

June 3, 2026

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202601864

Subject: Ordinance – DEI Procurement Ordinance

Attached is an Ordinance captioned:

MODIFYING the provisions of the Administrative Code of the City of Cincinnati (“Administrative Code”) by **ORDAINING** new Article XXXI, “Department of Economic Inclusion and Procurement”; **MODIFYING** the provisions of Chapter 320, “Compliance Guidelines for Construction Contracts Issued By Water Works and the Department of Sewers,” of the Cincinnati Municipal Code (“CMC”) by **ORDAINING** new Section 320-1-C3, “City Purchasing Agent,” **AMENDING** Sections 320-5, “Apprenticeship Requirements,” and 320-9, “Monitoring and Reporting,” and **REPEALING** Section 320-1-D, “Director”; **MODIFYING** the provisions of Chapter 321, “Procurement and Disposal of Supplies, Services and Construction,” of the CMC by **AMENDING** Section 321-118, “Applicability of Prevailing Wage Rates to City Development Agreements”; **MODIFYING** the provisions of Chapter 323, “Small Business Enterprise and Local Business Enterprise Programs,” of the CMC by **AMENDING** Sections 323-1-C, “Certification,” 323-1-C2, “Commercially Useful Function,” 323-1-D, “Department,” 323-1-I, “Independent Ownership and Control,” 323-3, “Purpose; Scope and Limitations,” 323-7, “SBE Certification,” 323-9, “SLBE or ELBE Certification,” 323-11, “SBE Program Goals,” 323-17, “Mandatory Subcontracting to SLBEs/ELBEs,” 323-19, “SLBE/ELBE Sheltered Market Program,” 323-21, “Sanctions,” 323-23, “Appeal,” 323-25, “Duties of the Department of Economic Inclusion,” 323-27, “City Maintained Records and Reports,” 323-29, “SBE, SLBE and ELBE Resource Information,” 323-31, “SBE, SLBE and ELBE Directory,” 323-33, “SBE, SLBE and ELBE Assistance to Provide an Equitable Opportunity to Compete for Contracts and Subcontracts,” 323-35, “Contractor and Subcontractor Assistance to Support Compliance with Applicable SBE, SLBE and ELBE Requirements,” and 323-99, “Penalties,” and **REPEALING** Section 323-1-D1, “Director”; **MODIFYING** the provisions of Chapter 324, “Minority and Women Business Enterprise Program,” of the CMC by **AMENDING** Sections 324-1-C, “Certification,” 324-1-C4, “Compliance,” 324-1-C7, “Contract Participation Goals,” 324-1-D, “Department,” 324-1-G, “Good Faith Efforts,” 324-1-S1, “Solicitation Goal,” 324-1-S3, “Subcontractor

Utilization Plan,” 324-11, “MBE and WBE Certification,” 324-13, “Annual Participation Goals for the MBE/WBE Program,” 324-15, “MBE and WBE Participation Goals,” 324-19, “Subcontractor Utilization,” 324-21, “City Agency Pre-Solicitation Goal Waiver or Reduction Requests,” 324-22, “Vendor Good Faith Efforts to Meet Goals,” 324-23, “Requests for Post-Award Waivers or Reductions of Contract Participation Goals; Substitution of MBEs or WBEs,” 324-27, “Counting MBE and WBE Participation,” 324-35, “Request for Reconsideration and Appeal of Denial of Certification,” 324-37, “Duties of the Department of Economic Inclusion,” 324-39, “City Maintained Records and Reports,” 324-41, “MBE and WBE Resource Information,” 324-43, “MBE and WBE Directory,” 324-45, “MBE and WBE Assistance to Provide an Equitable Opportunity to Compete for Contracts and Subcontracts,” 324-47, “Enforcement,” and 324-49, “Economic Inclusion Advocacy and Accountability Board,” and **REPEALING** Section 324-1-D1, “Director”; **MODIFYING** the provisions of Chapter 325, “Equal Employment Opportunity Program,” of the CMC by **AMENDING** Sections 325-5, “Duties of the Department of Economic Inclusion,” 325-7, “Requirements for Execution of City Contracts,” 325-9, “Equal Employment Opportunity Clause,” 325-11, “Notice to and Requirements of Bidders and Offerors,” and 325-13, “Enforcement and Appeal”; **MODIFYING** the provisions of Chapter 326, “Wage Enforcement,” of the CMC by **AMENDING** Sections 326-5, “Contract or Agreement Provisions,” and 326-7, “Wage Theft Monitoring, Investigation and Compliance”; **MODIFYING** the provisions of the Administrative Code by **REPEALING** Sections 23, “Division of Purchasing; City Purchasing Agent; Duties,” 24, “City Purchasing Agent; Duties,” and 25, “City Purchasing Agent: Combined Purchases; Authorization to Sign Contracts,” of Article IX, “Department of Finance”; and **MODIFYING** the provisions of the Administrative Code by **REPEALING** Article XXIX, “Department of Economic Inclusion.”

The City of Cincinnati is proposing the creation of a new department: the Department of Economic Inclusion and Procurement. This new department would combine the current Office of Procurement and Department of Economic Inclusion into one unified operation focused on improving efficiency, strengthening contract oversight, increasing transparency into City spending, and expanding opportunities for small, local, minority, and women-owned businesses.

The new department would consist of two divisions: Procurement and Economic Inclusion. Each division would be led by a Deputy Director, while the Department Director would oversee the operations of both divisions to foster stronger coordination and alignment between procurement operations and inclusion efforts.

This structure would allow Economic Inclusion staff to have greater visibility of contracts earlier in the process, rather than primarily after contracts are already awarded or underway. Earlier involvement will help improve planning around

inclusion goals, outreach efforts, compliance monitoring, and reporting. The goal of this restructuring is not to reduce the City's focus on inclusion. Instead, it is intended to strengthen it by better connecting the teams responsible for procurement, compliance, certification, and supplier outreach. The Economic Inclusion Advisory and Advocacy Board (EIAAB) would remain an important part of this work and continue serving in an advisory role to the City. The Board's input will continue helping guide policy discussions, community engagement efforts, and future inclusion initiatives. Community outreach and engagement will remain a priority under the new department structure.

These combined efforts will strengthen procurement and economic inclusion practices for the city while assisting departments in modernized practices to move work and projects quicker.

Cc: Cathy B. Bailey, Interim Assistant City Manager