

Legislation Text

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Proposing an amendment to the Philadelphia Home Rule Charter to require the Finance Director to issue an annual report that analyzes the participation of disadvantaged business enterprises on City contracts and sets participation goals for such businesses, using such categories as Council may define; and providing for the submission of the amendment of the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (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; now, therefore,

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:

ARTICLE VI EXECUTIVE AND ADMINISTRATIVE BRANCH -
POWERS AND DUTIES

Director of Finance, Financial Departments, Boards and Commissions, City Treasurer, Procurement Department, and Board of Pensions and Retirement

CHAPTER 1 DIRECTOR OF FINANCE

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§6-109. Disadvantaged Business Enterprises.

(1) At least thirty (30) days before the start of each fiscal year, the Finance Director shall file with the Mayor a written report that includes:

(a) An up-to-date study analyzing the participation of disadvantaged business enterprises (“DBE’s”) in City contracts for the purchase of goods and services, compared to the percentage of qualified DBE’s available to participate in such contracts (“Annual Disparity Study”). The Annual Disparity Study shall be performed either by the Office of the Director of Finance itself, or by contract.

(b) City contract participation goals for DBE’s for the upcoming fiscal year (“Annual Participation Goals”). In devising the Annual Participation Goals, the Finance Director shall consider:

- (i) the present availability of qualified DBE’s;***
- (ii) the participation of qualified DBE’s on past contracts awarded by the City;***
- (iii) a forecast of eligible contracts to be awarded within the fiscal year; and***

(iv) *the latest Annual Disparity Study.*

(c) *Such other related matters as Council may from time to time ordain.*

(2) At the same time that the report is filed with the Mayor, the Finance Director shall file a copy with the Department of Records and with the President and Chief Clerk of Council, and shall arrange for publication of the report on the City's official website.

(3) Council may by ordinance define and detail categories of DBE's and of City contracts that must be considered separately by the Finance Director in conducting the Annual Disparity Study and devising the Annual Participation Goals.

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Explanation:

Bold italics indicates matter added by the amendment.