



Councilmember Vincent Bernard Orange, Sr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

At-Large Councilmember, Vincent Bernard Orange, Sr. introduced the following bill, which was referred to the Committee on \_\_\_\_\_

To amend the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to deem unresponsive any bid or proposal that includes in its subcontracting plan a business that is not currently certified as a certified business enterprise.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Certified Business Enterprise Subcontracting Plan Requirement Amendment Act of 2013".

Sec. 2. Section 2346(d) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.46(d)), is amended to read as follows:

"(d)(1) Bids or proposals responding to a solicitation, including an open market solicitation, shall be deemed nonresponsive and shall be rejected if the law requires a subcontracting plan and the prime contractor fails to submit a plan pursuant to the criteria in paragraph (2) of this subsection.

"(2) A subcontracting plan shall include the following information:

"(A) The name and address of each subcontractor;

"(B) A current certification number of the small or certified business enterprise;

1 “(C) The scope of work to be performed by each subcontractor;

2 and

3 “(D) The price to be paid by the beneficiary to each subcontractor.

4 “(3) The subcontracting plan required by paragraph (2) of this subsection shall be  
5 provided before the District accepts the final contract.”.

6 Sec. 3. Fiscal impact statement.

7 The Council adopts the fiscal impact statement in the committee report as the fiscal  
8 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
9 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

10 Sec. 4. Effective date.

11 This act shall take effect following approval by the Mayor (or in the event of veto by the  
12 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
13 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
14 24, 1973 (87 Stat, 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
15 Columbia Register.

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