

SweatFree Procurement Forum for Purchasing Officials

Conference Call #7, Minutes
October 23, 2008

Present:

Jeff Baer, City of Portland
Bjorn Claeson, SweatFree Communities, facilitator and note-taker
Tony Deschenes, State of Michigan
Sam Dominguez, City of Austin
Jack Jackson, State of California
Byron Johnson, City of Austin
Mark Rosaaen, City of San Francisco
Joe Signoretta, State of New Jersey
Alyssa Talanker, State of New York
Monica Wilkes, State of New York
Farshid Yazdi, City of Los Angeles

Next conference call: Thursday, December 11, 4 pm ET/3 pm MT/2 pm CT/1 pm PT

Call: 218-936-7979

Access number: 873 5625

Topic: Latest developments in sweatfree procurement: new policies, multi-state RFP for independent monitoring, vendor-fee rule draft

City of Portland: Jeff Baer

On October 15 the City Council unanimously approved a sweatfree procurement policy and code of conduct for apparel contractors, including labor standards, health and safety standards, and prohibiting "cut and run" to deny worker rights. The next step is developing procedures for implementation and writing the administrative rules.

The new policy was developed over a period of one year. The city first adopted a resolution to create the policy. They worked with the local sweatfree group; established a policy advisory committee; and established the standards.

A key component moving forward will be internal education. City employees that do small purchases, not covered by the new policy, will also be encouraged to pose questions about labor standards to suppliers. Portland also has a sustainable procurement policy focused on environmental concerns. The sweatfree policy is written in such a way that the two policies can be merged.

Q: Did you have input from contractors?

A: They attended the meetings, but not as official participants. It was important to us to get their input and make sure they could comply. They have told us they will have no problem complying with the new policy.

Q: How is the Portland policy different from those of other cities where vendors have complained of difficulty complying?

A: Portland will develop a procedure that allows the most compliant bidder to receive a contract; that way, sweatfree procurement can continue even if no bidder is fully compliant. The city will work with any vendor that is less than 100% compliant to get them to be fully compliant – that is the goal. We will also send a notice to all uniform suppliers in advance of any new bidding opportunities so that they will not be surprised by the new requirements.

San Francisco/Rosaaen: SF is currently evaluating bids under the “most compliant” system. The scoring system is complicated, but they have been pleasantly surprised that one bidder received a score of over 90% as they didn’t think they’d see such scores for many years.

State of Maine – Bjorn Claeson

(Bjorn reported in place of Chip Gavin who was unable to join the call).

The State of Maine is in the process of developing a code of conduct implementation rule that will require vendors that have been awarded a contract or purchase order for apparel, footwear, or textiles to pay a 1% fee of the total amount of the contract or purchase order. The payment is to be made separately by the vendor within 30 days of the contract or purchase order start date. The State Purchasing Agent will apply the fee to the costs of implementing and administering the code, including the development of a consortium to assist in code enforcement through monitoring and other activities. Several state vendors (that served on a previous code of conduct working group) expressed support for a fee used for code enforcement that will help to level the playing field for all bidders.

Questions were raised on whether or not the fee would be “passed through” by vendors to the state. Portland and Austin reported that they were considering a budget allocation instead of a vendor fee. There is no one-size-fits-all when it comes to allocating resources for enforcement of sweatfree procurement policies.

Request for Proposal for independent monitoring services – Bjorn Claeson

The State of Pennsylvania has requested proposals for “sweatfree independent monitoring” – designed to be a multiple award, multi-year, multi-state contract under the auspices of NASPO. At this stage, New Hampshire, Maine, Ohio, and Oregon have joined the contract; any other state can join. In most states municipalities and other public entities can join the state contract; in some states, municipalities can join other states’ contract. Bids are due by November 17.

Once contracts are awarded participating public entities will be able to select a monitor from those awarded contracts to investigate complaints about worker rights violations in their supplier factories.

For question and further information, please contact:

Jan Braxton, Department of General Services, Commonwealth of Pennsylvania
717-703-2943

jabraxton@state.pa.us