



City of Philadelphia

Philadelphia, PA 19107

BILL NO. 050060

Introduced February 3, 2005

Councilmembers Blackwell and Mariano

**Referred to the
Committee on Commerce and Economic Development**

AN ORDINANCE

Amending Title 17 of The Philadelphia Code, entitled “Contracts and Procurement,” by adding a new Chapter 17-1200, entitled “Subcontractor Protections,” by prohibiting prime contractors who have been found liable for the non-payment of a subcontractor under a publicly-funded contract from obtaining certain City contracts; 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.

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CHAPTER 17-1200. SUBCONTRACTOR PROTECTIONS.

§17-1201. Definitions.

(1) *City contract subject to bid. A City contract for construction or the provision of goods and services with respect to which the competitive bidding requirements of Section 8-200(2) of the Home Rule Charter apply.*

§17-1202. Eligibility of Prime Contractors.

(1) *No person or business shall be considered a responsible bidder eligible to bid on a City contract subject to bid if an unsatisfied judgment has been entered against such person or business in favor of a subcontractor with respect to work on any contract funded in whole or part by the funds of any governmental or quasi-governmental agency.*

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(2) *No person or business shall be eligible to bid on a City contract subject to bid unless such person or business provides a certification to the Procurement Department that no such unsatisfied judgment or judgments exist.*

(3) *If two or more judgments have been entered against a person or business in favor of one or more subcontractors with respect to work on any contract funded in whole or part by the funds of any governmental or quasi-governmental agency, such person or business shall be subject to a bar on participation in future city funded contracts, whether or not such judgments have been satisfied. The extent and duration of any such bar shall be subject to the discretion of the Procurement Commissioner or the Director of Finance.*

Explanation:

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