



City of Philadelphia

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

BILL NO. 210177

Introduced March 4, 2021

**Councilmember Parker
for
Council President Clarke**

**Referred to the
Committee on Parks, Recreation and Cultural Affairs**

AN ORDINANCE

Authorizing the Commissioner of Parks and Recreation and the Commissioner of Procurement, on behalf of the City of Philadelphia, to enter into a multi-year Concession Agreement with German American Marketing, Inc. d/b/a CHRISTMAS VILLAGE IN PHILADELPHIA, for the operation and management of a seasonal Christmas Village for the City of Philadelphia at LOVE Park and other potential City owned areas.

WHEREAS, The Commissioner of Parks and Recreation and the Commissioner of Procurement, on behalf of the City of Philadelphia, have entered into a Concession Agreement with German American Marketing, Inc. d/b/a CHRISTMAS VILLAGE IN PHILADELPHIA (the "Concessionaire"), effective November 20, 2020 for a one year period, for the operation and management of a seasonal Christmas Village for the City of Philadelphia at LOVE Park and other potential City owned areas (the "Concession Agreement");

WHEREAS, the City desires authority to extend the term of the Concession Agreement to five (5) years with a renewal term of five (5) years; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Parks and Recreation and the Commissioner of Procurement, on behalf of the City of Philadelphia, are hereby authorized to extend the term of the Concession Agreement identified in Section 2 of this Ordinance to five (5) years with a renewal term of five (5) years.

SECTION 2. The Concession Agreement subject to this authorization shall substantially incorporate the terms set forth in "Exhibit A" to this Ordinance ("Christmas Village Concession

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Agreement Term Sheet”). Concessionaire has executed an Economic Opportunity Plan (“EOP”), set forth as Exhibit B to this Ordinance.

SECTION 3. The City Solicitor is hereby authorized to review and to approve, prior to execution, all instruments and documents necessary to effectuate this Ordinance, which instruments and documents shall contain such terms and conditions as the City Solicitor shall deem necessary and proper to protect the interests of the City.

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EXHIBIT A

Christmas Village Concession Agreement Term Sheet

1. Parties. The City of Philadelphia acting through its Department of Parks and Recreation and its Procurement Department (the “City”) and German American Marketing, Inc. (the “Concessionaire”).
2. Term. The Term of the Agreement, upon City Council authorization, is for five years, commencing November 20, 2020 with one (5) year renewal term, subject to the City’s right to terminate for convenience as specified in Section 3.29 of the Request for Proposal which is incorporated and made a part of the Concession Agreement.
3. Concessionaire Duties. Concessionaire shall manage and operate all aspects of the Christmas Village, including but not limited to the following: managing the market; vendor contracts and management, including, but not limited to, best efforts to solicit and provide business opportunities to minority, woman and disabled owned business exhibitors; sales; marketing and advertising; staffing; ground maintenance, sponsor coordination and deliverables; and coordinating, for their supervision, all of the setup, operating and breakdown of the Concession with Department staff.
4. Concession Fees. Concessionaire will pay to the City:
 - a. A Concession Fee of \$25,000 for the initial term year 1 (this fee was waived for year 1 due to Covid restrictions on Concessionaire’s operations and Concessionaire’s increased costs for sanitization and social distancing protocols), with an annually increased rate of:
 1. \$27,500 in year 2;
 2. \$30,000 in year 3;
 3. \$35,000 in year 4;
 4. \$40,000 in year 5;
 5. \$45,000 in year 6;
 6. \$50,000 in year 7;
 7. \$50,000 in year 8;
 8. \$55,000 in year 9; and,
 9. \$55,000 in year 10.
 - b. A minimum Sponsorship Fee of \$25,000, plus an additional 50% sponsorship contributions (revenues minus costs) from additional sponsorships arising from Christmas Village.
 - c. A Security Deposit for damage to City property and the reimbursement of costs for any City services required in the operation of the Concession.

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5. Capital Investment. Concessionaire will make a capital investment of \$350,000 to procure new wooden booths that follow the tradition and concept of original German Christkindlmarkets, but offer modern aesthetics and functional updates to the booths.
6. Economic Opportunity Plan (“EOP”). Concessionaire has committed to 20-25% M/W/DSBE participation in its operation of the Concession. The Economic Opportunity Plan is set forth in “Exhibit B” to the Ordinance.

EXHIBITS

Economic Opportunity Plan - Christmas Village in Philadelphia

City of Philadelphia
Economic Opportunity Plan

Christmas Village In Philadelphia

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 Concessions as defined in Section 17-160I. This Economic Opportunity Plan ("Plan") memorializes the Concessionaire'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 the Christmas Village in Philadelphia ("Concession"). The term "Best and Good Faith Efforts," the sufficiency of which shall be in the sole determination of the City, means: Concessionaire's 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 Concession. Best and Good Faith Efforts are rebuttably presumed met, when a Concessionaire makes commitments and causes its providers retained by Concessionaire (collectively, the "Participants" and each a "Participant") to make commitments within the M/W/DSBE Participation Ranges established for this Concession and employs a diverse workforce as enumerated herein.

The Concession Agreement resulting from RFPC-101-21 is subject to the Plan requirements as described in Section 17-1603 (I). Accordingly, by submission of this Plan, a responsive and responsible Concessionaire 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 Concession 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 Concession and to employ a diverse workforce. This Plan expressly applies to all contracts awarded in connection with the Concession. The objectives set forth in this Plan shall be incorporated in all Concessionaire 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 approved certifying agency² or identified in the OEO Registry or identified by OEO as a "sole practitioner" 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/oEO/directory. If Concessionaire is certified by an approved certifying agency, a copy of that certification should be furnished with the proposal.

C. Concessionaire 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

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.

² A list of "OEO approved certifying agencies" can be found at www.phila.gov/oco

of processes used to develop diversity at all levels of Concessionaire's organization including, but not limited to, board and managerial positions. This Diversity Practices Statement should also summarize Concessionaire's strategic business plans specific to its current or past practices of M/W/DSBE utilization on its government and non-government Concessions 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 contracts and financial assistance containing an EOP obligating Concessionaire and any of Concessionaire's "related corporate entities." "Related corporate entities" shall mean any business entity controlled by a person or business with a majority interest in the Concessionaire's business. For these identified contracts containing an EOP, Concessionaire shall enumerate the levels of M/W/DSBE participation and diverse workforce attainment achieved, comparing Concessionaire'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 should be submitted with Concessionaire's proposal although the City reserves the right to request it at any time prior to contract award.

D. Concessionaire also agrees to identify in this Plan any "Equity Ownership" which shall mean the percentage of beneficial ownership in the Concessionaire's firm or development team that is held by minority persons, women and disabled persons. In the event Equity Ownership is identified, Concessionaire agrees to abide by the reporting requirements enumerated in Section 17-1603 (1Xg)(.3). For this Plan, Concessionaire has not identified any such equity ownership.

E. Concessionaire 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. Concessionaire and its Participants also acknowledge that if awarded a contract/subcontract resulting from this RFP, it is a felony in the third degree under 18 Pa.C.S. Section 4107.2 (a)(4) if, in the course of the contract/subcontract, Concessionaire and/or its Participant(s) fraudulently obtains public moneys reserved for or allocated or available to minority business enterprises or women's business enterprises.

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 contract, the following participation ranges have been developed. These participation ranges represent, in the absence of discrimination in the solicitation and selection of M/W/DSBEs, the percentage of MBE, WBE and DSBE participation that is reasonably attainable on this Concession through the exercise of Best and Good Faith Efforts. 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 Concession and the availability of MBEs, WBEs and DSBEs to perform various elements of the contract:

MBE Ranges 20% - 25%

and/or

WBE Ranges 20% - 25%

B. Workforce Diversity Goals and Requirements

Concessionaire 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 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. Concessionaire Responsiveness and Responsibility

A. Concessionaire commits to MBE 20% - 25% and/or WBE 20% - 25% participation for the term of the Concession Agreement. Concessionaire shall identify all its M/WBE commitments annually, on the form entitled, "M/W/DSBE Solicitation For Participation and Commitment Form." The form shall be updated and submitted to the OEO for review no later than sixty (60) days prior to each annual Christmas Village commencement. The Concessionaire's identified commitment to use an M/WBE on this form constitutes a representation by Concessionaire, that the M/WBE is capable of completing the subcontract with its own workforce, and that the Concessionaire has made a legally binding commitment with the firm. The listing of the M/WBE firm by Concessionaire further represents that if Concessionaire is awarded the contract, Concessionaire will subcontract with the listed firm(s) for the work or supply effort described and the dollar/percentage amount(s) set forth on the form. In calculating the percentage of M/WBE participation, Concessionaire shall apply the standard mathematical rules in rounding off numbers. In the event of inconsistency between the dollar and percentage amounts listed on the form, the percentage will govern. Concessionaire is to maintain the M/WBE percentage commitments throughout the term of the contract which shall apply to the total amount of the contract and any additional increases. In the event the Concessionaire's contract is increased by change order and/or modification, or amendment, it shall be the responsibility of the Concessionaire to apply its Best and Good Faith Efforts to the amended amount in order to maintain any participation ranges committed to on the total dollar amount of the contract at the time of contract completion.

I. Commercially Acceptable Function

A Concessionaire that enters into a subcontract with an M/WBE shall be considered to have made a Best and Good Faith Effort in that regard only if its M/WBE subcontractor performs a commercially acceptable function ("CAF"). An M/WBE 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/WBE carries out its responsibilities by actually performing, managing and supervising the work involved; M/WBE subcontractors must perform at least twenty percent (20%/c.) 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 City may evaluate the amount of work subcontracted,

³ These goals have been informed by the City of Philadelphia Fiscal Year 2017 Economic Opportunity Plan Employment Composition Analysis. Concessionaire and its Participants are responsible for maintaining records that demonstrate an appropriately diverse workforce for this Concession which may include custom hourly wage records.

industry practices and any other relevant factors in determining whether the M/WBE is performing a CAF and in determining the amount of credit the Concessionaire receives towards the participation ranges. For example, a Concessionaire using an M/WBE 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. Upon award, letters of intent, quotations, and any other accompanying documents regarding commitments with M/WBEs, including the M/W/DSBE Participation and Commitment Form, become part of the contract. M/WBE commitments are to be memorialized in a written subcontract agreement and are to be maintained throughout the term of the contract and shall apply to the total contract value (including approved change orders and amendments). **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, must be pre-approved in writing by OEO.** Throughout the term of the contract, Concessionaire is required to continue its Best and Good Faith Effort.

C. In the event Concessionaire does not identify on the M/W/DSBE Participation and Commitment Form that it has made M/WBE commitments within the participation ranges established for this Contract, Concessionaire must complete and submit a *Documentation of Best and Good Faith Efforts Form* ("BGFE Form"), documenting its solicitations and any commitments with M/W/DSBEs, and detailing any efforts made to include M/W/OSBEs in the contract. The submission of the BGFE Form is an element of proposal responsiveness and failure to include this form may result in the rejection of the Proposal. The BGFE Form must include at a minimum, certification and documentary evidence that the following actions were taken:

1. Solicitation directed to M/W/DSBEs registered with OEO and qualified M/W/OSBEs certified by agencies approved by OEO. Concessionaire must provide a list of all certification directories used for soliciting participation for this Contract. Concessionaire must determine with reasonable certainty if the M/WBEs are interested by taking appropriate steps to follow up on initial solicitations; one time contact, without follow up, is not acceptable; and

2. Concessionaire provided interested M/W/DSBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation; and

3. Concessionaire negotiated in good faith with interested M/W/DSBEs. A Concessionaire using good business judgment would consider a number of factors in negotiating with subConcessionaires, including M/W/DSBE subConcessionaires, and would take a firm's price and capabilities as well as the objectives of the Plan into consideration; and

4. Documentation of the following:

- i. Any commitments to use M/WBEs in its bid for subcontracted services and materials supply even when Bidder would otherwise prefer to self-perform/supply these items; and
- ii. Correspondence between the Bidder and any M/WBE(s) related to this Bid; and
- iii. Attendance logs and/or records of any scheduled pre-bid meeting; and

5. Certification and evidence that the following actions were taken or documentation of the following, or an explanation why these actions were not taken or why documentation does not exist:

i. Any arms length business assistance provided to interested M/WBEs which may include access/introduction to major manufacturer/suppliers, lines of credit and union halls; and

ii. Solicitation through job fairs, newspapers, periodicals, advertisements and other organizations or media that are owned by M/W/DSBEs and/or focus on M/W/DSBEs; and

iii. Telephone logs of communications related to this Bid; and

iv. Notification of and access to bid documents at the Bidder's office or other office locations for open and timely review; and

v. Bidder sought assistance from jobs training and employment referral agencies such as the Urban Affairs Coalition, PA CareerLink Philadelphia, Philadelphia OIC and Philadelphia Works to identify candidates for employment and to perform employment outreach; and

vi. Bidder published its policy of nondiscrimination in the hiring, retention and promotion of employees; and

vii. Any agreement with an apprenticeship or training program that targets the employment of minority persons, disabled persons and women.

IV. Evaluation of Responsiveness and Responsibility

A. Evaluation and Determination

I. The City, acting through its OEO, will evaluate the responsiveness of the Plan to these requirements. OEO reserves the right to request further documentation and/or clarifying information at any time prior to the award of the contract which may result in Concessionaire's amendment of its M/W/DSBE Participation and Commitment Form or BGFE Form.

B. Administrative Reconsideration

t. If the OEO determines that the Concessionaire has not made sufficient Best and Good Faith Efforts, the Concessionaire will be notified that its proposal is nonresponsive and may file a written appeal with OEO within forty-eight (48) hours of the date of notification. The decision of OEO may be appealed in writing within forty-eight (48) hours of the date of the OEO's decision to the Chief Operating Officer of the Commerce Department or his designee whose decision shall be final. If it is determined that the Concessionaire did not make sufficient Best and Good Faith Efforts, its Proposal will be rejected.

2. Notwithstanding compliance with the requirements set forth herein, the City reserves the right to reject any or all proposals as deemed in the best interest of the City.

V. Compliance and Monitoring of Best and Good Faith Efforts

A. The Concessionaire shall file a hard copy of this Plan, as certified below by OEO, with the Chief Clerk of City Council within fifteen (15) days of receiving a Notice of Award. The Plan shall be filed with:

Michael Decker, Chief Clerk of City Council
Room 402 City Hall
Philadelphia, Pennsylvania 19107

The Concessionaire also agrees to cooperate with OEO in its compliance monitoring efforts, and to submit, within the time limits prescribed by OEO, all documentation which may be requested by OEO relative to the awarded contract, including the items described below. The Concessionaire must provide as required and maintain the following contract documentation for a period of three (3) years following acceptance of final payment under the contract:

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

B. Prompt Payment of M/W/DSBEs

The Concessionaire shall within five (5) business days after receipt of a payment from the City for work performed under the contract, deliver to its M/W/DSBE subConcessionaires their proportionate share of such payment for work performed (including the supply of materials). In connection with payment of its M/W/DSBE subConcessionaires, the Concessionaire **agrees** to fully comply with the City's payment reporting process which may include the use of electronic payment verification systems.

Each month of the contract term and at the conclusion of the contract, the Concessionaire shall provide to the OEO documentation reconciling actual dollar amounts paid to M/W/DSBE subConcessionaires to M/W/DSBE commitments presented in the Plan.

C. Oversight Committee

1. For this Concession, the City, in its sole discretion, may establish a Concession Oversight Committee consisting of representatives from the Concessionaire's company and the City ("Committee"). The Committee will meet regularly to provide advice for the purpose of facilitating compliance with the Plan.

2. If a Concession Oversight Committee is established, the City will convene meetings of the Committee no later than one (1) month after issuance of the Notice To Proceed.

VI. Remedies and Penalties for Non-Compliance

A. The Concessionaire agrees that its compliance with the requirements of the Plan is material to the contract. Any failure to comply with these requirements may constitute a substantial breach of the

contract. It is further agreed and understood that in the event the City determines that the Concessionaire hereunder has failed to comply with these requirements the City may, in addition to remedies reserved under Section 17-1605 of The Philadelphia Code, any other rights and remedies the City may have under the contract, or any bond filed in connection therewith or at law or in equity, exercise one or more of the remedies below, which shall be deemed cumulative and concurrent!

- Terminate the contract, in whole or in part.
- Suspend/Debar the Concessionaire from proposing on and/or participating in any future City contracts for a period of up to three (3) years.

The remedies enumerated above are for the sole benefit of the City and City's failure to enforce any provision or the City's indulgence of any non-compliance with any provision hereunder, shall not operate as a waiver of any of the City's rights in connection with the Contract nor shall it give rise to actions by any third parties including identified M/W/DSBE subConcessionaires. No privity of contract exists between the City and the M/W/DSBE subConcessionaire identified in the contract. The City does not intend to give or confer upon any such M/W/DSBE subConcessionaire(s) any legal rights or remedies in connection with subcontracted services under any law or Executive Order or by any removal of the Contract except such rights or remedies that the M/W/DSBE subConcessionaire may seek as a private cause of action under any legally binding contract to which it may be a party.

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[Signature]
SIGNATURE OF CONCESSIONAIRE AND TITLE

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DATE

Iola Harper

Iola Harper (Feb 9, 2021 16:16 EST)

Feb 9 2021

IOLA HARPER, EXECUTIVE DIRECTOR, OFFICE OF ECONOMIC OPPORTUNITY¹ DATE

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[See Forms on following pages; these Forms, must be submitted by Concessionaire]

¹ Pursuant to Section 17-1603 (2) of the Philadelphia Code, the representative of the City or Philadelphia's Office of Economic Opportunity, the "certifying agency", certifies that the contents of this Plan are in compliance with Chapter 17-1600.

STATEMENT OF DIVERSITY PRACTICES, POLICIES AND PAST ACHIEVEMENTS

In compliance with CJ,apter 17-1600 of the Philadelphia Code, Section 17-1603(1) entitled "Equal Opportunity Plan: Contents," the Plan shall contain a statement from the Concessionaire, developer and/or recipient of financial assistance, which shall include any of their related corporate entities⁵, 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 MWIDSBE utilization 011 government and non-government Concessions 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 company'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/OSBEs? 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 Concession(s).
5. Describe any initiatives made by your organization to increase investment and promote equity ownership by minorities and women.

⁵ 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 Concession: _____

M/W/DSBE Ranges ____

Actual Achievement _ _ _ _ _

Workforce Goals. ____

Actual Achievement. _____

SEE ATTACHED REPORT OF PAST DIVERSITY PRACTICES and ACHIEVEMENTS



German American Marketing, Inc
Thomas Bauer
c/o The German Society of Pennsylvania
611 Spring Garden Street
Philadelphia PA 19123
Phone: 215-268-7606
info@philachristmas.com

April 4th, 2020

Statement about Minority Participation at Christmas Village In Philadelphia 2019

To whom It may concern,

This is to prove that Gennan American Marketing, Inc. provided equal opportunity for all businesses for service contracts and vendor participation in our event.

Our company spent about \$ 134,000 for venue related services and rents to host the eleventh annual Christmas Vlliage in Philadelphia in 2019 (security, tents, portable washrooms, fence rental, etc.). 27% (\$ 36,755) of the contract value was given to minority owned companies. This percentage exceeded the value of 15-20% required by the City of Philadelphia.

Also, Christmas Village in Philadelphia offered small businesses a vending opportunity In Center City Philadelphia. 51 out of 103 independent vendors (49%) were minority or women owned companies which by far exceeds the 15- 20% required by the City of PhUadelphla (see list of minority vendors attached).

As we contacted more than 50 service companies and about 5,000 potential vendors, we believe it Is impossible to list all minority companies that we solicited, especially as we address people on the phone and by email in response to their requests for Information. Usually we do not know who Is a minority vendor at the time of first solicitation, we serve all requests for information the same way regardless of race, gender or religion.

Feel free to reach out to me for any other information you may need.

Best regards,

Thomas Bauer
President
German American Marketing, Inc.



Christmas Village in Philadelphia

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DEPARTMENT OF COMMERCE OFFICE OF ECONOMIC DEVELOPMENT AND OPPORTUNITY (OEO)				
Bid Number or Project Title:		Name of Bidder/Proposer:		Bid/RFP Opening Date:
Security Services - In Jail/Arrest		Gorman		10/1/11
Bidder is a Small Business Enterprise (SBE) <input type="checkbox"/> Bidder is a Woman-Owned Business Enterprise (WBE) <input type="checkbox"/> Bidder is a Minority Business Enterprise (MBE) <input type="checkbox"/> Bidder is a Veteran-Owned Business Enterprise (VBE) <input type="checkbox"/> Bidder is a Disabled Veteran-Owned Business Enterprise (DVBEO) <input type="checkbox"/> Bidder is a Service-Disabled Veteran-Owned Business Enterprise (SDVBE) <input type="checkbox"/> Bidder is a HUBZone Business Enterprise <input type="checkbox"/> Bidder is a Small Business Concern (SBC) <input type="checkbox"/> Bidder is a Minority Business Enterprise (MBE) <input type="checkbox"/> Bidder is a Woman-Owned Business Enterprise (WBE) <input type="checkbox"/> Bidder is a Veteran-Owned Business Enterprise (VBE) <input type="checkbox"/> Bidder is a Disabled Veteran-Owned Business Enterprise (DVBEO) <input type="checkbox"/> Bidder is a Service-Disabled Veteran-Owned Business Enterprise (SDVBE) <input type="checkbox"/> Bidder is a HUBZone Business Enterprise <input type="checkbox"/> Bidder is a Small Business Concern (SBC) <input type="checkbox"/>		Work or Service Effort ID#		If No Commitment
Address: 8500 Hillside Ave Sult. 45-36 Pldadom PA 19128		Work or Service Effort ID#		Commitment Made
Contact: Yousef Kalsi (main contact) // Sandy Bregg (owner)		Date of Solicitation		Amount
CEO REGISTRY: ICERTIFYINO A-112124 CITY of Philadelphia, Commerce		Date of Solicitation		Amount
Bidder is a Small Business Enterprise (SBE) <input type="checkbox"/> Bidder is a Woman-Owned Business Enterprise (WBE) <input type="checkbox"/> Bidder is a Minority Business Enterprise (MBE) <input type="checkbox"/> Bidder is a Veteran-Owned Business Enterprise (VBE) <input type="checkbox"/> Bidder is a Disabled Veteran-Owned Business Enterprise (DVBEO) <input type="checkbox"/> Bidder is a Service-Disabled Veteran-Owned Business Enterprise (SDVBE) <input type="checkbox"/> Bidder is a HUBZone Business Enterprise <input type="checkbox"/> Bidder is a Small Business Concern (SBC) <input type="checkbox"/> Bidder is a Minority Business Enterprise (MBE) <input type="checkbox"/> Bidder is a Woman-Owned Business Enterprise (WBE) <input type="checkbox"/> Bidder is a Veteran-Owned Business Enterprise (VBE) <input type="checkbox"/> Bidder is a Disabled Veteran-Owned Business Enterprise (DVBEO) <input type="checkbox"/> Bidder is a Service-Disabled Veteran-Owned Business Enterprise (SDVBE) <input type="checkbox"/> Bidder is a HUBZone Business Enterprise <input type="checkbox"/> Bidder is a Small Business Concern (SBC) <input type="checkbox"/>		Work or Service Effort ID#		Commitment Made
Address: 3720 11th St. - Pih. - Squarw, PA 18073		Date of Solicitation		Amount
Contact: General web site		Date of Solicitation		Amount
CEO REGISTRY: ICERTIFYINO A-112124 CITY of Philadelphia, Commerce		Date of Solicitation		Amount
Bidder is a Small Business Enterprise (SBE) <input type="checkbox"/> Bidder is a Woman-Owned Business Enterprise (WBE) <input type="checkbox"/> Bidder is a Minority Business Enterprise (MBE) <input type="checkbox"/> Bidder is a Veteran-Owned Business Enterprise (VBE) <input type="checkbox"/> Bidder is a Disabled Veteran-Owned Business Enterprise (DVBEO) <input type="checkbox"/> Bidder is a Service-Disabled Veteran-Owned Business Enterprise (SDVBE) <input type="checkbox"/> Bidder is a HUBZone Business Enterprise <input type="checkbox"/> Bidder is a Small Business Concern (SBC) <input type="checkbox"/> Bidder is a Minority Business Enterprise (MBE) <input type="checkbox"/> Bidder is a Woman-Owned Business Enterprise (WBE) <input type="checkbox"/> Bidder is a Veteran-Owned Business Enterprise (VBE) <input type="checkbox"/> Bidder is a Disabled Veteran-Owned Business Enterprise (DVBEO) <input type="checkbox"/> Bidder is a Service-Disabled Veteran-Owned Business Enterprise (SDVBE) <input type="checkbox"/> Bidder is a HUBZone Business Enterprise <input type="checkbox"/> Bidder is a Small Business Concern (SBC) <input type="checkbox"/>		Work or Service Effort ID#		Commitment Made
Address: CC Contact - non		Date of Solicitation		Amount
Contact: UNO...		Date of Solicitation		Amount
CEO REGISTRY: ICERTIFYINO A-112124 CITY of Philadelphia, Commerce		Date of Solicitation		Amount

1. If Bidder/Proposer is a Small Business Enterprise (SBE) and commitment is made, indicate which SBE type, M-DBE or W-DBE, is applicable for the bid.
 2. Attach a copy of the bid and a copy of the bid to the bid.



German American Marketing, Inc
Thomas Bauer
c/o. The German Society of Pennsylvania
611 Spring Garden Street
Phone: 215-268-7606
info@philachristmas.com

Ust of minority vendors at Christmas Village In Philadelphia 2019

WBE (Caucasian Female):
Adorned by Aisha, Aisha Leeks

WBE:
Amazing Light, Maryam Rahmani

MBE (African American Female), WBE:
Avril's Designs, Avril Clindinin

WBE (caucaslan Female):
Bella U, Trisha Glova

MBE (Hispanic American Male):
Big Skinny Wallets, Raymond Ramos

WBE (Caucasian Female):
Chardonnay Go, Dena Blizzard

MBE (African American Female), WBE:
Chic Afrique Herbals, Victoria Onwuchekwa

WBE (Caucasian Female):
Chocdlstro by Candy Lady, Sarah Rieger

WBE:
Christmas Souvenir Omaments, Maryam Rahmani

WBE (Caucasian Female):
Demca Demonstration **OBA** I See Spain, Diane McAllister

MBE (Asian American Female), WBE:
Eardivine, Lisette Takahashi

WBE (Caucasian Female):
EthnoKolor, Marta Dusko

MBE (Asian American Male):
Felt n Wool, Sandeep Gyawali

WBE (Caucasian Female):
Ideale Products USA, Elizabeth Curry

MBE (Hispanic American Female), WBE:
Inka's Hands, Norka Kagel

MBE (Hispanic American Female), WBE:
Janette's Designs, Janette Paz





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WBE (Caucasian Female):
 Just Makes Scents/ Acme Panda Sales, Paula Weinberg

WBE (Caucasian Female):
 Kashmir Dream, Maryam Kabeer Faye

MBE (Asian American Male):
 KCL Leather Shop, Kiran Gurung

WBE (Caucasian Female):
Ktskis Imports, Phyllis Silsik

MBE (African American Male):
 Light it Up & The Grand Illumination, Ben Hamilton

MBE (African American Male):
 Little Marrakesh **Bazaar**, Bouchaib Chakir

MBE (Asian American **Male**):
 Living and Giving, Seth Kucine

WBE (Caucasian Female):
 Lough + Co, LLC DBA Lily Lough Boutique, Lillya Mergesova

WBE (Caucasian Female):
 nMakin it" Designs by Vicki, Vicki Allen

WBE (Caucasian Female):
 Market 12, Kathleen Graeser

MBE (Hispanic American Female), WBE:
 Mexican Handcrafts, Erika Massiel Carrillot

WBE (Caucasian Female):
 Minnie and Moon, LLC, Emma Kelly

MBE (Hispanic American Male):
 Mistura Timepieces, Daniel Schemel

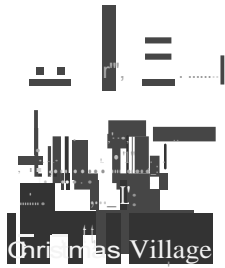
WBE (Caucasian Female):
 Memo's Tree House, Heather Mohom

WBE (Caucasian Female):
 Neob Niagra/ Acme Smart Living, Paula Weinberg

MBE (Asian American Male):
 Nepa Shon, Raja Sayami

MBE (Asian American Female), WBE:
 Nivas Collection, Anuja Kapri

MBE (Asian American Male):
 Norden Arts, Sonam Sherpa



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WBE (caucasian Female):
Onice, Susan Cole

WBE (Caucasian Female):
Origami Owl Custom Jewelry, Jessica Steiner

WBE (Caucasian Female):
Park & Madison, Jenna Andrews

WBE (Caucasian Female):
Piggyback Treats Company, Jennifer Kirby

MBE (African American Male):
Really Reel Ginger, Illyas Muhammad

MBE (Hispanic American Male):
Simply Hecgado, Hector Hernandez

MBE (Asian American Male):
Sanasna Designs, Sandeep Gyawali

WBE (Caucasian Female):
Stoll and Wolfe Distillery, LeeAndra Peck

MBE (African American Female), WBE:
Suzette Art Couture, Suzette Hallman

MBE (Asian American Male):
Tibet Collection, Tenzin Choephak

MBE (Hispanic American Male):
The Coaster Mill, Sebastian Perel

MBE (African American Male):
Unique Ornament, Hani Mikhail

WBE (caucasian Female):
Waffles & Wedges OBA Waffles, Andrea Capecci

WBE (Caucasian Female):
Wagman Designs, Dragana Wagman

WBE (caucasian Female):
Wolf's Den, Heather Rourke

WBE (caucasian Female):
Yalynka Decor, Lucy Yolkina-Stark

WBE (Caucasian Female):
Yummies to Go by Onice, Susan Cole



City of Philadelphia

BILL NO. 210177 continued