

City of Philadelphia



(Bill No. 230302)

AN ORDINANCE

To approve a major amendment to the Saint Joseph's University Master Plan related to a proposed Residence Hall and Student Center and the addition of six existing buildings to the Master Plan and to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land, all in the area bounded by City Avenue, 52nd Street, Woodbine Avenue, Wynnefield Avenue, Overbrook Avenue, Upland Way, and Drexel Road.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 14-304(4) of The Philadelphia Code, the Saint Joseph's University Master Plan is hereby amended, as set forth in the attached Exhibit "A" Master Plan, dated February 24, 2023, along with Exhibit "B" Master Plan Zoning Calculation Charts, both of which are on file with the Chief Clerk's Office, and a copy of which is attached hereto for reference.

SECTION 2. Pursuant to Section 14-106 of The Philadelphia Code, the Philadelphia Zoning Maps are hereby amended by changing the zoning designations of certain areas of land within an area bounded by City Avenue, 59th Street, Overbrook Avenue, Upland Way, and Drexel Road from the existing zoning designations indicated on "Map A," set forth below, to the zoning designations indicated on "Map B," set forth below.

SECTION 2. This Ordinance shall become effective immediately.

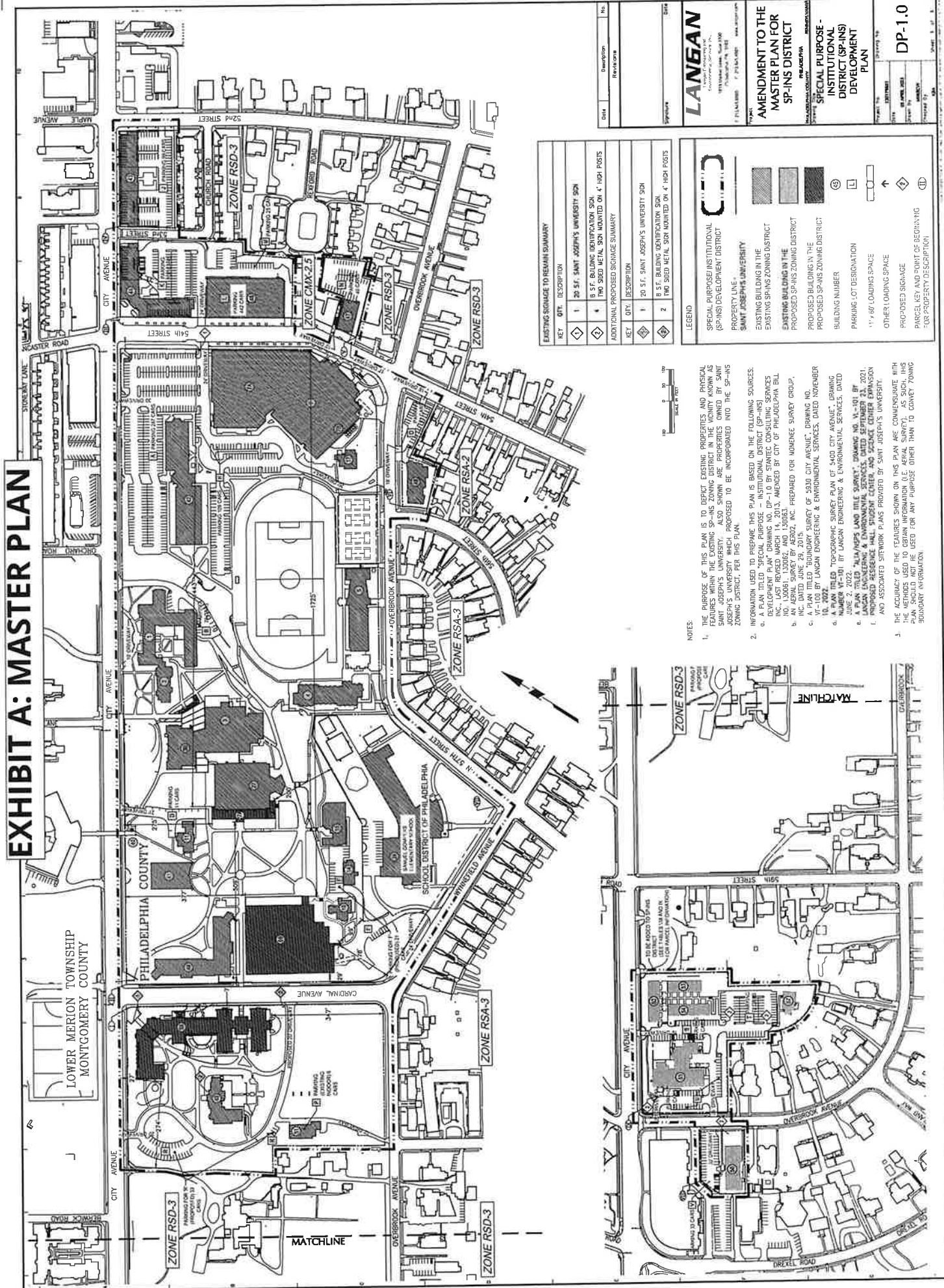


EXHIBIT B: MASTER PLAN ZONING CALCULATION CHARTS**PROPERTY DESCRIPTIONS AND AREA SUMMARY**

NOTES FOR PROPERTY DESCRIPTIONS AND AREA SUMMARY:

1. AREAS AND DISTANCES SHOWN ARE IN PHILADELPHIA DISTRICT STANDARD MEASURE.
2. ALL PROPERTIES ARE DESCRIBED CLOCKWISE FROM THEIR POINT OF BEGINNING, INDICATED ON THE PLAN.
3. PROPERTY LINE DIMENSIONS SHOWN ON THIS PLAN REFLECT A CONSOLIDATED CONDITION WHERE INDIVIDUAL PARCELS OWNED BY SAINT JOSEPH'S UNIVERSITY ARE CONTIGUOUS.

I) SJU - 5800 CITY AVENUE					AREA =	387,777 S.F.	8.90 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
S 29°30'45.10" E	770.000'						
S 60°29'14.90" W	417.360'	30.000'	47.124'	S 15°29'15" W	42.430'		
N 28°45'76" W	348.469'						
S 60°30'00" W	84.660'						
N 25°46'28" W	175.920'						
N 33°02'43" W	100.310'						
N 17°00'00" W	55.820'						
N 25°30'00" W	100.000'						
N 13°51'10" E	29.751'						
N 60°29'14.90" E	482.652'						

II) SJU - CORE CAMPUS					AREA =	1,534,919 S.F.	35.24 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
N 60°29'15" E	2,003.590'						
S 03°24'24" E	146.422'						
S 60°29'15" W	856.518'	150.000'	167.287'	S 28°32'17" W	158.751'		
N 29°30'45" W	230.013'	180.000'	102.794'	S 44°07'39" W	101.42'		
S 68°32'25" W	64.000'						
S 32°17'00" W	318.000'						
S 60°29'15" W	307.135'						
S 24°19'58" W	17.501'	150.081'	90.872'	S 48°19'17" E	89.490'		
N 86°27'09" W	212.266'	117.533'	117.273'	S 37°05'17" E	112.468'		
N 29°30'45" W	755.185'	90.001'	89.441'	N 57°58'57" W	85.806'		

III) SJU - BUILDINGS 44 (LANNON) & N45 (HAWK'S LANDING)					AREA =	122,867 S.F.	2.82 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
N 60°29'15" E	244.127'						
S 27°22'45" E	389.290'						
S 60°29'15" W	38.053'						
S 24°01'03" E	152.278'						
S 65°58'57" W	15.492'						
S 61°31'37" W	171.097'						
N 28°28'23" W	539.089'						

IV) BUILDING 43 (RASHFORD)					AREA =	55,147 S.F.	1.27 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
N 60°29'15" E	300.425'						
S 29°30'45" E	181.250'						
S 60°29'15" W	307.187'						
N 27°22'45" W	181.646'						

Date	Description	By
	DP-1.1	
<div> <div>Signature</div> <div>  </div> </div>		
Langan Engineering & Consulting, Inc. 1815 Locust Street, Suite 1500 Philadelphia, PA 19103 Phone: (215) 591-1100 Fax: (215) 591-1101 www.langan.com		
PROJECT AMENDMENT TO THE MASTER PLAN FOR SP-INS DISTRICT		
PREPARED FOR PHILADELPHIA DEPARTMENT OF CITY PLANNING		
Drawing No. 23070001	Date 18 APRIL 2023	Drawn By MRS. J. M.
Checked By J. M.	Project No. 23070001	Sheet 2 of 2

PROPERTY DESCRIPTIONS AND AREA SUMMARY, CONTINUED

NOTES FOR PROPERTY DESCRIPTIONS AND AREA SUMMARY:

1. AREAS AND DISTANCES SHOWN ARE IN PHILADELPHIA DISTRICT STANDARD MEASURE.
2. ALL PROPERTIES ARE DESCRIBED CLOCKWISE FROM THEIR POINT OF BEGINNING, INDICATED ON THE PLAN.
3. PROPERTY LINE DIMENSIONS SHOWN ON THIS PLAN REFLECT A CONSOLIDATED CONDITION WHERE INDIVIDUAL PARCELS OWNED BY SAINT JOSEPH'S UNIVERSITY ARE CONTIGUOUS.

VI) SJU – 2443-45 N 54th STREET – BUILDING 47 (AFROTC)					AREA =	24,683 S.F.	0.57 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
N 03°24'41.60" W	71.979'						
N 75°36'35.90" E	100.000'						
N 07°17'54.60" E	77.566'						
N 76°42'05" E	99.601'						
S 24°01'02.60" E	138.285'						
S 75°36'35.90" W	52.313'						
S 14°23'24.10" E	25.000'						
S 75°36'35.90" W	192.751'						

VI) SJU – 5400-14 OVERBROOK AVENUE – BUILDING 48 (ELS)					AREA =	25,437 S.F.	0.58 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
N 60°29'15" E	198.216'						
S 03°24'41.60" E	90.520'						
S 86°35'18" W	168.810'						
S 09°23'51" E	57.883'						
S 04°59'21.35" E	22.720'						
S 17°17'54.40" E	9.446'						
S 73°32'42" W	140.576'						
		375.000'	80.461'	N 22°36'00.36" W	80.306'		

VII) SCHOOL DISTRICT OF PHILADELPHIA – BUILDING 24 (SAMUEL GOMPERS SCHOOL)					AREA =	168,465 S.F.	3.87 ac
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VIII) SJU – 6050 OVERBROOK AVENUE - ASHWOOD HALL					AREA =	26,334 S.F.	0.60 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
S 29°30'45" E	137.00'						
S 60°29'15" W	200.00'						
N 29°30'45" W	80.00'						
N 06°52'19" E	70.803'						
N 60°29'15" E	158.00'						

IX) SJU – 5930 CITY AVENUE - MOORE HALL					AREA =	159,448 S.F.	3.66 ac
BEARING	DISTANCE	ARC RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE		
S 29°30'45" E	277.00'						
N 60°29'15" E	44.70'						
N 29°30'45" W	272.95'						
S 60°29'15" W	25.00'	150.00'	231.80'	N 77°17'42" W	209.41'		
N 29°30'45" W	130.00'						
S 60°29'15" W	225.00'						
N 29°30'45" W	255.00'	15.00'	23.56'	N 11°58'32" E	21.21'		
N 60°29'15" E	425.88'	375.000'	80.461'	N 22°36'00.36" W	80.306'		

Date	Description	No.
	Revisions	
<p>Signature: _____ Date: _____</p> <p>LANEAN Environmental Services, Inc. 1916 Market Street, Suite 1000 Philadelphia, PA 19103 P: 215-581-1000 F: 215-581-1001 www.lanean.com</p> <p>Project: AMENDMENT TO THE MASTER PLAN FOR SP-INS DISTRICT</p> <p>Prepared For: PHILADELPHIA SCHOOLS DISTRICT</p> <p>Drawing Title: SP-INS TABLES</p> <p>Project No.: 15077P001 City: PHILADELPHIA Drawing No.: 15077P001 Scale: AS SHOWN Sheet No.: 1 of 1</p> <p>DP-1.2</p>		

BUILDING SUMMARY TABLE

NO.	BUILDING	BUILDING HEIGHT	GROSS FLOOR AREA, S.F.	BUILDING COVERAGE, S.F.	PARKING LOT
EXISTING BUILDINGS					
1	BARBELIN HALL (CLASSROOM)	42'	58,400	21,890	A
2	LONERGAN HALL (CLASSROOM)	32'	11,340	5,670	B
3	DREXEL LIBRARY	32'	262,250	13,425	A
3B	POST LEARNING COMMONS (LIBRARY ANNEX)	35'	35,000	16,000	A
4	BELLARMINE BUILDING (CLASSROOM)	39'	49,900	12,475	H
5	POST HALL (CLASSROOM)	33'	34,728	14,808	H
7	HAGAN ARENA (ATHLETIC COMPLEX)	33'	78,100	35,460	H
7A	RECREATION FACILITY (ATHLETIC COMPLEX)	36'	74,000	61,700	H
7B	RAMSAY BASKETBALL CENTER (ATHLETIC COMPLEX)	65'	24,000	12,620	L/M
10	QUIRK HALL (STUDENT RESIDENCE)	26'	7,272	2,424	F (1)
11	WOLFINGTON HALL (OFFICE)	29'	8,622	2,874	D
14	POWER PLANT (MECHANICAL EQUIPMENT)	18'	891	1,368	F
15	SIMPSON HALL (STUDENT ACTIVITIES)	26'	13,512	8,264	R
17	BARRY HALL (OFFICE)	24'	6,420	2,260	H
24	SAMUEL GOMPERS ELEMENTARY SCHOOL	25'	83,100	41,550	-
27	SCIENCE CENTER (CLASSROOMS and LABS)	75'	118,550	26,943	D
27A	SCIENCE CENTER EXPANSION (CLASSROOMS and LABS)	75'	35,000	6,492	D
40	PEDESTRIAN BRIDGE/ELEVATOR	36'	2,330	670	D
41	CHAPEL OF SAINT JOSEPH	48'	11,290	10,250	D
42	MANDEVILLE HALL (CLASSROOM)	62'	89,000	29,740	A
43	RASHFORD RESIDENCE HALL	72'	76,700	19,175	J
44	LANNON RESIDENCE HALL	72'	103,000	25,750	K
45	HAWKS' LANDING (RETAIL AND PARKING)	65'	48,280	48,280	L/M
46	VILLIGER RESIDENCE HALL	89'	133,518	20,025	R,F
47	2443-45 N 54th (AFROTC BUILDING) (OFFICE)	18'	4,810	4,922	N
48	5400-14 OVERBROOK (ELS BUILDING) (CLASSROOM)	30'	12,900	7,335	O
49	5800 CITY AVENUE (MAIN BUILDING) (OFFICE and EVENTS)	48'	33,175	8,150	P,R
51	5800 CITY AVENUE (SERVICE BUILDING) (OFFICE/PKG)	20'	5,300	3,470	P,R
EXISTING BUILDINGS TOTAL			1,421,388	463,990	
EXISTING BUILDINGS (PROPOSED TO BE ADDED TO THIS SP-INS PLAN)					
52	MICHAEL J MORRIS DOWNHOUSES - NORTH	58'	27,370	4,253	S,T
53	MICHAEL J MORRIS DOWNHOUSES - EAST	44'	13,790	3,526	S,T
54	MICHAEL J MORRIS DOWNHOUSES - WEST	44'	13,790	4,331	S,T
55	MOORE HALL	43'	47,850	13,594	U,S,T
56	ASHWOOD HALL	98'	59,310	6,553	V
57	ALUMNI HOUSE	25'	5,180	2,227	T
NEW BUILDINGS TOTAL			167,290	34,484	
PROPOSED BUILDINGS (PROPOSED TO BE ADDED TO THIS SP-INS PLAN)					
58	RESIDENCE HALL	106'	248,800.00	38,800	R
59	STUDENT CENTER	85'	215,330.00	54,468	F
NEW BUILDINGS TOTAL			464,130.00	93,268	
GRAND TOTALS			2,052,808	591,742	

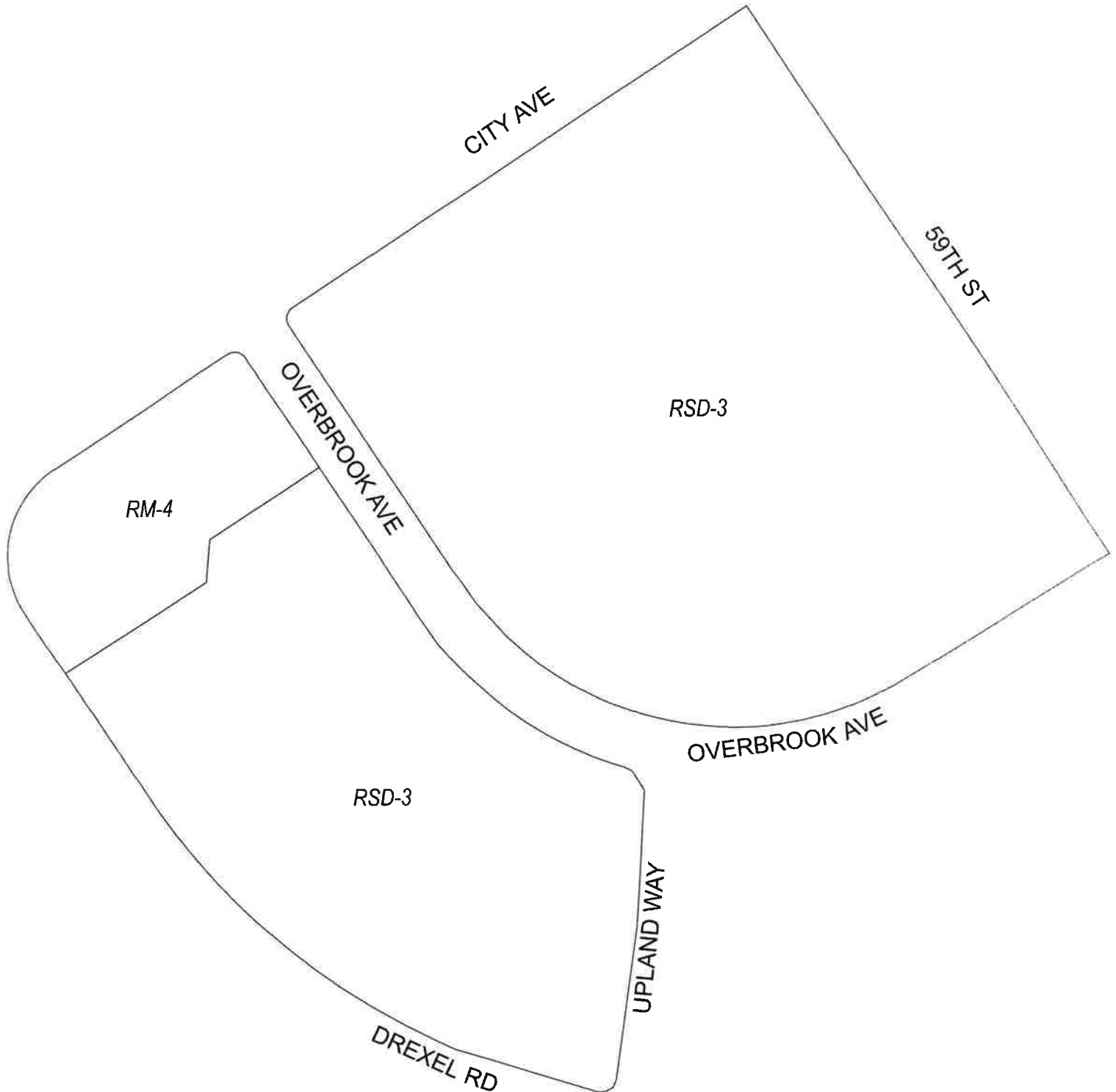
Date	Description	Rev
	REVISION	
Signature	Date	
LANGAN Langan Engineering & Consulting, Inc. 1114 Market Street, Suite 2300 Philadelphia, PA 19102 Tel: 215.592.8800 Fax: 215.592.8801 www.langan.com		
PROJECT AMENDMENT TO THE MASTER PLAN FOR SP-INS DISTRICT		
PHILADELPHIA COUNTY Planning Dept. Planning Unit		
SP-INS TABLES		
Project No.	Drawing No.	Revision
150770001	DP-1.3	
Date	By	Check By
08/09/2023	AMANDA	AMANDA
Sheet 4 of 4		

SUMMARY	PROPOSED	INCREASE/(DECREASE) FROM 2013 AMENDMENT **																																																														
TOTAL DISTRICT SITE AREA (SF)	2,505,077	185,782																																																														
TOTAL GROSS FLOOR AREA (SF)	2,052,808	653,537																																																														
BUILDING OCCUPIED AREA (SF)*	591,742	57,739																																																														
FLOOR AREA RATIO [400% MAXIMUM]	81.9%	21.6%																																																														
OCCUPIED AREA [70% MAXIMUM] [BUILDING OCCUPIED AREA/DISTRICT AREA]	23.6%	0.6%																																																														
PARKING REQUIRED TOTAL PARKING [1/4,000 GFA] [2,052,808 / 4,000 GFA = 513.2 (514) SPACES REQUIRED]	514 SPACES	155 SPACES																																																														
TOTAL PARKING PROVIDED:	<table><tr><th>LOT</th><th>SPACES PROVIDED</th></tr><tr><td>A</td><td>287</td></tr><tr><td>B</td><td>20</td></tr><tr><td>D</td><td>11</td></tr><tr><td>E (REMOVED-NOT SHOWN)</td><td>0</td></tr><tr><td>F (MODIFIED-NEW WORK)</td><td>21</td></tr><tr><td>H</td><td>109</td></tr><tr><td>J</td><td>99</td></tr><tr><td>K</td><td>107</td></tr><tr><td>L</td><td>442</td></tr><tr><td>M</td><td>25</td></tr><tr><td>N</td><td>40</td></tr><tr><td>O</td><td>22</td></tr><tr><td>P</td><td>6</td></tr><tr><td>Q (REMOVED-NOT SHOWN)</td><td>0</td></tr><tr><td>R (MODIFIED-NEW WORK)</td><td>33</td></tr><tr><td>S</td><td>29</td></tr><tr><td>T</td><td>72</td></tr><tr><td>U</td><td>35</td></tr><tr><td>V</td><td>33</td></tr><tr><td>TOTAL:</td><td>1391</td></tr></table>	LOT	SPACES PROVIDED	A	287	B	20	D	11	E (REMOVED-NOT SHOWN)	0	F (MODIFIED-NEW WORK)	21	H	109	J	99	K	107	L	442	M	25	N	40	O	22	P	6	Q (REMOVED-NOT SHOWN)	0	R (MODIFIED-NEW WORK)	33	S	29	T	72	U	35	V	33	TOTAL:	1391	<table><tr><td>41</td></tr><tr><td>0</td></tr><tr><td>(5)</td></tr><tr><td>(91)</td></tr><tr><td>11</td></tr><tr><td>1</td></tr><tr><td>(1)</td></tr><tr><td>1</td></tr><tr><td>0</td></tr><tr><td>(7)</td></tr><tr><td>0</td></tr><tr><td>0</td></tr><tr><td>0</td></tr><tr><td>(3)</td></tr><tr><td>(102)</td></tr><tr><td>29</td></tr><tr><td>72</td></tr><tr><td>35</td></tr><tr><td>33</td></tr><tr><td>14</td></tr></table>	41	0	(5)	(91)	11	1	(1)	1	0	(7)	0	0	0	(3)	(102)	29	72	35	33	14
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* BUILDING OCCUPIED AREA REFERS TO THE AGGREGATE AREA OF ALL BUILDING FOOTPRINTS IN THE SP-INS DISTRICT
 ** 2013 PLAN AMENDED BY CITY OF PHILADELPHIA BILL NO. 130061, 130062, AND 130063.

Date	Submitted	No.
	Rev/Corr	
		
1819 Market Street, Suite 1000 Philadelphia, PA 19103 Tel: 215.541.1000 Fax: 215.541.1001		
AMENDMENT TO THE MASTER PLAN FOR SP-INS DISTRICT PHILADELPHIA		
SP-INS TABLES		
Project No.	230302	Sheet No.
Date	06 JAN 2013	DP-1.4
Drawn By	MANCOW	
Checked By		
Project Title	PHILADELPHIA DISTRICT SP-INS TABLES	

Map A Existing Zoning

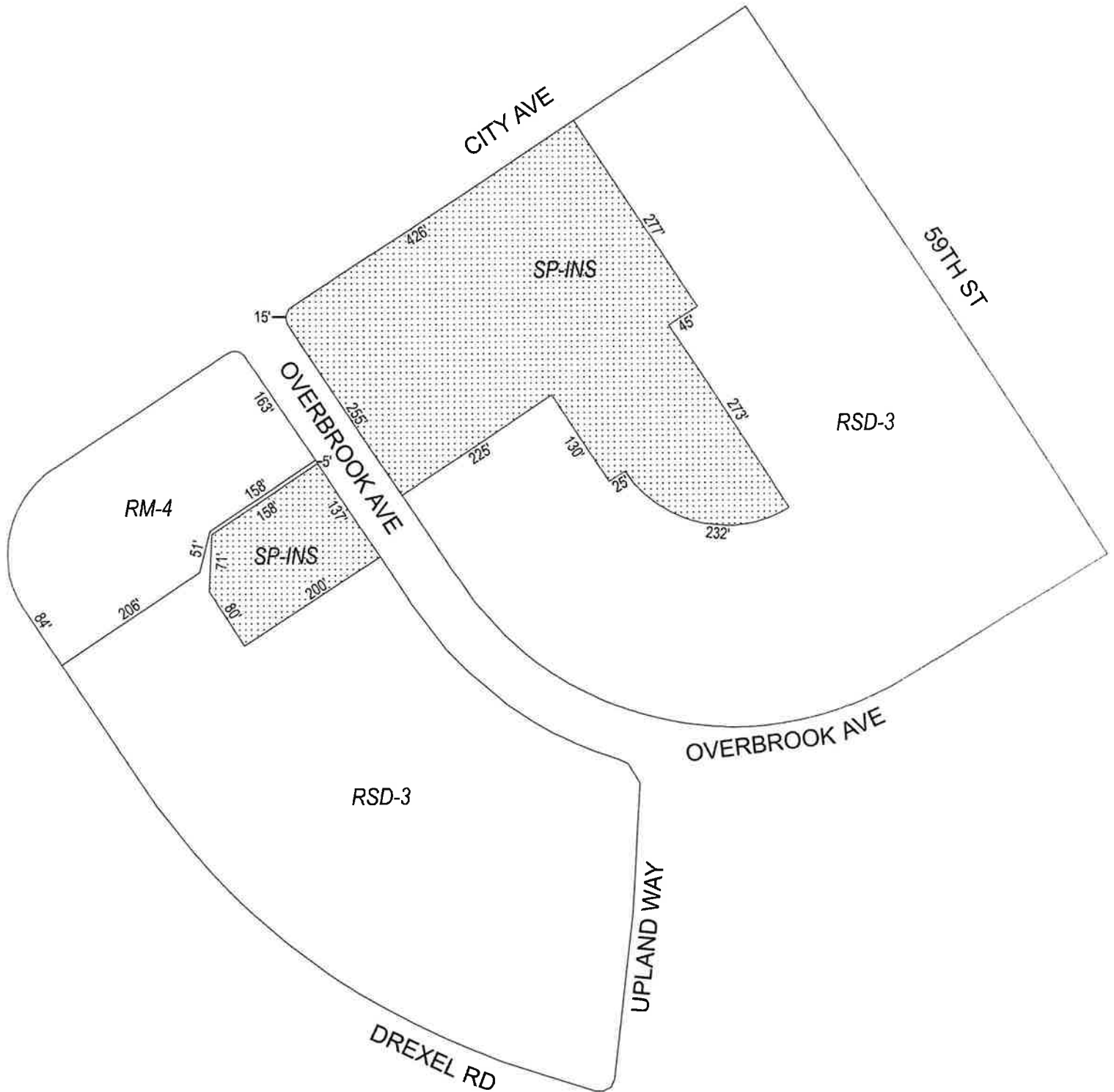


Zoning Districts

 RM-4, Residential Multi-Family; RSD-3, Residential Single-Family Detached



Map B Proposed Zoning



Zoning Districts



RM-4, Residential Multi-Family; RSD-3, Residential Single-Family Detached

SP-INS, Institutional



Project Name: Saint Joseph’s University (SJU) Master Plan Amendment and Development
Name of Owner/Developer: Saint Joseph’s University
Headquarters location: 5600 City Avenue, Philadelphia, PA 19131
Project budget (Construction): \$101 Million (estimated)
Project budget (Professional Services): \$3 Millions (estimated)

City of Philadelphia Economic Opportunity Plan

Saint Joseph’s University (SJU) Master Plan Amendment and Development

I. Introduction, Definitions and Diversity Practices

A. Chapter 17-1600 of The Philadelphia Code requires the development and implementation of “Economic Opportunity Plan(s)” for certain classes of contracts and covered projects as defined in Section 17-1601. This Economic Opportunity Plan (“Plan”) memorializes the Owner’s “Best and Good Faith Efforts” to provide meaningful and representative opportunities for Minority Business Enterprises (“MBEs”), Woman Business Enterprises (“WBEs”) and Disabled Business Enterprises (“DSBEs”) (collectively, “M/W/DSBEs” which also includes firms designated as Disadvantaged Business Enterprises or “DBEs”¹) and employ an appropriately diverse workforce in connection with Saint Joseph’s University’s Master Plan Amendment and Development, which is comprised of the construction: (i) a new dormitory; (ii) a new student center; and (iii) a new addition to the science building (collectively as set forth in City Council Bill No. 230302, the “Project”). The term “Best and Good Faith Efforts,” the sufficiency of which shall be in the sole determination of the City, means: efforts, the scope, intensity and appropriateness of which are designed and performed to foster meaningful and representative opportunities for participation by M/W/DSBEs and an appropriately diverse workforce and to achieve the objectives of Chapter 17-1600 within this Project. Best and Good Faith Efforts are rebuttably presumed met, when an Owner makes commitments and causes its professional services providers and contractors retained by Owner (collectively, the “Participants” and each a “Participant”) to make commitments within the M/W/DSBE Participation Ranges established for this Project and employ a diverse workforce as enumerated herein.

Accordingly, by submission of this Plan, a responsive and responsible Owner makes a legally binding commitment to abide by the provisions of this Plan which include its commitment to exercise its Best and Good Faith Efforts throughout the Project and its commitment to cause its Participants to use their Best and Good Faith Efforts to provide subcontracting opportunities for M/W/DSBEs in all phases of the Project and to employ a diverse workforce. This Plan expressly applies to all contracts awarded in connection with the Project. The objectives set forth in this Plan shall be incorporated in all contractor requests for proposals, bids and solicitations and communicated to all Participant levels.

B. For the purposes of this Plan, MBE, WBE, DBE and DSBE shall refer to certified businesses so recognized by the City of Philadelphia through its Office of Economic Opportunity (“OEO”). Only the work or supply effort of firms that are certified as M/W/DSBEs by an OEO

¹ “DBE” or “Disadvantaged Business Enterprise” means a socially and economically disadvantaged minority or woman owned business that is certified under 49 C.F.R. Part 26. If applicant makes solicitation(s) and commitment(s) with a DBE, applicant shall indicate which category, MBE or WBE, is submitted for counting.

approved certifying agency² and identified in the OEO Registry will be eligible to receive credit as a Best and Good Faith Effort. In order to be counted, certified firms must successfully complete and submit to the OEO an application to be included in the OEO Registry which is a list of registered M/W/DSBEs maintained by the OEO and available online at www.phila.gov/oao/directory.

C. Owner is required to submit a statement summarizing current and past practices relating to its diversity practices (“Diversity Practices Statement”). This statement shall identify and describe examples of processes used to develop diversity at all levels of Owner’s organization including, but not limited to, board and managerial positions. This Diversity Practices Statement should also summarize Owner’s strategic business plans specific to its current or past practices of M/W/DSBE utilization on its government and non-government projects and procurement activities. The Statement shall specifically identify, for the last three years preceding the execution of this EOP (or such greater period of time as may have been set forth in the record retention requirement of an applicable EOP), all City of Philadelphia contracts and financial assistance containing an EOP obligating Owner and any “related corporate entities.” “Related corporate entities” shall mean any business entity controlled by a person or business with a majority interest in the Owner’s business. For these identified contracts containing an EOP, Owner shall enumerate the levels of M/W/DSBE participation and diverse workforce attainment achieved, comparing Owner’s achievement to the participation ranges and workforce goals contained in each identified EOP. Attachment “A” to this Plan is provided for this purpose and is submitted by Owner as part of the Plan.

D. Owner also agrees to identify in this Plan, any “Equity Ownership” which shall mean the percentage of beneficial ownership in the Owner’s firm or development team that is held by minority persons, women and disabled persons. In the event Equity Ownership is identified, Owner agrees to abide by the reporting requirements enumerated in Section 17-1603 (1)(g)(.3).

E. Owner and its Participant(s) hereby verify that all information submitted to the City including without limitation, the Plan and all forms and attachments thereto, are true and correct and are notified that the submission of false information is subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities. Owner and its Participants also acknowledge that it is a felony in the third degree under 18 Pa.C.S. Section 4107.2 (a)(4) if, in the course of a contract/subcontract awarded in furtherance of this Plan, Owner and/or its Participant(s) fraudulently obtains any public moneys reserved for or allocated or available to minority business enterprises or women’s business enterprises.

II. Goals

A. M/W/DSBE Participation Ranges

As a benchmark for the expression of Best and Good Faith Efforts to provide meaningful and representative opportunities for M/W/DSBEs in the Project, the following participation ranges have been developed. These participation ranges represent, in the absence of

² A list of “OEO approved certifying agencies” can be found at www.phila.gov/oao

discrimination in the solicitation and selection of M/W/DSBEs, the percentage of MBE, WBE and DSBE participation that is reasonably attainable on this Project through the exercise of Best and Good Faith Efforts by Owner and its Participants. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. MBE and WBE and DSBE or WBE and DSBE) will only be credited toward one participation range as either an MBE or WBE or DSBE. The firm will not be credited toward more than one category. These ranges are based upon an analysis of factors such as the size and scope of the project and the availability of MBEs, WBEs and DSBEs to perform various elements of the contract:

The following contract goals have been set for the Project:

MBE Ranges		WBE Ranges
17%-20%	And	10%-15%

These participation ranges relate to all business opportunities available in connection with the Project during the Term, including, but not limited to, DESIGN, ENGINEERING, SITE WORK, CONSTRUCTION AND LANDSCAPING. In relation to the Project, the participation ranges apply to both planning and construction.

B. Workforce Diversity Goals and Requirements

Owner and its Participants agree to exhaust their Best and Good Faith Efforts to employ minority persons, by race and ethnicity, and females in its workforce of apprentices and journeypersons at the following levels³:

African American Journeypersons – 22% of all journey hours worked across all trades
 Asian Journeypersons – 3% of all journey hours worked across all trades
 Hispanic Journeypersons – 15% of all journey hours worked across all trades
 Female Journeypersons – 5% of all journey hours worked across all trades

Minority Apprentices – 50% of all hours worked by all apprentices
 Female Apprentices – 5% of all hours worked by all apprentices

III. Responsiveness and Responsibility

A. The Owner shall identify M/W/DSBE commitments evidencing its intent to use Best and Good Faith efforts to utilize M/W/DSBEs and employ minority persons and females at the levels stated herein. The identified commitments constitute a representation that the M/W/DSBE is capable of providing commercially useful goods or services relevant to the commitments and that the Owner and Participants have entered into legally binding agreements with the listed M/W/DSBEs for the work or supply effort described and the dollar/percentage amounts set forth.

³ These goals have been informed by the City of Philadelphia Fiscal Year 2020 Annual Disparity Study, Workforce Disparity Assessment. Contractor and its Participants are responsible for maintaining records that demonstrate an appropriately diverse workforce for this Project which may include customary hourly wage records.

In calculating the percentage of M/W/DSBE participation, the standard mathematical rules apply in rounding off numbers. In the event of inconsistency between the dollar and percentage amounts identified, the percentage will govern. **Owner will be required to submit to the City, no later than seven (7) days before Project commencement, evidence that the foregoing commitments have been made.**

1. Commercially Acceptable Function

A contractor that enters into a subcontract with an M/W/DSBE shall be considered to have made a Best and Good Faith Effort in that regard only if its M/W/DSBE subcontractor performs a commercially acceptable function (“CAF”). An M/W/DSBE is considered to perform a CAF when it engages in meaningful work or supply effort that provides for a distinct element of the subcontract (as required by the work to be performed), where the distinct element is worthy of the dollar amount of the subcontract and where the M/W/DSBE carries out its responsibilities by actually performing, managing and supervising the work involved; M/W/DSBE subcontractors must perform at least twenty percent (20%) of the cost of the subcontract (not including the cost of materials, equipment or supplies incident to the performance of the subcontract) with their own employees. The amount of work subcontracted, industry practices and any other relevant factors may be evaluated in determining whether the M/W/DSBE is performing a CAF and in determining the amount of participation credit the Owner has achieved towards the participation ranges. For example, a contractor using an M/W/DSBE non-stocking supplier (i.e., a firm that does not manufacture or warehouse the materials or equipment of the general character required under the contract) to furnish equipment or materials will only receive credit towards the participation ranges for the fees or commissions charged, not the entire value of the equipment or materials furnished.

B. Owner and its Participants shall retain letters of intent, quotations, and any other accompanying documents regarding commitments with M/W/DSBEs, including their submission to the City. M/W/DSBE commitments are to be memorialized in a written subcontract agreement and are to be maintained throughout the term of the Project. **Any change in commitment, including but not limited to termination of the subcontract, reduction in the scope of committed work, substitutions for the listed firms, changes or reductions in the listed dollar/percentage amounts, is subject to review by the Oversight Committee as more fully described below.** Throughout the duration of the Project, Owner and its Participants are required to continue their Best and Good Faith Efforts.

IV. Compliance and Monitoring of Best and Good Faith Efforts

A. The Owner agrees to cooperate with OEO in its compliance monitoring efforts, and to submit, upon the request of OEO, documentation relative to its implementation of the Plan, including the items described below:

- Copies of signed contracts and purchase orders with M/W/DSBE subcontractors
- Evidence of payments (cancelled checks, invoices, etc.) to subcontractors and suppliers to verify participation; and
- Telephone logs and correspondence relating to M/W/DSBE commitments.

- To the extent required by law, the Owner shall ensure that its on-site contractors maintain certified payrolls which include a breakout of hours worked by minority and female apprentices and journeypersons. These documents are subject to inspection by OEO.

B. Prompt Payment of M/W/DSBEs

The Owner agrees and shall cause its contractors to ensure that M/W/DSBEs participating on the Project receive prompt payment for their work or supply effort within five (5) days after receipt of payment from the project Owner.

C. Oversight Committee

For this Project, an Oversight Committee (“Committee”) will be established consisting of representatives from the Owner, representatives of the building trades, the construction manager, any third party EOP Monitor, and the City which may include the Project site’s district councilperson, OEO, and appropriate community organizations. The Committee will meet regularly to provide advice for the purpose of facilitating compliance with the Plan.

D. Reporting

The Owner agrees to file an annual report with the City of Philadelphia and City Council concerning the performance of the Economic Opportunity Plan through the duration of the Project. In addition, during construction, the Owner will provide “snapshot” reports containing updates for certain categories of information contained in its annual report on a monthly basis during construction. Snapshot reporting will include: (i) utilization of M/W/DSBEs, and (ii) the hiring and employment of minorities and females. All reports (quarterly & annually) provided to the City under this section will also be provided to the Office of Economic Opportunity.

V. Remedies and Penalties for Non-Compliance

A. The Owner agrees that its compliance with the requirements of this Plan is a material inducement for the action of City Council. Failure to comply with the Plan is subject to the remedies and penalties pursuant to Section 17-1605 and remedies and penalties that may be available at law or in equity. The City may exercise one or more of the remedies below, which shall be deemed cumulative and concurrent:

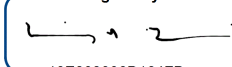
- Refer Owner/Participant to the City of Philadelphia Office of Inspector General for investigation of non-compliance
- Suspend/Debar Owner/Participant from proposing on and/or participating in any future City contracts for a period of up to three (3) years.

Notwithstanding the foregoing, no privity of contract exists between the City and any M/W/DSBE identified in any contract resulting from implementation of the Plan. Neither the Owner nor the City intends to give or confer upon any such M/W/DSBE any legal rights or remedies in connection with subcontracted services under any law or policy or by any reason of any contract resulting from implementation of the Plan except such rights or remedies that the

M/W/DSBE may seek as a private cause of action under any legally binding contract to which it may be a party.

[SIGNATURE APPEARS ON FOLLOWING PAGE]

DocuSigned by:



5/21/2023

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OWNER

DATE

This EOP has been reviewed by OEO Specialists for compliance with 17-1600 of the Philadelphia Code and is certified as responsive.

[See Forms on following pages; these Forms, must be submitted by Owner/Developer]

STATEMENT OF DIVERSITY PRACTICES , POLICIES AND PAST ACHIEVEMENTS

In compliance with Chapter 17-1600 of the Philadelphia Code, Section 17-1603(1) entitled “Equal Opportunity Plan: Contents,” the Plan shall contain a statement from the owner, developer and/or recipient of financial assistance, which shall include any of their related corporate entities⁴, summarizing past practices, and identifying and describing examples of processes used to develop diversity at any/all levels of its organization including, but not limited to, Board and managerial positions. This statement shall summarize strategic business plans specific to current or past practices of M/W/DSBE utilization on government and non-government projects and procurement. This statement must specifically identify past City of Philadelphia EOPs and goal attainment. The following should be included:

1. Describe employment and recruitment policies used to achieve diversity in your workforce.
2. Provide the race, gender, and residential (local) status of your
 - a) Board of Directors
 - b) Management
 - c) General Workforce
3. Identify your organization’s methods of solicitation and utilization of Minority, Woman and Disabled Businesses (M/W/DSBEs). Please be specific in describing outreach and any procurement policies that are focused on creating or sustaining business relationships with M/W/DSBEs.
4. What percentage of your organization’s total spend with vendors and suppliers is attributable to M/W/DSBEs? Please include a list of the largest M/W/DSBEs used by your organization in the last 12 months.
 - a) Identify the type of goods or services purchased
 - b) Amount of the contract.
 - c) Indicate if any of these M/W/DSBEs are listed in the City of Philadelphia’s Office of Economic Opportunity Registry.
 - d) Are these companies certified as M/W/DSBEs? Do you rely on any particular certifying agency?
 - e) If there is no previous M/W/DSBE utilization, the Plan shall contain a statement that explains the reason for the lack of M/W/DSBE participation in past contract(s) or project(s).
5. Describe any initiatives made by your organization to increase investment and promote equity ownership by minorities and women.

⁴ E.g., Developer may have been a signatory to an EOP, under a different name in the past three years.

6. Identify, for at least the past three years, each EOP that you or your related corporate entity has held with the City; show M/W/DSBE participation and Workforce Diversity under the EOP contrasting actual achievement with the goals contained in the EOP:

Name of EOP Project: _____

M/W/DSBE Ranges _____

Actual Achievement _____

Workforce Goals _____

Actual Achievement _____

City of Philadelphia

BILL NO. 230302 continued

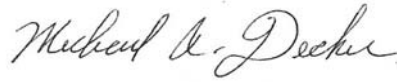
Certified Copy

City of Philadelphia

BILL NO. 230302 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 15, 2023. The Bill was Signed by the Mayor on July 5, 2023.

A handwritten signature in cursive script, reading "Michael A. Decker".

Michael A. Decker
Chief Clerk of the City Council