



# City of Philadelphia

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

**BILL NO. 060108**

---

**Introduced February 16, 2006**

---

**Councilmember Blackwell  
for  
Council President Verna  
(By Request)\***

---

**Referred to the  
Committee on Finance**

---

## **AN ORDINANCE**

Authorizing the Water Commissioner and the Procurement Commissioner, on behalf of the City of Philadelphia, to enter into a Service Contract with the Philadelphia Municipal Authority, pursuant to which the City will assume certain obligations under an agreement that the Authority will enter into with Philadelphia Biosolids Services, LLC to design, finance, build, own and maintain facilities and equipment, and provide operating services, for the management of the City's wastewater treatment solids; all under certain terms and conditions.

WHEREAS, the Philadelphia Municipal Authority (the "Authority") is authorized to design, build, finance, own, operate, maintain and lease (either in the capacity of lessor and lessee) facilities and equipment, and provide related services, for the management of the City's wastewater treatment solids (collectively "Biosolids Services") on behalf of the Water Department or other designated City department; and

WHEREAS, the Water Department and the Procurement Department have requested that the Authority undertake a project (the "Project") to provide Biosolids Services for the City; and

WHEREAS, the Authority has selected Philadelphia Biosolids Services, LLC, through a competitive process, to provide Biosolids Services in accordance with a Request for Proposals issued on May 28, 2004; and

WHEREAS, the Project will require the Authority to enter into an agreement with Philadelphia Biosolids Services, LLC for Biosolids Services, and will require the City and the Authority to enter into a Service Contract pursuant to which the City will assume

\*Information on file in Room 402, City Hall.

# City of Philadelphia

*BILL NO. 060108 continued*

certain obligations under the Authority's agreement with Philadelphia Biosolids Services, LLC; now therefore,

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. The Water Commissioner and the Procurement Commissioner, on behalf of the City of Philadelphia, are hereby authorized to enter into a Service Contract with the Philadelphia Municipal Authority ("Authority"), pursuant to which the City will assume certain of the Authority's obligations under an agreement the Authority will enter into with Philadelphia Biosolids Services, LLC to design, finance, build, own, operate and maintain facilities and equipment, and to provide operating services, for the management of the City's wastewater treatment solids ("Biosolids Services").

SECTION 2. The Service Contract authorized in Section 1 of this Ordinance shall be substantially in the form set forth in Exhibit "A" attached hereto, with such changes as the City Solicitor deems necessary or desirable to protect the interest of the City, and which changes, in the legal judgment of the City Solicitor, do not materially alter the relationship of the parties to the Service Contract, directly or indirectly increase the City's financial obligations under the Service Contract, materially diminish the obligations of the Authority to the City under the Service Contract, or otherwise adversely affect the rights of the City or of any official of the City under the Service Contract.

SECTION 3. The authorization in Section 1 of this Ordinance is conditioned on the agreement between the Authority and Philadelphia Biosolids Services, LLC being substantially in the form set forth in Exhibit "B" attached hereto, with such changes as are consistent with any changes made to the Service Contract as authorized by Sections 1 and 2 of this Ordinance.

SECTION 4. The Chief Clerk of City Council shall keep all Exhibits to this Ordinance on file and make them available to the public for inspection and copying during regular office hours.

# City of Philadelphia

*BILL NO. 060108 continued*

[EXHIBIT A](#) |

# City of Philadelphia

*BILL NO. 060108 continued*

[EXHIBIT B](#) |