

Exhibit C
Meeting Agenda 12/16/10
COMMITTEE ON SWEATFREE PURCHASES

CSP WORK PLAN – draft – *previously submitted July 20, 2010*

REPORT

1. Ordinance requires annual report of sweatfree committee activities
2. Contents of the report

INTERPRETATION AND IMPLEMENTATION OF ORDINANCE- POLICY RECOMMENDATIONS

1. \$5,000 threshold. Purchasing is looking for clarification or interpretation of ordinance with regards to the requirement of affidavits as it relates to the \$5,000 dollar threshold. For example – It is unclear whether on an \$8,000 contract that includes 20 different items/brands, affidavits would be required for a)each type of item for all items, or b)only for those that add up to \$5,000 or more or c) for each brand, even though the total cost of that particular item or brand is under \$5,000?
2. Sec. 3. Definition of fair wage. Define the City’s fair wage requirement as stated in MGO 4.25, Sec. (4) (b) 1, Wages and Benefits. Refer to City of [Milwaukee’s Non-poverty Wage Table](#) (Exhibit 1) for context.
3. Sec. 6(d) Continuing Disclosure and Transparency. Requires quarterly submission of affidavits.

SWEATFREE AFFIDAVIT

1. Information required
 - How much of it is really useful or meaningful - e.g., wage and benefit, normal work day and hours, normal work week and hours, product code, HTS code, function, etc.?
 - Are we asking for too much information?
 - What level of detail are vendors willing and able to provide?
 - Is there a middle ground that is more than just checking a box vs. providing all the information currently in these forms so that we can get compliance and still get vendors to bid? Any change in the required details in the form will require an ordinance change.
2. Information required from whom?
 - Contractors and subcontractors
 - SPC and/or committee will have to determine how far down the supply chain should the information be supplied (i.e. zipper manufacturer for pants, or stitching of soccer balls by in-home workers, etc.)
3. Sweatfree Purchasing Consortium Affidavit of Compliance. SPC is proposing the use of a standard Affidavit of Compliance form that will be recognized by all consortium members as valid once submitted by any vendor to the Consortium. Information required in both forms (SPC and City of Madison) is similar.
4. Process for vendors to submit information.
 - Vendors might be more willing to complete the form if they have to submit it only once to SPC vs. having to submit it multiple times within a single year

5. Affidavits would have to be valid for at least one year.
 - Look into City's policy to determine whether policy allows for accepting one form per year
6. Fees
 - To charge or not to charge. Whom to charge – vendors, brands, subcontractors
 - How likely would vendors be willing to pay this fee for a one time (e.g., \$7,000) contract for one year, for multiple contracts for multiple agencies, etc.
 - The benefit of multiple contracts for multiple agencies might be geared more towards bigger companies than smaller local companies. However, local companies might be willing to pay the fees for a chance to sell in the national market.
 - Vendors will be required to pay the Consortium a fee (\$50 - \$100 per factory) which will be used to verify information on the affidavits. Fee seems a reasonable amount given the benefits.
 - Would the City's policy allow conditions requiring vendors to pay fees to be qualified to bid on a project and before being awarded a contract? Conditions can be set to qualify bidders for contract purposes. However, would vendors be willing to pay this fee for every subcontractor, for a chance at getting a \$7,000 contract?

GUIDELINES FOR MONITORING COMPLIANCE

1. Define evidentiary standards for verifying information submitted by vendors and clarify language used for awarding contracts in the face of conflicting information.
2. Provide for a practical, clear or fair method for evaluating bidders' ability and willingness to submit information required in the sweatfree disclosure affidavit. What if vendors are not able to obtain the information required by the ordinance? Do we accept bids from bidders who don't fill out forms completely or accurately?
3. Vendor-fee rule draft implemented by State of ME that will require vendors awarded a contract to pay a 1% fee of the total amount of the contract or PO. Fees will be used to implement and administer the code.
4. Role of SPC. As the consortium gains more ground and gets more members, it's going to make more sense for businesses to be certified through them. The movement is still in its early stages, so that the value to comply is not yet widely recognized by vendors. Would like to make the policy work even for local businesses who do not have aspirations on a national level.

OTHER:

1. Education of purchasing contacts. City of Portland policy to focus on internal education to include employees who make small purchases and are not covered by the new policy; also working to incorporate sweatfree policy into sustainable procurement policy.
2. Discussion of the ordinance in a broader context as it relates to other Purchasing directives, such as the Local Preference, green purchasing, living wage, Fair Trade purchasing inquiries, etc. There is interest in developing a more coherent and effective policy that ensures confidence in the meaning and intent of these directives.
3. Expanding ordinance to include other products
4. Explore other uniform and monitoring contract links and opportunities