

**City of Philadelphia  
Economic Opportunity Plan**

**UNIVERSITY CITY  
SCIENCE CENTER**

## Table of Contents

I. Introduction and Definitions .....	3
II. Project Scope .....	3
III. Goals .....	4
IV. Equity Ownership .....	5
V. Diversity Practices .....	6
VI. Responsiveness .....	8
VII. Compliance and Monitoring of Best and Good Faith Efforts .....	8
VIII. Remedies and Penalties for Non-Compliance .....	9
Attachment A .....	11

## **I. Introduction and Definitions**

The City of Philadelphia strongly encourages the use of certified Minority ("MBE"), Women ("WBE"), Disabled ("DSBE") and Disadvantaged<sup>1</sup> ("DBEs") Business Enterprises (collectively, "M/W/DSBEs") and minority and female workers in all aspects of **University City Science Center** located at 34<sup>th</sup> & Ludlow St. which may include financial investment, design, construction and operations. In support of this objective, the City of Philadelphia will require that **the Science Center** (the "Owner") of the Project commit to this Economic Opportunity Plan ("EOP" or "Plan"). This Plan contains ranges of projected M/W/DSBE utilization and goals for the employment of minority and female workers in connection with the Project at the Site. This Plan shall be a part of and incorporated into the resulting agreement(s) with the owners of the **University City Science Center**.

The Owner hereby verifies that all information submitted to the Office of Economic Opportunity ("OEO") in response to this Plan, is true and correct and take notice that the submission of false information is subject to the penalties of 18 PA C. S. Section 4904, relating to unsworn falsification to authorities and 18 PA C. S. Section 4107.2 (a)(4), relating to fraud in connection with minority business enterprises or women's business enterprises.

For the purposes of this Plan, MBE, WBE, DBE and DSBE shall refer to certified businesses so recognized by OEO. Only the work or supply effort of firms that are certified as M/W/DSBEs by an OEO approved certifying agency<sup>2</sup> will be eligible to receive credit as a Best and Good Faith Effort. In order to be counted, certified firms must successfully complete and submit to the OEO an application to be included in the OEO Registry which is a list of registered M/W/DSBEs maintained by the OEO and available online at [www.phila.gov/oeo/directory](http://www.phila.gov/oeo/directory).

For this Plan, the term "Best and Good Faith Efforts," the sufficiency of which shall be in the sole determination of the City, means: efforts, the scope, intensity and appropriateness of which are designed and performed to foster meaningful and representative opportunities for participation by M/W/DSBEs and an appropriately diverse workforce and to achieve the objectives herein stated. Best and Good Faith Efforts are rebuttably presumed met when commitments are made within the M/W/DSBE participation ranges established for the improvements and a commitment is made to employ a diverse workforce as enumerated herein.

## **II. Project Scope.**

The Science Center will develop a dynamic hub for innovation, entrepreneurship and technology commercialization in the Greater Philadelphia region, the University City Science Center helps entrepreneurs, startups, and growing and established companies as they move their technologies into the marketplace, where they can benefit the region and the world.

Additional scope information will be further developed as the project moves closer to design and construction.

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<sup>1</sup> Disadvantaged Business Enterprises ("DBEs") are those socially or economically disadvantaged minority and woman owned businesses certified under 49 C.F.R. Part 26.

<sup>2</sup> A list of "OEO approved certifying agencies" can be found at [www.phila.gov/oeo](http://www.phila.gov/oeo)

### III. Goals.

#### A. M/W/DSBE Participation Ranges.

As a benchmark for the expression of "Best and Good Faith Efforts" to provide meaningful and representative opportunities for M/W/DSBEs in the Project, the following participation ranges have been established. These participation ranges represent, in the absence of discrimination in the solicitation and selection of M/W/DSBEs, the percentage of MBE, WBE and DSBE participation that is reasonably attainable through the exercise of Best and Good Faith Efforts. These percentages relate to the good faith estimated cost of the entire Project. 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 credited toward one participation range as either an MBE or WBE or DSBE. The ranges are based upon an analysis of factors such as the size and scope of the improvements and the availability of MBEs, WBEs, DSBEs and DBEs to participate in this development.

The following contract goals have been set for the Project:

Contracts	Minority Owned	Female Owned	DsBE	Total
Professional Services	10-15%	5-10%	BGFE	15-25%
Construction	25-30%	5-10%	BGFE	30-40%

#### B. Employment Goals.

The owner agrees to exhaust Best and Good Faith Efforts to employ minority persons and females in its workforce of apprentices and journeymen at the following levels<sup>3</sup>:

Minority Apprentices - 50% of all hours worked by all apprentices.

Minority Journeymen - 32% of all journey hours worked across all trades.

Female Apprentices - 7% of all hours worked by all apprentices.

Female Journeypersons - 2% of all hours worked across all trades.

#### Local Residents

32%

<sup>3</sup> These goals, which have been adopted by the Economic Opportunity Cabinet, are the recommendations of the Mayor's Commission on Construction Industry Diversity.

#### IV. Equity Ownership

“Economic Opportunity Plans,” to require that each Economic Opportunity Plan include information concerning the Equity Ownership (as defined) of (1) the contractor, developer and/or recipient of financial assistance required to submit the Plan; (2) participants (as defined) engaged by the contractor, developer and/or recipient of financial assistance; and (3) the eventual owner or owners of the project or contract to which the Plan relates; and requiring periodic reports for the purpose of updating Equity Ownership information; all under certain terms and conditions.

Identify the current equity owners of the project.

Type of Ownership	% Minority Owned	% Women-Owned	% Disabled Persons
Sole Proprietorship	n/a	n/a	n/a
Partnership	n/a	n/a	n/a
Corporation	n/a	n/a	n/a

If the project is privately owned, the following individuals will become the anticipated Equity Owners upon completion.

Type of Ownership	% Minority Owned	% Women-Owned	% Disabled Persons
Sole Proprietorship	n/a	n/a	n/a
Partnership	n/a	n/a	n/a
Corporation	n/a	n/a	n/a

University City Science Center is a Pennsylvania non-profit corporation, the shareholders of which are the following:

- The American College
- Bryn Mawr College
- Burlington County College
- The Children’s Hospital of Philadelphia
- Delaware State University
- Drexel University
- East Stroudsburg University
- Haverford College
- Lafayette College
- Lehigh University
- Lincoln University
- Mercy Health System
- NUS America (National University of Singapore)
- The Penjerdel Council
- Pennsylvania Hospital
- Philadelphia College of Osteopathic Medicine
- Philadelphia University

The Presbyterian Foundation for Philadelphia  
 Rowan University  
 Rutgers, The State University of New Jersey  
 Salus University  
 Swarthmore College  
 Temple University  
 Temple University School of Podiatric Medicine  
 Thomas Jefferson University  
 University of the Arts  
 University of the Sciences  
 University of Delaware  
 University of Pennsylvania  
 Villanova University  
 Widener University

Following the completion of the project, the project owner is responsible for meeting the reporting guideline identified in the Philadelphia Code.<sup>4</sup>

**V. Diversity Practices**

In compliance with Chapter 17-1603 entitled Equal Opportunity Plan: Contents The Economic Opportunity Plan shall contain a statement from the contractor, developer and/or recipient of financial assistance summarizing past practices by identifying and describing examples of processes used to develop diversity at any/all levels of its organization including, but not limited to, Board and managerial positions. This statement shall also summarize strategic business plans specific to current or past practices of M/W/DSBE utilization on government and non-government projects and procurement. Where appropriate, such a statement should contain:

1. Describe employment and recruitment policies used to achieve diversity in your workforce. University City Science Center is an equal opportunity employer.

2. Provide the race, gender, and residential (local) status of your:

A. Directors	n/a
B. Management	n/a
C. General Workforce	n/a

\* University City Science Center does not maintain records of the race or gender of its Directors, Management or General Workforce.

3. Identify your organization’s methods of solicitation and utilization of Minority, Woman and Disabled Businesses (M/W/DSBEs). Please be specific in describing outreach and any procurement policies that are focused on creating or sustaining business relationships with M/W/DSBEs.

<sup>4</sup> Philadelphia Code 17-1603.

University City Science Center participated with Wexford Science and Technology in developing the medical arts building located at 3737 Market Street. Attachment A is the records of INTECH Construction demonstrating compliance with the EOP.

4. What percentage of your company's total spend with vendors and suppliers is attributable to M/W/DSBEs? Please include a list of the largest M/W/DSBEs used by your organization in the last 12 months.

A. Identify the type of goods or services purchased.	
<del>B. Amount of the contract.</del>	
C. Indicate if any of these M/W/DSBEs are listed in the City of Philadelphia's Office of Economic Opportunity Registry.	
<del>D. Are these companies certified as M/W/DSBEs? Do you rely on any particular certifying agency?</del>	
E. If there is no previous M/W/DSBE utilization, the Plan shall contain a statement that explains the reason for the lack of M/W/DSBE participation in past contract(s) or project(s).	

With the exception of the EOP and project described in the response to # 3 above, the University City Science Center does not keep records responsive to this inquiry. By way of further answer, please see Attachment A of INTECH Construction Co. with regard to the University City Science Center's most recent real estate development project.

5. Describe any initiatives made by your organization to increase investment and promote equity ownership by minorities and women.

University City Science Center is committed as one of its core activities to the advancement of modest and nascent technical businesses. This commitment is demonstrated in any of the dozen programs that the University City Science Center fosters. These include Port Business Incubators (The Port offers lab and office space, plus networking, professional development, and entrepreneurial support programs to help start-up and growing companies build their businesses), Quorum (Quorum can help grow it into a successful business by connecting entrepreneurs and innovators with information, funding and resources), STEAM Initiatives (Adding Art to the STEM subjects of Science, Technology, Engineering and Math turns STEM into STEAM... and empowers students to channel their creativity as they engage with STEAM disciplines), QED Proof of Concept Program (Sometimes an idea alone is not enough. The QED Proof-of-Concept Program offers funding and business advice to researchers and scientists at participating colleges, universities, hospitals and other research institutions in Greater Philadelphia and

beyond), and many more programs. In addition, University City Science Center offers office and lab space for established companies.

## **VI. Responsiveness**

A. The owner shall identify M/W/DSBE commitments and other agreements evidencing their intent to use Best and Good Faith efforts to employ minority persons and females at the levels stated herein on the form entitled "M/W/DSBE Participation and Workforce Commitments." The identified commitments on this form constitute a representation that the M/W/DSBE is capable of providing commercially useful goods or services relevant to the commitments and that the Owner has entered into legally binding commitments or other legally binding agreements with the listed M/W/DSBEs for the work or supply effort described and the dollar/percentage amounts set forth on the form. In calculating the percentage of M/W/DSBE participation, the standard mathematical rules apply in rounding off numbers. In the event of inconsistency between the dollar and percentage amounts listed on the form, the percentage will govern.

B. M/W/DSBE commitments are to be memorialized in a written subcontract agreement. Letters of intent, quotations, contracts, subcontracts and any other documents evidencing commitments with M/W/DSBEs, including the M/W/DSBE Participation and Workforce Commitments Form, become part of and an exhibit to the Agreement resulting from the RFP.

C. OEO will review the owner's commitments for the purpose of determining whether Best and Good Faith Efforts have been made. OEO reserves the right to request further documentation and/or clarifying information at any time during the construction and development of the Project.

## **VII. Compliance and Monitoring of Best and Good Faith Efforts.**

A. The owner agrees to cooperate with OEO in its compliance monitoring efforts, and to submit, upon the request of OEO, documentation relative to its implementation of the Plan, including the items described below:

- Copies of signed contracts and purchase orders with M/W/DSBE subcontractors
- Evidence of payments (cancelled checks, invoices, etc.) to subcontractors and suppliers to verify participation; and
- Telephone logs and correspondence relating to M/W/DSBE commitments.
- To the extent required by law, the Owner shall ensure that its on-site contractors maintain certified payrolls which include a breakout of hours worked by minority and female apprentices and journeypersons. These documents are subject to inspection by OEO.

B. Prompt Payment of M/W/DSBEs.

The owner agrees and shall cause its contractors to ensure that M/W/DSBEs participating in the Project receive prompt payment for their work or supply effort within five (5) business days after receipt of a proper invoice following satisfactory performance.

C. Oversight Committee.

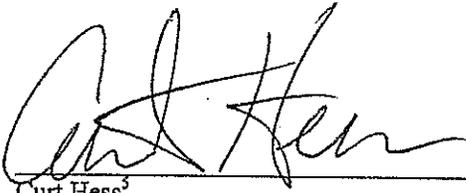
For this Project, in the sole discretion of the City, an oversight committee may be established consisting of representatives from [the Owner], representatives of the building trades, the construction manager, the City which may include the Project site's district councilperson, OEO, and appropriate community organizations ("Committee"). The Committee will meet regularly to provide advice for the purpose of facilitating compliance with the Plan.

D. Reporting.

The owner agrees to file an annual report with the City of Philadelphia and City Council concerning the performance of the Economic Opportunity Plan through the duration of the Project. In addition, during construction, the Owner will provide "snapshot" reports containing updates for certain categories of information contained in its annual report on a monthly basis during construction. Snapshot reporting will include: (i) utilization of M/W/DSBEs and/or DBEs, and (ii) the hiring and employment of minorities and females. All reports (quarterly & annually) provided to the City under this section will also be provided to the Office of Economic Opportunity.

## **VIII. Remedies and Penalties for Non-Compliance.**

A. The owner agrees that its compliance with the requirements of this Plan is material to the Agreement. Failure to comply with the Plan may constitute a substantial breach of the Agreement and is subject to the remedies and penalties contained therein or otherwise available at law or in equity. Notwithstanding the foregoing, no privity of contract exists between the City and any M/W/DSBE identified in any contract resulting from implementation of the Plan. Neither the Owner nor the City intends to give or confer upon any such M/W/DSBE any legal rights or remedies in connection with subcontracted services under any law or policy or by any reason of any contract resulting from implementation of the Plan except such rights or remedies that the M/W/DSBE may seek as a private cause of action under any legally binding contract to which it may be a party



Curt Hess<sup>5</sup>  
Senior Vice President, Real Estate Operations  
University City Science Center

2/27/15

Date



Angela Dowd-Burton<sup>6</sup>  
Executive Director  
City of Philadelphia  
Office of Economic Opportunity

3/3/2015

Date

<sup>5</sup> The Owner's Representative is required to sign and date, but the City reserves the right to obtain the Owner's Representative signature thereon at any time prior to Plan certification. The Owner Representative will receive from the City a certified copy of its Plan which should be filed with the Chief Clerk of City Council within fifteen (15) days of the issuance and published by OEO, in a downloadable format, on the OEO website.

<sup>6</sup> Pursuant to Section 17-1603 (2) of The Philadelphia Code, the representative of the City of Philadelphia's Office of Economic Opportunity, the "certifying agency", certifies that the contents of this Plan are in compliance with Chapter 17-1600.

**Attachment A**  
**Intech Construction Co.**  
**EOP Report**



**3737 MARKET STREET**

Owner: **Wexford/Science Center**

Construction Manager/General Contractor: **INTECH Construction, Inc.**

**PROJECT UPDATE – Final**

The first phase of the project consists of constructing a 13-story core and shell for a science and technology building. Building will include a basement, exterior glass curtain wall system, green roof, and chilled beams. This project is complete.

**PROCUREMENT OVERVIEW**

Packages awarded to date represent approximately 100% of all subcontracting opportunities, with MBE/WBE participation reaching 24% overall.

**SUBCONTRACTING**

**Goals**

MBE: 15-20%  
WBE: 5-10%

**Commitments to Date**

MBE: 20% \*  
WBE: 4% \*

\* Subcontracting commitments only reflect awards made to-date and are based on total value of subcontracting opportunities. Projected participation based on reasonable assumptions of MBE/WBE participation in key trades: **MBE: 20% / WBE: 4%**

**Subcontractors (as of September 30, 2014)**

<u><b>Name</b></u>	<u><b>Status</b></u>	<u><b>Services</b></u>
D' Angelo Brothers	Prime	Earthwork
Cook Drilling	Prime	Caissons/Foundations
MTD Land Surveying	Prime	Layout Engineering
RA Kennedy & Sons	Prime	Windows/Curtainwall
Decision Distribution (MBE)	2 <sup>nd</sup> -tier Supplier	Windows/Curtainwall Distributor/Supplier
Carson Concrete	Prime	Cast-In-Place Concrete
Belcher Roofing	Prime	Below Grade Waterproofing
MacDonald Electric	Prime	Underground Electric
EJ Raith	Prime	Underground Plumbing
American Stair	Prime	Metal Stairs
Ferrick Construction (WBE)	Prime	Tank Removal
Safeway Services	Prime	Scaffold
ThyssenKrupp	Prime	Elevators
SJA Construction (WBE)	2 <sup>nd</sup> -tier Sub/Supplier	Concrete
Tierra Concrete (MBE)	2 <sup>nd</sup> -tier Supplier	Constr. Materials/Utility work/Storm tie-ins
Palmieri Electric	Prime	Electrical
Oliver Fire Protection	Prime	Sprinkler
Herman Goldner	Prime	HVAC/Plumbing
US Lumber (MWBE)	2 <sup>nd</sup> -tier Supplier	Lumber Supplier
EC Fence & Iron Works (WBE)	2 <sup>nd</sup> -tier Supplier	F&I Security Fencing
Bell Concrete (MWBE)	2 <sup>nd</sup> -tier Supplier	Concrete Supplier

**Subs Cont'd**



AnS Steel Company (WBE)	2 <sup>nd</sup> -tier Supplier	Steel Supplier
Sutcliff Supply (WBE)	2 <sup>nd</sup> -tier Supplier	Misc. Supplies
Aviman Management (MBE)	2 <sup>nd</sup> -tier Supplier	Concrete Curb & Sidewalk
Bowlin Enterprises	Prime	Pre-Fab Booth
Accord Mechanical (MBE)	2 <sup>nd</sup> -tier Sub/Supplier	Sheetmetal/HVAC Equipment
Frank T. Lutter	Prime	Drywall & Carpentry
EDA Contractors	Prime	Roofing
Crescent Iron Works	Prime	Misc Metals
PBA Construction (WBE)	2 <sup>nd</sup> -tier Sub	Misc Metals Erector/Installer
Liberty Flooring (MBE)	Direct	Construction Office Flooring
DM Sabia	Prime	Masonry
Concrete Cutting Systems	Prime	Concrete Cutting
Samuel Grossi & Sons	Prime	Structural Steel
Parisi	Prime	Architectural Woodwork
Central Metals/Roma Steel (WBE)	2 <sup>nd</sup> -tier Sub	Stair Erector
North East Fireproofing	Prime	Spray-on Fireproofing
Pioneer Contracting (WBE)	Prime	Caulker
Metal Sales	Prime	Metal Wall Panels
Stenton Painting	Prime	Painting
Mayfield	Prime	Landscaping
LWC (MBE)	Prime	Final Cleaning - Interior
City Cleaning (WBE)	Prime	Final Cleaning - Windows
Yorie Tile	Prime	Tile
Suburban Enterprises	Prime	Tile
D'Andrea Brothers	Prime	Bollards
Long Island Fireproof Door	Prime	Doors/Frames/Hardware
Manna (MWBE)	2 <sup>nd</sup> -tier Supplier	Electrical Supplies
CA Weiss (WBE)	2 <sup>nd</sup> -tier	Material Supply
Set Rite	Prime	Special Doors
Flooring Partnership (WBE)	Prime	Resilient Floor & Carpet
Tracorp (WBE)	Prime	Toilet Partitions/Misc Supplier
SSI Creative Group	Prime	Signage
Carr & Duff	Prime	Temporary Electric
Rodriguez Construction (MBE)	2 <sup>nd</sup> -tier Sub	Roofing/Waterproofing
Commonwealth Metal (WBE)	2 <sup>nd</sup> -tier Sub	Misc Metals
Preferred Fire Protection	Prime	Fire Protection
Philadelphia D&M	Prime	Drywall/Carpentry
RR Pucci & Associates	Prime	Chainlink Fencing
AAA Flag & Banner Co.	2 <sup>nd</sup> -tier Sub	Flags & Banners
WB Mason Company	Supplier	Site Office Supply
Accredited Environmental	2 <sup>nd</sup> -tier Sub	Environmental testing
West Philadelphia Locks	Supplier	Door Hardware
Ace Portable (WBE)	Supplier	Portable Water Closets
AJ Blosenski, Inc	Supplier	Dumpsters
National Reprographics Inc	Supplier	Document Management
Wausau Window & Wall Systems	2 <sup>nd</sup> -tier Sub	Specialty window
Office Basics	Supplier	Office equipment
Alpha Centurion Security (WBE)	Supplier	Security
ARC	Supplier	Document Solutions
Modular Space Corporation	2 <sup>nd</sup> -tier Sub	Office partitions
ReSteel Supply Company	Supplier	Reinforced Steel
Pennonni Associates	2 <sup>nd</sup> -tier Sub	Engineering
Tracy Mechanical	2 <sup>nd</sup> -tier Sub	HVAC
Volvo Rents	Supplier	Equipment rental



New Forma  
 Sherwin Williams  
 Richard S Burns Co.  
 ODD Graphic Company  
 Security & Data Tech  
 Atlas Flasher  
 Cannon Business Solutions  
 Lane Enterprises  
 Kempf Supply  
 Jenkintown Building Services  
 Med-Tex Services  
 Innovative Signs  
 Total Rental  
 Philadelphia D&M

2<sup>nd</sup>-tier Sub  
 Supplier  
 Supplier  
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 2<sup>nd</sup> Tier Sub  
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 Supplier  
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 Supplier  
 Supplier  
 Prime

Environmental Systems  
 Paint  
 Dumpster  
 Design & Marketing  
 Building & Data Security  
 traffic Control  
 Office Equipment  
 Storm Water Management  
 Building Supplier  
 Window Wall Cleaning  
 Safety Service  
 Signage  
 Equipment Rental  
 Drywall Installation

**WORKFORCE**

**Goals (Hours)**

Minority: 32%  
 Minority Apprentices (All Apprentice Hrs): 50%  
 Female: 7%  
 Female Apprentices (All Apprentice Hrs): 50%  
 West Philadelphia Residents: Encouraged

**Actual Hours (as of September 30, 2014)**

Minority: 21%  
 Female: 1%  
 West Philadelphia Residents: 3%  
 Philadelphia Residents: 39%  
 Minority Apprentices (All Apprentice Hrs): 34%  
 Female Apprentices (All Apprentice Hrs): 4%

**Breakdown (Actual Workers)**

Total Workforce: 228,991.30  
 Minority: 265  
 Female: 7  
 Philadelphia Residents: 427  
 West Philadelphia Residents: 37  
 All Apprentices: 89  
 Minority Apprentices: 24  
 Female Apprentices: 2