



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

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STEVEN M. FULOP
MAYOR OF JERSEY CITY

E.O. 2014-009

October 7, 2014

**EXECUTIVE ORDER OF THE MAYOR
OF THE
CITY OF JERSEY CITY**

**CREATING A PURCHASING DISPARITY STUDY,
"CROSON STUDY", COMMITTEE**

Pursuant to the authority vested in the Mayor of the City of Jersey City by law, I issue the following Executive Order:

WHEREAS, on May 31, 2011 MGT of America, Inc., prepared a report entitled "A Purchasing Disparity Study for the City of Jersey City; and

WHEREAS, governmental entities have authorized such disparity studies in response to the United States Supreme Court case City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989) to determine whether there is a compelling interest to justify remedial procurement programs for minority and women owned businesses by local governmental entities; and

WHEREAS, the Study was designed to determine whether existing Jersey City efforts have eliminated active and passive discrimination, to analyze city procurement trends and practices from fiscal year 2002 through fiscal year 2008; and

WHEREAS, although "the Croson Study" commended the City for certain efforts, it also determined that Jersey City could improve its procurement programs to include more minority and women owned businesses.

THEREFORE, under the authority vested in me as Mayor of the City of Jersey City, I hereby establish a Purchasing Disparity, (commonly referred to as "Croson"), Study Committee.

A. Powers and Duties of the Committee.

With the assistance of the Corporation Counsel, the Committee shall review the May 31, 2011 disparity study, determine where the purchasing practices of the City of Jersey City could be improved to advance opportunities for minorities and women and :

1. Recommend the implementation of legislative or administrative policy, ordinances and administrative regulations and guidelines, to improve the purchasing practices of the City.
2. Establish policies and procedures for its own governance in compliance with applicable law.

B. Membership, Terms and Removal.

The Committee shall consist of:

1. Eleven members:
 - a. the Director of _____, who shall serve as chairperson of the Committee;
 - b. Corporation Counsel;
 - c. Business Administrator;
 - d. Three Council Members;
 - e. Division of Purchasing;
 - f. Division of IT; and
 - g. Three residents of the Jersey City.

All members shall be appointed by the Mayor except that the Council members shall be selected by the Council President.

2. All the members appointed shall serve for a term of two years. Vacancies caused by resignation or otherwise shall be filled by the Mayor for the completion of any unexpired term.
3. All members of the Committee, shall serve at the pleasure of the Mayor and can be removed by the Mayor with or without cause.
4. The Committee shall meet initially at least once every month at a time fixed by the Chairperson. The Chairperson may also call special meetings.

C. Clerical and Technical Assistance.

For the purposes of effectuating the goals of this Order, the Committee shall have such clerical and technical assistance, materials, and as may be provided by the Office of the Mayor.

D. Cooperation with City Departments and Agencies.

All City departments and agencies shall cooperate with the work of the committee to the greatest degree possible as permitted by law.

This Executive Order shall be kept on file in the Offices of the City Clerk and Business Administrator. It will also be made available to the public upon request.

This Order shall take effect immediately.

Very truly yours,



**STEVEN M. FULOP
MAYOR**

JF/jm/hj

cc: Robert Kakoleski, Acting Business Administrator
Robert Byrne, City Clerk
Jeremy Farrell, Corporation Counsel
All Department Directors