

City of Philadelphia



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

(Resolution No. 030666)

RESOLUTION

Authorizing the Council Committee on Commerce and Economic Development to conduct a full and comprehensive investigation into the level of participation in City contracts of businesses which are classified by The Philadelphia Code as Disadvantaged Business Enterprises, and any changes in such participation level that may have occurred since April 24, 2003, the enactment date of both the new Chapter 17-500 of the Philadelphia Code and the issuance of Executive Order 4-03, and to further establish annual participation goals for Disadvantaged Business Enterprises pursuant to the requirements set forth in Chapter 17-500 of the Philadelphia Code.

WHEREAS, The Philadelphia City Council enacted a new Chapter 17-500 of the Philadelphia Code entitled "Goals for the Participation of Disadvantaged Owned Business Enterprises in City Contracts," which was signed into law on April 24, 2003 and took effect immediately thereafter; and

WHEREAS, Executive Order 4-03 was also issued on April 24, 2003 to address the underutilization of minority, women and disabled owned businesses in City contracts; and

WHEREAS, Chapter 17-500 of The Philadelphia Code requires that every six months the Minority Business Enterprise Council (MBEC) or any subsequent successor, issue a report to the City Council outlining the participation of Disadvantaged Business Enterprises (DBEs) in the City; and

WHEREAS, The MBEC 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 facilitate the implementation of the Executive Order including updating the previous Disparity Analysis (which is necessary to establish the participation goals for DBEs in City contracts, and to develop restructuring and reorganizing plans for MBEC; and

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WHEREAS, Executive Order 4-03 requires that the MBEC issue a report to the Mayor delineating the level of participation of DBEs for the 180-day period since the issuance of the Order; and

WHEREAS, Pursuant to Chapter 17-500 of The Philadelphia Code, City Council is required, after consultation with the MBEC, to establish DBE annual participation goals for the various types of City contracts; and

WHEREAS, In order to assure that DBEs are given a fair opportunity to participate in current and future contracts, it is critical that the Philadelphia City Council be apprised of all implementation steps taken, and the participation levels achieved, since the enactment of both Chapter 17-500 of the Philadelphia Code and Executive Order 4-03, and that City Council execute its legally mandated obligation of establishing annual participation goals for the participation of DBEs in City contracts, now therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby authorizes the Council Committee on Commerce and Economic Development to conduct a full and comprehensive investigation into the level of participation in City contracts of businesses which are classified by the Philadelphia Code as Disadvantaged Business Enterprises, and any changes in such participation levels that may have occurred since April 24, 2003, the enactment date of both the new Chapter 17-500 of the Philadelphia Code and the issuance of Executive Order 4-03, and to further establish annual participation goals for Disadvantaged Business Enterprises pursuant to the requirements set forth in Chapter 17-500 of the Philadelphia Code.

FURTHER RESOLVED, That the Council authorizes the Chairperson of the Committee on Commerce and Economic Development to issue subpoenas and utilize such other processes as may be necessary or appropriate in furtherance of this investigation, 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 ninth of October, 2003.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Ortiz, Goode and Cohen

Sponsored by: Councilmembers Ortiz, Goode, Cohen, Nutter, Tasco, Miller, Blackwell, Kenney, DiCicco, Rizzo, Krajewski and Clarke