City of Philadelphia

City Council
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Legislation Details (With Text)

File #:	160129	**Version:**	1	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	2/18/2016			**In control:**	Committee on Commerce & Economic Development
On agenda:				**Final action:**	6/16/2016

Title: Amending Chapter 17-1600 of The Philadelphia Code, entitled "Economic Opportunity Plans," by amending certain definitions; and amending Chapter 17-2000 of The Philadelphia Code, entitled "First Source Jobs Policy," by designating the Economic Opportunity Review Committee to oversee implementation and enforcement of the City's First Source Jobs Policy; requiring a report of executed First Source Jobs Agreements; modifying certain definitions; providing penalties; and providing for certain technical changes, all under certain terms and conditions.

Sponsors: Council President Clarke, Councilmember Henon

Indexes: ECONOMIC OPPORTUNITY REVIEW COMMITTEE, FIRST SOURCE JOBS POLICY

Code sections: 17-1600 - Economic Opportunity Plans, 17-2000 - First Source Jobs Policy

Attachments: 1. CertifiedCopy16012901.pdf

Date	Ver.	Action By	Action	Result	Tally
9/6/2016	1	MAYOR	SIGNED		
6/16/2016	1	CITY COUNCIL	READ AND PASSED	Pass	17:0
6/9/2016	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/9/2016	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/9/2016	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
5/26/2016	0	Committee on Commerce & Economic Development	HEARING NOTICES SENT		
5/26/2016	0	Committee on Commerce & Economic Development	HEARING HELD		
5/26/2016	0	Committee on Commerce & Economic Development	AMENDED		
5/26/2016	1	Committee on Commerce & Economic Development	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
2/18/2016	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Chapter 17-1600 of The Philadelphia Code, entitled “Economic Opportunity Plans,” by amending certain definitions; and amending Chapter 17-2000 of The Philadelphia Code, entitled “First Source Jobs Policy,” by designating the Economic Opportunity Review Committee to oversee implementation and enforcement of the City’s First Source Jobs Policy; requiring a report of executed First Source Jobs Agreements; modifying certain definitions; providing penalties; and providing for certain technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 17 of The Philadelphia Code is amended as follows:

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TITLE 17. CONTRACTS AND PROCUREMENT.

* * *

CHAPTER 17-1600. ECONOMIC OPPORTUNITY PLANS.

* * *

§ 17-1603. Economic Opportunity Plan: Contents.

(1) For a Covered Project or Contract subject to City Council approval (other than a Covered Project or Contract subject to Section 8-200(2) or 8-201 of the Home Rule Charter), an Economic Opportunity Plan prototype shall be produced by the certifying agency in conjunction with Council, and serve as the primary form for submission and compliance procedures in accordance with the provisions of this chapter:

* * *

(h) First Source Jobs Policy. The plan for any covered project or contract that includes financial assistance reasonably anticipated to exceed [$250,000] *the amount specified in subsection 17-1601(1)* shall include a statement acknowledging the requirements of the First Source Jobs Policy contained in Chapter 17-2000; and certification from the certifying agency that the recipient of financial assistance has entered into, or has committed to enter into, a First Source Employment Agreement required by Section 17-2002. When signed, such agreement shall be appended to, and made part of, the certified Economic Opportunity Plan. The City department or agency designated as responsible for the implementation and enforcement of the First Source Jobs Policy shall coordinate its efforts with those of the Economic Opportunity Review Committee established in Section 17-1607. *The Economic Opportunity Review Committee established in Section 17-1607 shall be responsible for reviewing the implementation and enforcement of the First Source Jobs Policy with respect to any covered project or contract that includes financial assistance reasonably anticipated to exceed the amount specified in subsection 17-1601(1).* Non-compliance with the requirements of the First Source Jobs Policy shall be considered a failure to comply with the provisions of this Chapter, subject to the penalties of Section 17-1606 in addition to any other applicable penalties.

* * *

§ 17-1608. Annual Disparity Assessment of Workforce Diversity.

(1) For purposes of this Section, workforce diversity means a workforce that includes *Philadelphia residents,* African Americans, Hispanic Americans, Asian Americans, Native Americans, women and disabled persons ("Diverse Workforce").

* * *

CHAPTER 17-2000. FIRST SOURCE JOBS POLICY.

§ 17-2001. Definitions.

* * *

(5) *Designated Department.* The City department or agency designated by the Mayor to be responsible for the overall implementation and enforcement of the "First Source Jobs Policy" as set forth in this Chapter*, provided that, pursuant to subsection 17-1603(1)(h) of Chapter 17-1600 (Economic Opportunity Plans), the Economic Opportunity Review Committee (EORC) established*

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in Section 17-1607 shall be responsible for reviewing the implementation and enforcement of the First Source Jobs Policy with respect to any covered project or contract that includes financial assistance reasonably anticipated to exceed the amount specified in subsection 17-1601(1). The City department or agency designated by the Mayor pursuant to this subsection (5) and the EORC shall coordinate their efforts.

* * *.

(11) *First Source Period.* A period of [ten (10) business] *thirty (30) calendar* days following notice by Beneficiary to the Designated Department of new, entry-level jobs projected or created as a direct or indirect result of Financial Assistance.

* * *

§ 17-2003. Duties of the Designated Department.

The Designated Department, working in conjunction with other City departments, agencies and Community Referral Agencies, as necessary, shall be authorized to:

* * *

(3) Approve and execute First Source Employment Agreements *required by §17-2002 and §17-1603(1)(h) of The Philadelphia Code, and report on Agreements executed during the quarter at the EORC quarterly meetings required by § 17-1607(3) of The Philadelphia Code.*

* * *

§ 17-2009. Penalties.

If the Designated Department determines that a Beneficiary has not complied with one or more of the provisions set forth in this Chapter, it may recommend that the City exercise, through appropriate channels, one or more of the following remedies:

(1) Withhold payment(s) or any part thereof related to the Financial Assistance pending corrective action.
(2) Require reimbursement of an appropriate amount of the Financial Assistance already provided to the Beneficiary.

(3) Suspend a Beneficiary from bidding on and/or participating in future City contracts for up to three (3) years.

(4) Impose fines or penalties pursuant to §17-1603(1)(h).

Explanation:

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

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