

City responds to race lawsuit

Officials deny giving minorities advantage in awarding contracts

By **Sandy Hodson** | *Staff Writer*

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Augusta Officials are denying they violated a federal judge's order to stop using race as a factor in doing business.

City attorney Steve Shepard on Monday filed the city's response to a federal lawsuit, denying it gives minorities an unfair advantage in the way it solicits bids, evaluates those bids and awards contracts. Mr. Shepard also noted that he is working on a new city ordinance for a Disadvantaged Business Enterprise Program.

Thompson Wrecking Co. and three other businesses filed suit earlier this year against the city in the U.S. District Court.

They contend the city's use of a Disadvantaged Business Enterprise Program is used arbitrarily and unfairly to deny them and other a fair chance to win city contracts.

U.S. District Court Judge B. Avant Edenfield granted a temporary restraining order against the city Feb. 14. He extended the order last month.

Thompson is also asking the judge to hold city leaders in contempt for allegedly using race as an advantage in awarding bids after Feb 14.

In an affidavit to the court, the city Procurement Director Geraldine A. Sams swore her department stopped using the Disadvantaged Business Enterprise requirements and documents after Judge Edenfield issued his Feb. 14 order.

On Friday, however, Thompson countered that the city's own records show that wasn't true.

"Even defendants' response borders on being contemptuous," attorney Robert A. Mullins wrote.

In information packets given to city commissioners for their Feb. 20 and March 6 meetings, Disadvantaged Business Enterprise documents were included for contracts the commissioners were scheduled to vote on.

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