

City of Philadelphia



(Bill No. 250571)

AN ORDINANCE

Amending Chapter 17-1400 of The Philadelphia Code, entitled “Non-Competitively Bid Contracts; Financial Assistance,” to modify exceptions and provide for reporting and recordkeeping in connection with invocation of such exceptions, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 17 of The Philadelphia Code is hereby amended to read as follows:

TITLE 17. CONTRACTS AND PROCUREMENT

* * *

CHAPTER 17-1400. NON-COMPETITIVELY BID CONTRACTS; FINANCIAL ASSISTANCE

* * *

§ 17-1403. Public Information; Reporting.

* * *

(3) On January 31, April 30, July 31 and October 31 of each year, a written report, signed by the Mayor, shall be filed by the Mayor with the President and Chief Clerk of Council, with a copy to the Department of Records and a copy published on the City's official website, setting forth for each Non-Competitively Bid Contract (except for contracts awarded by Council) under which goods were provided or services were rendered to the City during the three month period ending one month prior to the date the report must be filed, and for each contract for which reporting is required by subsection [17-1406(1)(d):] *17-1406(6)*:

- (a) The parties to the contract and the subject matter of the contract;
- (b) The term of the contract and the length of the term remaining;
- (c) The total dollar amount of the contract and the total of all payments that have been made under such contract to date; [and]
- (d) A copy of any disclosure forms filed in compliance with the requirement of subsection 17-1402(1)(e) since the date of the last [report.] *report; and*

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(e) *Identification of any of the exceptions or other provisions set forth in subsection 17-1406 (Sole Source Contracts, Exigency and Other Exceptions) that were invoked in connection with the contract.*

The report shall also detail each provision of Financial Assistance made during the reporting period, and for each provision of Financial Assistance: (i) the City Agency providing such assistance; (ii) the type of Financial Assistance awarded; (iii) the recipient of such assistance; and (iv) the dollar amount of such assistance.

* * *

§ 17-1406. Sole Source Contracts, [Emergencies,] *Exigency* and Other Exceptions

* * *

(3) The provisions of subsections 17-1402(1)(a) and (1)(c) shall not apply to a Non-Competitively Bid Contract [if the Finance Director] *if, upon request by a contracting department, office or other agency, such City officer as the Mayor has assigned responsibility for oversight of overall City compliance with this Section 17-1400 and the City Solicitor, or, [the Council President for] in the case of contracts entered into by Council, the Council President, [certifies] certifies in writing that full compliance with subsections 17-1402(1)(a) and (1)(c) would cause delay in the award of such contract that, in turn, would cause a [material] significant threat to [public] the health, [or safety] welfare or safety of one or more members of the public, including but not limited to child placement services where a child's welfare or safety is determined to be at risk; provided, however, that compliance with subsections 17-1402(1)(a) and (1)(c) is excused only to the extent necessary to alleviate the significant threat, and [All] all other provisions of this Chapter, including the provisions of subsections 17-1402(1)(a) and (1)(c), to the extent possible without posing a significant threat, shall apply to such contracts, except that the disclosures required by subsection 17-1402(1)(b) need not be filed until fourteen days after a contract is executed.*

* * *

§ 17-1408. City-Related Agencies.

(1) Any contract, lease, grant or other agreement ("City agreement") entered into by the City with any City- related Agency shall contain a provision requiring that the City-related Agency abide by the provisions of this Chapter in awarding any contracts pursuant to its City agreement, as though such contracts were directly subject to the provisions of this Chapter, except that the exception set forth in subsection 17-1406(8), *as that provision was in effect on June 30, 2025*, shall apply to such City-related Agency as if such City-related agency were listed in that subsection. Each City agreement shall also include a provision detailing how the City-related Agency is to carry out its duties under this Section, including, but not limited to,

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specifying who at the City-related Agency is responsible for carrying out duties that this Chapter assigns to City officers and employees.

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§ 17-1409. Procedures Applicable to the Awarding of Contracts to Non-City Providers of Vaccine Doses for COVID-19 and Related Variants.

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(7) Waiver Prohibited. The requirements of this Section 17-1409 shall not be waived and in particular shall apply even if the procedural requirements of subsections 17-1402(1)(a) and (1)(c) do not apply pursuant to Section 17-1406 ("Sole Source Contracts, [*Emergencies,*] *Exigency* and Other Exceptions").

* * *

SECTION 2. This Ordinance shall become effective on July 1, 2025.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 12, 2025. The Bill was Signed by the Mayor on June 13, 2025.

A handwritten signature in black ink, appearing to read "Elizabeth McCollum". The signature is fluid and cursive, with the first name "Elizabeth" written in a larger, more prominent script than the last name "McCollum".

Elizabeth McCollum
Chief Clerk of the City Council