

# Minneapolis Code of Ordinances

## Title 2 - Administration

### CHAPTER 18. - PURCHASING

#### **18.10. - Department established; functions.**

There shall be a purchasing department as a branch of the city government which, except as otherwise provided in this chapter, shall have full charge of the purchases by the city of all supplies and material required for the use of the several departments of the city under the supervision of the city council and of the several boards and departments of the city, including the board of education, board of park commissioners, and library board, and for making and maintaining public works and improvements of the city. There shall be a purchasing agent for the city, who shall be the head of the purchasing department. (Code 1960, As Amend., § 471.010)

**Charter reference**— Authority to establish department, Ch. 4, § 19.

#### **18.20. - Bond of agent.**

The purchasing agent shall give the city an official bond as designated in section 14.70 of this Code, with surety, to be approved by the city council, conditioned that the purchasing agent will faithfully perform all the duties of such office as provided by law or prescribed by the city council, and faithfully account for and turn over to the successor in office or to the city, or to such officer or agent of the city as the council may direct, any and all moneys, properties, papers and things entrusted to or coming into the hands of the purchasing agent, and carefully care for and protect any and all such moneys, properties, papers and things and each of them entrusted to or coming into the possession of the purchasing agent, and not directly or indirectly or in any manner be interested in the sale of any article, material or supplies to the city or to the several boards thereof, and not directly or indirectly receive any bribe, gift or consideration of any kind from any person or persons who have been or will be engaged in furnishing or selling any article, material or supplies to the city or to the several boards thereof. The cost of furnishing such bond, with a surety company as surety, shall be paid by the city. (Code 1960, As Amend., § 471.020; 76-Or-238, § 2, 12-30-76; Pet. No. 249854, § 42, 7-14-89)

#### **18.30. - Appointment of agent; assistants.**

The city coordinator shall appoint the purchasing agent who shall appoint all necessary assistants and other employees of the purchasing department and their salaries and compensation shall be fixed by the city council. The purchasing agent shall have supervision and control of all assistants and employees of the purchasing department. All assistant purchasing agents and buyers shall give bond to the city as designated in section 14.70 of this Code, with sufficient surety to be approved by the city council, conditioned for the faithful discharge of their duties, in like form and with like conditions as that required of the purchasing agent, with such changes as may be necessary to adapt it to the purpose intended. The cost of such bond, with a surety

company as surety, shall be paid by the city. (Code 1960, As Amend., § 471.030; 76-Or-238, § 3, 12-30-76; Pet. No. 249854, § 43, 7-14-89)

**18.40. - Supervision of all purchasing.**

All purchases of supplies and materials for the use of the several departments of the city under the supervision of the city council, and of the several boards of the city, shall be made by and through the purchasing department upon written requisition of the head of the department or board, as the case may be, for whose use the purchase is desired, or their properly designated agents, which requisition shall be made in the manner and form prescribed by the purchasing agent. The purchasing agent, however, shall not contract for or make any purchases of supplies or materials if the appropriation or fund against which the cost of such supplies or materials are to be charged is exhausted. The purchasing agent shall have the exclusive power to purchase all supplies and materials of every nature of the several departments under the supervision of the city council, and of the several boards of the city, except as herein otherwise provided, and shall have the power to award contracts for the purchase of supplies and materials needed by the city and the several boards of the city in such manner and under such regulations as herein provided and as may be provided by ordinance. (Code 1960, As Amend., § 471.040)

**18.50. - Exceptions.**

Purchases of supplies for the refectories and refreshment stands of the park board and purchases of books, periodicals and magazines for the library board and art museum, shall not be made by the purchasing department. (Code 1960, As Amend., § 471.050)

**18.60. - Advertisement and bids required.**

(a) When sealed bids are required by Minnesota Statutes, Section 471.345, subdivision 3, the purchasing agent shall advertise for bids therefor, except as otherwise provided in this chapter, stating in the advertisement the quality and kind required, what classes or things shall be bid upon separately, and the time and place of opening bids. Such advertisement shall be published in the official newspaper of the city at least twice preceding the opening of bids. The first advertisement shall be not less than ten (10) days preceding the opening of the bids. In the case of articles likely to vary in price during short periods, or for any other good and sufficient reason, competitive bids may be sought and received without public advertisement, in the agent's discretion.

(b) No purchase over the amount for sealed bids required by Minnesota Statutes Section 417.345, Subdivision 3 shall be made for the use of any department under the supervision of the city council unless a request therefor shall first be presented to the council by the head of such department and be approved by the council.

(c) Calls for bids for any procurement shall not be issued, circulated or published without prior authorization of the purchasing agent, and if determined necessary by the purchasing agent, a standing committee of the city council. (Code 1960, As Amend., § 471.060; 77-Or-062, § 1, 12-30-77; 84-Or-192, § 1, 10-26-84; 85-Or-207, § 1, 11-15-85; 90-Or-082, § 1, 3-16-90; 92-Or-153, § 1, 11-20-92; 94-Or-001, § 1, 1-14-94; 95-Or-143, § 1, 10-13-95)

**18.70. - Bid deposits.**

At the sole discretion of the purchasing agent, a bid deposit may be required from all bidders on a bid. Every bidder shall present with the bid a certified check, payable to the city finance officer, or a corporate surety bond issued by a surety company authorized to transact business in the State of Minnesota, payable to the city. Such check or bond shall be in the amount of two (2) percent to ten (10) percent of the amount of the bidder's bid, as required by and in the discretion of the purchasing agent. Such surety bond shall be conditioned for the execution and delivery of a contract by the bidder with the city in accordance with the specifications and terms of the bid, in case the proposed contract is awarded to the bidder, and shall contain an express agreement by the bidder that upon his failure to execute and deliver a contract with the city in accordance with the bid and to furnish the required bond to secure the performance of such contract, if the contract is awarded to the bidder, such bond shall be forfeited and paid in full to the city as stipulated and liquidated damages to the city, and not as a penalty, by reason of the failure of the bidder to execute and deliver such contract and bond to the city in accordance with the bid. Any such certified check of a successful bidder shall be forfeited and paid to the city as stipulated as liquidated damages to the city, and not as a penalty, by reason of the failure of such bidder to execute and deliver a contract and bond to secure performance thereof to the city in accordance with the terms of the bid. (Code 1960, As Amend., § 471.070; Pet. No. 249854, § 44, 7-14-89; 90-Or-082, § 2, 3-16-90)

18.75. - Reserved.

**Editor's note**— Ord. No. 82-Or-033, § 1, adopted Feb. 26, 1982, repealed § 18.75, requiring a bidder's fee, deriving from 81-Or-288, § 1, enacted Nov. 24, 1981.

**18.80. - Opening of bids.**

All bids shall be in writing and securely sealed, and shall remain sealed until opened by the purchasing agent as herein provided. All bids shall be publicly opened in the office of the purchasing agent at the time specified in the advertisement and in the presence of the city finance officer and the purchasing agent, or their designated representatives, and shall be read aloud and tabulated. The bids, as tabulated, shall be certified to by the two (2) officials in whose presence the bids were opened. All such bids shall be open to the inspection of the bidders and the public in the office of the purchasing agent, after being opened and tabulated. (Code 1960, As Amend., § 471.080; 80-Or-086, § 1, 5-9-80; Pet. No. 249854, § 45, 7-14-89)

**18.90. - Acceptance of bids.**

No bid shall be accepted as a whole unless it shall be the lowest bid or best bid. If a purchase is made from the bids submitted, the award for each item of supplies or materials shall in all cases be made to the lowest bidder therefor, unless the purchasing agent on account of the quality of the supplies or materials or the nature of the work proposed to be furnished or done by the lowest bidder, or the financial responsibility and reputation of said bidder, deems it advisable that such bid be rejected. In such case the purchasing agent shall present to the city council or board for which the purchase is intended, as the case may be, a written statement of the reasons why such lowest bid should not be accepted, and may advise the city council or said board which, in his judgment, would be the best bid to accept, irrespective of whether it be a higher bid or not, and

the city council or said board may thereupon order the purchasing agent to accept that bid or such other bid as it deems best. Provided, that no such bid shall be accepted unless there shall have been filed as provided in section 18.60 the written approval of the head of the department for which materials and supplies are to be purchased. The purchasing agent shall have the right and power in all cases to reject any and all bids and waive technical defects, reporting such rejections to the city council or the various boards, as the case may be. (Code 1960, As Amend., § 471.090)

**18.100. - Bidded contracts.**

Contracts for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property shall be drawn by the city attorney, except contracts for the park board, which shall be drawn by the attorney for the park board. These contracts shall be signed by the city finance officer or the finance officer's designee pursuant to administrative guidelines adopted by the finance department. Board contracts shall be signed by the president of the board and the city finance officer or the city finance officer's designee. Contracts shall be accompanied by a performance bond and a payment bond of the contractor to the city or the board making the contract for the full amount of the contract price or some other amount determined by the finance officer that is reasonable and necessary for the protection of the city. The city finance officer or the city finance officer's designee shall sign the bonds. Copies of all contracts shall be kept by the finance department and copies shall be sent by the finance department to the appropriate city departments or boards. (Code 1960, As Amend., § 471.100; Pet. No. 249854, § 46, 7-14-89; 89-Or-188, § 1, 9-15-89; 2002-Or-015, § 1, 3-1-02; 2004-Or-065, §§ 1, 2, 5-28-04)

**Special law reference**—For special act authorizing the city finance officer to waive or reduce the bond amount required for a contract for procurement of supplies, services, materials or equipment if the bond is not reasonable or necessary for the protection of the city, see Laws 1988, Ch. 572, § 1 (approved by 88R-197 on May 27, 1988).

**18.105. - Other contracts.**

All other contracts not regulated by section 18.100, including but not limited to contracts for professional services, leases, joint powers agreements, maintenance agreements, real estate sales, loan agreements, purchases or leases, intergovernmental agreements, or any other contracts shall be in written form approved by the city attorney. Contracts for professional services made and executed in a dollar amount less than or equal to fifty thousand dollars (\$50,000.00) shall be in written form approved by the city attorney and consistent with the policies and procedures of the finance department or other directives of the city's finance officer. Performance bonds and payment bonds will be required for these contracts at the discretion of the city's finance officer. (2004-Or-065, § 3, 5-28-04; 2014-Or-098, § 1, 12-5-14, eff. 1-1-15)

**18.110. - Emergencies.**

If an emergency shall arise in any of the boards or departments requiring the immediate purchase of supplies or materials, the head of such board or department shall make such purchases and

present a requisition to the purchasing agent stating therein the reasons for the emergency, and the purchasing agent shall report same monthly to the respective departments, council committees and boards for whom the purchase is made. (Code 1960, As Amend., § 471.110)

**18.115. - Contracts not to be awarded to persons or entities in default.**

Neither the city council nor any officers or employee of said city shall entertain any bid from or enter into any contract as defined in section 18.100, section 18.105 or any contract as defined in Chapter 423 with any person, firm, corporation or other entity that is in default to the city or any department thereof, on any contract or any bond or in any other way. (2014-Or-098, § 2, 12-5-14, eff. 1-1-15)

**18.120. - Competitive bids required.**

The purchasing agent, whenever it is practicable, shall obtain competitive bids upon all purchases not advertised for in the official newspaper. (Code 1960, As Amend., § 471.120)

**18.130. - Approval of supplies.**

The purchasing agent shall have the power to require the heads of the various departments and boards for whom supplies or materials are needed to make inspections with him of articles, supplies and materials purchased. Upon the materials or supplies being delivered to any city department or board requiring the same, and upon the report of such department or board approving, rejecting or recommending an adjustment of said purchase, the purchasing agent may approve or reject said purchase, and the invoice rendered for the same, and in case of approval by the purchasing agent of such purchase, the contractor shall be entitled to the agreed price for said materials or supplies after deductions or additions for adjustments have been made. (Code 1960, As Amend., § 471.130)

**18.140. - Records.**

The purchasing agent shall keep a full and complete account of all purchases made for each department or board of supplies and materials furnished it and of all transactions with each. Such records shall be open for inspection at all times. (Code 1960, As Amend., § 471.140; Pet. No. 249854, § 47, 7-14-89; 89-Or-188, § 2, 9-15-89)

**18.150. - Guaranties.**

The purchasing agent shall keep a record in his office of all guaranties of supplies, materials and work furnished and done for the city, and shall enforce such guaranties in all cases where it is possible to do so. (Code 1960, As Amend., § 471.150)

**18.160. - Disposal of surplus property.**

A department, board or agency of the city may sell, donate or dispose of any non-real property ("surplus property") belonging to the city, board, or agency, as the case may be. Whenever the

value of the surplus property is estimated to exceed five hundred dollars (\$500.00), written notice of the intent to dispose of the surplus property by donation shall be delivered to the purchasing department. The purchasing department's procurement director or designee shall provide an estimate of the market value of the surplus property to the finance officer and to the city department, board or agency that wishes to dispose of it. For proposed donations of surplus property, the department will present to the city council a resolution and a recommendation to donate the surplus property based upon the principles contained in the city Policy and Procedure for Disposal of Surplus Property. The Policy and Procedure for Disposal of Surplus Property will be prepared and updated by the finance department. (Code 1960, As Amend., § 471.160; 98-Or-117, § 1, 10-16-98; [Ord. No. 2016-021](#), § 1, 3-18-16)

**18.170. - Joint purchases.**

Notwithstanding any other provision of this Code, when in the opinion of the purchasing agent and the purchasing committee any materials or supplies needed by the city or the several boards or departments of the city may be purchased jointly with the state or any subdivisions thereof at a lesser cost than if such purchase were made independently pursuant to the provisions of this chapter, the purchasing agent may enter into a cooperative purchasing agreement with the state or such governmental subdivision for the joint purchase of such materials or supplies. (Code 1960, As Amend., § 471.170)

**18.180. - Reserved.**

**Editor's note**— 90-Or-011, § 1, adopted Jan. 26, 1990, repealed § 18.180, which section pertained to bidding, purchasing and contracting for small businesses and was derived from 79-Or-234, § 1, adopted Nov. 21, 1979.

**18.190. - Contractor's surety bond.**

Whenever a contract is to be executed for the procurement of supplies, services, materials or equipment and the contractor is required by this Code of Ordinances or any other law to furnish to the city a surety bond conditioned upon the performance of the contract, the finance officer may waive the bond if a bond is not reasonable or necessary for the protection of the city or may set the principal amount of the bond at an amount less than the full contract price if such amount is sufficient for the protection of the city. In reducing or waiving the bond the finance officer shall consider the following criteria, if applicable:

- (a) The financial capability of the contractor to perform the contract;
- (b) The amount of damages that would likely be incurred by the city if the contractor were unable to perform the contract;
- (c) If the contract is for services, then, in addition to the other listed criteria, the frequency and amount of payments to be made to the contractor by the city and the city's potential liability for the wages and payment of the contractor's laborers and suppliers;
- (d) The potential for liens to be placed upon the city's property, including property supplied to the city under the contract;
- (e) The potential for product failures during the period of any warranty included in the contract;

- (f) The cost of the surety bond and the estimated extent to which it could result in an increase in the cost of the contract.

For contracts awarded on the basis of competitive bidding, any reduction or waiver of the surety bond shall be determined prior to the advertisement of the request for bids and stated in the advertisement. Alternatively, bids may be requested with the bond reduced or waived as alternative bid items. No bond required from a developer or a contractor on a development project or any works of construction may be waived or reduced. (88-Or-151, § 1, 8-12-88)

**18.200. - Equal benefits provisions in contracts.**

(a) The City of Minneapolis recognizes that a nationwide debate has advanced an expanded concept of familial relationships beyond traditional, marital relationships. This expanded concept includes relationships between two (2) non-married, adult partners who are committed to one another to the same extent as married persons are to each other, except for the traditional marital status and solemnities. The City of Minneapolis also recognizes that it annually enters into numerous contracts for the purchase of goods and services. Requiring contractors to provide to employees with domestic partners benefits equal to those provided to employees who are married will require contractors to maintain a competitive advantage in recruiting and retaining the highest quality work force, thereby improving the quality of goods and services that the city receives. The City of Minneapolis has a fiscal responsibility to ensure that it purchases the best quality goods and services possible within its budgetary constraints. To ensure that the City of Minneapolis receives improved quality of goods and services, the functions of the purchasing agent are expanded as provided in this section.

(b) In addition to the functions described in this chapter, the purchasing agent for the city must do the following:

- (1) Require that notice of the requirements of this section be provided in every request for proposal and bid specification, whether involving goods or services.
- (2) Require that, unless an exception is granted by the city council pursuant to subsection (g), every contract include a provision that the contractor will comply with this section.

(c) For purposes of this section, the following definitions apply:

*Cash equivalent.* The cash equivalent of the following benefits apply:

- a. For bereavement leave, cash payment for the number of days that would be allowed as paid time off for the death of a spouse. Cash payment would be in the form of the wages of the domestic partner employee for the number of days allowed.
- b. For disability insurance, life insurance, health benefits, and dental benefits, the cost to the contractor of the contractor's share of the single monthly premiums that are being paid for the domestic partner employee, to be paid on a regular basis while the domestic partner employee maintains such insurance in force for himself or herself.
- c. For a membership, the cost to the contractor of the membership fee normally paid for a spouse, as long as the domestic partner employee would have been provided such membership payments if the domestic partner employee would have had a spouse.
- d. For moving expenses and travel expenses, expenses that would have been paid to the domestic partner employee if the domestic partner of the employee were a spouse.
- e. For family leave, cash payment for the number of days that would be allowed as time off for an employee to care for a spouse who has a serious health condition. Cash payment would be in the form of the wages of the domestic partner employee for the number of days allowed.

*Contract.* An agreement which is estimated to exceed one hundred thousand dollars (\$100,000.00) for personal services; for the sale or purchase of supplies, materials, equipment or the rental thereof; or for the construction, alteration, repair or maintenance of personal property. Contract does not include development contracts.

*Contractor.* Any individual, corporation, partnership, association, nonprofit organization, groups of persons, organization, company, firm, limited liability company, joint venture, enterprise, or any other legal or commercial entity, or combination thereof, which enters into a contract with the city, and which maintains twenty-one (21) or more employees on the payroll during twenty (20) or more calendar workweeks in either the current or the preceding calendar year. Workweeks include consecutive and nonconsecutive workweeks.

*Domestic partner.*

- a. Any person who has a currently registered domestic partnership with a governmental body pursuant to state, local, or other law authorizing such registration. The term domestic partnership should be construed broadly to include same-sex civil unions or other such same-sex unions in which two (2) same-sex individuals are committed to one another to the same extent as married persons are to each other, except for the traditional marital status and solemnities; or
- b. Unless otherwise provided by state, local or other applicable law authorizing the registration of domestic partnerships, a person who is in a domestic partnership, which consists of two (2) adults who:
  1. Are not related by blood closer than permitted under marriage laws of the state.
  2. Are not married.
  3. Are competent to enter into a contract.
  4. Are jointly responsible to each other for the necessities of life.
  5. Are committed to one another to the same extent as married persons are to each other, except for the traditional marital status and solemnities.
  6. Do not have any other domestic partner(s).

*Domestic partner employee.* An employee who has a domestic partner.

*Employee.* An individual who performs services for compensation for a contractor and who is entitled to one or more employee benefits. Employee does not include independent contractors.

*Employee benefits.* Unless otherwise prohibited by state, federal or other law, bereavement leave, disability insurance, life insurance, health benefits, dental benefits, family leave, memberships, moving expenses, and travel benefits provided to employees of the contractor.

*Registry.* A system or mechanism for the recognition of, at a minimum, domestic partners during the term of the contract.

*Religious or denominational educational institution.* An educational institution which is operated, supervised, controlled or sustained primarily by a religious or denominational organization, or is one which is stated by the parent church body to be and is, in fact, officially related to that church through church representation on the board of the institution and through substantial church financial assistance to the institution; and further includes any agent or employee of such an institution.

*Religious or denominational organization.* Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided in subsection 26 U.S.C. § 501(h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

*Serious health condition:* Serious health condition as defined by the federal Family and Medical Leave Act.

*Subcontractor:* Any individual, corporation, partnership, association, nonprofit organization, groups of persons, organization, company, firm, limited liability company, joint venture, enterprise, or any other legal or commercial entity, or combination thereof, which enters into a contract with a contractor to perform work related to a contract that the contractor has with the city, and which maintains twenty-one (21) or more employees on the payroll during twenty (20) or more calendar workweeks in either the current or the preceding calendar year. Workweeks include consecutive and nonconsecutive workweeks.

- (d) No contractor shall discriminate by policy or practice in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse. Any employee benefit provided in any manner contingent upon the existence of a marital relationship must also be provided to an employee who has a domestic partner. The contractor shall not be deemed to discriminate in the provision of employee benefits if, despite taking reasonable measures to do so, the contractor is unable to extend a particular employee benefit to a domestic partner, so long as the contractor provides the employee with a cash equivalent of such a benefit.
- (e) The provisions of subsection (d) do not apply when the City of Minneapolis is purchasing through a cooperative or joint purchasing agreement.
- (f) A contractor is deemed in compliance with subsection (d) if the contractor meets one of the following criteria:
  - (1) The contractor allows every employee to designate a legally domiciled member of the employee's household as being eligible for spousal equivalent benefits.
  - (2) The contractor maintains a registry from the execution of the contract to the completion of the contract. The maintenance of this registry shall include notice to employees of:
    - a. The existence of such a registry.
    - b. The requirements to be placed on the registry.
    - c. The requirements to be removed from such a registry.
    - d. The possibility of the extension of benefits to domestic partners of employees during the duration of any contract. However, upon request of an employee, the employee will be placed on the registry and will be provided equal benefits pursuant to subsection (d).
  - (3) The contractor states that, during the duration of the contract, it will provide notice to employees that the contractor will create a registry upon request of an employee of the contractor or upon request of the director of the Minneapolis Civil Rights Department, or the director's designee. Such notice to employees shall also advise employees of the requirements to be placed on the registry, the requirements to be removed from the registry, and the possibility of the extension of benefits to domestic partners of employees during the duration of any contract.
  - (4) The contractor provides benefits neither to employees' spouses nor to employees' domestic partners.
  - (5) The contractor cannot comply with the requirements of subsection (d) because those requirements are inconsistent with a grant or agreement with a public agency.
  - (6) The contractor is a religious or denominational educational institution.
  - (7) The contractor is a religious or denominational organization.
  - (8) The contractor is a governmental entity.
- (g) The city council may grant exceptions to the requirements of subsection (d) where:
  - (1) Award of a contract or amendment to a contract is necessary to respond to an emergency, where the existence of an emergency is determined by the city council. In determining whether there is an emergency, the city council may consider the following nonexclusive factors: the

nature of the contract; the length of the contract; the cost of the contract; whether grants are involved in the contract and the requirements of those grants; whether there is a need to have materials and goods furnished immediately and the consequences of a delay in having those materials and goods furnished; the monetary consequences if action is not taken immediately; any safety issues that may be involved; the consequences on labor, increased labor costs, and scheduling of labor; the need to complete work before a strike deadline; and the impact of delaying one phase or portion of a project on the other phase(s) or portion(s) of the project.

- (2) The city council considers the following nonexclusive factors and determines that an exception is in the best interests of the City of Minneapolis:
  - a. The original contract was for one hundred thousand dollars (\$100,000.00) or less, amendments to the original contract have been made, and the amended contract exceeds one hundred thousand dollars (\$100,000.00).
  - b. Bids are received, the bids demonstrate that none of the bidders can comply with this section, and one (1) or more of the bids would have been responsive if compliance with this section would not have been listed as a requirement in the bid specification. Under this circumstance, the city could then rebid and delete the bid specification of complying with this section in the rebid.
  - c. A request for proposal is requesting unique services that can only be reasonably provided by one (1) contractor.
  - d. There is only one (1) bidder.
  - e. Only one (1) proposal is submitted to a request for proposal.
  - f. After a comparison between personal services proposals in which contractors would comply with this section with personal services proposals in which contractors would not comply with this section, the city council determines that the City of Minneapolis would gain a substantial cost savings by awarding a personal services contract to a contractor that will not comply with this section.
- (h) Decisions by the city council to grant exceptions to the requirements of (d) are final.
- (i) This section shall only apply to those portions of a contractor's operations that occur:
  - (1) Within the City of Minneapolis.
  - (2) On real property outside of the City of Minneapolis if the property is owned by the City of Minneapolis or if the City of Minneapolis has a right to occupy the property, and if the contractor's presence at that location is connected to a contract.
  - (3) Elsewhere in the United States where work related to a contract is being performed.
- (j) The requirements of this section shall only apply during the duration of the contract.
- (k) Except for subsection (l), all requirements of this section that apply to contractors shall also apply to subcontractors.
- (l) The contractor will include the provisions of section 18.200 in every subcontract, specifically or by reference, so that such provisions will be binding upon each subcontractor.
- (m) Because of its experience with the enforcement of other contractual requirements, and to avoid administrative costs of implementing a new enforcement unit, the Minneapolis Department of Civil Rights shall enforce the provisions of this section pursuant to all of its enforcement powers under Title 7 of this Code. (2002-Or-186, § 1, 12-13-02)

**18.210. - Effective date.**

That section 18.200 becomes effective January 1, 2004. (2002-Or-186, § 2, 12-13-02)