *City*;
 - (c) References, licenses or other means of verification acceptable to the *City* that service(s) the *business* proffers to the *City*, if awarded a contract, have been provided for at least one (1) year prior to the date of application as Detroit-based;
 - (d) Verification that a majority (51%) of the full-time employees, chief officers and managers of the *business* regularly work and conduct *business* in the *City*; or
 - (e) Verification that a majority (51%) of the employees based at the *business*' *City* location(s) shall be residents of the *City*.
- 1.08 **General construction business** shall mean a *business* that (a) is a general contractor for any of the following: industrial buildings, residential buildings, single family houses or warehouses or (b) performs heavy construction which includes, but is not limited to, the

following: bridges, communications lines, elevated highways, highways, pipelines, power lines, sewer lines, streets, tunnels or water lines.

- 1.09 **Human Rights Department** shall mean the Human Rights Department of the *City*.
- 1.10 **Human Rights Director** shall mean the Director of the *Human Rights Department*.
- 1.11 **Invitation for bids** shall mean the complete assembly of related documents, whether attached or incorporated by reference, furnished to prospective bidders for the purpose of bidding.
- 1.12 **Purchase contract** shall mean a contract for the purchase of goods, as that term is defined by Article 2 of the Uniform Commercial Code, M.C.L. § 440.2105(1).
- 1.13 **Purchasing Director** shall mean the Director of the *Purchasing Division*.
- 1.14 **Purchasing Division** shall mean the Purchasing Division of the Finance Department of the *City*.
- 1.15 **Small business ("SBE")** shall mean a *business* that is certified as a small *business* pursuant to Section 2.0 of this Finance Directive. A small *business* shall be independently owned and operated and shall not be one of the recognized leaders or dominant firms in its field of operation. A *business* is not a "dominant firm in its field of operation" when it does not exercise a controlling or major influence in a kind of commercial activity in which a number of *businesses* are primarily engaged.

Below listed are the size limitations for *small businesses* in various fields of operation. The amount of annual receipts or the number of employees indicates the maximum permitted for a *business* (including *affiliates*) to be considered small. The term "*affiliate*" is defined above in Subsection 1.01. These size limitations are based on the federal Small Business Administration's regulations, 13 C.F.R. § 121.601 (1994) and the revisions thereto, 59 Fed. Reg. at 16,513 (1994).

- (a) **General construction business** whose average annual gross receipts have not exceeded seventeen million dollars (\$17,000,000) in the three (3) fiscal years preceding the date of application;
- (b) **Manufacturing business** which has provided full-time employment to not more than five hundred (500) persons in the three (3) fiscal years preceding the date of application;
- (c) **Service business** whose average annual gross receipts have not exceeded five million dollars (\$5,000,000) in the three (3) fiscal years preceding the date of application;
- (d) **Specialty construction business** whose average annual gross receipts have

not exceeded seven million dollars (\$7,000,000) in the three (3) fiscal years preceding the date of application;

- (e) **Retail business** whose average annual gross receipts have not exceeded five million dollars (\$5,000,000) in the three (3) fiscal years preceding the date of application; and
 - (f) **Wholesale business** which has provided full-time employment to not more than one hundred (100) persons in the three (3) fiscal years preceding the date of application.
- 1.16 **Specialty construction business** shall mean a *business* that performs any of the following: carpentry; concrete work; electrical work; excavation work; floor laying; glass and glazing work; heating, ventilation and air conditioning; installation or erection of building equipment; masonry, stone setting and other stone work; painting and paper hanging; plastering, drywall, acoustical and insulation work; plumbing; roofing, siding and sheet metal work; structural steel erection; terrazzo, tile, marble and mosaic work; water well drilling; or wrecking and demolition work; as well as other categories of specialty construction as may be identified by the *Purchasing Division*.
- 1.17 **Subcontract** shall mean a written agreement between a *subcontractor* and a contractor, pursuant to which the *subcontractor* will provide to the contractor equipment, goods, materials, services or supplies.
- 1.18 **Subcontractor** shall mean a *business* providing equipment, goods, materials, services or supplies to a contractor.

2.0 CERTIFICATION PROCEDURES

- 2.01 A business may apply for certification as a DBE, an SBE or both.
- 2.02 Only one application per year. A *business* may file with the CCD only one (1) application for certification every twelve (12) months. The CCD shall reject any application that is filed less than twelve (12) months after the date of the applicant *business*' previous application.
- 2.03 The CCD shall have the duty to certify businesses for the DSBP. The CCD shall determine whether an applicant *business* satisfies the prerequisites for certification as a DBE and/or an SBE.
- (a) The CCD shall prescribe the form of DSBP application, which also shall identify the supporting materials (e.g., tax filings, articles of incorporation and licenses) that a *business* is required to submit for certification in each DSBP certification category (i.e., whether the applicant *business* is a DBE and/or an SBE).

- (b) *DSBP* application forms shall be available in the offices of the *CCD*. *DSBP* application forms will also be distributed by the *CCD* to *contracting departments*.
- (c) If the *CCD* concludes that an applicant *business* qualifies as a *DBE* and/or an *SBE*, then it shall issue a "Notice of *DSBP* Certification" that includes the following:
 - (i) The inception date of the certification;
 - (ii) The expiration date of the certification;
 - (iii) The *DSBP* certification category (*i.e.*, whether the applicant *business* is a *DBE* and/or an *SBE*); and
 - (iv) The *Purchasing Division* Commodity Code names and numbers for the goods and services for which the applicant *business* has received certification. The *Purchasing Division* Commodity Code Catalog is attached as Exhibit "A" hereto.

If an applicant *business* has been certified as both a *DBE* and an *SBE*, then the *CCD* is to specify in the "Notice of *DSBP* Certification" the *Purchasing Division* Commodity Code names and numbers that pertain to each *DSBP* certification category.

- (d) If the *CCD* determines that an applicant *business* does not satisfy the applicable requisites, then it shall issue a "Denial of *DSBP* Certification" that explains the *CCD*'s reasons for its conclusion and that offers the applicant *business* the opportunity to discuss informally with the *CCD* the denial. The procedure for appealing from a "Denial of *DSBP* Certification" is described in Subsection 2.09 of this Finance Directive.
- (e) Within seven (7) calendar days of the date of its decision, the *CCD* shall mail to the applicant *business* one of the notices described in Subsections 2.03(c) and 2.03(d) by Certified Mail, Return Receipt Requested.

2.04 The *CCD* is to follow up on incomplete files. If an applicant *business*' file is not complete within thirty (30) calendar days of an applicant *business*' initial submission, then the *CCD* shall write to that *business* to obtain the remaining information. If the applicant *business* does not provide the requested information within thirty (30) calendar days of the date of the *CCD*'s request, then the *CCD* may in its sole discretion deem the application abandoned. The *CCD* may close abandoned files.

2.05 *SBE* certifications from other governmental agencies. If, within the twelve (12) months prior to submitting a *DSBP* application, an applicant *business* has been certified

by another governmental agency, whose *SBE* definitions are substantially the same as those contained in Subsection 1.15 or are more restrictive (*i.e.*, definitions requiring lower average annual gross receipts or fewer employees), then the *CCD* shall regard such certification as *prima facie* evidence of qualification for the *DSBP*. In such circumstances, the *CCD* shall have the right and duty to require supporting documentation to verify a *business'* *SBE* certification status.

- 2.06 **Duration of certification.** A *business'* *DSBP* certification is valid for two (2) years and must be renewed bi-annually.
- 2.07 **Monitoring of status.** Once a *business* is certified as a *DBE* and/or an *SBE*, the *CCD* shall periodically monitor that *business'* status to verify that the *business* continues to satisfy the requirements of certification for the applicable *DSBP* certification category(ies). A *DSBP*-certified *business* must immediately notify the *CCD* about any change in its circumstances that affects either the representations that it has made in its application materials or its status as a *DSBP*-certified *business*.
- 2.08 **Misconduct will result in decertification and disqualification from the *DSBP*.** The *CCD* shall decertify any *business* that either obtains its certification through fraud, deceit or misrepresentation or fails to report any changes that materially affect that *business'* qualification for certification. Upon such a finding, the *Purchasing Division* shall remove the name of the *business* from all *DSBP* vendors lists, maintained pursuant to Section 3.0 of this Finance Directive, for a period of three (3) years.
- 2.09 **Procedure for appealing from a denial of *DSBP* certification.** This Subsection establishes the exclusive procedure for an applicant *business* that seeks relief from a "Denial of *DSBP* Certification," issued pursuant to Subsection 2.03(d). Further, the procedure set forth in this Subsection is available only to an applicant *business* seeking relief from a "Denial of *DSBP* Certification." The procedure for appealing from a "Denial of *DSBP* Certification" is as follows.
- (a) Within fourteen (14) calendar days of the date of receipt of a "Denial of *DSBP* Certification," as described in Subsection 2.03(d), an applicant *business* may file with the *CCD* a written request for an informal discussion, the purpose of which is to permit the *business* to discuss its concerns about the denial. A "Denial of *DSBP* Certification" will not be modified or reversed at this stage of the appeal process.
 - (b) After the informal discussion, *CCD* shall issue a "Confirmation Notice" that outlines these subject matters:
 - (i) The issues discussed at and the outcome of the informal discussion and
 - (ii) The applicant *business'* appellate rights.

The *CCD* shall mail to the applicant *business* a copy of the "Confirmation Notice" by Certified Mail, Return Receipt Requested.

- (c) Only after it has exhausted the procedures set forth in Subsections 2.09(a) and 2.09(b), may an applicant *business* appeal from a "Denial of DSBP Certification." A typewritten or printed "Claim of Appeal" shall be filed with the *Human Rights Director* within fourteen (14) calendar days of the date of receipt of a "Confirmation Notice." A "Claim of Appeal" shall satisfy all of the following requirements:
- (i) Include a detailed narrative of the all of the bases for reversal of the *CCD*'s decision to deny *DSBP* certification. Any basis omitted from the "Claim of Appeal" is waived;
 - (ii) Include documentation supporting the applicant *business*' claim that it satisfies the requirements for *DSBP* certification;
 - (iii) Include a copy of the "Confirmation Notice," described in Subsection 2.09(b) of this Finance Directive;
 - (iv) Include a statement from the applicant *business* as to whether it desires an opportunity to discuss its appeal with the *Human Rights Director*; and
 - (v) Exclude any reliance on or reference to changes in the applicant *business*' ownership, operation and/or management occurring after the date of the "Denial of DSBP Certification."
- (d) A "Claim of Appeal" that does not substantially conform to the requirements of Subsection 2.09(c) of this Finance Directive may be dismissed by the *Human Rights Director* without a decision on the merits of the appeal.
- (e) Within twenty-one (21) calendar days of the date that the "Claim of Appeal" is received by the *Human Rights Director*, the *Human Rights Director*, or designee, shall issue a written statement disposing of the appeal. This statement shall be mailed to the applicant *business* by Certified Mail, Return Receipt Requested.
- (f) The decision of the *Human Rights Director*, or designee, is final and is subject neither to further appeals pursuant to Subsection 2.09 nor to the reconsideration procedure of Subsection 2.10. The *CCD* shall dismiss any filing that violates the provisions of this Subsection.

2.10 Procedure for reconsideration of a CCD decision other than a denial. This Subsection establishes the exclusive procedure for an applicant *business* that seeks review of certification determinations made by the CCD in a "Notice of DSBP Certification," issued pursuant to Subsection 2.03(c). To reiterate, the procedure established in this Subsection is not available to an applicant *business* that has received a "Denial of DSBP Certification," the appeal process for which is described above in Subsection 2.09. By way of example, a *business* that has been certified as a *DBE* or an *SBE*, but which is aggrieved because it was certified for fewer than all of the *Purchasing Division* Commodity Codes for which it sought certification may seek relief under this Subsection. The reconsideration procedure is as follows.

- (a) An applicant *business* may seek reconsideration in the following types of circumstances: (i) it has undergone substantive, documented changes in its ownership, operation and/or management; (ii) it has compelling and substantial proof that the CCD committed an error in processing the *business*' application for certification; or (iii) it was not certified in all of the *DSBP* certification categories or for all of the *Purchasing Division* Commodity Codes for which it sought certification. An applicant *business* may seek reconsideration only once per year, and it must include in its "Petition for Reconsideration" all of the bases upon which it seeks reconsideration. Any basis omitted from the "Petition for Reconsideration" is waived.
- (b) An applicant *business* shall file its typewritten or printed "Petition for Reconsideration" to the CCD no earlier than six (6) months after and no later than twelve (12) months after the date of "Notice of DSBP Certification." A "Petition for Reconsideration" submitted more than twelve (12) months after the date of a notice will not be reviewed and the applicant *business* will be required to re-apply for *DSBP* certification.
- (c) The certification guidelines established in this Finance Directive shall apply to the evaluation of the merits of a "Petition for Reconsideration."
- (d) The CCD's disposition of a "Petition for Reconsideration" is final and is subject neither to the appeal procedure of Subsection 2.09 nor to further reconsideration pursuant to Subsection 2.10. The CCD shall dismiss any filing that violates the provisions of this Subsection.

3.0 CREATION OF LISTS OF CERTIFIED BUSINESSES

3.01 Creation of lists of DSBP-certified businesses. The CCD shall establish and maintain a list of all *DSBP*-certified *businesses*. This list shall be distributed to the *Purchasing Division*, *contracting departments* and, upon request, private parties and non-*City* governmental agencies. The CCD may establish and collect a fee for the distribution of the certification lists to non-*City* entities, provided that such fee is approved by City Council as required by Section 9-507 of the Detroit City Charter.

- (a) Certification lists shall be updated and distributed on at least a monthly basis.
 - (b) Certification lists shall include a list of decertified *businesses*.
- 3.02 **Creation of DSBP vendors lists.** The *Purchasing Division* shall create, maintain and update a separate *DSBP* vendors list for each commodity code included in the *Purchasing Division* Commodity Code Catalog, which is attached as Exhibit "A" hereto.

4.0 CONTRACT SELECTION

- 4.01 **Requirements of Executive Order No. 4.** The goal of Executive Order No. 4 is to award to *DSBP*-certified *businesses* thirty percent (30%) of the total dollar value of the *City's* contracts for goods and services to be awarded during each year.
- 4.02 **Contracting department to obtain from the CCD the current lists of DSBP-certified businesses.** Prior to preparing an *invitation for bids* or a requisition, the *contracting department* and the *Purchasing Division* shall review the current *DSBP* certification lists. The *DSBP* certification lists shall be used to identify contracts and *subcontracting* opportunities that can be assigned to the *DSBP*. A *contracting department* may not designate a contract for inclusion in the *DSBP* unless the list contains two or more certified *businesses* for the applicable *Purchasing Division* Commodity Code and commodity description indicated on the certification list.
- 4.03 **Subcontracting opportunities.** The *contracting departments* are strongly encouraged to designate *subcontracting* opportunities for inclusion in the *DSBP*. As to each such contract, the *contracting department* is to identify that percentage of the contract that is to be included in the *DSBP* as well as the *DSBP* certification category(ies).
- 4.04 **The Purchasing Director is to review and approve each contracting department's recommendations.** After reviewing a *contracting department's* recommendations, the *Purchasing Director* is either to concur in the recommendations or to revise the recommendations after consulting with the *contracting department*.
- 4.05 **Application of equalization percentages.** Section 18-5-2 of the Detroit City Code, relating to the equalization percentages, shall apply to *DSBP* contracts designated exclusively for *SBEs*.

5.0 BIDDING PROCEDURES

- 5.01 **Bid solicitation by contracting department.** *DSBP* contracts are to be processed in accordance with the *Purchasing Division's* ordinary bidding procedures. Bids are to be solicited from *businesses* in the appropriate *DSBP* certification category on the *DSBP* vendors list for the relevant *Purchasing Division* Commodity Code. A *business* must be certified by the *CCD* before it submits a bid on a *DSBP* contract and must have received

certification at least twenty-four (24) hours prior to submitting its bid.

- 5.02 **Advertising.** Advertising shall be the responsibility of the *Purchasing Division* except for *book type contracts*. As to *book type contracts*, advertising shall be the responsibility of the *contracting departments*, and the *contracting departments* shall provide a copy of the advertisement to the *Purchasing Division* at the same time as it submits the advertisement to the required newspapers and other applicable relevant publications, such as trade journals.
- 5.03 **Required language in advertisements.** The *Purchasing Division* and the *contracting departments* shall include the following language in their advertisements for *DSBP* contracts:

PURSUANT TO EXECUTIVE ORDER NO. 4, COMPETITION FOR THIS CONTRACT IS RESTRICTED TO BUSINESSES THAT HAVE BEEN CERTIFIED IN THE CATEGORY(IES) OF [DETROIT-BASED BUSINESSES] [OR] [SMALL BUSINESSES] BY THE CONTRACT COMPLIANCE DIVISION OF THE HUMAN RIGHTS DEPARTMENT OF THE CITY OF DETROIT. A BIDDER MUST BE CERTIFIED AT LEAST TWENTY-FOUR (24) HOURS BEFORE IT SUBMITS ITS BID.

- 5.04 **Required language in contracts.** The *Purchasing Division* shall insert the following language in all bid documents for *DSBP* contracts:

DETROIT-BASED BUSINESSES AND SMALL BUSINESSES PROGRAM. IT IS THE RESPONSIBILITY OF EACH BIDDER UNDER THIS PROGRAM TO OBTAIN CERTIFICATION FROM THE CONTRACT COMPLIANCE DIVISION OF THE HUMAN RIGHTS DEPARTMENT OF THE CITY OF DETROIT AT LEAST TWENTY-FOUR (24) HOURS BEFORE IT SUBMITS ITS BID. BIDS FROM UNCERTIFIED BUSINESSES SHALL BE REJECTED. THE CITY SHALL NOT BE RESPONSIBLE FOR ANY BIDDER'S FAILURE TO OBTAIN CERTIFICATION PRIOR TO THE BID DUE DATE.

COMPETITION FOR THIS CONTRACT IS RESTRICTED TO BUSINESSES CERTIFIED AS [DETROIT-BASED BUSINESSES] [OR] [SMALL BUSINESSES] PURSUANT TO EXECUTIVE ORDER NO. 4.

- 5.05 **Contractor status form.** The *Purchasing Division* shall include the "Contractor Status Form," attached as Exhibit "B" hereto, with each bid package and shall verify that the bidder has submitted a completed "Contractor Status Form" with its bid materials.

- 5.06 **Bid evaluation and award recommendations.** An evaluation of a bidder's responsiveness and responsibility will be made either by the *Purchasing Division* or by the *contracting department*, at the option of the *contracting department*. The *CCD* shall confirm that the recommended bidder was certified at the time that it submitted its bid. *Uncertified businesses* are disqualified, their bids shall not be considered in the evaluation of bids, and they cannot be awarded contracts under the *DSBP*.
- 5.07 **Award considerations for contracts on which multiple bids were received.** If bids are submitted by two or more *DSBP-certified businesses*, then the contract shall be awarded to the *business* that is the lowest responsive, responsible bidder.
- 5.08 **Award considerations for contracts on which a single bid was received.** If only one bid is submitted, the contract shall be awarded to that *business* provided that that *business* is responsive and responsible and that its bid price is reasonable. The *Purchasing Division* or the *contracting department* shall evaluate whether a bid price is reasonable by considering the following factors:
- (a) The price of other recent contracts for the same or similar goods or services under the same or similar specifications; and
 - (b) An allowance for a reasonable profit under prevailing market conditions.

The *Purchasing Director* shall have the authority to review any decision under this Subsection and to make the final determination as the reasonableness of a bid price.

- 5.09 **Contractor default.** In addition to the usual bases for default on a contract, a finding of misconduct pursuant to Subsection 2.08 shall be a basis for default on a *DSBP* contract. The *Purchasing Director*, after consulting with the *contracting department* and the Corporation Counsel, may default a *DSBP-certified business* for misconduct and may impose the usual remedies for default and/or may withhold payments under the contract(s) in question.

6.0 IMPREST CASH PURCHASES

- 6.01 **Contracting departments to use *DSBP*-certified businesses for imprest cash purchases.** To further the goals of Executive Order No. 4 and the *DSBP*, *contracting departments* are hereby directed to utilize, to the maximum extent practicable, for their imprest cash purchases *businesses* certified under the *DSBP*.

7.0 LIMITATIONS ON SUBCONTRACTING

- 7.01 **General construction contractors to disclose identity of subcontractors.** On any general construction contract awarded in whole or in part under the *DSBP*, the general contractor must submit with its signed bid a completed "DSBP Subcontractor Data Form" which requires for each named *DSBP subcontractor* the following: the scope of the work, the agreed price, the percentage of the total contract price the *subcontractor's*

price represents, and the *subcontractor's* signature. Each such *subcontractor* shall have been certified by the *CCD* at least twenty-four (24) hours before the bid is submitted. The general contractor also shall specify the total number of *DSBP*-certified *subcontractors*, the total contract price, the aggregate amount of the *subcontractors'* prices and the percentage of the total contract price that the aggregate amount of the *subcontractors'* prices represents. Further, the contractor shall sign the form. The "DSBP Subcontractor Data Form" and its instruction sheet are attached as Exhibit "C" hereto.

- 7.02 **Subcontracting of DBE contracts, other than general construction contracts.** Such contracts may be *subcontracted* only to other certified *DBEs*.
- 7.03 **Subcontracting of SBE contracts, other than general construction contracts.** Such contracts may be *subcontracted* only to other certified *SBEs*.
- 7.04 **Subcontracting of combined DBE and SBE contracts, other than general construction contracts.** Such contracts may be *subcontracted* only to other certified *DBEs* or certified *SBEs*.
- 7.05 **Relief from the requirements of Section 7.0.** Only upon a showing of substantial hardship by a contractor, as determined by the *Purchasing Director*, may the requirements of Section 7.0 be suspended. The *Purchasing Director* has exclusive authority to grant relief under this Subsection, and the *Purchasing Director* shall issue a written decision on all such requests.

8.0 REPORTING REQUIREMENTS

- 8.01 **The CCD shall maintain and update statistics concerning DSBP certifications.** On a quarterly basis, the *CCD* shall prepare and submit to the Mayor a report on the following areas:
 - (a) The total number of applications received for certification under the *DSBP*;
 - (b) The total number of certifications granted and denied for the *DSBP*;
 - (c) The total number of *DSBP* applications that remain open and pending at the end of the quarter (*i.e.*, certification neither granted nor denied);
 - (d) The same information as required by Subsections 8.01(a) to 8.01(c) for each *DSBP* certification category (*i.e.*, *DBE* and *SBE*); and
 - (e) The range and average time between the date of receipt of an application for certification under the *DSBP* and the date of disposition of the application (*i.e.*, certification either granted nor denied).

8.02 The Purchasing Director shall maintain and update statistics concerning the DSBP program. For each fiscal year, the *Purchasing Director* shall prepare and submit to the Mayor a report on the following areas:

- (a) The number of *DSBP-certified businesses* awarded contracts and/or *subcontracts*;
- (b) The number of contracts and *subcontracts* awarded wholly or partially under the *DSBP*;
- (c) The *Purchasing Division* Commodity Code name and number for each contract and *subcontract* identified in response to Subsection 8.02(b);
- (d) The total dollar value of each contract and *subcontract* identified in response to Subsection 8.02(b);
- (e) The dollar value of that portion of each contract or *subcontract* awarded under the *DSBP* and the aggregate dollar value of those contracts and *subcontracts*; and
- (f) The percentage of the total dollar value of all contracts let by the *City* during the fiscal year that is represented by the response to Subsection 8.02(e).

CITY OF DETROIT PURCHASING CODE CATALOG (CONTINUED)

16 ELECTRICAL APPARATUS, ACCESSORIES & SUPPLIES (CONT'D)

16HEA001 HEATERS & PARTS, ELECTRICAL
16INS001 INSULATORS, PROCELAM
16JOB001 JOBBERS, ELECTRICAL
16LAM001 LAMPS, INCANDESCENT & FLOURESCENT
16LIG003 LIGHTING SYSTEM, AIRPORT
16LIG005 LIGHTING SYSTEM, EMERGENCY
16LIG050 LIGHTING EQUIPMENT & SUPPLIES, THEATRICAL
16MOT001 MOTORS, ELECTRIC (NEW)
16POL010 POLES, UTILITY
16TRAG06 TRAFFIC SIGNALS & CONTROLLERS
16TRAN10 TRANSFORMERS
16TRM011 TROLLEY PARTS
16TUR001 TURBINES

17 FIRE FIGHTING EQUIPMENT & PARTS

17EXT006 EXTINGUISHERS, FIRE
17EXT100 EXTINGUISHERS, FIRE RECHARGE, TEST, REPAIR
17FM001 FIRE APPARATUS
17HOS001 HOSE, FIRE
17HYD001 HYDRANTS, FIRE NOZZLES, SIAMASE
17NOZ010 NOZZELS, FIRE-SIAMASE

18 FOODS, GROCERIES, MEATS & POULTRY

18ALCO76 ALCOHOL, DRINKING
18BAK016 BAKERY PRODUCTS
18BEV106 BEVERAGES, SOFT DRINKS, SYRUPS
18BUT001 BUTTER, OIL, SHORTENING
18CER001 CEREALS
18CHE001 CHEESE
18COF001 COFFEE
18CON026 CONFECTIONS
18EGG001 EGGS
18FIS036 FISH
18FRO046 FROZEN FOODS
18GRO056 GROCERIES
18ICE066 ICE, ARTIFICIAL
18ICE100 ICE CREAM
18JUC001 JUICES & DRINKS, FRUIT
18LAR001 LARD
18MEAT071 MEAT & MEAT PRODUCTS
18MRO076 MILK PRODUCTS (CREAM & COTTAGE CHEESE)
18NOO010 NOODLES (PASTA)
18OKC001 OIL, COOKING
18PEA001 PEANUTS
18POPC01 POPCORN
18POT096 POTATO CHIPS
18POU101 POULTRY
18PRO051 PRODUCE, FRUITS & VEGETABLES
18SAL001 SALT, TABLE
18TOB021 TOBACCO PRODUCTS (CIGARS, CIGARETTES)

19 FUEL, COAL, COKE, GASOLINE, WOOD, CHARCOAL & FUEL OIL

19CHAO01 CHARCOAL
19COA006 COAL & COAL HAULING
19COA011 COALWOOD & SMOKINGS
19FUE005 FUEL, DIESEL
19FUE010 FUEL, JET, JP4 W/PRST
19GAS010 GAS, PROPANE
19GAS016 GASOLINE
19KERO21 KEROSENE
19OLO26 OIL, FUEL

20 FURNITURE: HOUSEHOLD & OFFICE & PARTS

20COT001 COTS
20FUR001 FURNITURE, OFFICE
20FUR020 FURNITURE FOLDING, STACKING, LUNCH ROOM
20MIRR01 MIRRORS, GLASS
20SAFE01 SAFES
20SEAT020 SEATING, AUDITORIUM UPHOLSTERED
20STOR001 STORAGE (EPT. ISHELVES, LOCKERS, BINS, ETC)

21 HARDWARE: BOLTS, NUTS, RIVETS, NAILS, SCREWS & WASHERS

21BOL001 BOLTS
21NAD001 NAILS
21SCR021 SCREWS & NUTS

22 HARDWARE, GENERAL

22ABR001 ABRASIVES
22BAR001 BARRELS & DRUMS
22CAN001 CANS, GASOLINE, OILS, MEASURES
22CAN006 CANS, TRASH, WATER, TUBS
22CAS006 CASTERS
22CON015 CONTAINERS, REFUSE PORTABLE
22HARD01 HARDWARE, GENERAL
22LOC021 LOCKS
22MARD01 MARBLES

23 HOSE, HOSE FITTINGS, GASKETS, PACKING & BELTING

23BEL001 BELTING, LEATHER
23BEL006 BELTING, CONVEYOR
23GAS001 GASKETS
23HOS005 HOSES, HYDRAULIC
23HOS011 HOSES, RUBBER
23STR016 STRAPS, LEATHER
23STR021 STRAPS, RUBBER

24 HOSPITAL, LABORATORY & SURGICAL APPARATUS

24AUD020 AUDIO-METRIC (HEARING) (EPT. SUPPLIES & SERVICE)
24BRE011 BREATH TESTING (EPT. & SUPPLIES)
24DENT001 DENTAL (EPT. & INSTRUMENTS)
24DENT020 DENTAL SUPPLIES
24DRES005 DRESSINGS, SURGICAL
24EYE020 EYEWASH STATIONS, EMERGENCY
24FIR010 FIRST AID SUPPLIES
24FUR021 FURNITURE, LABORATORY
24GLCO06 GLOVES, SURGICAL & EXAMINATION
24ISOTO21 ISOTOPES
24LAB026 LABORATORY EQUIPMENT & SUPPLIES
24MED020 MEDICAL SUPPLIES
24OPT036 OPTICAL
24PRE041 PRESCRIPTION SUPPLIES
24TES001 TESTING EQUIPMENT, LABORATORY (NON-MEDICAL)
24TES016 TESTING (EPT. LABORATORY)
24VET056 VETERINARY (EPT. & SUPPLIES)
24VISO70 VISION TESTING EQUIPMENT
24XRAY061 X RAY EQUIPMENT & SUPPLIES

25 LIGHTING APPARATUS (NON-ELECTRICAL)

25BUR006 BURNERS, OR, INDUSTRIAL
25LAR001 LANTERNS

27 LUMBER

27LUM001 LUMBER
27LUM020 LUMBER, HARDWOOD
27LUM030 LUMBER, PLYWOOD
27LUM100 LUMBER, TREATED/PRESERVED
27LUM200 LUMBER PRODUCTS, PREFABRICATED
27STA001 STAKES, POLES & TIES
27VENE01 VENEERS

28 MACHINERY, HEAVY EQUIPMENT, PARTS

28CHM026 CHIPPERS, BRUSH
28CLE005 CLEANING (EPT. STEAM)
28CLE222 CLEANING MACHINES, VEHICLE
28COM001 COMPACTORS, TRASH
28COM005 COMPRESSORS, AIR PORTABLE
28COM006 COMPRESSORS, AIR STATIONARY
28COM100 COMPRESSORS, AIR REPAIR
28CON036 CONCRETE MIXERS
28CON041 CONTROL DEVICES, HYDRAULIC & PNEUMATIC
28CON046 CONVEYORS & CONVEYOR EQUIPMENT
28CON086 CONDITIONER, ICE
28CRA051 CRANES & HOISTS
28CUT181 CUTTERS, STUMP

29 MACHINERY, HEAVY EQUIPMENT, PARTS (CONT'D)

29DIS081 DISPOSALS, GARBAGE (NON-RESIDENTIAL)
29FRO110 FILTER CLOTHS
29GAR056 GARAGE EQUIPMENT
29GAR100 GARAGE EQUIPMENT REPAIR & SERVICE
29GRAD071 GRADERS
29HEA016 HEATERS & EQUIPMENT, ASPHALT
29HYD001 HYDRAULIC EQUIPMENT
29LAD001 LADDERS
29LAN025 LANDSCAPE EQUIPMENT & PARTS
29LEA006 LEAF BLOWERS
29LOA010 LEAF BLOWERS
29LOA020 LOADER, LOG
29MAC116 MACHINERY, PLANT
29MAC200 MACHINERY & (EPT. REPAIR SERVICE)
29MAT101 MATERIAL HANDLING EQUIPMENT
29MOW000 MOWERS, POWER
29MOW106 MOWERS, HAND
29PAY111 PAVERS
29PLO188 PLOW, SNOW
29POL050 POLLUTION CONTROL EQUIPMENT, AIR
29ROL141 ROLLERS
29SCA010 SCALES
29SCA100 SCALE REPAIR
29SHR156 SHREDDERS
29SLU020 SLUICE GATES, FRAMES & BLOCKS
29SNB161 SNOW BLOWERS
29SPR146 SPREADERS, SALT
29SPR171 SPREADERS
29SPR211 SPRAYERS, TREE
29SWE166 SWEEPERS & BROOMS, STREET & INDUSTRIAL
29TLR191 TILERS
29TRA126 TRANSMISSION, POWER EQUIPMENT
29TRA186 TRACTORS, FARM
29TRA206 TRAILERS
29TRA201 TRACTORS, WHEEL & CRAWLER
29TRA210 TRAILER MOUNTED (EPT. FLASHING ARROWS, ETC)
29TRA220 TRAILERS, (EPT. TRANSPORT)
29VAC216 VACUUM COLLECTORS (LAWN & SIDEWALK)
29WHE076 WHEELS, GRINDING

29 METALS, BARS, PLATES, SHEETS & SHAPES

29ALU001 ALUMINUM
29BRAC01 BRASS
29BRON01 BRONZE
29COP001 COPPER
29FAB001 FABRICATION, METAL
29GRA001 GRATING, STEEL
29LEAD01 LEAD
29MET001 METALS, NON-FERROUS
29MET035 METALS, WIPING
29MET040 METALS, EXPANDED
29PLA011 PLATING
29ROD001 RODS, STEEL THREADED
29SIG022 SIGNS, TRAFFIC & BLANK
29SOLD01 SOLDER
29STE001 STEEL
29STE005 STEEL BARS
29STE010 STEEL, COLD ROLLED
29STE015 STEEL, HOT ROLLED
29STE020 STEEL PLATES
29STE025 STEEL TOOL
29STE030 STEEL, STRUCTURAL
29STE100 STEEL, STAINLESS
29STRO01 STRAPPINGS, STEEL & METAL
29TIN001 TIN
29ZINC01 ZINC

30 METERS & REPAIR PARTS & SERVICE

30MET001 METERS, BOILER ROOM
30MET005 METER PARTS, BOILER
30MET050 METERS, PARKING
30MET100 METERS & PARTS, WATER
30MET200 METERS & INSTRUMENTS, ELECTRIC & .575

31 MOTOR VEHICLES, MOTOR VEHICLE PARTS & REPAIR

31A/R001 AIR CONDITIONERS, AUTOMOTIVE

EXHIBIT A

CITY OF DETROIT PURCHASING CODE CATALOG (CONTINUED)

31 - MOTOR VEHICLES, MOTOR VEHICLE PARTS & REPAIR (CONT'D)

31A0010 AIRCRAFT, PARTS & REPAIRS
 31A0006 AMBULANCES
 31A0011 AUTOMOBILES, WAGONS & PICK UPS
 31A0016 AUTOMOTIVE PARTS & ACCESSORIES
 31A0010C AUTO REPAIR SERVICE
 31A0010C AUTO PARTS REPAIR, EXCHANGE, REBUILD
 31A00225 AUTO TRIM & UPHOLSTERY
 31B0001 BATTERIES, AUTOMOTIVE
 31B0001 BEARINGS, WHEEL
 31B0001 BUSES
 31B0010 BUS PARTS
 31B0020 BUS REPAIR SERVICE
 31D0001 DIESEL PARTS & REPAIRS
 31D0001 DISPOSAL (EPT (AUTOMOTIVE))
 31E0001 ENGINE REBUILDING & EXCHANGE
 31G0001 GASKETS, AUTOMOTIVE
 31G0001 GLASS, AUTO
 31H0001 HYDRAULIC EQUIPMENT, AUTOMOTIVE
 31M0000 MOBILE HOMES, OFFICES & TRAILERS
 31M0026 MOTORCYCLES, SCOOTERS
 31R0001 RADIATORS, RADIATOR CONES
 31T0001 TESTING (EPT, AUTO (BATTERY CHARGERS, ETC))
 31T0001 TIRES & TUBES
 31T0036 TIRE REPAIR PARTS & (EPT
 31T0000 TRACTORS, INDUSTRIAL
 31T0010 TRANSMISSION REBUILD & EXCHANGE
 31T0001 TRUCKS & TRUCK BODIES
 31T0005 TRUCKS, FIRE FIGHTING
 31T0020 TRUCKS & (EPT, TOW
 31T0010 TRUCK PARTS
 31T0020 TRUCK REPAIR SERVICE
 31V0010 VANS
 31W0001 WARNING DEVICES
 31W0001 WHEELS, ARMS, BRAKE DRUMS

32 - NURSERY, FLORAL & LANDSCAPING SUPPLIES

32B0001 BIRDS & PLANTS
 32D0001 DIRT, FIELD
 32F0006 FLOWER SUPPLIES
 32G0001 GARDENING EQUIPMENT
 32L0010 LOGS
 32M0010 MANURE
 32N0011 NURSERY STOCK
 32S0016 SEEDS, GRASS
 32S0010 SEEDS, AGRICULTURAL
 32S0021 SOO
 32S0026 SOIL
 32T0010 TREES & WREATHS, EVERGREEN

33 - OFFICE MACHINES & PARTS

33B0001 BINDER (EPT
 33BL0001 BLUE PRINTING EQUIPMENT & SUPPLIES
 33CAL001 CALCULATORS, ADDING & BOOKKEEPING MACHINES
 33CAS001 CASH REGISTERS
 33CHE001 CHECK PROTECTORS
 33DAT000 DATA PROCESSING (EPT
 33DAT050 DATA PROCESSING (EPT MAINT/SERVICE
 33DEC001 DECOLLATOR & DETACHER
 33DIC001 DICTATION (EPT
 33ELE011 ELECTROTYPERS
 33FAC001 FACSIMILE SYSTEMS
 33FOLD010 FOLDING MACHINES
 33ID006 IDENTIFICATION EQUIPMENT
 33MAC031 MACHINES, VOTING
 33MAC046 MACHINES, NUMBERING
 33MAN010 MAILING SYSTEM
 33MET026 METERS, POSTAGE
 33MIC010 MICROGRAPHIC (EPT
 33MIM016 MIMED & MULTIGRAPHING (EPT
 33OFF100 OFFICE MACHINE REPAIR SERVICE
 33PH001 PHOTOCOPIERS
 33PH005 PHOTOTYPSETTERS
 33PH010 PHOTOCOPY MAINTENANCE & REPAIR
 33PRI001 PRESSES, PRINTING
 33ROL001 ROLLERS, PRINTING
 33SEC010 SECURITY (EPT, OFFICE MACHINES
 33TYP001 TYPEWRITERS

34 - OFFICE SUPPLIES & STATIONERY (CONT'D)

33TYP050 TYPEWRITER MAINTENANCE & REPAIR
 33TPP151 TYPESETTERS
 33WOR100 WORD PROCESSING (EPT MAINT/SERVICE
 33WOR036 WORD PROCESSORS

34 - OFFICE SUPPLIES & STATIONERY

34B0020 BINDER SUPPLIES
 34BLA001 BLANKETS, RUBBER & (FOR PRINTERS)
 34B0005 BOXES, CORRUGATED
 34B0010 BOXES, PAPER
 34CAR001 CARBON PAPER
 34CAR025 CARDBOARD
 34CAR100 CARDS, PLASTIC
 34CHA001 CHARTS, ROLL
 34DAT001 DATA PROCESSING SUPPLIES
 34DEC011 DECORATIONS
 34DIS001 DISPLAY SUPPLIES & (EPT
 34DUP016 DUPLICATING MACHINE SUPPLIES (TONER, ETC)
 34ENV021 ENVELOPES
 34FLD020 FILING SYSTEMS & SUPPLIES
 34FRM026 FINGER PRINT SUPPLIES
 34INK001 INK, PRINTING
 34LAB020 LABELS & TAPES, CONTINUOUS FORMS
 34LUG001 LUGGAGE
 34MAG001 MAGNETIC MEDIA (DISK, TAPE, ETC)
 34MIC010 MICROGRAPHIC SUPPLIES
 34NAM041 NAMEPLATES
 34OFF051 OFFICE SUPPLIES
 34OFF100 OFFSET SUPPLIES
 34PAP001 PAPER, MIMED & BOND
 34PAP010 PAPER, CONTINUOUS FAN FOLD
 34PAP020 PAPER, PRINTING
 34PAP030 PAPER, CARBONLESS
 34PHO100 PHOTOCOPIING SUPPLIES
 34PRI001 PRINTING ACCESSORIES & SUPPLIES
 34RIB001 RIBBONS, CARBON,
 34SEA026 SEALS
 34SIG001 SIGNS
 34STA066 STAMPS & DATERS, RUBBER
 34STA000 STATIONERY
 34TAG001 TAGS
 34TAP001 TAPE, PAPER (CALCULATORS, TELETYPE, ETC)
 34TAP050 TAPE, RECROG-AUDIO & VIDEO (CASSETTE & REEL)
 34TAP075 TAPE, CELLOPHANE & MASKING
 34TYP010 TYPE, PRINTING
 34WOR001 WORD PROCESSING SUPPLIES
 34WRA001 WRAPPERS, COM

35 - OILS, GREASES & LUBRICANTS

35GRE001 GREASE
 35OR010 OIL, ENGINE
 35OR026 OIL, LUBRICATING
 35TRA006 FLUID, TRANSMISSION

36 - PAINTS, PAINT INGREDIENTS & SUPPLIES

36CAL001 CAULKING
 36LAC001 LACQUER
 36PA001 PAINT
 36PA003 PAINT ANTI-SLIP
 36PA005 PAINT AUTO
 36PA007 PAINT POSTER & BULLETIN
 36PA010 PAINT SWIMMING POOL
 36PA017 PAINT HEAT RESISTANT
 36PA020 PAINTING SUPPLIES & (EPT
 36PRO001 PROTECTIVE COATINGS
 36SM001 SMELLAC
 36SOL005 SOLVENTS WHINSHIELD WASHER
 36SOL011 SOLVENTS
 36STR001 STRIPPER PAINT
 36TUR016 TURPENTINE, THINNER
 36VAR021 VARNISH

37 - PHOTOGRAPHIC EQUIPMENT & SUPPLIES

37A0001 AUDIO VISUAL EQUIPMENT
 37AUD100 AUDIO VISUAL & PHOTO (EPT REPAIR
 37F0006 F.F.M. PHOTOGRAPHIC
 37MIC011 MICROFORM MICROFILM

37 - PHOTOGRAPHIC EQUIPMENT & SUPPLIES (CONT'D)

37PH0016 PHOTOGRAPHIC EQUIPMENT & SUPPLIES
 37V0010 VIDEO CASSETTE RECORDING (EPT

38 - PIPE, TUBING, FITTINGS, SUPPLIES, VALVES, ETC.

38CLA001 CLAMPS, PIPE
 38CLAC05 CLAMPS SERVICE BRONZE
 38FIT001 FITTINGS PLUMBING 1/2" - 5"
 38FIT010 FITTINGS PLUMBING 6" & OVER
 38FIT020 FITTINGS PLUMBING COPPER
 38PP010 PIPE
 38PP071 PIPE, SEWER (CLAY & CONCRETE)
 38PVC001 PVC PIPE & FITTINGS
 38TUB001 TUBING, STEEL
 38VAL005 VALVES, LESS THAN 6"
 38VAL010 VALVES, 6" & OVER

40 - PLASTIC BARS, FIRM BOBS, SHEETS & STRIPS

40F0001 FIBERGLASS
 40PLA010 PLASTICS, FOAM
 40PLA020 PLASTICS, POLYCARBONATE & ACRYLIC
 40PLA030 PLASTICS, POLYETHYLENE
 40RUB025 RUBBER, FOAM (POLYURETHANE)

41 - PLAYGROUND APPARATUS, RECREATIONAL (EPT, BADGES, BUNTING, FLAGS, ETC.

41ATH001 ATHLETIC EQUIPMENT
 41BAD000 BADGES
 41BAD036 BADGES, IDENTIFICATION (WITH PHOTO)
 41CAR031 CARDS, GOLF
 41EMB016 EMBLEMS & PATCHES
 41FLA020 FLAGS & BUNTING DECORATION
 41GOLF01 GOLF COURSE SUPPLIES
 41MUS001 MUSICAL INSTRUMENTS
 41NOV046 NOVELTIES
 41PLA036 PLATES, LICENSE
 41PLA058 PLAYGROUND EQUIPMENT
 41POL021 POLES, FLAG
 41STD025 STOVES & GRILLS, CHARCOAL
 41SWI001 SWIMMING POOL EQUIPMENT
 41TAB001 TABLES, GAME
 41THE008 THEATER SUPPLY,
 41TRO001 TROPICS
 41WAT010 WATCHES

42 - PLUMBING, HEATING & COOLING FIXTURES, ACCESSORIES & PARTS

42AIR011 AIR CONDITIONERS
 42BOO021 BOILER, CAST IRON SMALL
 42COO005 COILS
 42CON001 CONTROLS, SYSTEMS & REGULATORS
 42CON100 CONTROLS, ENVIRONMENTAL (HVAC)
 42FR010 FILTERS, A/C & FURNACE
 42FIT100 FITTINGS, FURNACE
 42FIX001 FIXTURES, PLUMBING
 42FXR100 FIXTURES, PLUMBING-RESTAURANT
 42FUR001 FURNACES & FURNACE PARTS
 42FUR100 FURNACE REPAIR SERVICE
 42HEA001 HEATERS & PARTS, GAS
 42HEA025 HEATERS & PARTS, OIL
 42IRR001 IRRIGATION SYSTEMS
 42PLU001 PLUMBING & HEATING SUPPLIES
 42PLU100 PLUMBING SUPPLIES, INDUSTRIAL
 42POL050 POLLUTION CONTROL EQUIPMENT WATER
 42REF131 REFRIGERATION PARTS, SERVICE & REPAIR
 42REF136 REFRIGERATION SYSTEMS
 42SEW100 SEWER CLEANING SUPPLIES
 42STO178 STORES
 42TAN001 TANKS, WATER
 42TOI010 TOILETS PORTABLE CHEMICAL
 42VEN001 VENTILATING EQUIPMENT & SUPPLIES

44 - PRINTING, BOOKS, CARDS & FORMS

44CAR004 CARDS, BUS
 44CAR008 CARDS, TAB
 44DEC001 DECALS
 44EMB010 (IMPOSSING (WRAPERS MATCHES PLASTIC)
 44FOR006 FORMS, CONTINUOUS

EXHIBIT A

CITY OF DETROIT PURCHASING CODE CATALOG (CONTINUED)

44 - PRINTING, BOOKS, CARDS & FORMS (CONT'D)
 44F0011 FORMS, PRINTED
 44MA016 MAILERS
 44PR021 PRINTING
 44SG001 SIGNS POSTER PRINTED
 44SL031 SILE SCREENING
 44SN036 SNAP OUTS
 44TC046 TICKETS

45 - PUMPS, ENGINES, GENERATORS
 45ENG025 ENGINES COMER PARTS & REPAIR
 45GEN086 GENERATORS PORTABLE
 45PUM001 PUMPS & RELATED EQUIPMENT PORTABLE
 45PUM005 PUMPS & RELATED EQUIPMENT HYDRAULIC
 45PUM010 PUMPS & RELATED EQUIPMENT STATIONARY
 45PUM050 PUMPS GASOLINE DISPENSING
 45PUM100 PUMP REPAIR PORTABLE
 45PUM110 PUMP REPAIR HYDRAULIC
 45PUM120 PUMP REPAIR, STATIONARY

46 - RADIO & SOUND SIGNAL APPARATUS
 46ALA001 ALARM SYSTEMS SECURITY
 46ANT010 ANTENNAS
 46AV001 AMPLIFIERS
 46CRY001 CRYSTALS
 46DET001 DETECTORS SMOKE
 46PH000 PHONOGRAPHS
 46PUB011 PUBLIC ADDRESS & INTERCOM SYSTEMS
 46RAD001 RADAR
 46RAD100 RADIO EQUIPMENT
 46REC030 RECEIVERS, SCANNERS
 46TEL001 TELEVISION, CLOSED CIRCUIT
 46TEL100 TELEPHONE, FAX SYSTEMS
 46TEL110 TELEPHONE MOBILE
 46TEL150 TELETYPE PARTS & SERVICE
 46TRA001 TRANSCIVER PORTABLE & RELATED EOPT
 46TR-205 TELECOMMUNICATION SYSTEMS

47 - TOOLS, HARD & POWER
 47SAF011 SAFETY EQUIPMENT
 47SAW001 SAWS SAWBLADES & SAW SERVICE
 47SAW010 SAWS CHAIN
 47SHO016 SHOVELS PICKS HANDLES
 47TOO001 TOOLS (SHOP BENCH HARD)
 47TOO010 TOOLS PNEUMATIC
 47TOO020 TOOLS POWER
 47TOO100 TOOLS LANDSCAPING (RAKES SHEARS WHIPS ETC)
 47TOO110 TOOL REPAIR PNEUMATIC

48 - WELDING SUPPLIES
 48GAS001 GASES WELDING (OXYGEN ACETYLENE)
 48MAC001 MACHIN WELDING
 48WEL001 WELDING SUPPLIES

49 - WIRE, CABLE, CHAIN & WIRE ROPE
 49CAB010 CABLE TELEPHONE
 49CAB030 CABLE WIRE
 49CHAD10 CHAIN LINK
 49ROP001 ROPE WIRE
 49WIR006 WIRE FABRICATED

50 - CONCESSIONS
 50CEM010 CEMETARY
 50CON000 CONCESSIONS
 50FOO001 FOOD SERVICE
 50GIF010 GIFT SHOPS
 50HOR010 HORSEBACK RIDING
 50PAR010 PARKING
 50REN010 RENTAL AUTO
 50RES001 RESTAURANTS
 50SKA020 SEATING ROLLER
 50TENN010 TENNIS
 50VEN010 VENUING MACHINES FOOD & DRINK
 50VEN050 VENUING MACHINES TOBACCO & CONFECTIONS

51 - SALVAGE
 51AIRC: AIRCRAFT
 51APPOC: APPLIANCES HOUSEHOLD
 51CONOC: CONSTRUCTION EOPT HAND TOOLS

51 - SALVAGE (CONT'D)

51CON005 CONSTRUCTION EQUIPMENT HEAVY
 51FARM001 FARM EQUIPMENT
 51FRO001 FIRE APPARATUS & EOPT
 51LAW001 LAWN EQUIPMENT
 51MET001 METALS FERROUS
 51MET005 METALS NON FERROUS
 51MOT001 MOTOR VEHICLES CARS & TRUCKS
 51MOT010 MOTOR VEHICLES BUSES
 51OFF001 OFFICE FURNITURE
 51OFF005 OFFICE EQUIPMENT
 51PAP001 PAPER, SCRAP
 51RAD001 RADIO EQUIPMENT
 51TRE001 TREE TRIMMING EOPT

52 - SERVICES MAINTENANCE, TESTING, ETC (CONT'D)

52ADV000 ADVERTISING
 52ANS001 ANSWERING SERVICE, LOCAL
 52ANS010 ANSWERING SERVICE NON LOCAL
 52ARM010 ARMORED CAR SERVICES
 52AUC020 AUCTION SERVICES TRADE FIXTURES
 52AUC030 AUCTION SERVICES VEHICLE
 52BRO001 BROKING SERVICE
 52BRO006 BOOK BINDERS & ENGRAVING SERVICE
 52BRO010 BOOKS NESTING
 52BRE011 BREATH TESTING
 52BUS010 BUS CHARTER SERVICES
 52CAM076 CAMERA SERVICE, OFFSET
 52CAT001 CATERING
 52CLE028 CLEANING & LAUNDERING
 52CLE030 CLEANING SERVICES CARPET & FURNITURE
 52CLO001 CLOTHING REPAIR & ALTERATIONS
 52CON100 CONSTRUCTION MARINE
 52CON001 CONSTRUCTION GENERAL (LOCAL)
 52CON010 CONSTRUCTION GENERAL (NON LOCAL)
 52CON016 CONSTRUCTION RESIDENTIAL
 52CON018 CONSTRUCTION COMMERCIAL
 52CON020 CONSTRUCTION & REPAIRS CONCRETE
 52CON100 CONVERSION SYS AUTOS & VANS
 52COU010 COUNTER SERVICE
 52COUC31 COURT REPORTING
 52CRE020 CREDIT REPORTING SERVICES
 52CUR010 CURRENCY PROCESSING SERVICES
 52DAT050 DATA PROCESSING SERVICES
 52DAT100 DATA ENTRY CONVERSION SERVICES
 52DEN020 DENTAL LAB SERVICES
 52DIS026 DISPOSAL SERVICES TOXIC HAZARDOUS MATERIALS
 52DRV020 DRIVING SERVICES
 52ELE031 ELECTRICAL CONTRACTING
 52EXT046 EXTERMINATING SERVICES
 52FOO010 FOOD SERVICE
 52GAL020 GALVANIZING SERVICES
 52GAR001 GRADING SERVICE MOVES ETC
 52GUAD01 GUARD SERVICE
 52HAU010 HAIRING SERVICES
 52HOR005 HORSESHOEING SERVICE
 52INC020 INCUBATION SERVICES
 52INS000 INSURANCE
 52INS010 INSURANCE AIR SNOW
 52INS015 INSURANCE AUTO
 52INS020 INSURANCE BURGLARY & THEFT
 52INS025 INSURANCE COMPENSATION
 52INS030 INSURANCE FIRE
 52INS035 INSURANCE, OWNER LANDLORD & TENANT
 52JAN056 JANITORIAL/MAINTENANCE SERVICES
 52KEN010 KENNELING SERVICE (CANINE)
 52LAN001 LANDSCAPING
 52LAN100 LANDFILL SERVICES PRIVILEGES
 52LEAD1C LEASE PURCHASE FINANCING 3RD PART
 52MAG005 MARKING SERVICE
 52MAI200 MAINTENANCE SERVICES SKILLED TRADES
 52MECOC: MECHANICAL CONTRACTING
 52MIC010 MICROFILM/MICROPHONE SERVICES
 52MOT001 MOTOR REPAIR SERVICE
 52MOV010 MOVING SERVICES
 52MOW010 MOWING SERVICE LAWN
 52MUS005 MUSICAL INSTRUMENTS TUNING
 52NEC010 NEWSWIRE SERVICE
 52NEWS00 NEWSPAPER CLIPPING SERVICE
 52PAI001 PAINTING SERVICES

52 - SERVICES MAINTENANCE, TESTING, ETC (CONT'D)

52PAI005 PAINTING SERVICES STEEPLES & FLAG POLES
 52PAI006 PAINTING VEHICLE
 52PAY001 PAVING
 52PHO001 PHOTOGRAPHIC SERVICES
 52PLA010 PLANTSCAPE MAINTENANCE (INTERC)
 52PLA076 PLATEMARKING OFFSET
 52PLU086 PLUMBING & HEATING CONTRACTING
 52POS101 POSTING SERVICE
 52PRO050 PROPANE CONVERSION & REPAIR
 52PRO106 PROPERTY PROTECTION SERVICE
 52RAD025 RADIOLOGICAL SERVICES
 52REF001 REFRACTORY REPAIR SERVICE
 52REN001 RENTAL SERVICE, AUTO
 52REN006 RENTAL SERVICE GOLF CARTS
 52REN025 RENTAL SERVICE, MACHINERY & EOP
 52REN030 RENTAL SERVICE BOILERS
 52REN050 RENTAL SERVICE TRUCKS
 52REN100 RENTAL HALLS & AUDITORIUMS
 52REP111 REPRODUCTION SERVICE
 52ROO001 ROOFING CONTRACTORS
 52RUS001 RUSTPROOFING, AUTOMOTIVE
 52SAN116 SANDBLASTING
 52SIN028 SIGN MAKING
 52SNO131 SNOW REMOVAL
 52STO020 STORAGE, INDUSTRY & COMM
 52SUR010 SURVEY SERVICES AERIAL
 52TAX100 TAXIDERMAY SERVICES
 52TOW146 TOWING SERVICE
 52TES050 TESTING SERVICES EMPLOYEE
 52TES141 TESTING SERVICES CHEMICAL
 52TES200 TESTING SERVICES LAB
 52TES300 TESTING SERVICES CONSTRUCTION
 52TRO10 TRO. CEILING INSTALLATION
 52TIT001 TITLE SEARCH SERVICE
 52TRA066 TRANSCRIPTION MEDICAL
 52TRA200 TRANSPORTATION SERVICES
 52TRE001 TREE & STUMP REMOVAL
 52TYP151 TYPESETTING
 52UPH010 UPHOLSTERS
 52WAS010 WASTE REMOVAL/ DISPOSAL SERVICES
 52WAS150 WASHING SERVICES VEHICLE
 52WAS156 WASHING SERVICES WINDOW
 52WEL001 WELDING PLATING & METALLIZING SERVICES

53 - WRECKING

53DEM000 DEMOLITION
 53WRE000 WRECKING

54 - PERSONAL/PROFESSIONAL SERVICES

54ACC001 ACCOUNTING
 54APP001 APPRAISAL SERVICES
 54ARC001 ARCHITECTURAL SERVICES
 54AUD001 AUDITING SERVICES
 54CLA010 CLAIMS ADJUSTER SERVICE
 54COL001 COLLECTION SERVICES
 54COM001 COMPUTER CONSULTANTS
 54CON001 CONSTRUCTION MANAGEMENT
 54ENG001 ENGINEERING SERVICES STRUCTURAL
 54ENG010 ENGINEERING SERVICES ENVIRONMENTAL
 54ENG020 ENGINEERING SERVICES INDUSTRIAL
 54ENG030 ENGINEERING SERVICES MECHANICAL
 54FAC020 FACILITIES MANAGEMENT CONSULTING
 54FIN001 FINANCIAL MANAGEMENT
 54LAND01 LAND SURVEY
 54LEG001 LEGAL SERVICES
 54LEA020 LEASING SERVICES OFFICE SPACE
 54MAN001 MANAGEMENT CONSULTANTS
 54MAR001 MARKETING SERVICES
 54OPT010 OPTICIAN SERVICES
 54PER010 PERSONNEL SERVICES TEMPORARY
 54PHY001 PHYSICIAN SERVICES
 54PLA001 PLANNING, CITY & URBAN
 54PRO001 PROGRAMMING SERVICES COMPUTER
 54PUB001 PUBLIC RELATIONS
 54SPE010 SPECIAL EVENT SERVICES CUSHERS TICKET TAGERS ETC
 54SUR010 SURVEY/RESEARCH SERVICES
 54TRA200 TRAINING SERVICES EMPLOYEE
 54TRA250 TRANSLATION/INTERPRETING SERVICES
 54TRA300 TRANSPORTATION PLANNING
 54WAS001 WASTE MANAGEMENT CONSULTANTS

EXHIBIT A

CONTRACTOR STATUS
(TO BE COMPLETED BY BIDDER)

Place a "CHECK MARK" in the appropriate space in the second column to indicate the category in which certification has been obtained from the Contract Compliance Division of the Human Rights Department of the City of Detroit. In the appropriate space in the third column fill in the date on which the certification was received.

Type of Business	Check to indicate the category that describes the type of business	Indicate date certification was received from the Contract Compliance Division of the Human Rights Department of the City of Detroit
Detroit-based business		
Small business		

EXHIBIT B

DSBP SUBCONTRACTOR DATA FORM

Project Name: _____ Purchasing Division File No.: _____

Prime Contractor Name: _____ Title: _____

Prime Contractor Signature: _____

Instructions

Each subcontractor identified below shall be certified by the Contract Compliance Division of the Human Rights Department of the City of Detroit at least twenty-four (24) hours before a bid is submitted, and each contractor shall complete, sign and submit this form in accordance with the instructions in the bid documents. Any changes after submission require the approval of the Purchasing Director.

Failure to comply with these instructions shall result in disqualification of the bid.

1. DBE/SBE Name: _____ Address: _____

Scope of Work: _____

Agreed Price: _____ Percent of Contract: _____

DBE/SBE Signature: _____ Date: _____

2. DBE/SBE Name: _____ Address: _____

Scope of Work: _____

Agreed Price: _____ Percent of Contract: _____

DBE/SBE Signature: _____ Date: _____

3. DBE/SBE Name: _____ Address: _____

Scope of Work/Tasks: _____

Agreed Price: _____ Percent of Contract: _____

DBE/SBE Signature: _____ Date: _____

Total No. DBE/SBEs: _____ Total Contract Amount: _____

Total DBE/SBE Amount: _____ DBE/SBE Percentage: _____

EXHIBIT C

BID DOCUMENT INSTRUCTIONS FOR DSBP SUBCONTRACTOR DATA FORM

In accordance with Executive Order No. 4, issued by Mayor Dennis W. Archer on October 28, 1994, this contract requires that a minimum of _____% of the total contract dollar amount to be subcontracted to one of the following [The Purchasing Division shall mark the certification category(ies) that apply to this contract]:

- Detroit-based businesses
- Small businesses

The proposed subcontractors that are Detroit-based businesses ("DBE") or small businesses ("SBE") must be certified by the Contract Compliance Division of the Human Rights Department of the City of Detroit at least twenty-four (24) hours before a bid is submitted.

On the DSBP Subcontractor Data Form, the Contractor shall provide the following information:

1. The name and address of each DBE and/or SBE subcontractor the Contractor proposes to use;
2. The scope of work for each DBE and/or SBE subcontractor;
3. The agreed price for each DBE and/or SBE subcontractor's work and the percentage of the total contract price that each subcontractor's price represents;
4. The signature of the principal of each proposed DBE and/or SBE subcontractor;
5. The total number of proposed DBE and/or SBE subcontractors;
6. The total contract price;
7. The aggregate amount of the DBE and/or SBE subcontractors' prices; and
8. The percentage of the total contract price that the aggregate amount of the DBE and/or SBE subcontractors' prices represents.

The Contractor also shall sign the DSBP Subcontractor Data Form.

A completed DSBP Subcontractor Data Form must accompany the bid of each Contractor who is bidding on a DSBP contract. Bids that do not include a completed DSBP Subcontractor Data Form shall be deemed non-responsive and shall be disqualified.

EXHIBIT C

CITY OF DET/LAW DEPT.

	DATE TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
03	02/16 17:18		555 EC--S	07'42"	025	155	OK



CITY OF DETROIT LAW DEPARTMENT FAX

Fax To Number 1: | Ron Kramer, Esq. Fax Number: 408 354-9537

Fax To Number 2:| Fax Number:

Fax To Number 3:| Fax Number:

DATE/TIME: | February 16, 2000

FROM: Kay D. Schloff
Senior Counsel

Phone/Ext.: 313 237-3063
Fax Number: 313 224-5505
E-Mail - schlk @ LAW.ci.detroit.mi.us

Number of pages: 25
(including cover)

COMMENTS:

IMPORTANT NOTICE: The transmitted documents are intended only for the person named above, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the person responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of the documents transmitted with this transmittal sheet is strictly prohibited. If you have received this communication in error, please notify us immediately at: 224-4550, Ext. 23188 Thank you.

CITY OF DETROIT

LAW DEPARTMENT

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