Legislation Text

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Authorizing the Committee of the Whole to hold hearings examining the history and purpose of Philadelphia's Minority-, Women-, and Disabled-Owned Business Enterprises (MWDSBE) contracting programs, the current federal and judicial landscape affecting Diversity, Equity, and Inclusion (DEI) policy, and the Parker Administration's revised approach to participation ranges and procurement strategy.

WHEREAS, For more than four decades, the City of Philadelphia has established DEI contracting policies to address historic inequities and persistent barriers faced by MWDSBEs in accessing public contracts, capital, and economic opportunity; and

WHEREAS, These policies were supported through participation goals, project-based ranges, administrative oversight, and continuous monitoring while playing a critical role in expanding access to public contracting, strengthening local business capacity, and advancing equitable economic development across the City; and

WHEREAS, In recent years, federal executive actions and judicial decisions have called into question the legal viability of race and gender conscious contracting measures, placing new restrictions on presumptive eligibility, increasing scrutiny of disparity-based remedies, and prompting jurisdictions nationwide to reassess the design and implementation of DEI-oriented procurement programs; and

WHEREAS, This evolving legal landscape has created substantial uncertainty for state and local governments seeking to maintain commitments to equity while ensuring compliance with current federal constitutional standards and funding requirements; and

WHEREAS, In response to these circumstances, the Parker Administration has announced changes to the City's procurement framework, including discontinuation of MWDSBE participation ranges and a transition toward a race and gender-neutral strategy emphasizing incentives for small and local businesses, marking a significant shift in the City's longstanding DEI contracting approach; now, therefore, be it

RESOLVED, That the Council of the City of Philadelphia calls upon the Committee of the Whole to hold public hearings to examine: The history, purpose, and outcomes of Philadelphia's MWDSBE and DEI contracting programs, the federal and judicial developments influencing current DEI-related procurement policy; and the rationale, design, and anticipated effects of the Parker Administration's revised approach to participation ranges and small and local business incentives.