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5 Chairman Phil Mendelson
6 At the request of the Mayor
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8 A PROPOSED RESOLUTION

9 _____
10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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14 To declare the existence of an emergency with respect to the need to amend the Small
15 and Certified Business Enterprise Development and Assistance Act of 2005 to require a
16 business applying for certification as a local business enterprise to be independently
17 owned and operated; to amend minimum certified business enterprise performance
18 requirements in a certified joint venture; and to establish uniform hearing procedures for
19 enforcement actions.
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22 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
23 resolution may be cited as the “Certified Business Enterprise Program Compliance and
24 Enforcement Support Emergency Declaration Resolution of 2025”.

25 Sec. 2. (a) A Certified Business Enterprise (CBE) is a business enterprise certified by the
26 Department of Small and Local Business Development (DSLBD) as a local business enterprise.

27 (b) Businesses with CBE certification may receive preference when submitting bids or
28 proposals for procurement and contracting opportunities.

29 (c) There are currently over 2,000 businesses participating in the District’s CBE
30 Program.

31 (d) In 2021, 2022, and 2023, the Council passed a series of Local Business Enterprise
32 Clarification Emergency Amendment Acts (“the Acts”) that required local businesses

33 participating in the CBE Program to be independently owned and operated thereby furthering the
34 spirit of the Small and Certified Business Enterprise Development and Assistance Act of 2005.

35 (e) Emergency legislation is needed to reinstate the most recent version of the provisions
36 passed by Council in the Acts.

37 (f) Further, following a recent revocation hearing before the Office of
38 Administrative Hearings, DSLBD determined that uniform hearing procedures for complaints
39 needed to be established expeditiously to ensure procedural consistency and fairness for
40 businesses, as well as increased effectiveness and efficiency in departmental compliance and
41 enforcement procedures.

42 (g) Accordingly, emergency legislation is needed to maintain provisions passed by the
43 Council in the Certified Business Enterprise Program Compliance and Enforcement Support
44 Emergency Amendment Act of 2024 that clarified and updated procedures under section 2363 of
45 the Act.

46 (h) Failure to move these amendments will have an adverse effect on CBE program
47 administration, agency operations, and agency compliance and enforcement mechanisms.

48 Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute
49 emergency circumstances making it necessary that the Certified Business Enterprise Program
50 Compliance and Enforcement Support Emergency Amendment Act of 2025 be adopted after a
51 single reading.

52 Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its
53 adoption, to the Mayor of the District of Columbia.

54 Sec. 5. This resolution shall take effect immediately.