

CITY OF PHILADELPHIA

DEPARTMENT OF COMMERCE
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Philadelphia, PA 19102
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Philadelphia Empowerment Zone Neighborhood Funding Stream

Request for Proposals:
American Street Empowerment Zone &
North Central Empowerment Zone
Neighborhood Economic
Development Impact Grants

2016 Rolling Application

Applicants must provide one (1) bound original, five (5) bound copies of the proposal
and one (1) digital copy

Overview: Philadelphia Empowerment Zone**MISSION AND OVERVIEW**

The Philadelphia Empowerment Zone (EZ) was established in 1994 as a community development and economic revitalization program, created federally and guided locally. While the federal designation ended in 2009, the EZ continues to impact the neighborhoods today through the creation of the Neighborhood Funding Stream (NFS). The NFS provides resources for the EZ to make grants available on an annual basis to support economic development activities in the American Street, North Central and West Philadelphia Empowerment Zone neighborhoods. The EZ is guided by three (3) Community Trust Boards (CTB). The CTBs are made up of residents, business owners and experts in the field of economic and community development to establish annual funding priorities for the EZ. Over 1 million dollars are allocated to support sustainable community and economic development efforts in these culturally and ethnically diverse communities.

GRANT OBJECTIVES

The goal of the Neighborhood Economic Development Impact Grant (NEDIG) is attract and retain business and employment opportunities within American Street and North Central Empowerment Zone neighborhoods through commercial and industrial development. Grant awardees will create economic opportunity, increase activity on commercial or industrial corridors, and enliven underused buildings or vacant land.

American Street and North Central Empowerment Zone Neighborhood Economic Development Grants

This Request for Proposals (RFP) will provide funding to support real estate development projects which will help create jobs and build upon existing real estate activity within the American Street and North Central Empowerment Zone boundaries.

This is a rolling application; small scale projects under \$1 million will only be awarded if they are ready to proceed within 180 days of application. Large scale projects will need to provide evidence that, at minimum, 70% of funding is secured and will need to secure the remainder of funding within 360 days of award.

Scope of Services**GUIDELINES**

The Philadelphia Department of Commerce along with the Community Trust Boards has allocated **\$336,700** in the American Street Empowerment Zone and **\$210,000** in the North Central Empowerment Zone to go towards development grants. It is anticipated that 4-6 projects will be funded in the upcoming year. It is anticipated that funds for this grant will be replenished yearly. Strictly residential development projects are not eligible, but mixed use development is eligible where EZ resources can only be used for the commercial or industrial space. Projects must be new

construction or the substantial rehabilitation of a currently vacant building to be eligible. Projects will be awarded on a rolling basis.

Projects over 1 million dollars must be ready to proceed within approximately 365 days of application. Projects under 1 million dollars must be ready to proceed within 180 days of application. Applicants that have projects that do not appear to meet the readiness to proceed guidelines will be asked to resubmit an application at a later date. Awards for any project will not exceed 35% of total development costs.

GOALS

Projects will be awarded based on their ability to meet the following goals:

- Increase commercial and industrial space in the zone, bringing permanent jobs and economic opportunities to the community;
- Increase and sustain economic activity within the American Street and North Central Empowerment Zone;
- Leverage city and private resources for investment in the American Street Empowerment Zone and North Central Empowerment Zone.

It is anticipated that up to 5 projects will be funded; however final selection will be at the discretion of the Philadelphia Department of Commerce, including not awarding the entire amount available.

Proposed leverage and impact of the project, including the number of permanent jobs to be created will be heavily weighted in the scoring of the applications. As these funds are limited the EZ Review Committee are looking to utilize them where they may produce the most leverage and impact. Those projects that meet or exceed multiple criteria will score higher.

IMPACT

The Philadelphia Department of Commerce and the CTB seeks to support potential projects that will have significant impact in jobs, physical redevelopment, and availability of new commercial and mixed use facilities. The CTB recognizes the value of transformative projects, both large and small. Priority will be given to large scale redevelopment such as school reuse, industrial reuse and new construction. Small infill projects can provide services to fulfill community needs, bring a missing amenity or build up a distressed commercial corridor.

Indicators that a project will have high impact include:

- Substantial job creation within the EZ neighborhoods;
- Located in highly distressed area; and,
- Enliven a commercial or industrial corridor.

Developers with projects that do not meet these criteria may submit an application including supporting information that the EZ Review Committee may consider as to the impact of the proposed project. The EZ Review Committee will consist of members of the Philadelphia Department of Commerce, the Community Trust Boards, and other designated expertise in economic development.

TIMELINE

Awarded funds are expected to be fully spent within one year after the contract begins. It will be the applicant's responsibility to demonstrate readiness to proceed by way of zoning approvals, financing commitments, formalized pricing, etc. If the EZ Review Committee is not convinced that the project can use the resources in a timely manner, the applicant will be asked to resubmit the application at a later date.

REPORTING

As a requirement this grant will be monitored by the Philadelphia Department of Commerce. The developer will be required to submit documentation to verify work is completed according to federal, state and local standards. The developer will also be required to submit a report one year after project completion providing documentation of jobs created and project impact.

DEVELOPER SELECTION

The developer(s) selected will be expected to have demonstrated experience in developing non-residential real estate. The organization's staff and financial capacity will be reviewed and scored to give confidence that the project can move forward.

For-profit and non-profit developers are eligible to apply for these grant funds. The developer(s) selected will have demonstrated experience in developing non-residential real estate of scale and a project which supports the Community Trust Boards economic development goals. The developer's staff and financial capacity will be reviewed and scored to give confidence that the project can be completed.

BRIEFING MEETING: A program briefing meeting will take place at The Commerce Department, 1515 Arch Street, 18th Floor, Room 18-029, Philadelphia PA on April 26, 2016 **12:30 PM to 1:30 PM**. Attendance is not required, but is strongly encouraged for potential applicants.

Please email Aisha Herring-Miller, Director of Economic Development Zones at aiisha.g.herring@phila.gov if you have any questions about the RFP.

Oversight, Monitoring and Reporting of Grant Activities

The City of Philadelphia's Department of Commerce and a partner organization will act as the Neighborhood Funding Stream Grants Administrator. The grantees will enter into a contract with the City's partner organization for funding, however reports and all other requested documents should be provided to Philadelphia Department of Commerce. *The type and methods of reporting will adjust depending on the size and timing of the grant award, however all projects will be required to propose a mechanism for local hiring and job creation.*

In addition, the Commerce Department will monitor and manage the grantee's work and the project. If a construction monitoring mechanism is not already in place, the Commerce Department will provide an independent monitor to insure the scope of work remains the same and all work is being

completed in compliance with local, state and federal requirements. The grantee may meet with the Community Trust Boards (CTBs) to provide a project update as requested.

PROPOSAL CONTENTS

All proposals submitted must include the following information:

1. Cover Sheet

Submit attached cover sheet completed and signed

2. Executive Summary (max 1 page)

Provide an Executive Summary of the project providing an overall description including sponsorship, scope of project, neighborhood benefits, economic benefits and neighborhood impact.

3. Organizational Capacity – Staff & Experience

Provide information regarding applicant's capacity to carry out the proposed development project.

- a) History of the organization and past real estate development experience of the applicant and project team. Resumes of organizational staff indicating experience in developing non-residential real estate projects.
- b) Project team assembled who will be responsible for development and construction oversight, documentation of the lead staff person and their real estate experience, individual responsible for commercial leasing and tenant identification, and/or consultants who will support the organization's capacity to complete the project.

4. Organizational Capacity – Financial

Provide documentation indicating applicant's financial capacity to carry out the proposed development. Please provide the following information regarding your organization (these items can be provided as attachments). Note: certain requirements may be different for for-profit vs. non-profit organizations:

- a) **Non profit developers:** 3 years audited financial statements. If most recent audit is for a fiscal year ending more than 6 months from the application date, please provide the most recent organizational financial statement including a profit & loss statement and balance sheet.
For profit developers: 3 years IRS 990s or tax returns, along with a balance sheet & profit loss sheet.
- b) Summary of financial position of all financial guarantors for the project (though these funds will be structured as a grant, we will seek to assess financial capacity to secure financing for the project).
- c) Indicate source of liquid assets which will fund any required cash equity for the project. This should be demonstrated by a bank or brokerage statement verifying available cash as of application deadline.

5. Development team qualifications

Provide information regarding the qualifications of your development team including:

- a) Architect

- b) General Contractor
- c) Legal Team
- d) Management Agent
- e) Realtor

For each team member provide an organizational summary, resume(s) of the lead staff person(s) and contact information. A summary of the team's experience should be included in the text, organizational summaries and resumes should be included as attachments.

6. Project Description

Provide a description of real estate project and include the following:

- a) A narrative description of the project clearly articulating how the project meets the goals outlined on page three;
- b) Commercial units to be produced;
- c) Total square footage;
- d) Proposed use and end users (please provide evidence in the form of a lease agreement or MOU);
- e) Project location and neighborhood support (may be documented with letters of support and/or evidence of Registered Community Organization meetings and outcomes);
- f) Economic development benefits including job creation estimates and detail as to how those figures were estimated;
- g) Community impact and any commitments made regarding hiring of local residents.

7. Architectural Plans

Provide plans, prepared by a registered architect, to address, at a minimum, the following:

- a) Site Plan;
- b) All proposed buildings/improvements with dimensions, horizontal, vertical, and ground elevations;
- c) Ground floor and principal floor plans;
- d) Site dimensions and lot coverage; and,
- e) Proposed setbacks, side yards, back yards, driveways, height and parking.

In addition to the designs, please provide an accompanying narrative that addresses any unique features planned for the project and providing commentary as to the status and applicability of zoning approvals, stormwater regulations, parking, and permitting. Please indicate any green features planned in the development including any stormwater mitigation or architectural designs which promote efficiency in the development or long-term sustainability including operational sustainability of the project.

8. Development Schedule & Readiness to Proceed

Provide a detailed schedule indicating the status of the project, including, but not limited to, the following milestones:

- a) Site control
- b) Zoning approvals;
- c) Building permits;

- d) Any other government approvals (e.g. Philadelphia Water Department);
- e) Securing tenants;
- f) Construction start;
- g) Anticipated construction completion;
- h) Projected occupancy date; and,
- i) Timing of draws from this grant.

Evidence of progress and/or completed milestones should be included as attachments, including but not limited to: zoning permits, PWD stormwater management approval, building permits, etc.

9. *Project Financial Summary*

Summary of the financial components of the proposed development project should include:

1. Development Pro Forma and sources and uses budget including status of any uncommitted funds.
2. Projected rent schedule with detail on unit sizes, amenities, rent per square foot and any additional costs or discounts expected from the tenants or provided to the tenants in the form of tenant improvement support.
3. Operating pro forma for the project which projects at minimum 5 years of ongoing operations including a projected rent up time period (stabilization). Please indicate rent up time or stabilization. Operating pro forma must include any financing assumptions for interim and/or permanent financing. Please demonstrate past experience at operating comparable projects which support the anticipated operating costs.

10. *Economic Opportunity and Project Goals*

Under the authority of Executive Order No. 03-12, the City of Philadelphia has established an antidiscrimination policy ("Policy") relating to the participation of Minority (MBE), Woman (WBE) and Disabled (DSBE) Owned Business Enterprises in City contracts. Executive Order 03-12 is administered by the City's Office of Economic Opportunity ("OEO"). (Please see Appendix A for greater detail about MBW, WBE and DSBE requirements).

Developers applying for ASEZ resources should demonstrate their experience working with MBE & WBE firms and identify anticipated development team participants that are certified as MBE/WBE/DBE businesses. Developers should note that they will be expected to comply with the City of Philadelphia Affirmative Action requirements, prevailing wage requirements, and HUD Section 3 regulations as may be required under the project, including the completion of the Solicitation & Commitment Form. (Please see Appendix B)

In addition to the required forms, the developers applying for ASEZ resources will be expected to provide a narrative as to how they will conduct outreach to the local workforce, what direct

and indirect outreach they will undertake to identify potential employees. The narrative delivery and timing will be determined based on the scope of the project.

Preference will be given to developers that will conduct specific outreach to residents within the American Street Empowerment Zone boundaries which could include, but not limited to: holding public meetings, job fairs and direct outreach, or utilizing local job training services.

11. Additional Forms for Completion:

1. **Appendix A** *City of Philadelphia Office of Economic Opportunity Antidiscrimination Policy-Minority, Woman, and Disabled Owned Business Enterprises*
2. **Appendix B** *Antidiscrimination Policy and Solicitation for Partnership and Commitment Form*
3. **Appendix C** *City of Philadelphia Tax and Regulatory Status and Clearance Statement for Applicants*
4. **Appendix D** *American Street Empowerment Zone and North Central Empowerment Zone Maps*
5. **Appendix E** *Cover Sheet (Please place the cover sheet at the beginning of application)*

CITY OF PHILADELPHIA
OFFICE OF ECONOMIC OPPORTUNITY
ANTIDISCRIMINATION POLICY- MINORITY, WOMAN AND DISABLED OWNED BUSINESS ENTERPRISES
FORMS, INSTRUCTIONS AND SPECIAL CONTRACT PROVISIONS
(NON-COMPETITIVELY BID CONTRACTS)
APPENDIX A

Under the authority of Executive Order No. 03-12, the City of Philadelphia has established an antidiscrimination policy (“Policy”) relating to the participation of Minority (MBE), Woman (WBE) and Disabled (DSBE) Owned Business Enterprises in City contracts. Executive Order 03-12 is administered by the City’s Office of Economic Opportunity (“OEO”).

The purpose of this Policy is to provide equal opportunity for all businesses and to assure that City funds are not used, directly or indirectly, to promote, reinforce or perpetuate discriminatory practices. The City is committed to fostering an environment in which all businesses are free to participate in business opportunities without the impediments of discrimination and participate in all City contracts on an equitable basis. In accordance with the contracting requirements of the City, the City’s antidiscrimination policy is applicable to this Notice of Contracting Opportunity (hereinafter, “NOCO”).¹

For this NOCO, the City has not established ranges for the participation of MBEs, WBEs and/or DSBEs (collectively, “M/W/DSBEs”), but applicant is still required to exercise its Best and Good Faith Efforts to include M/W/DSBEs in its proposal. “Best and Good Faith Efforts” are those efforts, the scope, intensity and appropriateness of which are designed and performed to achieve meaningful participation of M/W/DSBEs in the work described by the NOCO. Applicant’s desire to self-perform all of the work does not excuse applicant from its exercise of Best and Good Faith Efforts. Solicitations and any commitments with M/W/DSBEs shall be designated on the Solicitation For Participation and Commitment Form. The submission of this form and any supporting documentation (more fully discussed below) is an element of responsiveness to the NOCO and failure to submit the required information will result in rejection of your proposal.

Applicant hereby verifies that all forms, information and documentation submitted to OEO are true and correct and is notified that the submission of false information by applicant is subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities which may include payment of a fine of at least \$1,000 and a term of imprisonment of not more than two years. Applicant also acknowledges that under 18 Pa.C.S. §4107.2 (a) (4) it is a felony in the third degree, punishable by a term of imprisonment of not more than seven years in addition to the payment of any fines or restitution, if, under any Contract awarded pursuant to this NOCO, applicant fraudulently obtains public moneys reserved for or allocated or available to minority business enterprises or women’s business enterprises.

¹ The term “Notice of Contracting Opportunity,” shortened to the acronym “NOCO,” refers to the City’s contract solicitation documents and information posted on eContract Philly. Generally, these documents take the form of a Request for Proposals (RFP), Request for Qualifications (RFQ) or Request for Expression of Interest (RFI) and include any other document or information (for example, exhibits, appendices) related to the posting of the new contract opportunity.

A. M/W/DSBE PARTICIPATION

1. Only firms that are certified by an approved certifying agency² and identified in the OEO Certification Registry by the time of contract award will be counted for participation. An OEO Certification Registry is maintained by the OEO and is available online at www.phila.gov/OEO/directory. Firms owned and controlled by minority persons, women or disabled persons, which are certified as MBE, WBE, DSBE or DBE by an approved certifying agency may apply to the OEO for listing in its OEO Certification Registry.

2. Participation is counted only if the M/W/DSBE performs a commercially useful function (“CUF”). An M/W/DSBE performs a Commercially Useful Function when it performs a distinct element of a City Contract (as required by the services to be performed in accordance with the NOCO) which is worthy of the dollar amount of the M/W/DSBE’s participant agreement and the M/W/DSBE carries out its responsibilities by managing and supervising the services involved and actually self-performing at least twenty percent (20%) of the services of the participant agreement with its own employees. For suppliers, an M/W/DSBE performs a Commercially Useful Function when it is responsible for sourcing the material, negotiating price, determining quality and quantity, ordering the material and paying for it from its own funds. Commercial usefulness will be evaluated and determined by the OEO on a proposal by proposal basis as informed by prevailing industry standards and the M/W/DSBE’s NAIC codes.

3. 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 counted toward one participation range as either an MBE or WBE or DSBE. The firm will not be counted toward more than one category. Applicants will note with their submission which category, MBE or WBE or DSBE, is submitted for counting.

4. An MBE/WBE/DSBE submitting as the prime applicant is required, like all other applicants, to submit a proposal that is responsive to the Policy. In addition, the participation of an M/W/DSBE partner, as part of a joint venture created for this contract, may be counted only to the extent of the M/W/DSBE partner’s ownership interest in the joint venture in accordance with the following criteria:

- The MBE, WBE or DSBE partner(s) must be identified in the OEO Registry prior to contract award;
- The M/W/DSBE partner(s) must derive substantial benefit from the arrangement;
- The M/W/DSBE partner(s) must be substantially involved in all phases of the contract including planning, staffing and daily management;
- The business arrangement must be customary (i.e., each partner shares in the risk and profits of the joint venture commensurate with their ownership interest, contributes working capital and other resources, etc).

5. M/W/DSBE subcontractors must perform at least twenty percent (20%) of the total amount of work to be performed under the subcontract with their own employees.

² Approved certifying agencies are identified on the OEO webpage found at www.phila.gov/OEO. Applicant is strongly encouraged to search the Pennsylvania Unified Certification Program (“PaUCP”) Directory which offers a robust listing of DBEs; the PaUCP Directory is found at www.paucp.com.

6. In listing participation commitments on the Solicitation for Participation and Commitment Form, applicants are required to list a detailed description of the services or supply effort, the dollar amount of the quotation, and percentage of the contract the participation represents. In calculating the percentage amount, applicants may apply the standard mathematical rules in rounding off numbers. The OEO reserves the right to request clarifying information from applicants in the event of an inconsistency or ambiguity in the Solicitation For Participation and Commitment Form.

B. RESPONSIVENESS

1. A proposal responsive to the Policy is one which contains documentary evidence of the applicant's exercise of Best and Good Faith Efforts. The applicant's Solicitation For Participation and Commitment Form should include evidence of the M/W/DSBEs that have been solicited and any commitments to use M/W/DSBEs in performance of the contract. This form should be submitted with applicant's proposal but the City, at its sole discretion, may allow applicants to submit or amend the Solicitation For Participation and Commitment Form at any time prior to award. As an expression of Best and Good Faith Efforts, the Solicitation For Participation and Commitment Form must contain the following information:

- Documentation of all solicitations (regardless of whether commitments resulted there from) as well as all commitments made on the enclosed document entitled "Solicitation For Participation and Commitment Form". Applicants should only make actual solicitations of M/W/DSBEs whose services or materials are within the scope of this NOCO. Mass mailing of a general nature to M/W/DSBEs or similar methods will not be deemed solicitation, but rather will be treated as informational notification only. A reasonable period of time should be given to all solicited firms to ensure that they have sufficient time to adequately prepare their quotes/subproposals. The applicant's listing of a commitment with an M/W/DSBE constitutes a representation that the applicant has made a legally binding commitment to contract with such firm, upon receipt of a contract award from the City ("Contract Commitment").
- If the applicant has entered into a joint venture with an MBE, WBE and/or DSBE partner, the applicant is also required to submit along with the Solicitation For Participation and Commitment Form, a document entitled "Joint Venture Eligibility Information Form," available at OEO, for the City's review and approval of the joint venture arrangement.

2. In evaluating applicant's Best and Good Faith Efforts, OEO will review the scope, intensity and appropriateness of these efforts to ascertain whether they could reasonably be expected to achieve meaningful M/W/DSBE participation in this contract. Failure to submit the documentary evidence of Best and Good Faith Efforts will result in rejection of the proposal as nonresponsive, although the City, at its sole discretion, may allow applicants to submit or amend their submission at any time prior to award which may result in revision to applicant's participation commitments. The submission shall contain and discuss, at a minimum, the following:

- Provide reasons for not committing with any MBE/WBE/DSBEs that submitted a

quote/subproposal, regardless of whether the quote/subproposal was solicited by applicant.

- Provide any additional evidence pertinent to applicant's conduct relating to this NOCO including sufficient evidence which demonstrates to the OEO that applicant has not engaged in discriminatory practices in the solicitation of and commitment with contract participants. In describing applicant's efforts to achieve meaningful M/W/DSBE participation, applicant may submit any corroborating documentation (e.g., copies of advertisements for participation).

The applicant's documentary evidence will be reviewed by the OEO to determine whether applicant exercised Best and Good Faith Efforts. Applicant's expressed desire to self-perform services with its own employees will not excuse applicant from exercising Best and Good Faith Efforts to include M/W/DSBEs in its proposal. OEO's review will include consideration of the following:

- Whether the applicant's actions were motivated by considerations of race or gender or disability. The OEO may investigate the applicant's contracting activities and business practices on similar public and private sector contracts. For example, if applicant rejects any M/W/DSBE based on price, applicant must fully document its reasons for the rejection and also demonstrate that applicant subjects non-M/W/DSBEs to the same pricing standards. OEO will investigate whether there was any attempt at good faith negotiation of price.
- Whether M/W/DSBEs were treated as equally as other businesses in the solicitation and commitment process. For example, the OEO will investigate whether M/W/DSBEs are given the same information, access to the plans and requirements of the contract and given adequate amount of time to prepare a quote/subproposal as others who were solicited by applicant. The OEO will also investigate whether M/W/DSBEs were accorded the same level of outreach as non-M/W/DSBEs, for example whether applicant short listed M/W/DSBEs for participation or solicited M/W/DSBEs at any pre-proposal meetings.
- Whether the applicant's contracting decisions were based upon policies which disparately affect M/W/DSBEs. OEO will ascertain whether applicant selected portions of work or material needs consistent with the capacity of available M/W/DSBE subcontractors and suppliers. OEO will consider whether applicant employed policies which facilitate the participation of M/W/DSBEs on City contracts such as segmentation of the contract or prompt payment practices.

3. After review of the applicant's submission and other information the OEO deems relevant to its evaluation, the OEO will make a written determination that will be forwarded to the awarding City Department.

- If the proposal is determined nonresponsive by the OEO, the applicant will be notified and may file a written appeal with the Executive Director of OEO within forty-eight (48) hours of the date of notification; the decision of the Executive Director shall be final.

C. RESPONSIBILITY

1. Upon award, the completed Solicitation For Participation and Commitment Form and accompanying documents regarding solicitation and commitments with MBEs, WBEs and DSBEs become part of the contract and the successful applicant is required to enter into legally binding agreement(s) (“M/W/DSBE Subcontract(s)”) with its M/W/DSBE participants for the services and in the dollar amount(s) and percentage(s) as so committed (the “Contract Commitment(s)”). M/W/DSBE percentage commitments are to be maintained throughout the term of the contract and shall apply to the total contract value (including amendments). Any change in commitment, including but not limited to substitutions for the listed firm(s), changes or reductions in the work and/or listed dollar/percentage amounts, must be pre-approved in writing by the OEO.

2. Unless otherwise specified in the M/W/DSBE Subcontract, the successful applicant shall, within five (5) business days after receipt of a payment from the City for services performed under the contract, deliver to its M/W/DSBE participants, their proportionate share of such payment for services performed (including the supply of materials). In connection with the payment of its M/W/DSBE participants, the successful applicant agrees to fully comply with the City’s payment reporting process which may include the use of electronic payment verification systems.

3. No privity of contract exists between the City and any M/W/DSBE participant identified in any contract resulting from this NOCO. The City does not intend to give or confer upon any such M/W/DSBE participant(s) any legal rights or remedies in connection with the subcontracted services pursuant to Executive Order 03-12 or by reason of any contract resulting from the NOCO except such rights or remedies that the M/W/DSBE subcontractor may seek as a private cause of action under any legally binding contract to which it may be a party.

4. If the OEO determines that the applicant has discriminated against a M/W/DSBE at any time during the term of the contract, the OEO may recommend to the Director of Finance the imposition of sanctions on the applicant including debarment of the applicant from submitting and/or participating in future City contracts for a period of up to three (3) years.

D. ACCESS TO INFORMATION

1. The OEO shall have the right to make site visits to the applicant’s place of business and/or job site and obtain documents and information from any applicant, subcontractor, supplier, manufacturer or contract participant that may be required in order to ascertain applicant’s responsiveness and responsibility.

2. Failure to cooperate with the OEO in its review may result in a recommendation to terminate the contract.

E. RECORDS AND REPORTS

1. The successful applicant shall maintain all books and records relating to its M/W/DSBE commitments (e.g. copies of quotations, subcontracts, joint venture agreement, correspondence, cancelled checks, invoices, telephone logs) for a period of at least three (3) years following acceptance of final payment from the City. These records shall be made available for inspection by the OEO and/or other appropriate City officials. The successful applicant agrees to submit reports and other documentation to the OEO as deemed necessary by the OEO to ascertain the successful applicant's fulfillment of its M/W/DSBE commitments.

F. REMEDIES

1. The successful applicant's compliance with the requirements of Executive Order 03-12 is material to the contract. In the event the City determines that the successful applicant has failed to comply with any of the requirements of this Antidiscrimination Policy, including substantial compliance with any Contract Commitment, the City may, in addition to any other rights and remedies it may have under the Contract which includes termination of the Contract, exercise one or more of the following remedies which shall be deemed cumulative and concurrent:

- Debar successful applicant from proposing on and/or participating in any future contracts or a maximum period of three (3) years.
- Withhold from the contract payment(s) or any part thereof until corrective action is taken. If corrective action is not taken to the satisfaction of OEO, the City may, without institution of a lawsuit, deduct money in an amount equal to the M/W/DSBE shortfall which amount shall be collected and considered not as a penalty but as liquidated damages for the successful applicant's failure to comply with the contract.

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 any contract resulting from this NOCO nor shall it give rise to actions by any third parties including identified M/W/DSBE participants.

APPENDIX B

ANTIDISCRIMINATION POLICY SOLICITATION FOR PARTICIPATION AND COMMITMENT FORM
Minority (MBE), Woman (WBE), Disabled (DSBE) and Disadvantaged (DBE) Business Enterprises¹

DEPARTMENT OF COMMERCE OFFICE OF ECONOMIC OPPORTUNITY (OEO)						
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DSBE <input type="checkbox"/> M-DBE <input type="checkbox"/> W-DBE						
Bid Number or Proposal Title: Neighborhood Funding		Name of Bidder/Proposer:		Bid/RFP Opening Date:		
Stream American Street Empowerment Zone						
List below ALL MBE/WBE/DBE/DSBEs that were solicited regardless of whether a commitment resulted therefrom. - Photocopy this form as necessary.						
		Work or Supply Effort to be Performed	Date Solicited		Commitment Made	Give Reason(s) If No Commitment
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DSBE <input type="checkbox"/> M-DBE <input type="checkbox"/> W-DBE			By Phone	By Mail	Yes (If Yes, give date) NO	
Company Name						
Address						
Contact Person			Quote Received	Amount Committed To		
Telephone Number			YES ²	NO	Dollar Amount	
Fax Number					\$	
Email Address					Percent of Total Bid/RFP	
OEO REGISTRY #	CERTIFYING AGENCY			%		
		Work or Supply Effort to be Performed	Date Solicited		Commitment Made	Give Reason(s) If No Commitment
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DSBE <input type="checkbox"/> M-DBE <input type="checkbox"/> W-DBE			By Phone	By Mail	Yes (If Yes, give date) NO	
Company Name						
Address						
Contact Person			Quote Received	Amount Committed To		
Telephone Number			YES ²	NO	Dollar Amount	
Fax Number					\$	
Email Address					Percent of Total Bid/RFP	
OEO REGISTRY #	CERTIFYING AGENCY			%		
		Work or Supply Effort to be Performed	Date Solicited		Commitment Made	Give Reason(s) If No Commitment
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DSBE <input type="checkbox"/> M-DBE <input type="checkbox"/> W-DBE			By Phone	By Mail	Yes (If Yes, give date) NO	
Company Name						
Address						
Contact Person			Quote Received	Amount Committed To		
Telephone Number			YES ²	NO	Dollar Amount	
Fax Number					\$	
Email Address					Percent of Total Bid/RFP	
OEO REGISTRY #	CERTIFYING AGENCY			%		

1. If bidder/proposer makes solicitation(s) and commitment(s) with DBE, Bidder/Proposer shall indicate which class type, M-DBE, W-DBE, is submitted for credit.

**CITY OF PHILADELPHIA TAX STATUS AND CLEARANCE STATEMENT
FOR APPLICANTS
THIS IS A CONFIDENTIAL TAX DOCUMENT
NOT FOR PUBLIC DISCLOSURE
APPENDIX C**

This form must be completed and returned with Applicant’s proposal in order for Applicant to be eligible for award of a contract with the City. Failure to return this form will disqualify Applicant’s proposal from further consideration by the Contracting Department. The City of Philadelphia, acting through its Department of Revenue and the Department of Licenses and Inspections, will utilize the information contained in the completed form to review the tax and Philadelphia Code compliance records of the person and/or entity identified below as part of the proposal evaluation process and will report their findings to the Contracting Department and the City’s authorized investigatory agents. By signing the certification statement below as Applicant or an authorized representative of Applicant, you represent that Applicant is current and in compliance with, or has made or intends to make satisfactory arrangements with the City to come into compliance with the tax and regulatory provisions of The Philadelphia Code.

Applicant Name	
Contact Name and Title	
Street Address	
City, State, Zip Code	
Phone Number	
Federal Employer Identification Number or Social Security Number:	
Philadelphia Business Privilege Tax Account Number (if none, state “none”) ³	
Business Privilege License Number (if none, state “none”) ⁴	

I certify that the Applicant named above has all required licenses and permits and is current or has made satisfactory arrangements with the City to become current with respect to the payment of City taxes or other indebtedness owed to the City (including, but not limited to, taxes collected by the City on behalf of the School District of Philadelphia), and is not in violation, or has made satisfactory arrangements to cure any violation, of other regulatory provisions applicable to Applicant contained in The Philadelphia Code.

Authorized Signature

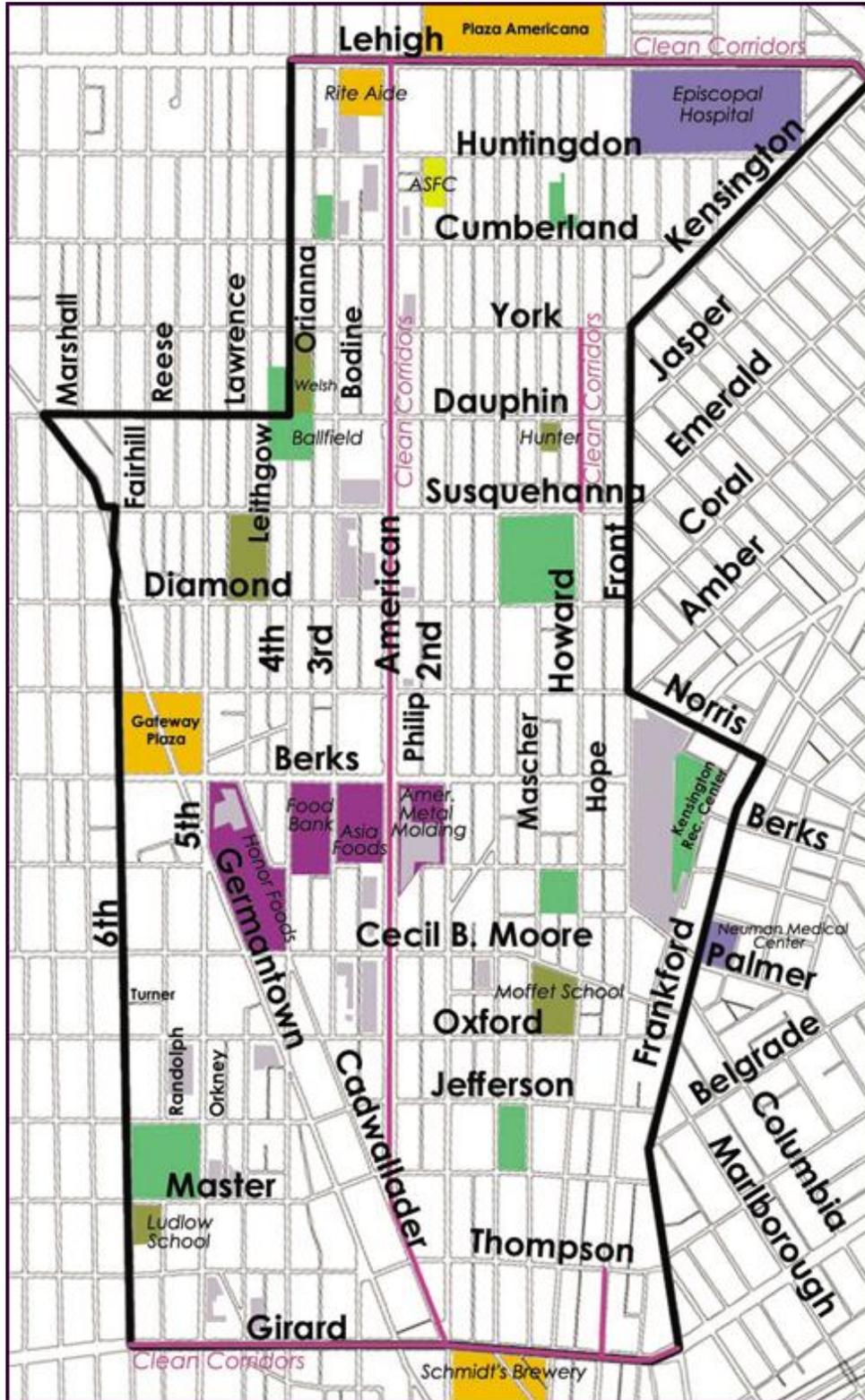
Date

Print Name and Title

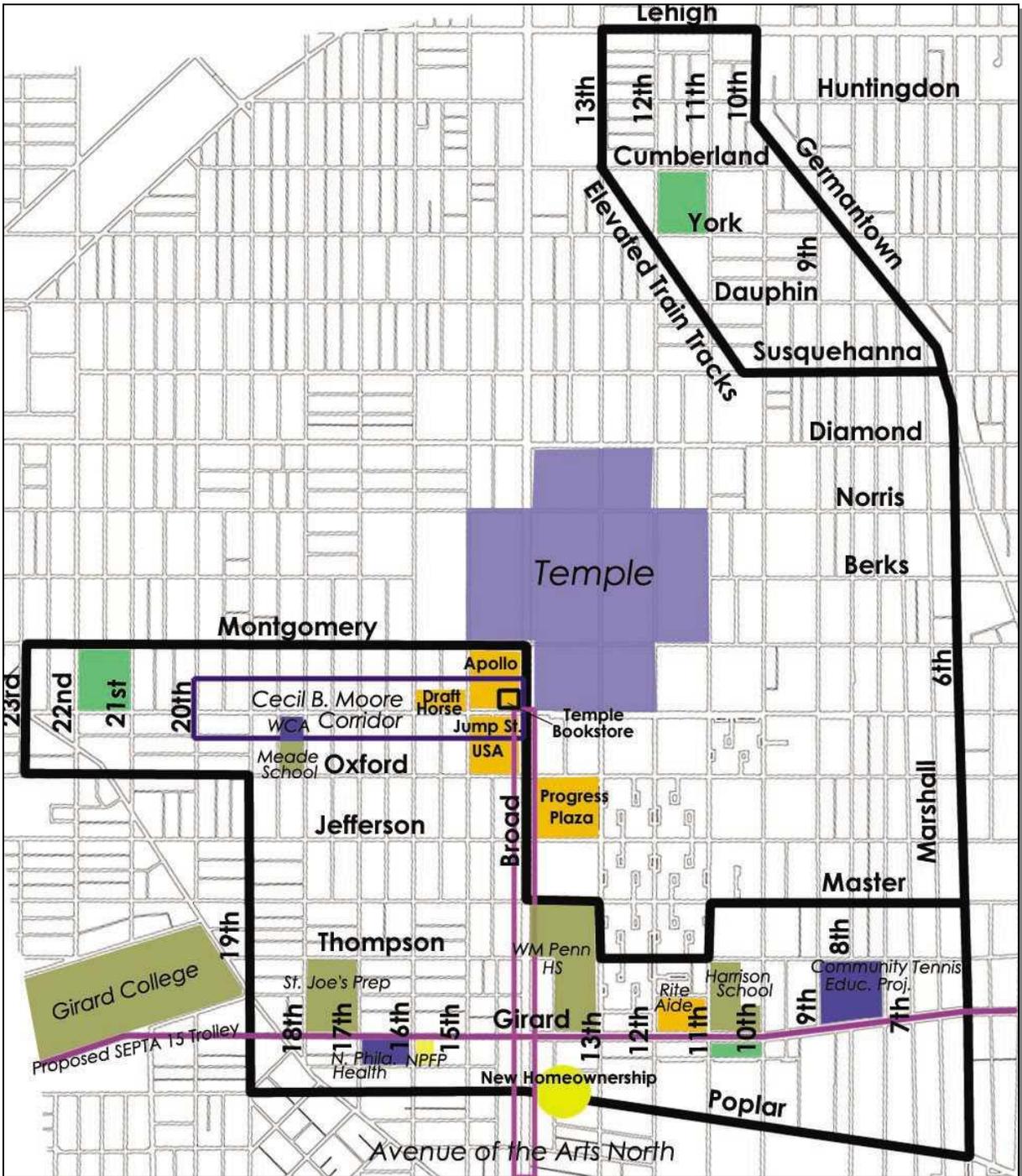
³ To apply for a City of Philadelphia Business Privilege Tax Account Number, please go to <http://business.phila.gov/Pages/Home.aspx> and click on “Register Your Business.”

⁴ To apply for a Business Privilege License, please go to <http://business.phila.gov/Pages/Home.aspx> and click on “Obtain a Business Privilege License” or “Register Your Business.”

Map of the American Street Empowerment Zone
APPENDIX D



Map of the North Central Empowerment Zone APPENDIX D



COVER SHEET
APPENDIX E

PROGRAM NAME: NEIGHBORHOOD ECONOMIC DEVELOPMENT IMPACT GRANT PROGRAM

APPLICANT INFORMATION

Applicant Name: _____

Applicant Address: _____

City: _____ State: _____ Zip Code: _____

Contact _____ Person _____ &
Title: _____

Phone: _____ Ext. _____ Email: _____

EIN #: _____ Business Privilege #: _____

CityTax #: _____ DUNS#: _____

Executive Director: _____ Website: _____

PROPOSAL INFORMATION

Project Name: _____

Project Location (address or blocks): _____

City: _____ State: _____ Zip Code: _____ City Council: _____ Census Tract: _____

Project Description:

Total Project Budget: _____ Amount Requested: _____ Projected Jobs to be created: _____

Signature of Executive Director: _____ Date Signed: _____

Signature of Board Chair: _____ Date Signed: _____