

New Orleans, LA

Mayor Marc H. Morial



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Open Access Plan of the City of New Orleans

In 1995, Mayor Marc H. Morial established the Open Access Plan of the City of New Orleans by Executive Order. The Plan created a mechanism for removing the effects of past and present discrimination against minorities and women, and for mitigating the effects of past and present non-participation by Minority Owned Business Enterprises (MBEs) and Women Owned Enterprises (WBEs) in the City of New Orleans. It was based upon the results and recommendations contained in a comprehensive study conducted by National Economic Research Associates (NERA) entitled "Discrimination in New Orleans." The Mayor's Office of Small and Emerging Business Development has the charge of enforcing the Plan. This office maintains a directory of minority and women owned businesses, certifies those that apply and meet guidelines, keeps these businesses informed of Open Access contracting opportunities, and educates small and emerging businesses in best business practices. It works closely with developers seeking financial incentives from the City to help them create individualized Open Access Plans. In addition, specifications of any City of New Orleans contract in excess of \$10,000 now include a request for a bidder's commitment to make good faith efforts to comply with the intention of the Open Access Plan.

A key component to the long term success of this program is the business development of MBEs and WBEs, as well as fair and consistent certification of their eligibility for the program. The City of New Orleans established clearly defined criteria and a detailed certification process to identify qualified participants for Open Access certification. The Office of Small and Emerging Business Development maintains a database of over 4000 entries containing construction related firms, general entrepreneurs, and businesses. It supports general contractors and developers in their efforts to involve the MBEs and WBEs in contracting opportunities. Through mailings, seminars, workshops, and individual meetings, it provides resources and information in the areas of developing business plans, technical training, appropriate

legal structure, and garnering access to capital and lending. The office also sponsors and hosts "How to do Business" seminars with City and other governmental agencies.

Developers seeking public financing incentives work with the Mayor's Office of Small and Emerging Business Development to create an Open Access Plan customized to the scope of the project. The Plan includes goals for every phase of the project. During the construction phase, goals are related to construction services, professional and non-professional services, and commodity purchasing. These goals are also utilized during operations. Employment goals take into account construction related hiring as well as part-time and full-time operational personnel. Developers have reached out to Welfare to Work participants, low to moderate income workers, Enterprise Community residents, and historically underutilized individuals.

Accountability is achieved through reports and monitoring. Developers report compliance monthly during the construction phase, and quarterly during operations. They document prior month efforts to meet the goals established in their plans. Efforts include but are not limited to the number of pre-bid meetings called for the benefit of MBEs and WBEs, the amount of advertising done to target businesses for their potential inclusion, whether written notice went out in a reasonable time for MBEs and WBEs to respond, and whether the developer divided reasonable portions of the project into smaller parts to facilitate performance by MBEs and WBEs. The report also includes the dollar amount contracted monthly. This information is updated with each report submitted. The Mayor's Office of Small and Emerging Business Development also performs monthly project site visits to review documentation and/or address concerns. The office also visits participating subcontractors at the site. On a quarterly basis, representatives of the office and the developer give public compliance updates to the City Council.

Public projects completed under the Open Access Plan include Phase III of the Ernest N. Morial Exhibition Hall and Convention

"We have worked hard to diversify the business community of New Orleans by giving minority and women owned businesses the attention they need to compete in the new economy. The Open Access Plan is mending the commercial gap that previously put minorities and women at a great disadvantage."

Program has been running five years

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Center, the Convention Center Parking Facility, and the New Orleans Sports Arena. The following private sector projects involving public-private partnerships have also successfully operated under the Open Access Plan: Harrah's Casino, Jazzland Theme Park, the American Can Apartments brownfield renovation, the Saulet Apartments, and Folger's Whole Bean Plant Phase II.

The Open Access Plan of the City of New Orleans has brought more than \$120 million of this City's biggest contracts into the capable hands of minority and women-owned businesses, and improved the financial well-being of our community as a whole.