



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved COMMITTEE ON SWEATFREE PURCHASES

Monday, November 28, 2011

5:30 PM

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

CALL TO ORDER / ROLL CALL

Meeting was called to order at 5:39 pm.

Present: 3 -
Satya V. Rhodes-Conway; Jonathan D. Rosenblum and Carol Bracewell

Excused: 1 -
Matthew C. Earley

APPROVAL OF MINUTES

A motion was made by Rhodes-Conway, seconded by Rosenblum to approve the 10/18/11 CSP minutes The motion passed by voice vote/other.

PUBLIC COMMENT

None

DISCLOSURES AND RECUSALS

None

1. [21508](#) Standing update on sweatfree and purchasing activities- Purchasing
 - a) Recent round of union concessions on police and fire uniform allowances provided for reduction in half of uniform allowances for 2012 but amounts will revert back to original values in 2013. This change will not impact compliance with sweatfree policy.
 - b) Difficulty in filling vacant LLPC seat. Jonathan might be able to attend next SLAC meeting to solicit interest from students. Dawn Crim moved to another position. Consider changing ordinance to broaden requirement for student representation. Put in next agenda for discussion.

2. [22534](#)

“Sliding Scale” Method of Compliance

- a) **Set gate for compliance**
 - Consider setting the gate at higher than the lowest rate of compliance
 - It would drive the message home if someone’s bid got thrown out for not providing information required
 - Suggest to start at 40% in 2012, with 10% increases every year
 - From purchasing standpoint, it would be easiest to have a gate established at the beginning of the year

- b) **Establish method and schedule for raising the gate incrementally**
 - State in the contract what (% of increment), when (annually) and how (recalculating the points proportional and weighted to the dollar value of the contract) the gate will be incremented during the term of the contract.
 - Policy needs to state that incremental compliance will be phased in during the contract period
 - Bids shall be judged on the same criteria; the same gate shall be uniformly applied to all bids
 - Raise the gate annually, triggered by contract renewals
 - Consider starting the gate low (30%) and go up in 5% or 10% increments
 - Take another look at the suppliers – to see which ones are already compliant to some degree. We know that there are some factories that are reaching 100% compliance but the range is still between 0% and 100%. Setting the gate would make it more likely for vendors to strive for compliance. Or could we find sweatfree merchandise and spec it in the contract?
 - Clarify the distinction between the role of the committee in setting policy vs. taking on an activist role. Committee can explore different approaches in terms of what type of ordinance would be more effective and efficient in terms of implementation, e.g., set policy from a high level and dictate product specifications or specify that clothing should come from facilities that are monitored, etc.
 - What would unions’ perspective be in seeing the sweatfree issue (vs. comfort, quality, etc. of uniforms) as a priority institutionally and what role could they play in influencing the selection and process of specifying what type of uniforms the selection committees should specify?
 - To what extent does the committee’s purview include educating unions and selection committees in setting these priorities?
 - Unions have not engaged on the sweatfree issue as a priority largely because it is viewed as a global vs. local issue. But where this has now become a local issue, to what extent does the committee’s role extend to educating the unions and placing pressure to restate the subject in a way that makes them pay attention?
 - Clarify roles of organizations like ICWJ (Interfaith Coalition of Worker Justice) or SLAC (Student Labor Action Coalition) vs. the City’s sweatfree committee in effecting any meaningful change
 - The fundamental purpose of the committee is to define the City’s role in making a difference, and that is to require disclosure of information because it sends the signal down the supply chain that this is an important issue.
 - Would the committee’s charge in helping purchasing implement the ordinance include a) the ability to correct problematic RFPs, i.e., allowing provisions to encourage vendors to suggest substitutions in cases where bidders are not able to get compliance from a specific manufacturer/brand as a strategy to improve their compliance status, and/or, b) making policy

recommendations to council or c) other role?

- Next step would be to inquire from the City Attorney if we can pull all the contracts that are up for renewal into compliance with the new sliding scale policy and move them forward without re-letting all the bids. Context for this would be that none of the current contractors are in compliance with the ordinance and this option would be easier overall for the City.

c) Review timeline for contract renewals

- Figure out timeframe to start process and implement procedure
- 3 contracts are up for renewal in summer of 2012. We cannot renew one contract on the basis of this policy without renewing all contracts. We either renew all or rebid all contracts.
- Renewals will be considered with proper documentation which will require either revisiting the original pricing or looking at pricing at time of renewal and applying the calculation for compliance.
- Would it be easier to start the process at the contract start date rather than insert it into the renewal process?
- Consider pulling agencies together to discuss a common strategy. This is not an issue for the committee to take on. Rather, the committee's role as a policy advisory committee is to talk to agencies about importance of sweatfree and create the policy for agencies to follow and deciding how to phase it in.

d) Discuss process and timeline for introducing compliance requirements to vendors

- Schedule vendor education during first half of 2012 because the renewal periods are due during the 2nd half of the year
- Establishing the gate would give the City the opportunity to create a stir by declaring its intent to bring the significance of this issue to the fore.
- Discussion ensued about whether to renew current contracts or re-bid contracts in order to introduce the sliding scale policy.
- Renewing current contracts would give unfair advantage to current contractors and not provide all vendors the same opportunity to compete. However, if it is still within the legal context to renew the contracts, even if it favors current contractors, the advantage would be that the process will have gained some momentum by the time the contracts will be rebid, and the gate will be set at even a higher level then.
- Consider a plan for contingencies, in terms of timeline and process, in the event that bidders cannot meet the gate at the renewal period.
- Consider asking institutions/brands the degree to which they are monitoring the production and labor rights conditions of a product line. This would give us some confidence as to the probability of achieving success in as far as purchasing a product that actually meets the sweatfree conditions.
- Next steps:
 1. Get answer from the City Attorney as to whether we can insert the compliance gate during renewal process
 2. Determine the steps for renewal or rebid in terms of calculating and evaluating the values and what happens if compliance level is below or above the gate.
 3. Establish a calendar for decisions on renewals, rebids, vendor re-education, etc.

3. [24663](#) **Annual Report**

Deadline for annual report – Ideally it would be presented at the first council meeting of the year. Content to include a summary of the year’s work and activities.

4. [22946](#) Review of Workplan Progress

Keep as recurring agenda item.

5. [19185](#) Announcements

McGuire to send out doodle request for December, January and February meetings.

ADJOURNMENT

A motion was made by Rhodes Conway, seconded by Bracewell to adjourn at 7:34 p.m. The motion passed by voice vote/other.