

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 040977)

RESOLUTION

Authorizing the Committee on Commerce and Economic Development to hold hearings to examine the Minority Business Enterprise Council, with regards to Chapter 17-500 of The Philadelphia Code and Executive Order No. 1-03, and to assess the efforts to improve participation levels and utilization goals for Minority, Women, and Disadvantaged Business Enterprises in City contracting and procurement and the effectiveness of attempts to eliminate related discriminatory and unfair practices.

WHEREAS, In April 2003, City Council, responding to significant legislative findings and concerns, enacted Ordinance No. 030125 for a new Chapter 17-500 of The Philadelphia Code to establish "City Contract participation goals for Disadvantaged Owned Business Enterprises" and to shape relevant policy, programs, and procedures, and the Ordinance defines the Minority Business Enterprise Council ("MBEC") as the entity responsible for the implementation, monitoring, and enforcement of its mandates; and

WHEREAS, In April 2003, the Mayor also issued a then new Executive Order No. 1-03, meant to reinforce original mandates of MBEC and institute additional functions designed to boost its ability to effectively increase participation levels and utilization goals of Minority, Women, and Disabled owned Business Enterprises ("M/W/DBEs") in City contracts and procurement, expand MBEC's anti-discrimination activity, and enhance its resources; and

WHEREAS, Chapter 17-500 of the Philadelphia Code requires, among other things, MBEC, in consultation with contracting agencies and/or the Procurement Department, to establish contract participation ranges and goals, make recommendations, and issue a regular report every six months to City Council outlining the methods employed and the resulting impact on M/W/DBE utilization throughout City agencies and departments, in order for Council to set, by resolution, annual City M/W/DBE participation goals; and

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WHEREAS, The Finance Department was appropriated an additional one million dollars for FY '04 and three-hundred thousand dollars (\$300,000) for each of the following three fiscal years to aid in meeting mandates associated with the new Chapter 17-500 Ordinance and Executive Order, completing an updated Disparity Analysis that is essential for establishing participation goals, and developing and implementing the reorganization of MBEC; and

WHEREAS, Executive Order No. 1-03 required, among other things, that MBEC issue a report to the Mayor delineating the level of participation of M/W/DBEs for the 180-day period following the issuance of the 4/24/03 Order; and

WHEREAS, Executive Order No. 1-03 and the 180 day period expired October 21, 2003 and the issuance of a subsequent Executive Order was indicated to be imminent during FY '05 City budget hearings; and

WHEREAS, In order to insure that City government is doing its best to facilitate greater M/W/DBE inclusion in the solicitation and selection process for City contracts and procurement, it is critical that City Council receive regular reports from MBEC so that annual City M/W/DBE participation goals can be established, a new Executive Order be issued, and Chapter 17-500 is enforced; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Committee on Commerce and Economic Development is authorized to hold hearings to examine the Minority Business Enterprise Council, with regards to Chapter 17-500 of the Philadelphia Code and Executive Order No. 1-03, and to assess the efforts to improve participation levels and utilization goals for Minority, Women, and Disadvantaged Business Enterprises in City contracting and procurement and the effectiveness of attempts to eliminate related discriminatory and unfair practices.

FURTHER RESOLVED, That the Committee on Commerce and Economic Development is authorized to issue subpoenas as may be necessary to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the fourth of November, 2004.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Tasco, Miller, Cohen, Mariano, DiCicco,
Goode and Nutter

Sponsored by: Councilmembers Tasco, Miller, Cohen, Mariano, DiCicco,
Goode, Nutter, Clarke, Council President Verna,
Councilmembers Ramos and Reynolds Brown