

## Legislation Details (With Text)

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**Type:** Resolution      **Status:** IN COMMITTEE

**File created:** 6/24/2021      **In control:** Committee on Law and Government

**On agenda:**      **Final action:**

**Title:** Proposing an amendment to the Philadelphia Home Rule Charter relating to the hiring of local residents under public works contracts with the City; and providing for the submission of the amendment to the electors of Philadelphia.

**Sponsors:** Council President Clarke, Councilmember Parker

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution No. 21064000

Date	Ver.	Action By	Action	Result	Tally
5/23/2022	0	Committee on Law and Government			
5/23/2022	0	Committee on Law and Government			
5/23/2022	0	Committee on Law and Government			
3/25/2022	0	CITY COUNCIL	Introduced and Referred		

Proposing an amendment to the Philadelphia Home Rule Charter relating to the hiring of local residents under public works contracts with the City; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (Act of April 21, 1949, P.L. 665, § 6, 53 P.S. § 13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; and

WHEREAS, City Council, by the adoption of this Resolution, proposes amendments to the Philadelphia Home Rule Charter relating to competitive bidding requirements; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance.

**Note:**

*Italics* indicates matter added by this amendment.  
~~Strikethrough~~ indicates matter deleted by this amendment.

### ARTICLE IV

#### EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

The Mayor, The City Representative and Departments,  
Boards and Commissions under the Mayor

\* \* \*

ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

\* \* \*

CHAPTER 2 CONTRACTS, PROCUREMENT, PROPERTY AND RECORDS

§8-200. Contracts.

\* \* \*

(2) Except as authorized by Section 8-200(2.1) and 8-200(4), if any purchase or contract required to be awarded to the lowest responsible bidder involves an expenditure of more than seventy-five thousand dollars (\$75,000), which amount shall be adjusted every fiscal year as rounded to the nearest one thousand dollars (\$1,000) to reflect the percentage change in the most recently published Consumer Price Index for All Urban Consumers (CPI-U) All Items Index, Philadelphia, Pennsylvania, United States Department of Labor, Bureau of Labor Statistics, the following procedure shall be applicable:

\* \* \*

(b) After the time specified for bid closing, bids shall publicly be opened and tabulated in the presence of a representative of the City Controller. At its discretion, and in lieu of sealed bids, the Department may provide for competitive electronic auction bidding under which (i) bids are submitted electronically at the time and in the manner designated in the invitation to bid; (ii) during the auction, only such information regarding the prices bid as the Department determines is likely to result in the lowest price to the City is disclosed to other bidders; (iii) bidders have the opportunity to reduce their prices during the auction; and (iv) at the conclusion of the auction, the name of each bidder and the lowest price it submitted are made available for public inspection. Whether or not the Department utilizes competitive electronic auction bidding, the Department may reject all bids if it shall deem it in the interest of the City so to do. Otherwise the contract shall be awarded to the lowest responsible bidder.

*(b.1) No bidder on any contract for construction, alterations, repairs or maintenance that involves an expenditure of more than one hundred thousand dollars (\$100,000.00), which amount shall be adjusted annually in the manner set forth in paragraph (2), shall be deemed a responsible bidder unless such bidder certifies and commits contractually, in such manner as may be determined by the Department, that at least fifty percent of the individuals who perform a substantial portion of work on the covered contract will be residents of Philadelphia.*

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