



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Approved COMMITTEE ON SWEATFREE PURCHASES

Thursday, December 16, 2010

5:00 PM

210 Martin Luther King Jr Blvd
Room 406 (City-County Building)

CALL TO ORDER / ROLL CALL

Present: 5 -

Satya V. Rhodes-Conway; Daniel Cox; Jonathan D. Rosenblum; Mary E. Bottari and Carol Bracewell

Staff Present: Monette McGuire

Guest: Lara Mainella, Madison Asst City Attorney

APPROVAL OF MINUTES

A motion was made by Rhodes-Conway, seconded by Bracewell, to approve the Minutes. The motion passed by voice vote/other.

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PUBLIC COMMENT

There was no public comment

DISCLOSURES AND RECUSALS

Members of the body should make any required disclosures or recusals under the City's Ethics Code.

There were no disclosures and recusals

ITEMS CONSIDERED

1. [18546](#) Standing update on sweatfree purchasing activities - Purchasing

No update by Purchasing

No formal action taken.

2. [18875](#) Discussion of recommendations for clarifications and revisions to provisions of Madison General Ordinance (MGO)4.25
- a. Clarify \$5,000 threshold. See Exhibit A for background, context and proposal.
 - Proposal to apply the \$5000 threshold to each brand/manufacturer for any item(s), where the total annual dollar value amounts to \$5000 or more from one vendor.
 - Mainella provided clarification on the definition of brand vs. manufacturer
 - Should / How can brand name purchases be tracked:
 - o across multiple vendors
 - o across different agencies
 - o over a period of time (one time purchase, calendar year or contract term)
 - o Example: 3 different agencies, each purchasing Russell brand t shirts worth \$2,000 from 3 different vendors.
 - o Ordinance would not apply in this instance. Although it would be desirable to capture these types of purchases, ordinance would be triggered only at the 3rd contract and it would not be feasible to go back to the first contract. Decentralized purchasing does not make it easy to identify and aggregate volume to achieve better pricing.
 - First screen would be the single vendor who is selling single or multiple brands from the same manufacture. The \$5000 trigger will apply to multiple items of apparel made from a brand.
 - Vendors will be responsible for obtaining the information for bidder disclosure statements.
 - Enforcement against allegations shall be with vendor with whom we have leverage.
 - b. Review implementation of a “sliding scale” of compliance for bidders at the time of bidding and during the term of the contract.
 - Exhibits B and C were provided by Bracewell for context and discussion.
 - Current process does not provide for the evaluation of the bidder’s compliance or the bidder’s level of compliance using a point system.
 - There is no incentive for vendors to comply. They are still able to get the bid even if they are non-compliant.
 - Committee to develop a “sliding scale” of compliance that will promote competition and create an enforceable mechanism that will incent and require vendors to move towards 100% compliance.
 - Items to consider: percentage of points to be factored into the evaluation, and specific areas/criteria to be evaluated
 - Defer item for further discussion
 - c. Define “apparel” more clearly. ((MGO 4.25,Sec. (3)(a), Definitions)
 - Bracewell to study and provide information for discussion at the next meeting.
 - d. Determine effectiveness and practical implications of required quarterly submission of sworn disclosure statements by awarded contractors. ((MGO 4.25, sec. (5)d, Continuing Disclosure and Transparency)
 - Defer item for further discussion
 - e. Assess broad requirements for vendors/distributors to certify compliance of manufacturers or factories with all applicable local, national or international laws, including laws of the jurisdiction where factories are located, e.g. OSHA,

or ILO laws. Revise policy to create a framework where compliance is possible.
(MGO 4.25, sec.(4)(c) Effect of Applicable Law)

- Defer item for further discussion

f. Determine when during the bid process and from whom to require submission of disclosure statements and discussion of practical, administrative (for Purchasing staff) and cost considerations (for bidders) of implementing either Option 1: at the time of bidding by all bidders or Option 2: at the time of award by the awarded contractor only

- No action taken

g. Propose changes to format and information required in Bidder Disclosure Form.

- Defer item for further discussion

h. Draft language to provide flexibility for the City to move towards adopting Sweatfree Purchasing Consortium's developed models for a code of conduct, policy and processes that include, but are not limited to, standards for forms, reporting methods, etc. without additional major revisions to the ordinance.

- Committee will wait to see SPC's actions and direction in these matters.

i. Other - as may have been previously included in the Work Plan.

- No action taken.

3. [20016](#)

Dates and agenda for future meetings

a. Bracewell will not be available in January. Mary's membership with the committee will end in 2010.

b. Additional agenda items:

- Elect a new chair and vice-chair

4. [19185](#)

Announcements

Rosenblum noted that on December 14, 2010, 28 workers were burned alive in a clothing factory in Bangladesh. This underscores the importance of the work that the committee is doing.

ADJOURNMENT

Alder Rhodes-Conway made a motion to adjourn the meeting, seconded by Bracewell to adjourn at 6:10 p.m. The motion passed by voice vote/other.

A motion was made by Rhodes-Conway, seconded by Bracewell, to AdjournThe motion passed by voice vote/other.