

## EQUAL OPPORTUNITY REQUIREMENTS

### **General Instructions**

**Applications:** The following materials pertain to the Equal Opportunity Requirements of the City of Bellevue as set forth in Chapter 4.28.170 of the Bellevue City Code. All Vendors, subcontractors, consultants, vendors and suppliers who contract with the City in a total amount of thirty-five thousand or more within any given year must comply with these requirements.

**Affidavit:** Before being considered for a contract of the magnitude listed above, all Vendors will be required to submit the "Affidavit of Equal Opportunity Compliance" as part of their proposal/qualifications or upon the request of the City Purchasing Manager.

**Compliance:** The City of Bellevue reserves the right to randomly select Vendors, subcontractors, consultants, vendors or suppliers to be audited for compliance of the requirements listed. During this audit, the Vendors, etc. will be asked for a specific demonstration of compliance with the requirements.

**Noncompliance:** A finding of a noncompliance may be considered a breach of contract and suspension or termination of the contract may follow.

**City Contact:** The City's Compliance Officer is the City Purchasing Manager, and specific questions pertaining to this section may be directed to the Finance Department at (425) 452-7246.

### **Bellevue City Code Excerpt**

Section 4.28.170 of the Bellevue City Code establishes the requirements for all contractual service providers:

"All Vendors, subcontractors, consultants, vendors and suppliers who contract with the City of Bellevue in a total amount of thirty-five thousand or more within any given year are required to take affirmative action and comply with the following requirements of this section. There shall be included in any contract between such contractual services provider and the City of Bellevue the following provisions:

1. Vendor shall make specific and constant recruitment efforts with minority and women's organizations, schools, and training institutions. This shall be done by notifying relevant minority and women's organizations.
2. Vendor shall seek out eligible minority and women Vendors to receive subcontract awards. Appropriate minority and women Vendors shall be notified in writing of any bids advertised for subcontract work.
3. Vendor shall provide a written statement to all new employees and subcontractors indicating commitment as an equal opportunity employer and the steps taken to equal treatment of all persons.
4. Vendor shall actively consider for promotion and advancement available minorities and women.
5. Vendor is encouraged to make specific efforts to encourage present minority and women employees to help recruit qualified members of protected groups.

6. Vendor is encouraged to provide traditional and nontraditional employment opportunities to female and minority youth through after school and summer employment.
7. Vendor is encouraged to assist in developing the skills of minorities and women by providing or sponsoring training programs.

Willful disregard of the City's nondiscrimination and affirmative action requirements shall be considered breach of contract and suspension or termination of all or part of the contract may follow.

All Vendors, subcontractors, vendors, consultants or suppliers of the City required to take affirmative action must sign the affidavit of compliance and submit with the bid proposal or upon the request of the City Purchasing Manager. All documents related to compliance steps listed above shall be presented upon the request of the City Purchasing Manager shall serve as the compliance officer for the city and is authorized to develop and issue procedures for the administration of this section."

### **Interpretations**

In order to more readily determine compliance with BCC 4.28.170, the following interpretations are provided:

**Requirement 1.** When a Vendor needs to recruit, they must notify minority and women's organizations, schools and training institutions. Such "notification" can be in the form of an advertisement in newspapers or trade journals of general circulation in the metropolitan Seattle area.

When the Vendor hires through a union hiring hall, the Vendor must be able to provide confirmation, upon request by the City, that the hiring hall has an equal opportunity policy.

**Requirement 2.** When a Vendor intends to subcontract out any work they shall notify minority and women Vendors for the subcontract work. The requirements to notify minority and women Vendors of any bids can be satisfied by advertising in newspapers or trade journals that are of general circulation in the metropolitan Seattle area.

**Requirement 3.** If and when a Vendor hires new employees or contracts with subcontractors, the Vendor must alert such employees and subcontractors to the Vendor's commitment as an equal opportunity employer, etc. This requirement may be complied with by posting a notice of equal opportunity commitment at the job shack, or by the time clock.

**Requirement 4.** If and when a Vendor promotes or advances employees, the Vendor must consider all eligible employees.

The City of Bellevue reserves the right to audit all Contractors for compliance with the requirements set forth in BCC 4.28.170.

**AFFIDAVIT OF EQUAL OPPORTUNITY COMPLIANCE**

\_\_\_\_\_ certifies that:  
(Bidder)

1. If necessary to recruit additional employees, it has:
  - a. Notified relevant minority and women's organizations, or
  - b. Hired through a union hall with an equal opportunity policy.
2. It intends to use the following listed construction trades in the work under the contract:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. In sourcing subcontract work for trades listed above, it has notified in writing appropriate minority and women Vendors of bids for subcontract work.
2. It will obtain from its subcontractors and submit upon request, an Affidavit of Equal Opportunity Compliance as required by these bid documents.
3. It has provided a written statement to all new employees or subcontractors indicating its commitment as an equal opportunity employer.
4. It has considered all eligible employees for promotion or advancement when promotion or advancement opportunities have existed.

By: \_\_\_\_\_  
(authorized signature)

Title: \_\_\_\_\_

Date: \_\_\_\_\_