City of Philadelphia

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

Legislation Details (With Text)

File #:	040133-A	**Version:**	2	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	2/19/2004			**In control:**	Committee on Finance
On agenda:				**Final action:**	3/31/2005

Title: Amending Section 17-104 entitled "Prerequisites to the Execution of City Contracts" by adding a new subsection (2) entitled "Slavery Era Business/Corporate Insurance Disclosure" to promote full and accurate disclosure to the public about any slavery policies sold by any companies or profits from slavery by other industries (or their predecessors) who are doing business with the City of Philadelphia and recodifying Section 17-104 by incorporating various technical changes; all under certain terms and conditions.

Sponsors: Councilmember Reynolds Brown, Councilmember Reynolds Brown, Councilmember Goode, Councilmember Goode

Indexes: CONTRACTS AND PROCUREMENT

Code sections: 17-104 - Prerequisites to the Execution of City Contracts

Attachments: 1. CertifiedCopy040133-A02.pdf

Date	Ver.	Action By	Action	Result	Tally
3/31/2005	2	MAYOR	SIGNED		
3/17/2005	2	CITY COUNCIL	READ		
3/17/2005	2	CITY COUNCIL	PASSED	Pass	16:0
3/10/2005	2	CITY COUNCIL	AMENDED		
3/10/2005	1	CITY COUNCIL	READ		
3/10/2005	2	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
3/3/2005	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
3/3/2005	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
3/3/2005	1	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
2/28/2005	0	Committee on Finance	HEARING NOTICES SENT		
2/28/2005	0	Committee on Finance	HEARING HELD		
2/28/2005	0	Committee on Finance	AMENDED		
2/28/2005	1	Committee on Finance	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
2/19/2004	0	CITY COUNCIL	Referred		
2/19/2004	0	CITY COUNCIL	Introduced	Pass	

Amending Section 17-104 entitled “Prerequisites to the Execution of City Contracts” by adding a new subsection (2) entitled “Slavery Era Business/Corporate Insurance Disclosure” to promote full and accurate disclosure to the public about any slavery policies sold by any companies or profits from slavery by other industries (or their predecessors) who are doing business with the City of Philadelphia and recodifying Section

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17-104 by incorporating various technical changes; all under certain terms and conditions.
THE COUNCIL OF THE CITY OF PHIILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 17-104 of The Philadelphia Code is hereby amended to read as follows:

§17-104. Prerequisites to the Execution *and Validity* of City Contracts.

[(2) *Prohibited Contracts*]

[(a)](*1*)*Definitions.* For the purpose of this subsection, the following definitions shall apply:

([.1]*a*) *Business Entity* Any individual, domestic corporation, foreign corporation, association, syndicate, joint stock company, partnership, joint venture, or unincorporated association, including any parent company, subsidiary, exclusive distributor or company affiliated therewith, engaged in a business or commercial enterprise;

([.2]*b*) *City.* The City of Philadelphia;

([.3]*c*) *City Agency.* The City of Philadelphia, its departments, boards and commissions;

([.4]*d*) *City-related Agency.* All authorities and quasi-public corporations which either:

([i].*1*) receive appropriations from the City; or

([ii].*2*) have entered into continuing contractual or cooperative relationships with the City; or

([iii].*3*) operate under legal authority granted to them by City ordinance.

([.5]*e*) *Department.* The Procurement Department.

(2) Slavery Era Business/Corporate Insurance Disclosure.

(a) Business,Corporate and Slavery Era Insurance Ordinance. This subsection shall be known and cited as the "Business, Corporate and Slavery Era Insurance Ordinance." The purpose of this subsection is to promote full and accurate disclosure to the public about any slavery policies sold by any companies, or profits from slavery by other industries (or their predecessors) who are doing business with any City Agency or City-related Agency.

(b) Each contractor with whom a City Agency enters into a contract, whether subject to competitive bid or not, shall, immediately following execution of the contract, complete an affidavit verifying that the contractor has searched any and all records of the company or any predecessor company regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any slaves or slaveholders described in those records must be disclosed in the affidavit.

(c) The Department shall make the information contained in the affidavit available to the public, including but not limited to making the information accessible on the City's internet accessible world wide web home page and provide an annual report to the City Council.

(d) If a contractor fails to provide the affidavit when required or includes materially false information on such affidavit, the contract shall be voidable .

(e) City Related Agencies. Any contract, lease, grant condition or other agreement entered into by the City with any City-related Agency shall contain a provision requiring the City-related Agency, in the procurement of goods and services purchased pursuant to such contract, lease, grant condition or other agreement with the City, to abide by the provisions of subsection 17-104(2).

(3) *Prohibited Contracts*

([*b*])

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([*c*])

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([*d*])

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([*e*])

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([*j*])

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([*k*])

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([*l*])

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([*m*])

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SECTION 2. This ordinance shall take effect 90 days after final passage.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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