



THE CITY OF SAN DIEGO
M E M O R A N D U M

DATE: September 25, 2015
TO: Distribution List
FROM: Nora Nugent, Equal Benefits Manager, Purchasing & Contracting Department
via Kristina Peralta, Interim Director, Purchasing & Contracting Department
SUBJECT: Equal Benefits Ordinance [EBO] Certification of Compliance Form No Longer Required

Nora Nugent
Kristina Peralta

This office reviewed the Equal Benefits Ordinance [EBO] in light of the U.S. Supreme Court decision guaranteeing same-sex couples a fundamental right to marry (*Obergefell v. Hodges*). EBO requirements remain in effect to ensure protection for domestic partners. However, a determination has been made to change previous policy which had required a separate form from contractors to certify compliance.

Effective immediately, an *EBO Certification of Compliance* form is no longer required to be submitted for each contract with the City. Instead, a signature on the contract will certify compliance in accordance with the City's General Contract Terms and Provisions which state:

“By signing this Contract, Contractor certifies that Contractor is aware of, and will comply with, these City-mandated clauses throughout the duration of the Contract.”

EBO Certification is included in the list of City-mandated clauses (along with Drug-Free Workplace Certification, American Disabilities Act, Non-Discrimination, and other such requirements).

Updated information regarding the Equal Benefits Ordinance is posted on the City's website at www.sandiego.gov/purchasing/programs/equalbenefits/. If you have additional questions regarding this matter, please contact Nora Nugent (NNugent@sandiego.gov; 619/ 533-3948).

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