

City of Philadelphia



(Bill No. 030611)

AN ORDINANCE

Amending Bill No. 030003 (approved June 5, 2003), entitled "An Ordinance to adopt a Fiscal 2004 Capital Budget," by providing for certain terms and conditions relating to the 2004 capital budget.

WHEREAS, Bill No. 030003 was introduced into Council on January 28, 2003; and

WHEREAS, Bill No. 030003, as introduced, contained two Sections: Section 1, setting forth the annual capital appropriations; and Section 2, entitled "General Provisions"; and

WHEREAS, On May 13, 2003, the Committee of the Whole reported the bill out favorably, amending Section 1 of Bill No. 030003, but making no amendment to Section 2 of the bill; and

WHEREAS, On May 29, 2003, the Council passed Bill No. 030003, and, on June 5, 2003, the Mayor signed Bill No. 030003; and

WHEREAS, Due to a printing error, Bill No. 030003, as presented to the Mayor for his signature, contained only Section 1 of the bill, setting forth the annual capital appropriations, but did not contain Section 2 of the bill, entitled "General Provisions"; and

WHEREAS, Council now wishes to rectify this printing error by amending Bill No. 030003 so that it reflects the intent of Council in passing the bill on May 29, 2003; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Bill No. 030003 (approved June 5, 2003), entitled "An Ordinance to adopt a Fiscal 2004 Capital Budget," is hereby amended by adding a new Section 2 to the bill, to read as follows:

SECTION 2. General Provisions

(1) The amounts shown in this Ordinance under the column entitled "2004" are hereby appropriated for the purposes shown and shall be available for encumbrance

City of Philadelphia

BILL NO. 030611 continued

Certified Copy

and expenditure upon the effective date of this Ordinance for the Capital Fiscal Year defined as July 1, 2003 through June 30, 2004.

(2) Administrative preparation for projects supported by funds appropriated in this budget may begin prior to July 1, 2003, provided that all contracts executed hereunder prior to July 1, 2003 shall contain the provision that no work shall commence under such contract prior to July 1, 2003 or become an obligation of the City unless the Director of Finance certifies that there is an approved Fiscal Year appropriation with an available funding source allocated.

(3) The Director of Finance and the City Controller are authorized to approve encumbrances and expenditures for the appropriated purposes to the limit of the amounts shown but only to the extent that loans have been authorized and to the extent other funds have been certified to be available.

(4) The Director of Finance shall not approve encumbrances and expenditures for individual projects in excess of the amounts shown under the column "2004" unless the Director of Finance certifies that a greater amount, but not to exceed one hundred twenty percent (120%) of the amount shown, is essential for contracting in any individual project. The Director of Finance, upon such certification and subject to availability of financing, is authorized to increase the project appropriation accordingly, and must then decrease by equal amount another individual project or projects. In addition, the Director of Finance may, when necessary for contracting in any individual project, substitute among sources of funds, whether shown or not shown for a particular project, provided that the total project amount is not exceeded.

(5) To the extent that a project includes "CT" or "XT" funds which were encumbered or expended in the prior fiscal year, the Director of Finance may decrease the appropriation for such project by such amounts. The Director of Finance shall place such amounts, for bookkeeping purposes, in a reserve account under the Office of the Director of Finance and such amounts may not be used for any project.

(6) None of the "Other Than City Funds" herein appropriated for projects which are dependent on funding by grants from Federal "FB" and/or State "SB" and/or Private "PB" and/or Other Governments and Agencies "TB", as authorized in the Capital Budget, shall be encumbered or expended until receipt of a formal grant award, and the funding allocation is limited by the award amount and the appropriation authorized.

(7) Except for "City Funds" the amount shown in the column "2004" shall be treated as receivables for financing purposes.

(8) The Director of Finance is authorized to approve encumbrances and expenditures for appropriated purposes designated as funded by Revolving Fund "Z",

City of Philadelphia

BILL NO. 030611 continued

Certified Copy

provided that the total does not exceed the amount of cash receipts available and that the fund has been established as a revolving fund.

(9) The Director of Finance is authorized to allocate existing and new loans, and other authorizations which are designated with a "Source of Funds" code to the amounts set forth in this budget Ordinance. Subject to the foregoing limitations the Director of Finance may from time to time reallocate available loans, or other funds, within the limits prescribed by this Ordinance, loan authorizations or other laws governing the same, it being the intent that the Director of Finance shall so make allocations as to expedite the execution of that portion of the Capital Program covered by the Capital Budget to the fullest extent permissible.

SECTION 2. The amendment of Bill No. 030003 provided for herein shall be effective July 1, 2003.

City of Philadelphia

BILL NO. 030611 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on October 16, 2003. The Bill was Signed by the Mayor on October 30, 2003.



Patricia Rafferty
Chief Clerk of the City Council