



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 010228

Introduced April 19, 2001

Councilmembers Kenney, Nutter and DiCicco

**Referred to the
Committee on Public Property and Public Works**

AN ORDINANCE

Amending Title 17 of The Philadelphia Code, entitled "Contracts and Procurement," by requiring Council approval before the City may enter into certain long-term contracts, and requiring the Administration to report to Council concerning such 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 17-1000. MULTI-YEAR CONTRACTS

§17-1001. Definitions.

(1) *Multi-year Contract.*

- (a) *A contract with a term in excess of one year;*
- (b) *A contract that includes a provision giving any party to the contract the option to extend the term of the contract beyond one year or to renew the contract for an additional term or terms such that the total of the original and any potential renewal terms exceeds one year; or*

City of Philadelphia

BILL NO. 010228 continued

(c) A contract that includes a provision that unless a party to the contract gives notice of non-extension or non-renewal, the term of the contract will automatically be extended beyond one year or the contract will automatically be renewed for an additional term or terms such that the total of the original and any potential renewal terms exceeds one year.

§17-1002. Council approval required.

(1) Unless authorized by ordinance, no City officer or employee shall execute a Multi-year Contract on behalf of the City.

(2) To constitute the authorization required by this Section, an ordinance must specifically reference a particular Multi-year Contract. Council's approval of an annual operating or capital budget shall not be construed as the authorization required by this Section for any particular Multi-year Contract.

§17-1003. Reporting.

(1) On September 30 of each year, the Mayor shall file an annual report with the Chief Clerk of Council, with copies to each member of Council, setting forth:

(a) A summary of each Multi-year Contract executed on behalf of the City since the date of the last annual report, such summary to include the parties to the contract, the term of the contract (including any potential term extensions or renewals), the subject matter of the contract, the dollar amount of the contract, and the appropriation, if any, from which payments have been or will be made under the contract.

(b) A summary of each Multi-year Contract executed on behalf of the City which is still in effect as of the date of the report, such summary to include the parties to the contract, the term of the contract (including any potential term extensions or renewals), the subject matter of the contract, the dollar amount of the contract, and the appropriation, if any, from which payments have been or will be made under the contract.

(2) At least ten (10) days before any Multi-year Contract is executed on behalf of the City, the Mayor shall file with the Chief Clerk of Council, with copies to each member of Council, a summary of such contract, such summary to include the parties to the contract, the term of the contract (including any potential term extensions or renewals), the subject matter of the contract, the dollar amount of the contract, and the appropriation, if any, from which payments will be made under the contract.

City of Philadelphia

BILL NO. 010228 continued

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SECTION 2. Severability. It is Council's intent that the provisions of Chapter 17-1000 of The Philadelphia Code, as added by Section 1 of this Ordinance, are severable, and if any provision thereof shall be held illegal, invalid, unconstitutional or inapplicable to any circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions of that Chapter or their application to such circumstances.

SECTION 3. Effective date. This Ordinance shall take effect immediately. The first annual report required under Section 17-1003 of The Philadelphia Code, as added by Section 1 of this Ordinance, shall be filed by September 30, 2001.

Explanation:

Italics indicate new matter added.

City of Philadelphia

BILL NO. 010228 continued