



**CIVIL RIGHTS TASK FORCE**  
**Tuesday, November 9, 2021**  
**7:30 P.M. | Via Web-Conference**

*To Join Zoom Video Meeting:*

[Click Here](#)

*Dial by your location*

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 874 7322 4988, Password: 782321

**AGENDA**

1. Call to Order.
2. Acceptance of Meeting Minutes for July 6, 2021 (see attached).
3. Introduction of new Acting Chief of Police John Slavin.
4. Review and discuss a draft Township Policy to engage and support minority-owned and women-owned businesses (see attached).
5. Philadelphia Equity Bill.
6. Mental Health.
7. Employment/Vendors/Farmer Jawn.
8. Old Business.
9. New Business.
10. Open Discussion.
11. Adjournment.

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Robert Zienkowski  
Township Manager

A meeting of the **Civil Rights Task Force** for July 2021 was held tonight via web conference. Members in attendance were: Irv Brockington, Liza Meiris, Wendy Blutstein, Will Pillsbury, Jake Marcus, and Herb Bailey. Staff present: Robert Zienkowski, Township Manager; Charlyn Battle, Director of Human Resources; John Frye, Chief of Police; Andrew Snyder, Police Lieutenant. Guests present: Commissioner Ann Rappoport, Commissioner Dan Norris, Joel Fisbien, Cheltenham School Board, Dave S., Jon Smith and Des.

1. Mr. Brockington called the meeting to order at 7:30 p.m. A quorum was present.

2. The Meeting Minutes for June 2021 were accepted.

3. Traffic Stop Presentation by Cheltenham Township Police Department (see attached):

Lieutenant Andrew Snyder presented a PowerPoint on 2020 traffic stop statics. The members of the Civil Rights Task Force had an in-depth discussion after the presentation, which included asking follow-up questions to Lt. Snyder regarding the report.

4. Status update on Citizens Police Advisory Committee Proposal:

Ms. Marcus said she was still doing research and working on the proposal.

5. Cheltenham High School Graduation Speech:

Mr. Fishbien gave a brief overview of the Graduation Speech, the impact it had on the community, a corrective action plan for future speeches and the immediate action steps the School Board has taken.

Ms. Meiris mentioned the revised Memorandum of Understanding (MOU) that the School Board recently adopted. Mr. Fishbien said that it was a collaborative effort between the School District and the Cheltenham Township Police Department.

Ms. Marcus asked if anyone was aware of the actions step that the School Board took regarding the speech. Mr. Norris said that the Times Chronicle had posted information regarding the speech and the steps the School Board was taking.

6. Old Business

A. Mr. Brockington said during the month of June, the Township did fly the Pride flag in honor of Pride Month and put a statement out about Juneteenth.

B. Mr. Zienkowski thanked Liza for her collaboration with the School District and the Police Department on the MOU.

7. New Business

A. Mr. Brockington announced that until further notice, the Civil Rights Task Force will continue to meet via Zoom. Ms. Blutstien said that there is greater participation when the meetings are on Zoom.

8. Open Discussion/Citizen Comments – None.

9. Mr. Brockington adjourned the meeting at 9:26 p.m.

  
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Robert Zienkowski  
Township Manager

Per Charlyn Battle

## OUR COMMITMENT

Cheltenham Township is committed to developing mutually beneficial relationships with minority-owned and woman-owned local business enterprises, and engaging with the local community to increase awareness of potential opportunities for supplier diversity.

## OUR MISSION

It is the aim of all departments within Cheltenham Township to build new connections and strengthen existing relationships within the Township community; to open, develop, and maintain communication between current and potential diverse suppliers; and to promote awareness of potential business opportunities for minority- and women-owned businesses by participating in trade shows, conferences, and educational seminars; and advising the community of the Township's purchasing policies.

The Cheltenham Township Board of Commissioners has adopted a Resolution encouraging minority- and women-owned business procurement by individuals, contractors, public utilities, or firms contracting with Cheltenham Township for supplies, materials, equipment, and professional services.

- A. The suppliers of purchase contracts with the Township involving an expenditure of more than \$11,500.00<sup>1</sup> shall take affirmative steps to utilize bona fide minority business enterprises (MBE) and women business enterprises (WBE) on all contracts with Cheltenham Township. Such affirmative steps may include, but not be limited to the following:
1. Utilizing a source list of MBEs and WBEs;
  2. Solicitation of bids from MBEs and WBEs;
  3. Providing MBEs and WBEs sufficient time to submit proposals in response to solicitations;
  4. Maintaining records showing utilization of MBEs and/or WBEs and specific efforts to identify and utilize these companies; and
  5. Striving for the goal of awarding at least ten percent (10%) of the total dollar value of the contract to MBEs and at least two percent (2%) of the total dollar value of the contract to WBEs or, for those contracts governed by federal or state regulations with respect to MBE and/or WBE hiring, the prevailing percentage set forth therein, whichever is higher, subject to waiver as provided below.
- B. For the purpose of this section, the term "minority business enterprise" shall mean a business which performs a commercially useful function, at least fifty-one percent (51%) of which is owned by minority group members or, in the case of a publicly owned business, at least fifty-one percent (51%) of all stock is owned by minority group members. Such ownership shall be certified by the County Division of E.E.O.C.

For the purposes of this paragraph, "minority group members" are citizens of the United States who are African American, Hispanic, Asian-American, and/or Native American.

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<sup>1</sup> The amount stated herein shall automatically be revised, from year to year, in accordance with Section 1802 of the First Class Township Code.

C. For the purposes of this section, the term "women-owned business enterprise" shall mean a business which performs a commercially useful function, at least fifty-one percent (51%) of which is owned by a woman or women or, in the case of publicly owned business, at least fifty-one percent (51%) of all stock is owned by a woman or women. Such ownership shall be certified by the Township Office of Fiscal Affairs.

D. All bidders shall submit, with their bid:

1. a list of all MBEs and WBEs from whom the supplier has solicited bids, or
2. with whom the supplier has signed a binding contractual agreement, or
3. with whom the contractor is presently negotiating an agreement,

for the purpose of meeting the MBE and WBE utilization goals provided in subdivision (A) (5) above. The Township may, upon written request by the supplier, grant a complete or partial waiver of the provisions of subdivision (A) (5) where the availability of MBEs and/or WBEs in the market area of the contract is demonstrated to be less than the ten percent (10%) MBE goal and two percent (2%) WBE goal, but only where a good faith effort was made by the supplier to meet the above requirements.

*Good Faith Efforts.* When MBE/WBE minimum participation goals are applicable, general contractors working on the subject project must make "good faith" efforts to meet MBE/WBE goals. "Good faith" requires commercially reasonable business practices and actual effort on the part of the bidder to meet minimum participation goals. The list of Dos and Don'ts at the end of this document should prove useful in meeting the "good faith" effort.

E. As evidence of compliance with the goals set forth in subdivision (A) (5) above, the supplier shall submit to the Director of Fiscal Affairs, at the bid opening, a schedule for MBE and WBE participation listing the MBEs and WBEs with whom the supplier intends to contract; specifying the agreed-upon price to be paid for such goods and identifying in detail the contract item or items to be supplied by each MBE and WBE. A copy of the participating schedule will be forwarded to the Cheltenham Township Board of Commissioners. Contingent upon a contract award, a letter of intent to enter into a purchase agreement shall be provided for signing by both the supplier and the MBE and WBE (unless a waiver is requested in one of those categories), indicating the agreed upon price and scope of work.

F. As evidence of compliance with the goals set forth in subdivision (A) (5) above, the supplier shall provide to the Office of Fiscal Affairs copies of all the subcontracts and/or purchase agreements with the MBEs and WBEs within fifteen (15) days of contract award.

Obtaining an MBE/WBE vendor(s) is the responsibility of the primary vendor, NOT of Cheltenham Township. However, a list of vendors may be obtained from:

Cheltenham Township  
Office of Fiscal Affairs  
8230 Old York Road  
Elkins Park, Pennsylvania 19027-1589

(215) 887-1000

## **Additional Guidance For Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Contract Procurement**

**Document your good faith efforts** to obtain commitments from MBE/WBE participants. Even if you do not ultimately reach the MBE/WBE participation goal, you should always document that you have made a good faith effort to do so. Your company will be assessed against your competition regarding your ability to obtain MBE/WBE contracts.

**Use Government Resources** to help find MBE/WBEs to work on their projects. Take advantage of services offered by the Small Business Association.

**Place MBE/WBEs on solicitation lists.** Contractors must make MBE/WBEs aware of contracting opportunities to “the fullest extent practicable through outreach and recruitment.” Place MBE/WBEs on regular solicitation lists, and solicit MBE/WBEs whenever potential opportunities arise.

**Maintain relationships with reputable MBE/WBE’s** to minimize risk associated with contracting with inexperienced MBE/WBE firms, ensuring you can meet your MBE/WBE goal without sacrificing quality of work.

**Always try to replace MBE/WBEs that have dropped out** of the project with other MBE/WBEs. While you are not required to replace MBE/WBEs that have fallen away with other MBE/WBEs, you are required to make a good faith effort to do so.

**Be diligent; make reasonable inquiries** to ensure a MBE/WBE you are involved with is not a pass-through but is actually performing a “commercially useful function” on the project. Contractors, subcontractors, and material suppliers that are “willfully ignorant” can be prosecuted to the same extent as companies that intentionally defraud the government. Even minor involvement in pass-through MBE/WBE schemes can end in enormous financial penalties, including potential debarment from future contracting work and significant criminal consequences. A small short-term profit is not worth the huge risk. Using “time and material” or “cost plus” contracts with MBE/WBE subcontractors can be a risky endeavor. Unless the MBE/WBE can demonstrate a history of performing and managing its own work, this type of contracting is fertile ground for “front” companies.

**Employ monitoring and enforcement programs.** Particularly if you run a large operation, maintaining compliance programs including adequate oversight and enforcement may be necessary to comply with MBE/WBE procurement laws. While these programs may add costs, the expense can save your company millions of dollars and help you avoid criminal prosecution.

**Consider all reasonably-priced offers.** If you do not meet your MBE/WBE participation goal, yet rejected an MBE/WBE offer that was within a reasonable range of the offer accepted (1 to 10 percent), this could constitute a lack of good faith.

**Don’t terminate for convenience and self-perform;** doing so can constitute a lack of good faith. In the same vein, you should not put your own employees on the payroll of the MBE/WBE to get work done.