

EBDI Economic Inclusion Program

One of the primary goals of EBDI is to encourage the maximum practical participation of minority, female *and* local business enterprises in all aspects of the project, including, but not limited to, planning, development, management, equity/ownership, contracting, financing, construction, professional services, commodities, manufacturing, and related services. Furthermore, EBDI wishes to engage those entities which employ minorities, females and local residents from the Project Area, so that these groups may have the maximum achievable opportunity to compete for contracts, jobs, and other economic opportunities associated with the New East Baltimore Community.

The successful Development Team shall be contractually required to meet or exceed the City of Baltimore’s programmatic goals for creating opportunities for minority-owned (African American, Asian American, Hispanic American, or Native American) and women-owned (51% ownership) businesses in compliance with City Council Ordinance 211 and the Mayor’s Executive Order 610, which were incorporated by reference in the Agreement For Minority Inclusion in the East Baltimore Housing/Biotech Park Development Project dated April 15, 2002 (See Schedule B-2 of the LDDA for the “Minority Inclusion Agreement”).ⁱ

These programmatic goals, developed in conjunction with an annual disparity study, ensure that appropriate levels of contracting are conducted with minority-owned and women-owned businesses, based on the diversity, depth of talent and entrepreneurial capabilities of the population of the City of Baltimore. As of the date of this RFP, the City has adopted the following participation levels for certified minority-owned business enterprises (“MBE’s”) and women-owned business enterprises (“WBE’s”) which developers on City-assisted projects are *required* to meet or exceed in terms of overall contracting dollars:

Group	Construction	Architectural and Engineering	General Services
MBE	27%	21%	17%
WBE	8%	13%	9%

In addition to complying, at a minimum, with the above-referenced contracting goals, the Development Team *shall use its best practical efforts* to meet or exceed the minimum levels of MBE and/or WBE participation levels for those specific areas of the project which are set forth in the Minority Inclusion Agreement. The individual segments and corresponding goals, divided according to the three general categories listed above, are as follows:ⁱⁱ

Construction	Architectural and Engineering	General Services
Project Management 13.5%	Planning 13.5%	Legal 13.5%
Demolition 30.5%	Design and	Accounting 13.5%

	Architecture 17%	
Rehabilitation 30.5%	Engineering 17%	Real estate services 13.5%
New Construction 30.5%		Financing 13.5%
		Investments/Capital 13.5%
		Property and equipment financing 13.5%
		Promotion 13.5%
		Facilities Management/Maintenance 13.5%
		Property Management 13.5%
		Laboratory and office supplies 9%
		Disposition Services 13.5%
		Reprographics 13.5%
		Delivery Services 13.5%
		Light manufacturing 13.5%
		Research and Development 13.5%

The Development Team will also be expected to use their best practical efforts to locate and contract with locally-owned business enterprises (“LBE’s”), i.e. businesses based within the Project Area, and/or businesses which count as employees a substantial number of local residents.

EBDI is further committed to ensuring compliance with the training and employment requirements of Section 3 of the Housing and Urban Development Act of 1968 (“Section 3”), which governs much of the federal funding expected to be used in this project. Section 3 requires that, to the greatest extent feasible, opportunities for training and employment generated by a Section 3 covered contract (i.e., a contract funded with federal funds) be given to public housing and other low income persons residing in the metro area, and that subcontracts be awarded to businesses located in or substantially owned by persons residing in the area of the project (East Baltimore).

The Development Team’s adherence to the Economic Inclusion requirements described herein shall be subject to the Economic Inclusion Compliance Plan, which shall be made a part of the Master Development Agreement (MDA) entered into between EBDI and the Development Team (See Schedule G of the MDA). The Economic Inclusion Compliance

Plan shall require the Development Team to, among other things, contract with certified MBE's and WBE's (insofar as they are competitive with respect to quality, services, delivery time, and price), to be engaged as equity partners, vendors, suppliers, providers of professional services, contractors, and subcontractors in the construction and/or provision of goods and services to EBDI and/or the Development Team. "Certified" MBE's and WBE's include those entities certified either by the City under Article 5, Subtitle 28 of the Baltimore City Code, codified as the "Minority and Women's Business Program" (as amended, modified or replaced, the "MBP Act") or under the Minority Business Enterprise Program of the Maryland Department of Transportation pursuant to Title 14, Subtitle 3 of the State Finance and Procurement Article of the Annotated Code of Maryland, or in accordance with Title 49, Part 26 of the Code of Federal Regulations. In any particular category in which the Development Team fails to meet or exceed the Economic Inclusion levels, and cannot demonstrate to EBDI that it undertook good faith efforts to comply, the Development Team may be held in breach of the MDA, resulting in possible sanctions, including, but not necessarily limited to, the suspension of the Development Team's rights under the MDA.

ⁱ In addition to the Minority Inclusion Agreement, Development Teams are encouraged to read and become familiar with the requirements of City Council Ordinance 211 and the Mayor's Executive Order 610, which can be accessed at the following web address: <http://www.baltimorecity.gov/news/execorder091400.html>

ⁱⁱ The Minority Inclusion Agreement does not distinguish between MBE and WBE percentages for each specific area of the project as outlined in the more detailed chart. EBDI shall reserve the right to determine the appropriate allocation of MBE/WBE participation for each category.