

MITCHELL J. LANDRIEU, MAYOR
CITY OF NEW ORLEANS

OFFICE OF THE MAYOR

**MITCHELL J. LANDRIEU
MAYOR**

**EXECUTIVE ORDER
MJL 10-02**

WHEREAS, it is in the interest of the City to maximize the use of socially and economically disadvantaged business enterprises and local businesses in accordance with applicable law;

WHEREAS, it is in the interest of the City to create a process that is open, honest, fair, transparent, just and inclusive;

WHEREAS, the City of New Orleans established a Disadvantaged Business Enterprise ("DBE") Program to provide contracting opportunities for businesses owned by socially and economically disadvantaged individuals;

WHEREAS, to accomplish the stated goals of the DBE program, it is necessary to reform and strengthen the program;

WHEREAS, to achieve a DBE program that is in the best interests of the City, it is necessary to follow the national best practice of conducting a disparity study;

WHEREAS, during the time the disparity study is being conducted, it is essential to create an alternate certification method to provide increased and immediate opportunities for eligible DBE firms;

WHEREAS, a contract review committee will be able to enforce compliance with DBE performance goals;

WHEREAS, a contract review committee is able to ensure that procurements are structured to provide the maximum opportunity for DBE bidders by ensuring purchases are unbundled to the extent feasible; and

WHEREAS, to maximize the ability of small and disadvantaged business enterprises to compete, the City must explore creation of a Surety fund to provide bonding assistance for minority and small contractors doing business with the City;

NOW, THEREFORE, I, MITCHELL J. LANDRIEU, by the authority vested in me as Mayor of the City of New Orleans by the Constitution and laws of the State of Louisiana and the Home Rule Charter and laws of the City of New Orleans, **HEREBY ORDER AS FOLLOWS:**

1. Effective Date

This Executive Order is effective upon the date of its issuance.



2. Purpose

The purpose of this Executive Order is to establish a provisional certification program for Disadvantaged Business Enterprises ("DBE"), create an advisory committee to reform and strengthen the City's DBE program, create a contract review committee for procurements, commission a disparity study, and explore the creation of a Surety fund for bonding DBEs.

3. Provisional Certification

The City of New Orleans shall hereby grant a Provisional Certification as a DBE to any business that is certified as a valid DBE by the Louisiana Unified Certification Program, the New Orleans Sewerage & Water Board, the Regional Transit Authority, or the New Orleans Aviation Board.

Such Provisional Certification shall entitle a business to be considered a valid DBE by the City of New Orleans with all the rights associated with such certification until the DBE program is reformed and a centralized Diversity and Inclusion program and office are functional and adequately staffed as determined by the Mayor of New Orleans.

4. Contract Review Committee

The Director of Supplier Diversity is directed to establish a contract review committee that shall review Requests for Proposals and Requests for Certifications, bid solicitations, and other procurements prior to their release to ensure that appropriate DBE performance goals are included and that projects and purchases are unbundled to the extent feasible. This committee shall be formed and operate pursuant to written rules and procedures drafted by the Director of Supplier Diversity.

5. Disparity Study and Advisory Committee

The Director of Supplier Diversity is hereby directed to conduct a study to determine the disparity that exists between the availability of ready, willing, and able socially and economically disadvantaged business enterprises and the utilization of such businesses by the City of New Orleans.

The study and subsequent DBE reform is to be advised and monitored by a volunteer committee to be established by the Mayor. Upon completion of the study, the First Deputy Mayor - Chief Administrative Officer, Director of Supplier Diversity, and Chief Procurement Officer are directed to revise the City's DBE program.

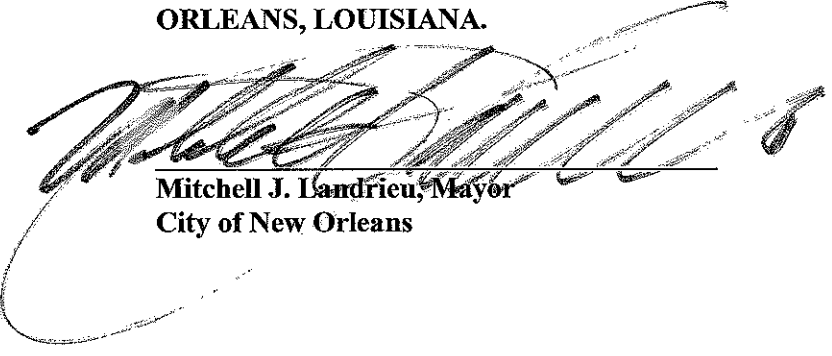
6. Bonding and Financial Assistance

The Director of Supplier Diversity is directed to explore the creation of a Surety fund to provide bonding assistance for DBEs doing business with the City.

7. Duration

This Executive Order will remain in effect until amended or suspended by a subsequent order approved in accordance with Section 4-206(3)(c) of the Charter.

WITNESS MY HAND AND SEAL THIS 3rd DAY OF JUNE, 2010 AT NEW ORLEANS, LOUISIANA.



**Mitchell J. Landrieu, Mayor
City of New Orleans**