



Text File

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Committee: Committee on Finance and Law

Status: Passed Finally

Ordinance amending and supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Section 161.40 to shift oversight of veteran-owned small businesses from the Department of Finance to the Bureau of Neighborhood Empowerment.

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, is hereby amended at Section 161.40, Veteran-owned small business, as follows:

§ 161.40 - Veteran-owned small business.

(a) *Definitions.* Subject to [section 161.40\(b\)](#) (relating to regulations), the following words and phrases when used in this chapter shall have the meanings given to them in this section:

(1) *Active service.* Full-time military duty, other than active duty for training, as a member of the United States Army, Air Force, Navy, Marine Corps or Coast Guard, or their reserve components or the National Guard. The term includes full-time service for more than thirty (30) consecutive days performing active State duty for emergencies as a member of the Pennsylvania National Guard.

(2) *Veteran.* An individual who performed active service in the Armed Forces of the United States, including the reserve components and the National Guard, who was not discharged from the active service under dishonorable conditions. This shall include individuals discharged under the provisions of the Don't Ask, Don't Tell policy.

(3) *Veteran-owned small business.* A business having one hundred (100) or fewer full-time employees and not less than fifty-one (51) percent of which is owned by one (1) or more veterans, or in the case of any publicly owned business, not less than fifty-one (51) percent of the stock of which is owned by one (1) or more veterans, and the management and daily business operations of which are controlled by one (1) or more veterans.

(4) *Veteran work force utilization business.* A business identified by the ~~Department of Finance~~ Bureau of Neighborhood Empowerment as one which develops and implements special processes and procedures for recruiting, retaining, training or developing veteran employees and whose work force is no less than ten (10) percent veterans.

(b) *Regulations.* The ~~Department of Finance~~ Bureau of Neighborhood Empowerment shall establish policy in accordance with this chapter for City Departments for which the and may promulgate regulations establishing detailed definitions of the words and phrases defined in [section 161.40\(a\)](#) (relating to definitions) using, in addition to the criteria set forth in [section 161.40\(a\)](#), other criteria as it deems appropriate.

(c) *Veteran-owned small business participation goals.* The City of Pittsburgh shall have an annual goal of not less than five (5) percent participation by veteran-owned small businesses in all contracts. The participation goal shall apply to the overall dollar amount expended with respect to the contracts.

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(d) *Duties of the ~~Department of Finance~~ Bureau of Neighborhood Empowerment.* The department shall have the following duties:

- (1) Give special publicity to procurement procedures and issue special publications designed to assist veteran-owned small businesses in learning how to do business with the City of Pittsburgh.
- (2) Compile, maintain and make available source lists of veteran-owned small businesses for the purpose of encouraging procurement from veteran-owned small businesses.
- (3) Include veteran-owned small businesses on solicitation mailing lists.
- (4) Assure that veteran-owned small businesses are solicited on each procurement for which the businesses may be suited.
- (5) Develop special training programs to assist veteran owned small businesses in learning how to do business with the City of Pittsburgh.
- (6) Assure that participation by veteran-owned small businesses is appropriately factored into the evaluation of proposals for supplies, services or construction.
- (7) Certify businesses that have been identified as veteran work force utilization businesses.

(e) *Bonding and progress payments.*

(1) *Bonding.* Notwithstanding other provisions of this part:

- (a) The ~~Department of Finance~~ Bureau of Neighborhood Empowerment may reduce the level or change the types of bonding normally required or accept alternative forms of security to the extent reasonably necessary to encourage procurement from veteran-owned small businesses.
- (b) For contracts under one hundred thousand dollars (\$100,000.00), veteran-owned small businesses shall be exempt from the bonding requirements of this part.

(f) *Report to standing committees.* The ~~Department of Finance~~ Bureau of Neighborhood Empowerment shall annually report in writing to City Council concerning total contract dollars awarded to veteran-owned small businesses by the City of Pittsburgh during the preceding fiscal year. The report shall include a list of all veteran-owned small businesses that participated as contractors, subcontractors or suppliers during the preceding fiscal year.