

CITY OF PHILADELPHIA
DIVISION OF SOCIAL SERVICES
DEPARTMENT OF HUMAN SERVICES

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REQUEST FOR QUALIFICATIONS

FOR PROVIDERS OF

ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP

COMMUNITY ENGAGEMENT AND
SUPPORT SERVICES

OR

YOUTH WORKER SERVICES

FOR
HIGH RISK YOUTH AGED 10-15

ISSUED: TUESDAY, NOVEMBER 1, 2005

APPLICATIONS DUE: FRIDAY, DECEMBER 2, 2005

This Request for Qualifications is available for download at <http://www.phila.gov>

JOHN F. STREET, MAYOR
PEDRO RAMOS, MANAGING DIRECTOR
JULIA DANZY, DIRECTOR OF SOCIAL SERVICES
CHERYL RANSOM-GARNER, DHS COMMISSIONER

REQUEST FOR QUALIFICATIONS
ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF COMMUNITY-BASED PREVENTION SERVICES
REQUEST FOR QUALIFICATIONS; ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP

COVER SHEET

(All applications must include this cover sheet on all copies submitted. No additional correspondence, cover letters, etc. are required. All information on this sheet must be completed for your application to be reviewed.)

1. CONTACT INFORMATION

Organization Name: _____

Mailing Address: _____

City, State, Zip: _____

Employer Identification Number: _____

Contact Person for This Proposal: _____

Contact Person's Title: _____

Telephone: _____ Fax: _____ Email: _____

2. FISCAL AND PROGRAM SUMMARY INFORMATION

What is the total amount of your budget request for the 6-month project period? \$ _____

Indicate which track of this RFQ you are applying for? _____ Community Engagement _____ Youth Worker

Indicate which of the identified neighborhoods your program will target:

____ 25th Police District (North Philadelphia/Kensington)

____ 12th Police District(Southwest Philadelphia)

3. PROGRAM PRIMARY LOCATION (if different from above)

Name of Facility: _____

Street Address: _____ Zip: _____

What is the current use of this location: _____

4. ACCEPTANCE OF REFERRALS: By submitting this application, the agency confirms that it will agree to accept referrals for this program from the Department of Human Services and its various affiliated agencies both public and private, and that it will collaborate with DHS in the effective implementation of a referral system and program evaluation for these services.

5. SIGNATURE OF CEO/APPLICANT: _____

DATE: _____

CITY OF PHILADELPHIA DIVISION OF SOCIAL SERVICES
DEPARTMENT OF HUMAN SERVICES

REQUEST FOR QUALIFICATIONS
ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP
COMMUNITY ENGAGEMENT AND SUPPORT SERVICES
YOUTH WORKERS

Background

The City of Philadelphia spends millions of dollars annually to enhance the well-being of Philadelphia's children and combat child abuse, neglect, juvenile delinquency, and violence by and against children. These investments, based on achieving the goals of the Mayor's Children's Investment Strategy, have resulted in improvements in some conditions for children. For example, the number of serious child abuse cases (i.e., child protective services cases) was about one-third lower in 2004 than in 1996; in 2004, there was a 6.6% drop in the number of children in out-of-home care. Similarly, the number of arrests of juveniles for serious crimes has dropped by 22% between 2000 and 2004, and while the number of arrests of juveniles for violent crime has recently increased by about 4%, that number is still over 18% lower than it was before the Mayor's Children's Investment Strategy was implemented in 2001. Also, while arrests of children under the age of 13 continue at high rates, the number of those arrested for Part 1 serious crimes has dropped by 29% since 2000.

Nonetheless, Philadelphia's children and youth still face significant challenges to their future success as adults and parents of the City's next generation. In particular, crime, violence, and delinquency still plague many of Philadelphia's young people:

- § There has been no improvement in the number of delinquent placements in recent years: 1,783 juveniles were in delinquent placement in 2004.
- § While arrests of juveniles for serious crimes declined in 2004, juvenile violent crime arrests went up: there were 1,902 juveniles arrested for violent crimes.
- § Juvenile perpetrators of homicide, after declining to a low of 12 in 2001, increased to 26 in 2004, the highest level since 1996. The number of homicide *victims* ages 7 to 17 increased from 12 in 2002 to 26 in 2004.
- § There were 10,706 petitions (allegations of misconduct) filed in Family Court last year, a 16% increase over 2003.

The loss of life and potential for the City's children and youth as a result of the conditions represented in these statistics is immeasurable. The costs of responding to these conditions are significant. Therefore, a major priority of the Philadelphia Division of Social Services is to increase the City's investment in proven strategies aimed at preventing youth victimization and violence in every area of the City.

In conjunction with that goal, Mayor Street has announced a the major new initiative: the Adolescent Violence Reduction Partnership (AVRP). AVRP represents a major expansion of the City's efforts to reach out directly to the highest-risk youth, especially in the 10-15 age range. In the first phase of its operation, AVRP will target youth residing in the 12th Police District in Southwest Philadelphia and the 25th Police District in North Philadelphia/Kensington, which have the highest incidence of serious juvenile crime in the city. It is expected that AVRP will expand to other areas of the city in fiscal year 2006-2007.

AVRP has been designed on the basis of best-practice research identifying models and approaches that have proven results in protecting youth aged 10-15 from becoming perpetrators or victims of violence. Specifically, AVRP requires youth to attend on a regular basis a youth center in their own community that will offer the Get Real About Violence curriculum; Aggression Replacement Training; and Parenting Adolescent Wisely, a computer-based parenting education program. In addition to implementing these approaches, AVRP will provide regular and intensive supervision to these youth modeled on the work of the Youth Violence Reduction Partnership through youth workers assigned to follow specific youth participating in the youth center program.

Along with providing more intensive services to youth at highest risk of violence as outlined above, AVRP will also have a Community Engagement and Support Services function. This function is critical to our effort, because AVRP is not only about protecting the individual children served by the more intensive programs, but is also about helping neighborhoods and communities be safer for children and families to live in. Further detail on our expectations for providers of Community Engagement and Support Services is provided in Appendix A.

I. PURPOSE

The purpose of this RFQ is to strengthen the City's effort to prevent Philadelphia children from becoming perpetrators or victims of violence. Furthermore, AVRP seeks to identify and serve youth aged 10-15 years who are considered at extremely high-risk of involvement in the juvenile justice system. Specifically, the City seeks to address the social and health service needs of youth who:

- are between 10 and 15 years of age and residing in the 12th or 25th Police Districts, and
- has a prior arrest while under the age of 13, and/or
- has been a victim of violence, and/or
- have been arrested and who are determined by the District Attorney's Office and the Juvenile Probation Office as appropriate for enrollment in AVRVP, and/or
- has a family member or friend who has been murdered or killed, and/or
- has a parent or sibling who is incarcerated or on parole or probation for a violent offense, and/or
- is in a household with a documented history of child abuse and neglect; and/or
- have a history of domestic violence in their family or household.

Through this initiative, the City seeks to achieve the following outcomes over time:

- assure that youth participating in AVRVP do not commit and are not victimized by a violent offense;
- increase participants' school attendance and performance by addressing related individual and family issues;
- prevent future or further illegal behavior by participating youth;
- improve the functioning of a mutually supportive relationship among the participating youth, family, school, and immediate community;
- improve the ability of participating youth to comply with the law and to avoid behaviors that become barriers to education, safety, health, and self-sufficiency;
- increase participants' understanding of the impact of negative and delinquent behavior on victims, family, and community;
- improve participating youths' life skills, and social, civic and employment competencies;
- improve youths' sense of belonging in and responsibility towards his/her immediate community.

In the first phase of development of AVRVP (January 1-June 30, 2006), the City will revamp services provided by several community agencies in the 12th and 25th police districts to more directly focus their services to youth at the highest risk of being involved in violence.

Two Funding Tracks: To support this effort, the City seeks to contract with qualified organizations for the provision of Community Engagement and Support Services (see Appendix A). The City also is seeking to identify agencies to employ and supervise Youth Workers who will provide supervision and community monitoring of individual youth participating in AVRVP intensive

services.¹ Agencies may apply for one or both of the programs described. However, when applying for both Track One and Track Two services, separate and complete proposals are required, one for each Track.

Organizations responding to this RFQ will be deemed qualified to provide these services under contract with the City provided that they:

- Sufficiently and adequately address all requirements of this RFQ and supply all requested information;
- Demonstrate sufficient capability to adhere to relevant standards and performance requirements and to participate in the ongoing performance monitoring and evaluation process;

II. SUBMISSION REQUIREMENTS AND GUIDELINES

A. FUNDING TRACKS

This Request for Qualifications seeks applicants for funding in two distinct tracks:

Track One: Community Engagement and Support Services: In this track, the City is seeking to fund agencies that can provide street outreach and community engagement services in the 12th and 25th Police Districts, aimed at identifying high-risk youth aged 10-15 and linking them and their families to support services.

Track Two: Youth Workers: In this track, the City is seeking to fund agencies that can provide Youth Workers who will provide monitoring, supervision, mentoring and other supports directly to specifically-identified youth participating in intensive AVRVP services.

Further details on the specific services required under each Track are provided in Appendix A.

B. ELIGIBILITY REQUIREMENTS

Use this checklist before you begin writing your application to be sure that you qualify for funding.

Eligible applicants must:

1. Be a private non-profit or for-profit organization. Organizations which are tax exempt under Section 501(c)(3) of the Internal Revenue Code must submit a copy of their most recent IRS Determination Letter.

¹ For the first phase, AVRVP intensive services will be provided through existing Beacons and Intensive Delinquency Prevention programs located in or near the 12th and 25th Police Districts. A Request for Qualifications to expand AVRVP intensive services will be issued in the coming months to assure that these services are provided to all appropriate youth beginning in Fiscal Year 2006-2007.

- q Have a history of demonstrable results in the provision of quality services to high-risk youth in the 12th and 25th Police Districts.
- q Be willing to provide services as further described in this Request for Qualifications to youth and families referred by the City of Philadelphia and its affiliated divisions and agencies who meet agreed-upon eligibility requirements.
- q Request funding for a program to serve youth and families living in Philadelphia that can begin operations on or about January 1, 2006.
- q Not be a government agency.
- q Demonstrate existing collaborations with other agencies and services, as described in the RFQ, to assist in meeting the needs of participants and leverage additional funding and resources.
- q Submit a complete application containing all required copies and materials no later than 3:00 p.m. on Friday, December 2, 2005.

C. FUNDING AVAILABILITY

- The City intends to allocate a maximum of \$250,000 for *Community Engagement and Support Services* in one contract for the period January 1 through June 30, 2006.
- The City intends to allocate a maximum of \$100,000 in one contract to employ up to four (4) *Youth Workers* for the six-month period.
- The City intends to issue another Request for Proposals in February for continuation and expansion funding for these and other services.

D. EXECUTIVE ORDER 02-05 MINORITY PARTICIPATION GUIDELINES

Under the authority of Executive Order 02-05, the Minority Business Enterprise Council (MBEC) has established the following M-DBE, W-DBE, and DS-DBE participation ranges for this RFQ: M-DBE Range - 10%-15%, W-DBE Ranges - 10%-15%, DS-DBE Ranges - 0%. Included as Appendix E are the revised guidelines, forms, and contract provisions that pertain to participation of disadvantaged minority, women and disabled-owned businesses in City contracts.

E. SUBMISSION INSTRUCTIONS AND IMPORTANT DATES

Monday, November 14, 2005, 9 a.m. sharp

Information Session: This is a meeting to review the RFQ requirements and discuss any questions regarding the RFQ. It will take place at Conversation Hall on the second floor of City Hall.

Friday, December 2, 2005, 3:00 p.m.:

Application Deadline: This is the absolute deadline to submit completed applications. **NO EXCEPTIONS!!**

Submitting Applications:

Five (5) bound copies of your completed application must be received by the date listed above by 3:00 p.m. at the address below. Applications must be written in 12-point type on single-side pages with at least 1.5 line spacing. Applications must be submitted by mail or in person to the attention of:

Adolescent Violence Reduction Partnership
c/o DHS/DCBPS
Three Parkway Building, 9th Floor
1601 Cherry Street
Philadelphia, PA 19102

Applications submitted by mail must be received by the City no later than the above date and time. An application with a postmark indicating that it was mailed prior to the deadline date will not be considered as having met the deadline. All applications must be physically delivered and logged in at the City by the deadline date and time noted above to be valid. Applications that are incomplete, faxed, emailed or late will not be accepted. Proposals that do not follow the required format will not be reviewed.

Funding Timeline

Notification of Grant Award	December 16, 2005
Grant Period Begins	January 1, 2006
Grant Period Ends	June 30, 2006

Questions? Email only (no phone calls) to Marjorie.L.Anderson@phila.gov.

III. IMPORTANT INFORMATION FOR APPLICANT ORGANIZATIONS

All providers will be required to:

- q Adhere to City of Philadelphia guidelines with regard to contracts, invoicing, reporting, and evaluation.
- q Allow staff participation in any professional development or training programs required by the City.
- q Participate in the development and implementation of a standardized evaluation system for AVRP programs that uses performance measures as evaluation tools.

- q Maintain and provide detailed information about program activities, financial management, demographic and performance outcomes for individual participants and provide that information in routine and prescribed reports to the City.
- q Verify non-indebtedness to the City of Philadelphia (See Appendix B: Certificate of Non-Indebtedness).
- q Obtain liability insurance that meets City of Philadelphia requirements (See Appendix D).
- q Funding available to support this RFQ is limited and is not expected to fully fund all the service supports needed by the target population. Applicants are strongly encouraged to develop partnerships with other existing programs and apply for these funds. Priority will be given to applications that demonstrate effective collaborations with other funding and service sources.
- q The City may request additional information pursuant to the submission of your organization's proposal. if it is deemed necessary to sufficient review and/or determination of your organization's qualifications to provide these services.
- q Acceptance as "qualified" through this RFQ process does not guarantee that the City will enter into a contract with your organization.

IV. GUIDELINES FOR REQUEST FOR QUALIFICATIONS

This section of the RFQ describes the information the City seeks from potential providers to establish their respective capacity to offer a program consistent with the standards described in Appendix A. Please note the page limits (in parenthesis) set for each section.

A. ORGANIZATIONAL BACKGROUND AND CAPABILITY (4 PAGES)

- Overview of organization and the demonstrated results of its history of services to at-risk youth (1 page)
- Organization's experience with the evidence-based service strategies to be employed in working with the identified population, if any (1 page)
- Organization's leadership structure and capabilities (1 page)
- Provide the following financial information (1 page)
 - A general statement detailing the financial condition of the organization.
 - A list of the organization's revenue broken down by source.
 - Current program budgets for services supported by DHS in FY 2006, including all revenue and in-kind sources

B. EXPERIENCE, CAPACITY & INTEREST IN VIOLENCE PREVENTION (1 PAGE)

- Organizational and staff experience in working with the targeted populations in the 12th and 25th Police Districts and in delivering the specific services to be funded through this RFQ.
- Identify any measurable outcomes you have achieved with the same or similar services for high-risk youth and their families.

C. PROGRAM DESIGN AND IMPLEMENTATION (5 PAGES)

- Describe your program design (who, what, why, where, and how). Describe in specific detail how you will address each of the program requirements listed in Appendix A. Indicate planned strategies to assure retention of participants .
- Describe the other relevant youth programs, community partners and resources in the target police district(s). How will the program supplement and makes us of these resources, and how will they in turn help to fulfill the program design?. In specific, how will your program interface with the Beacons, Town Watch groups, Recreation Centers, Teen Centers and other City-funded programs working with youth in the district? What is the applicant's strategy to further involve the community? Please attach a letter of commitment from each community partner that will be *formally* involved in this initiative, indicating its specific role in the collaboration.

D. MANAGEMENT AND STAFFING (1 PAGE PLUS ATTACHMENTS)

- Please list and briefly describe the qualifications of the individuals who will be directly involved in the program, including their experience in working with high-risk youth. Provide brief descriptions of each position and how they will interact. (Resumes and full job descriptions should be included as appendices.).
- How will senior management supervise the program and provide adequate training of staff?
- How will this program fit with the other programs within the agency?

E. EVALUATION (1 PAGE)

- Describe the agency's capacity for data collection, maintenance of records, confidentiality safeguards, and any activities that measure program outcomes.

V. PROPOSED BUDGET AND NARRATIVE JUSTIFICATION

In FY 2006, successful programs will be funded for a six-month period commencing January 1, 2006 and ending June 30, 2006. The program's proposed budget summary and a budget narrative for this 6-month period must be completed and attached, together with a justification for each budget line

amount requested. List all in-kind services which you expect to receive, as well as supplemental income expected from other sources.

Agencies that are applying for both Track One and Track Two need to submit two full proposals, one for each Track, including two separate budgets.

ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP
 COMMUNITY ENGAGEMENT & YOUTH WORKERS
BUDGET INFORMATION FORM (SUMMARY)
BUDGET PERIOD: JANUARY 1-JUNE 30, 2006

<i>Section I</i> <i>Object Class Categories</i>	TOTAL PROJECT COSTS (A=B+C)	CITY- FUNDED COSTS (B)	OTHER REVENUE (C)	SOURCES OF OTHER REVENUE
A) Personnel				
B) Fringe Benefits				
TOTAL PERSONNEL COSTS				
C) Supplies				
D) Professional Consultants				
E) Other Contracts				
F) Other Costs				
G) Administrative Costs				
H) Occupancy Costs				
I) Non-Recurring Costs				
TOTAL OPERATIONAL COSTS (Sum of C-J)				
PROJECT COSTS (Sum of Personnel and Operating)				

ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP
 COMMUNITY ENGAGEMENT & YOUTH WORKERS
BUDGET INFORMATION FORM (SUMMARY)
BUDGET PERIOD: JANUARY 1-JUNE 30, 2006

OBJECT CLASS CATEGORIES

A) Personnel: List staff by the title and name of the employee (if employee's name is available) who will be providing direct program services. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation for employees engaged in grant activities must be consistent with the pay for similar work within the agency. Duplicate this page if necessary.

Name/Position	Salary	Percentage of Time	Cost to CITY
Description of Duties:			
Name/Position	Salary	Percentage of Time	Cost to CITY
Description of Duties:			
Name/Position	Salary	Percentage of Time	Cost to CITY
Description of Duties:			
Name/Position	Salary	Percentage of Time	Cost to CITY
Description of Duties:			
Name/Position	Salary	Percentage of Time	Cost to CITY
Description of Duties:			
			Page Total:
			Grand Total:

B) Fringe Benefits: Fringe benefits should be based on actual known costs or an established formula that is concurrent with the applicant organization. Fringe benefits are for the personnel listed in budget category (A), and only for the percentage of time devoted to the project.

Fringe Benefits	Computation	Cost
Total:		

C) Supplies: List items by type.

Supply Items	Computation	Cost
Total:		

D) Professional Consultation: For each consultant, enter the name, if known, hourly or daily fee and estimated time on the project. In the "Description" box, please provide a brief description of the consultant's qualifications and services provided for stated time. Duplicate this page if necessary.

Consultant	Computation	Cost
Description:		
Consultant	Computation	Cost
Description:		
Consultant	Computation	Cost
Description:		
Consultant	Computation	Cost
Description:		
Consultant	Computation	Cost
Description:		
		Total:

E. Other Contracts: For each other subcontract, provide the name of the organization, a description of the services to be procured, and the unit(s) of service. Duplicate this page if necessary.

Organization Name; Address and Phone Number	Cost Calculations
Description:	
Organization Name; Address and Phone Number	Cost Calculation
Description:	
Organization Name; Address and Phone Number	Cost Calculation
Description:	
Organization Name; Address and Phone Number	Cost Calculation
Description:	
Page Total:	
Grand Total:	

F) Other Costs: List other items with known costs (e.g. reproduction, telephone, postage, equipment rentals/leases, travel, utilities, maintenance) and the basis of their computation.

Description	Computation	Cost
Total:		

G) Administrative Rate & Costs: An administrative Cost Rate is acceptable in lieu of detailing numerous and minor costs associated with providing services, e.g. administrative staff or office costs shared with multiple programs/services. Indicate your agency's applicable, standard rate as long as it excludes items specified elsewhere and is consistently applied in other grant-funded programs. Note that such rate is subject to future audits. Apply the rate to the sum of your total personnel and operating costs for each time period; show the computation below.

Rate (%)	Application	Cost
Total:		

H) Occupancy Costs: Indicate costs related to rental fees, utility costs, etc. If a formula is used to determine occupancy costs, please indicate.

Item	Description/Computation	Cost
Total:		

I) Non-Recurring Costs: Categorically list one-time expenses by either “Equipment” or “Others.” Select the appropriate time period.

Non-Recurring Costs	Computation	Cost
EQUIPMENT		
OTHER		
Total:		

APPLICATION CHECKLIST

**All complete applications must contain the following:
(please do not include a cover letter)**

- Signed Cover Page**
- Proposal Narrative**
- Proposed Budget and Justification**
- Signed Certificate of Non-Indebtedness to the City of Philadelphia (Appendix B)**
- Signed Acknowledgement of Insurance Requirements (Appendix D)**
- Proof of 501(c)(3) status, if applicable**
- Other Attachments, if any**

APPENDIX A:
CITY OF PHILADELPHIA
DIVISION OF SOCIAL SERVICES
DEPARTMENT OF HUMAN SERVICES

OUTLINE DESCRIPTION OF
ADOLESCENT VIOLENCE REDUCTION PARTNERSHIP
COMMUNITY ENGAGEMENT AND SUPPORT SERVICES
YOUTH WORKERS

1. DESCRIPTION OF TARGET POPULATION

The target population will meet the following criteria for the Adolescent Violence Reduction Partnership, which includes youth who:

- are between the ages of 10 and 15 and reside in the 12th or 25th Police Districts, and
- has a prior arrest while under the age of 13, or and/
- has been a victim of violence, or and/
- have been arrested and who are determined by the District Attorney's Office and the Juvenile Probation Office as appropriate for enrollment in AVRPP, or and/
- has a family member or friend who has been murdered or killed, and/or
- has a parent or sibling who is incarcerated or on parole or probation for a violent offense, and/or
- is in a household with a documented history of child abuse and neglect; and/or
- have a history of domestic violence in their family or household.

In addition to these baseline criteria, the City will target youth characterized by risk factors that are measurable and have a strong and consistent association with the development of delinquent behavior. Specifically, this initiative will give priority to youth who have:

- been arrested for any reason over the past 12 months;
- routinely associate with youth in trouble with the law or who use alcohol or drugs;
- used or are using alcohol or drugs;
- has a history of running away from home;
- has experienced homelessness or recurrent relocation in the past 12 months;
- has been absent from school without an excuse 8 or more times in the current school year;
- has been suspended 3 or more times or expelled from school over the past 12 months.

The City will use the attached Eligibility Determination Form (see Appendix B) to gather the necessary data to determine the appropriateness of the child for intensive AVRPP services. Youth deemed inappropriate for AVRPP will be linked to alternative community-based services.

2. PROGRAM DESIGN

This section of the RFQ describes the two major elements of this initiative for which proposals are sought through the RFQ.

A. TRACK ONE: COMMUNITY ENGAGEMENT AND SUPPORT SERVICES

Our children will not be safe from violence in our communities unless our neighborhoods are themselves safe. In addition to providing more intensive help to youth at special risk of violence, the Adolescent Violence Reduction Partnership seeks to build on existing community assets to strengthen the community so that it becomes more healthy for children and families to live in.

There are two major components of our concept of community engagement – street outreach aimed at engaging youth while they are on the street, at hangouts, or other locations where youth congregate, and community work aimed at bringing together members of the community for the purpose of creating a safer and healthier environment.

Street Outreach: Street outreach is inherently a youth development activity. Through street outreach, agencies work directly with young people on the streets to determine what they need and then get that help to them. The foundation of the street outreach approach is to engage youth in their own environments and on their own terms, in order to gain the trust and respect necessary to help them to achieve their goals. This component is intended to be delivered by a trained street outreach worker who engages youth in informal settings with the goals of building a relationship with the youth based on the outreach worker's willingness to be available to them and to provide them with mentoring and support.

A fundamental principle of street outreach is that the outreach worker establishes face-to-face contact with the youth and develops a relationship with the youth. Street outreach means:

- *Accessibility:* providing young people with access to caring adults who can show youth how to maneuver through systems and redirect their energies in positive ways
- *Availability:* being there for young people when and where they need you
- *Appropriateness:* conducting street outreach in ways that are culturally, gender, and age appropriate
- *Alternatives:* offering youth positive alternatives to street life and giving them first-hand experience with realistic options.²

² Adapted from *FYSB Update*, a publication of the U.S. Dept. of Health and Human Services, Family and Youth Services Bureau, May 1998.

Effective street outreach staff:

- Understand the culture, language and behaviors of today's youth
- Have basic training and experience in youth development principles
- Are sensitive to norms, values, cultural beliefs, and traditions of the community to which the youth belongs
- Have the personal skills to be able to gain the trust of the youth
- Act as role models to the youth
- Increase the youth's awareness, understanding and use of appropriate support services and activities
- Advocate for the youth and seek to remove barriers faced by the youth in finding support and help
- Act as liaisons between the youth and the agencies or institutions that can help them
- Are informed about community resources and use them.

Street outreach workers need to be able to help youth make better choices for themselves. They help the young person reframe the issues affecting them and examine their problems from a new perspective. When youth are ready, staff help them explore the gap between where they are at that time and where they want to be, and then link youth to resources to help bridge that gap. If a young person is not ready to explore those options, staff simply remain available to them until they are. Outreach workers help youth learn to develop solutions to their problems by building on their strengths.

The City is supporting these outreach workers in an attempt to identify youth at high risk of delinquency or violence so that they and their families can be linked to appropriate support services. Outreach workers will be expected to collaborate with various city agencies to assure that they have resources available for whatever issues may arise with a particular youth.

Agencies funded to provide this service will be expected to conduct a scan of potential outreach areas in the 12th and/or 25th police districts to determine the locations, times of day, days of the week, etc., that are most productive for reaching the population of high risk youth. Agencies are also expected to have a mechanism for measuring the use of referral services, have a positive relationship between the agency and the local law enforcement authorities, and a written and comprehensive field safety protocol.

Community Engagement: While the primary responsibility of the outreach worker will be establishing the street and community presence to achieve the tasks noted above, this worker will

also be expected to work with other individuals, groups and businesses in the community that could help to improve the quality of life in the neighborhood and make the neighborhood safer. This means linking to existing safety efforts such as Town Watch, participating in the activities of local Equal Partners In Change (EPIC) Stakeholder Groups, Weed & Seed Groups, Neighborhood Action Councils, etc; and helping members of the community learn ways in which they can contribute to neighborhood safety. Outreach workers should also identify other volunteers from the neighborhood who can help defuse potentially violent situations, including members of the faith community, block associations, etc.; work with other community members to develop strategies to educate community members about the warning signs of violence, alerting law enforcement authorities about suspicious activity, minimize the fear of retribution, etc.

Outreach workers should also work with area community organizations and businesses to help youth find part-time employment, provide community service to satisfy a court mandate, or to become involved in constructive activities meant to improve the quality of life in the neighborhood.

Referrals: Youth identified through these community engagement strategies will be eligible for referral to an extensive network of youth development and support programs, provided appropriate consent has been obtained from the youth and their parents or caregiver. Through a procedure to be established, outreach workers will also be able to make referrals to intensive programs designed specifically to address the need of youth at high risk of becoming a victim or perpetrator of violence. The City will do an assessment of youth referred for these programs by the outreach workers to determine the appropriate program to which the child will be assigned, as well as obtain formal parental consent to deliver the services.

B: TRACK TWO: YOUTH WORKERS

Youth who are determined by assessment to be at high risk of violence will be enrolled in community-based programs that provide intensive delinquency and violence prevention services in the 12th and 25th police districts. Each of these programs will offer youth and family supports that have been shown through extensive research to be effective in preventing youth violence. The programs to which youth can be referred for these intensive services include, but may not be limited to:

12th Police District:

- Bartram H.S. Beacon (Presbyterian Children's Village)
- Presbyterian Children's Village Intensive Delinquency Prevention Program

25th Police District

- Congreso de Latinos Unidos Intensive Delinquency Prevention Program
- Hunter/McKinley School Beacon

- Julia de Burgos School Beacon (Congreso de Latinos Unidos)
- Stetson School Beacon/Intensive Delinquency Prevention Program (Methodist Children's Services)

At each of these sites, youth at high risk of involvement in violence will receive education and support on changing violent norms and promoting positive norms, and improving social skills, conflict resolution skills, anger control and moral reasoning. Specialized programs designed for parents and caregivers are also offered. These programs also offer youth development programs, academic assistance, counseling, case management, cultural activities and recreational activities for these youth.

Experience with other violence reduction programs in Philadelphia as well as in other major urban centers demonstrates that programs are more effective when they incorporate Youth Workers who engage with clients at the program site as well as within the client's natural and informal environments. Experience also shows that Youth Workers are most successful when they are indigenous to the communities within which they are working.

The City intends to select an agency through this RFQ that will partner with the intensive service agencies described above to provide supervision and mentoring supports to youth enrolled in the programs. Unlike the generalized street outreach described in Track One, in this component Youth Workers are assigned to specific youth already enrolled in the intensive services program to assist and support the youth in maintaining and applying the skills they are learning that will serve to protect them from violent situations. Among the responsibilities of the Youth Worker are:

- Follow up on youth referrals from the programs with which the Youth Worker has partnered
- Supervise a minimum active caseload of fifteen (15) selected youth aged 10 to 15 years
- Assist youth in making and keeping appointments for services, assuring that the youth attends school, helping the youth to avoid situations that put them at risk, etc.
- Monitor each youth via four (4) successful home visits and four (4) other contacts outside the youth's home.
- Identify and provide resources, referral and follow up for each youth re: education, employment, treatment, recreation, etc.
- Assist in crisis situations involving clients(s).
- Facilitate the return of truant youth to school.
- Establish and maintain communications with client's probation officer, local police, social service, recreational, health, youth, medical and related community resources in the neighborhood (s) served.

- Assess the activity of hostile youth gangs/groups and their activities.
- Investigate, intervene and follow up incidents related to client population.
- Be on 24-hour call to respond to client crises.
- Maintain case notes on each client and related program documents.

C: GEOGRAPHY

Attached as Appendix F is a map of the city showing Police District boundaries. Applicants should elect to serve youth and families residing in either the 12th or the 25th Police Districts. In locating programs, applicants should describe in detail how they will collaborate with other existing community resources and specifically address their relationship with Beacons, Town Watch groups, Recreation Centers, Teen Centers and other youth development programs serving youth in this age range in the same sector, as well and other social service agencies relevant to the program's needs. Priority will be given to applications that demonstrate effective collaborations with other funding and service strategies.

D: OUTCOMES AND EVALUATION

Applicants must document all interactions with clients and their families to facilitate the evaluation process. Services should have measurable goals and a process for evaluating progress towards these goals. The City will establish additional performance and outcome evaluation procedures upon the selection of specific programs through this RFQ.

**APPENDIX B:
CERTIFICATE OF NON-INDEBTEDNESS
TO THE CITY OF PHILADELPHIA**

_____ (“Grantee”) has intentions to enter into an Agreement with the City of Philadelphia through its designated intermediary in connection with the Department of Human Service’s delinquency prevention initiative. Grantee hereby certifies and represents to the City that the Grantee and any entities under common control with the Grantee or controlled by Grantee are not currently indebted to the City and will not at any time during the term of the pending Agreement (including any additional term(s) be indebted to the City for or on account of any delinquent taxes (including, but not limited to, taxes collected by the City on behalf of the School District of the City of Philadelphia), water bills, sewer bills, liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. Grantee shall remain current during the term of such Agreement with all such payments and shall inform the City’s intermediary in writing of the Grantee’s receipt of any notices of delinquent payments within five (5) days after receipt. In addition to any other rights or remedies available to the City at law or in equity, Grantee acknowledges that any breach or failure to conform to this Certification may, at the option of the City, result in the withholding of payments otherwise due to Grantee and, if such breach or failure is not resolved to the City’s satisfaction within a reasonable time frame specified by the City in writing, may result in the offset of any such indebtedness against said payments and/or the termination of the Agreement for default (in which case Grantee shall be liable for all excess costs and other damages resulting from the termination). In addition, it is understood that false certification or representation is subject to prosecution under Title 18 Pa.C.S.A. 4904.

GRANTEE: _____
Name of Agency

By: _____ Attest/Witness: _____
Authorized Signatory Secretary or Treasurer

Title: _____
President or Vice-President Print Name
Print Name

APPENDIX C:
RESERVATION OF RIGHTS: PROPOSAL SELECTION AND EVALUATION

A. Proposal Selection Process and City's Reservation of Rights in Connection with Selection of Proposal(s)

1. General Reservation of Rights

The City reserves the right to reject any and all proposals and re-issue the RFQ at any time prior to execution of a final contract, issue a new RFQ with terms and conditions substantially different from those set forth in this RFQ, or cancel this RFQ with or without issuing another RFQ.

The City reserves and may exercise any one or more of the following rights and options with respect to this selection process:

- a) to reject any Proposal if, in the City's sole discretion, the proposal is incomplete, the Proposal is not responsive to the requirements of this RFQ or it is otherwise in the best interest of the City to reject the Proposal;
- b) to supplement, amend, substitute or otherwise modify this RFQ at any time prior to selection of one or more respondents for negotiation;
- c) to reject the proposal of respondent that, in the City's sole judgment, has been delinquent or unfaithful in the performance of any contract with the City, is financially, or technically incapable or is otherwise not a responsible respondent;
- d) to reject as informal or non-responsive, any proposal which, in the City's sole judgment, is incomplete, is not in conformity with applicable law, is conditioned in any way, deviates from this RFQ or contains erasures, ambiguities, alterations or items of work not called for by this RFQ;
- e) to waive any informality, defect, non-responsiveness and/or deviation from this RFQ that is not, in the City's sole judgment, material to the proposal;
- f) to permit or reject, at the City's sole discretion, amendments (including information inadvertently omitted), modifications, clarifying information, alterations and/or corrections to proposals by some or all of the Respondents following proposal submission.

B. Proposal Evaluation Process and City's Reservation of Rights in Connection with Proposal Evaluation and Contract Negotiation

Proposals, which the City determines in its sole discretion, are responsive to this RFQ, will be reviewed and evaluated by the City. The City reserves the right to request Respondents to make one or more presentations to the City at the City's offices at Respondent's sole cost and expense, addressing Respondents' ability to achieve the objectives of this RFQ. The City further reserves the right to conduct on-site investigations of the Respondents' facilities or of those facilities where Respondent performs its services. Proposals will be evaluated, in part, according to whether the Respondent meets the minimum qualifications and submits a proposal complying with all of the requirements of this RFQ.

The City reserves the right to enter into negotiations with any or all Respondents regarding price, scope of services, or any other term of their proposals, and such other contractual terms as the City may require, at any time prior to execution of a final contract. The City may, at its sole election, enter into simultaneous, competitive negotiations with multiple Respondents or negotiate with individual Respondents seriatim. Negotiations with Respondent(s) may result in the enlargement or reduction of the scope of services, or changes in other terms that are material to the RFQ and the submitted proposals. In such event, the City shall not be obligated to inform other Respondents of the changes, or to permit them to revise their proposals in light thereof unless the City, in its sole discretion, determines that doing so is in the City's best interest. The City may accept or reject any or all of the items in any proposal and award the contract in whole or in part if it is deemed in the City's best interest to do so.

In the event negotiations with any Respondent(s) are not satisfactory to the City, the City reserves the right to discontinue such negotiations at any time; to enter into or continue negotiations with other Respondents; to enter into negotiations with providers that did not respond to this RFQ; and/or to solicit new Proposals from providers that

did not respond to this RFQ. The City reserves the right not to enter into any contract with any Respondent, with or without the re-issuance of this RFQ, if the City determines that such is in the City's best interest. Further, the City reserves the right to negotiate with and enter into a contract directly with a provider that may or may not have been a respondent to the RFQ.

**APPENDIX D:
LIABILITY INSURANCE FORM
ACKNOWLEDGEMENT OF INSURANCE REQUIREMENTS**

_____ (print applicant agency name) acknowledges its receipt and having read the following insurance provisions with which they will need to abide, if awarded a grant. The narrative below is extracted from the City’s contract with its intermediary referred to as “Provider.” Special note has been made of those provisions in bold-face type.

Name of Applicant _____

Authorized Signatory _____

Date _____

GENERAL PROVISIONS LANGUAGE

9.1 Insurance.

Unless otherwise approved by the City’s Risk Manager in writing, Provider shall, at its sole cost and expense procure and maintain in full force and effect, covering the performance of the Services, the types and minimum limits of insurance specified below. All insurance shall be procured from reputable insurers admitted to do business on a direct basis in the Commonwealth of Pennsylvania or otherwise acceptable to the City. **All insurance herein, except the Professional Liability insurance, shall be written on an “occurrence” basis and not a “claims-made” basis.** In no event shall work be performed until the required evidence of insurance has been furnished. The insurance shall provide for at least thirty (30) days prior written notice to be given to the City in the event coverage is materially changed, cancelled, or non-renewed. The City of Philadelphia, its officers, employees, and agents, shall be named as additional insureds on the General Liability Insurance policy. An endorsement is required stating that the coverage afforded the City and its officers, employees, and agents, as additional insureds, will be primary to any other coverage available to them and, that no act or omission of the City shall invalidate the coverage.

(a) Workers’ Compensation and Employers’ Liability.

- (1) Worker’s Compensation: Statutory Limits
- (2) Employers’ Liability: \$100,000 Each Accident – Bodily Injury by Accident; \$100,000 Each Employee – Bodily Injury by Disease; and \$500,000 Policy Limit – Bodily Injury by Disease.
- (3) Other states insurance including Pennsylvania.

(b) General Liability Insurance.

(1) Limit of Liability:

- (a) \$2,000,000 per occurrence -- all out-of-home service categories, including, but not limited to, day treatment and day care centers
- (b) \$1,000,000 per occurrence -- all in-home service categories
- (c) \$500,000 per occurrence -- all family day care providers
- (d) Coverage: Premises operations; blanket contractual liability; personal injury liability (employee exclusion deleted); products and completed operations; independent contractors, employees and volunteers as additional insureds; cross liability; and broad form property damage (including completed operations).

(c) Automobile Liability Insurance.

- (1) Limit of Liability: \$1,000,000 per occurrence combined single limit for bodily injury (including death) and property damage liability.

(2) Coverage: Owned, non-owned, and hired vehicles.

(d) Professional Liability Insurance:

(1) Limit of Liability: \$1,000,000 with a deductible not to exceed \$50,000.

(2) Coverage: Errors and omissions including liability assumed under Contract.

(3) Professional Liability Insurance may be written on a claims-made basis provided that coverage for occurrences happening during the performance of the Services required under the Contract shall be maintained in full force and effect under the policy or "tail" coverage for a period of at least two (2) years after completion of the Services.

9.2 Self-Insurance.

Provider may not self-insure any of the coverages required under the Contract without the prior written approval of the Responsible Official and the City's Risk Manager. In the event that Provider wants to self-insure any of the coverages listed above, it shall submit to the Responsible Official and the City's Risk Manager, prior to the commencement of Services hereunder, a certified copy of Provider's most recent audited financial statement, and such other evidence of its qualifications to act as self-insurer (e.g. state approval) as may be requested by the Responsible Official and/or the City's Risk Manager. In the event such approval is granted, it is understood and agreed that the City, its officers, employees and agents shall be entitled to receive the same coverages and benefits under Provider's self-insurance program that they would have received had the insurance requirements been satisfied by a reputable insurer admitted to do business in the Commonwealth of Pennsylvania or otherwise acceptable to the City. If at the time of commencement of the term of the Contract, Provider self-insures its professional liability and/or workers' compensation and employers' liability coverage, Provider may, in lieu of the foregoing, furnish to the City a current copy of the State Insurance Commissioner's letter of approval, whichever is appropriate. The insurance (including self-insurance) requirements set forth herein are not intended and shall not be construed to modify, limit or reduce the indemnifications made in the Contract by Provider to the City, or to limit Provider's liability under the Contract to the limits of the policies of insurance (or self-insurance) required to be maintained by Provider hereunder.

9.3 Evidence of Insurance Coverage.

Certificates of insurance evidencing the required coverages must specifically reference the City contract number for which they are being submitted. The original certificate of insurance must be submitted to the City's Risk Manager at the following address:

City of Philadelphia
Finance Department, Division of Risk Management
1515 Arch Street, 14th Floor
Philadelphia, PA 19102-1579
(Fax No: 215-683-1705)

Both submissions must be made at least (10) ten days before work is begun and at least ten (10) days before each Additional Term. The ten (10) day requirement for advance documentation of coverage may be waived in such situations where such waiver will benefit the City, but under no circumstances shall Provider actually begin work (or continue work, in the case of an Additional Term) without providing the required evidence of insurance. The City reserves the right to require Provider to furnish certified copies of the original policies of all insurance required under the Contract at any time upon (10) days written notice to Provider.

9.4 Fidelity Bond.

When required by the City, Provider shall, at its sole cost and expense, obtain and maintain during the Initial Term and any Additional Term(s) of the Contract, a fidelity bond in an amount of the greater of (a) Ten Thousand Dollars (\$10,000) or (b) the amount specified in the Provider Agreement, covering Provider's employees who have financial responsibilities related to the receipt and disbursement of funds under the Contract. In lieu of a fidelity bond, Provider may obtain coverage for crime insurance with limits that are the greater of (a) \$10,000 or (b) the amount specified in the Provider Agreement. The fidelity bond or crime insurance, whichever is obtained by Provider, shall name the City as beneficiary. Evidence of the

existence of the fidelity bond or crime insurance shall be submitted to the City prior to the commencement of Services.

**APPENDIX E:
MINORITY BUSINESS ENTERPRISE COUNCIL REQUIREMENTS**

Mayor's Executive Order 1-03

**INSTRUCTIONS, FORMS AND CONTRACT PROVISIONS FOR THE
PARTICIPATION OF MINORITY, WOMEN AND DISABLED
DISADVANTAGED BUSINESS ENTERPRISES (M/W/DS-DBE)**

This Request for Qualification (RFQ) is subject to the **Mayor's Executive Order 1-03**. The following instructions, forms and contract provisions, as well as Executive Order 1-03 (a copy of which may be obtained at the MBEC Office) are hereby incorporated in and made a part of any contract resulting from this Request for Qualification.

Proposer is subject to the provisions of Mayoral Executive Order 1-03 and is required to respond to the ranges specified in this Request for Qualification (RFQ) for participation by Minority Disadvantaged Business Enterprises ("M-DBE"), Woman Disadvantaged Business Enterprises ("W-DBE") and Disabled Disadvantaged Business Enterprises ("DS-DBE") (collectively, "M/W/DS-DBE") as those terms are defined in Executive Order 1-03.

Proposer must submit a "*Solicitation for Participation and Commitment Form*" (**S & C Form**) identifying its solicitations and certifying that Proposer has met the ranges specified in this RFQ for M/W/DS-DBE participation in the contract; in the event that Proposer has not achieved the ranges, Proposer must respond to and submit, in addition to the **S & C Form**, a *brief narrative explaining its reasons for not submitting a proposal within the projected range(s)* (more fully discussed herein).

The S & C Form (and, in the event proposer has not achieved the ranges, the brief narrative), must be submitted with the proposal, although the MBEC reserves the right to request these documents as well as any additional or clarifying information at any time prior to contract award. The submission of a S & C Form and a narrative, if required, is an element of responsiveness to this RFQ and the failure to submit a S & C Form and narrative may result in the rejection of the proposal. Proposer hereby verifies that all forms, information and documentation submitted to the MBEC are true and correct and is notified that the submission of false information by Proposer is subject to the penalties of 18 Pa.C.S Section 4904 relating to unsworn falsification to authorities.

PARTICIPATION RANGES

Under the authority of the Mayor's Executive Order 1-03, the MBEC has established the following M-DBE, W-DBE and DS-DBE participation range(s) for this Request for Qualification:

M-DBE	<u>10% -15 %</u>
W-DBE	<u>10% - 15%</u>
DS-DBE	<u>0% - 0 %</u>

These participation ranges serve exclusively as a guide in determining Proposer responsibility. These ranges represent the percentage of M-DBE, W-DBE and DS-DBE participation that should be attained from business opportunities available in this RFQ absent discrimination in the solicitation and selection of these businesses. These ranges are based upon an analysis of factors such as the size and scope of the contract and the availability of M-DBEs, W-DBEs and DS-DBEs to perform various elements of the contract.

A. Solicitation for Participation and Commitment.

1. Proposer must submit an S & C Form responsive to each of the range(s) established for this Request for Qualification. If Proposer does not make commitments within each of the established ranges, Proposer must request a reduction of participation by providing a brief narrative statement for not achieving the participation range(s) on its firm's *letterhead* and signed by its *Chief Executive Officer (CEO)* or their designee.

(a) S & C Form. Proposer must demonstrate that its firm did not discriminate in the subcontracting of work for the contract. To do so, Proposer must complete the S & C Form. The S & C Form shall contain:

- The company name, address, contact name, telephone number, fax number and MBEC certification number of each M-DBE, W-DBE and DS-DBE solicited for participation in the contract, regardless of whether commitments resulted from this solicitation. If Proposer receives unsolicited quotations from a M-DBE(s), W-DBE(s) or DS-DBE(s) or if Proposer makes solicitations of M-DBE(s), W-DBE(s) or DS-DBE(s) but receives no quotations, these M-DBE(s), W-DBE(s) or DS-DBE(s) must also be identified on the S & C Form if you do not achieve the ranges for participation.

W-DBE and/or DS-DBE partner, Proposer must complete and submit with the proposal, in addition to the S & C Form, the Joint Venture Eligibility Information Form available at the Office of the MBEC.

- A detailed description of the services/supply effort that was solicited and a quotation received for each M-DBE, W-DBE or DS-DBE. This description shall include the services or the supply effort solicited/quoted, describing such service or supply effort as it relates to a distinct element of the contract as determined by the RFQ. Proposers should avoid utilizing one-word descriptions of the services to be performed or the material to be supplied and should provide a detailed description.
- Disclosure of any second tier subcontracts. If the listed M-DBE, W-DBE or DS-DBE subcontractor with whom Proposer has a commitment, intends to subcontract more than ten percent (10%) of the described work (not including the cost of materials, equipment or supplies incident to the performance of services under the contract), Proposer must provide, on a duplicate copy of the S & C Form, the name and address of each second tier subcontractor(s) (identifying whether it is or is not a M-DBE, W-DBE or DS-DBE), a detailed description of the services, and dollar amount of the subcontracted services.
- The dollar amount and percentage of commitment made reflected by the quotation provided to Proposer by each identified M-DBE, W-DBE and/or DS-DBE.
- The reason(s) if no commitment is made or no quote is received from each identified M-DBE, W-DBE and/or DS-DBE.

Upon completion of the **S & C Form(s)**, Proposer should indicate at the bottom of each form the total percentage commitment made to the type of disadvantaged business. If the total percentage commitment is less than that established for this RFQ, Proposer must request a reduction of participation by providing a brief narrative of Proposer's reasons for not achieving the participation range(s).

Request for Reduction of Participation.

1. If Proposer does not fully meet each of the range(s) for participation established for this RFQ, Proposer must request a reduction of participation by

submitting a brief narrative, on its company's letterhead, documenting Proposer's reasons for not making commitments commensurate with the participation ranges. The narrative shall contain and discuss, at a minimum, the following:

- (a) If no M-DBE/W-DBE/DS-DBEs were solicited for the type of services or materials to be contracted, please give reason(s) why no such solicitation was made;
- (b) Indicate whether any non-M-DBE/W-DBE/DS-DBEs were solicited for the type of services to be contracted for, whether quotes were received and whether any commitments resulted therefrom;
- (c) Provide reasons for not committing with a M-DBE/W-DBE/DS-DBEs that have submitted a quote, regardless of whether the quote was solicited by Proposer.
- (d) Provide any additional evidence pertinent to Proposer's conduct relating to this RFQ including sufficient evidence which demonstrates to the MBEC that Proposer has not engaged in discriminatory practices in the solicitation of and commitment with contract participants. In describing Proposer's affirmative actions, Proposer may submit any corroborating documentation (e.g., copies of advertisements for participation).

2. The Proposer's narrative will be reviewed to ascertain whether discrimination has occurred in the solicitation or selection of contract participants. The approval/disapproval review will include consideration of the following:

- (a) Whether the Proposer's actions were motivated by considerations of race or gender or disability. For example, the MBEC may investigate the Proposer's contracting activities and business practices on similar public and private sector contracts;
- (b) Whether M-DBE/W-DBE/DS-DBEs were treated as equally as other businesses in the solicitation and commitment process. For example, the MBEC will investigate whether M-DBE/W-DBE/DS-DBEs are given the same information, access to the RFQ and amount of time to prepare a quote as others who were solicited. The MBEC will also investigate whether M-DBE/W-DBE/DS-DBEs were accorded the same level of outreach as non-M-DBE/W-DBE/DS-DBEs, for example whether Proposer short listed M-DBE/W-DBE/DS-DBEs for participation in the contractor negotiated subcontract opportunities;
- (c) Whether the Proposer's solicitation and commitment decisions were based upon policies which disparately affect M-DBE/W-DBE/DS-DBEs.

C. Proposal Evaluation

If Proposer has submitted a Proposal within each of the projected range(s) for M-DBE, W-DBE and DS-DBE participation, we will rebuttably presume that the Proposer has not discriminated in its selections and will be considered responsive and responsible. If Proposer has not submitted a Proposal within the projected range(s), the MBEC will evaluate whether discrimination has occurred. After review of Proposer's submission and any other evidence MBEC deems relevant to its evaluation, the MBEC will make a recommendation to the Department Head or his/her designee. If the Department head, after review of the MBEC's recommendation and supporting documentation concurs that discrimination has occurred, Proposer will be deemed not responsible and its proposal rejected.

A Proposal so rejected (due to a determination of discrimination) may result in the suspension of the Proposer from submitting future Proposal and/or participating in any future City contracts for a period of up to three (3) years.

GENERAL PROVISIONS

1. Any M/W/DS-DBE that is listed on the S & C Form or the Joint Venture Eligibility Information Form must be certified by the MBEC in accordance with Executive Order 1-03 in order to be credited towards the participation range(s) to the RFQ or in the case of a **Joint Venture Agreement**, prior to the contract award.

2. No Proposer that seeks to meet the participation range(s) by entering into subcontracts with any M/W/DS-DBE subcontractor shall be considered to meet the participation range(s) if the M/W/DS-DBE subcontractor does not perform a commercially acceptable function ("CAF"). A M/W/DS-DBE is considered to perform a CAF when it engages in meaningful work that provides for a distinct element of the subcontract (as required by the services to be performed in accordance with this RFQ). The distinct element is worthy of the dollar amount of the subcontract value and where the M/W/DS-DBE carries out its responsibilities by actually performing, managing and supervising the work involved. The MBEC may evaluate the amount of work subcontracted, industry practices and any other relevant factors in determining whether the M/W/DS-DBE is performing a CAF. If it is determined during the review of the **S & C Form** that the work described on the form does not constitute a CAF, the proposal may be rejected.

3. Listing of a M/W/DS-DBE as a subcontractor on the **S & C Form**, constitutes a representation by Proposer, that such M/W/DS-DBE is capable of completing the subcontract with its own workforce, and that the Proposer has made a **BINDING COMMITMENT** with the firm prior to the submission of the **S & C Form**. This listing is also a representation by Proposer that if awarded the contract, Proposer will subcontract with the listed firm(s) for the work described and dollar/percentage amount(s) set forth on the **S & C Form**, unless the City alters the scope of services prior to the commencement of the contract. M/W/DS-DBE percentage commitments are to be maintained throughout the term of the contract and shall apply to the total dollar amount of the contract and any additional increases.

4. If a joint venture arrangement has been entered into with a M-DBE, W-DBE or DS-DBE, the following criteria must be met in order to receive credit toward the participation range:

- The M-DBE, W-DBE or DS-DBE partner(s) must be certified by the MBEC;
- The M-DBE, W-DBE or DS-DBE partner(s) must derive substantial benefit from the arrangement;
- The M-DBE, W-DBE or DS-DBE partner(s) must be substantially involved in all phases of the contract including, but not limited to, the performance, with its own workforce, of a portion of the on-site work where appropriate, and administrative responsibilities such as bidding, 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 interests, contributes working capital and other resources, etc).
- If Proposer has entered into a joint venture arrangement, the joint venture partners must complete and submit a "Joint Venture Eligibility Information Form" (available at the MBEC Office). This form should be submitted with the proposal and the form will be reviewed by the MBEC or approval or disapproval of the joint venture arrangement. If the joint venture arrangement is not approved by the MBEC, Proposer will not receive credit toward the applicable participation range(s) and the proposal may be rejected.

5. In calculating the percentage of participation by a M/W/DS-DBE, Proposer shall apply the standard mathematical rules in rounding off numbers. For example, if the stated M-DBE participation range is 15% - 25%, the M-DBE participation must equal 14.5% or greater to fall within the range. In the event of an inconsistency between the dollar and percentage amounts listed on the S & C Form, the percentage will govern.

6. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. M-DBE and W-DBE, M-DBE and DS-DBE or W-DBE and DS-DBE), will only be credited in **one** category i.e., either as a Minority (M-DBE), Woman (W-DBE) or Disabled (DS-DBE) Disadvantaged Business Enterprise; Proposers will designate on the **S & C Form** which category, M-DBE, W-DBE or DS-DBE, is submitted for credit.

7. Certification of a business by the MBEC shall not be a representation of the firm's financial or technical ability to perform specified work. The City reserves the right to evaluate a firm's ability to satisfy financial, technical or other criteria separate and apart from certification before or after selection of the successful proposer or award of the contract.

8. If Proposer is a certified M/W/DS-DBE submitting a proposal as a prime Proposer, Proposer must still respond to the participation range(s) specified in this RFQ unless Proposer requests and receives a reduction in participation; a certified M/W/DS-DBE submitting a proposal as the prime Proposer **will** receive credit toward the ranges for its own work on this RFQ, and must seek to fulfill the other applicable ranges. The participation of an M-DBE, W-DBE or DS-DBE who is a part of a joint venture created for this contract, may be credited towards the applicable participation range to the extent of the disadvantaged partner's ownership interest in the joint venture provided that the joint venture arrangement is acceptable to the MBEC.

9. Except as otherwise provided herein, no changes or modifications to the participation arrangements specified on the **S & C Form** or Joint Venture Eligibility Information Form, including but not limited to substitutions for the listed firms, changes or reductions in described work and/or listed dollar/percentage amounts, shall be permitted.

(a) Following contract award, the successful Proposer may, under appropriate circumstances and with the prior written approval of the MBEC, make changes or modifications to the participation arrangements contained in **its original** submission. Requests for such changes or modifications must be submitted to the MBEC in writing with appropriate justification.

(b) The MBEC may from time to time request revised form(s) or other documentation from the successful Proposer to ensure compliance with the change order/amendment provision set forth in Paragraph 11.

10. Notwithstanding compliance with the requirements set forth herein, the City reserves the right to reject any or all Proposals as deemed in the best interest of the City.

11. In the event the successful Proposer's contract is increased by change order (sometimes referred to as a modification) and/or amendment, it shall be the responsibility of the successful Proposer to apply the participation range(s) to the amended amount in order to maintain the participation range(s) committed to on the total dollar amount of the contract at the time of contract completion.

12. The successful Proposer agrees to cooperate with the MBEC in its compliance monitoring efforts and to submit, within the time limits prescribed by the MBEC, all documentation which may be requested by the MBEC, including but not limited to, copies of subcontracts with the M/W/DS-DBEs, invoices, telephone logs and correspondence with the M/W/DS-DBEs, canceled checks, etc. These documents shall be maintained by the successful Proposer for a period of three (3) years following acceptance of final payment under the contract. The successful Proposer also agrees to submit reports and other documentation to the MBEC as deemed necessary by the MBEC to ascertain the successful Proposer's fulfillment of its M/W/DS-DBE participation commitments.

13. It is understood and agreed that the successful Proposer's compliance with the requirements for participation is material to the contract. Any failure to comply with these requirements shall constitute a substantial breach of the contract. It is understood and agreed that if the Director of Finance determines that the successful Proposer hereunder has failed to comply with the requirements for M/W/DS-DBE participation, the City may, in addition to any other rights and remedies the City may have under the Contract, any bond filed in connection therewith or at law or in equity, exercise one or more of the following remedies which shall be deemed cumulative and concurrent:

(a) Withhold payment(s) or any part thereof until corrective action is taken.

(b) Terminate the contract, in whole or in part.

(c) Suspend the successful Proposer from proposing on and/or participating in any future City contracts for a period of up to three (3) years.

(d) Recover as liquidated damages, one percent of the total dollar amount of the contract for each one percent (or fraction thereof) of the shortfall toward the applicable M/W/DS-DBE commitment.

(NOTE: The "total dollar amount of the contract" shall include approved change orders and amendments.)

~ ~ ~ ~ ~

Should you have any questions related to the Contract Provisions, please call
Mr. Cal Gaines at (215) 686-6379 or fax (215) 686-3878.

EXECUTIVE ORDER NO. 02-05

BACKGROUND

WHEREAS, it is the policy of the City of Philadelphia to provide equal opportunity for all businesses to participate in all City contracts and to assure that public funds, sourced, administered or authorized by the City, including contracts requiring City Council approval, are not used to promote, reinforce or perpetuate discriminatory practices; and

WHEREAS, there are at present more than 1100 qualified socially and economically disadvantaged minority-owned, female-owned and disabled-owned business enterprises, certified by the City's Minority Business Enterprise Council that are ready, willing and able to participate in all types of City contracts on an equitable basis with other businesses; and

WHEREAS, Article 1 of the Pennsylvania Constitution, Sections 26 and 28, prohibits the denial or abridgement of any person's enjoyment or exercise of any civil rights; and

WHEREAS, the Pennsylvania General Assembly has expressed its commitment to preventing discrimination by enacting the Pennsylvania Human Relations Act, 43 P.S. § 951 et seq.; and

WHEREAS, the Preamble to The Philadelphia Home Rule Charter provides that the Charter was adopted to establish a form of improved municipal self-government in which all qualified citizens may participate equally without any distinction based on race, color, religion or national origin; and

WHEREAS, Section 10-111(2) of The Philadelphia Home Rule Charter prohibits officers, employees and agencies of the City from using their powers or performing their duties in such a manner that will discriminate against any person because of race, color, religion or national origin; and

WHEREAS, Section 8-200(2)(d) of The Philadelphia Home Rule Charter requires that City contracts contain provisions prohibiting the contractor from discriminating or permitting discrimination against any person because of race, color, religion or national origin; and

WHEREAS, in 1996, the City contracted with D J Miller & Associates, Inc. to conduct a business utilization study ("DJMA Study") for the purpose of investigating the existence of discrimination against minority and women owned businesses in the Philadelphia marketplace and evaluating the need for remedial action; and

WHEREAS, the DJMA Study, which examined City contracting and census data and employed various statistical models, found significant statistical disparities in the utilization of both minority and women owned businesses in City contracts due to past and present day discrimination in both the public and private contracting sectors; and

WHEREAS, in 1993, Mayoral Executive Order 1-93 was enacted as a race neutral program designed to impede present-day discrimination against minority, women and disabled owned businesses by establishing tools and methodologies for evaluating bids and proposals; and

WHEREAS, beginning in 1989 and continuing since the inception of Mayoral Executive Order 1-93, there has been a significant decline in the overall participation of minority and woman owned businesses in City contracts; and

WHEREAS, today less than 10% of all City contract dollars across all categories of City contracts are spent with businesses owned by minorities and women; and

WHEREAS, in response to this steady decline in disadvantaged business participation, the City must take immediate measures to ensure that all businesses are free to participate in City contracts without the impediments of discrimination; and

WHEREAS, the establishment of a revised system for reviewing the contracting activities of contractors who do business with the City will assist in the identification of contractors who discriminate in contravention of State and local non-discrimination mandates and in awarding contracts to contractors that do not so discriminate;

WHEREAS, the establishment of a system for monitoring labor union employee composition and reporting of same to the Administration and City Council will further increase minority and female participation in skilled and semi-skilled trades in City contracts, which increased participation has been hindered by discrimination; and

WHEREAS, the development of a mechanism for monitoring the contracting activities of quasi-public agencies and reporting of same to the Administration and City Council on a semi-annual basis, will further increase minority and female participation in quasi-public development projects; and

WHEREAS, the continued implementation of race neutral measures such as the small business bonding program and the Procurement Department's small order purchase program will enhance the stated objectives of assisting minority, women and disabled owned businesses.

NOW, THEREFORE, I, John F. Street, by the powers vested in me in accordance with Sections 1-102 and 4-100 of The Philadelphia Home Rule Charter, do hereby ORDER that:

SECTION 1. Purpose

The Background is hereby incorporated by reference herein. The City of Philadelphia is committed to the policy of fostering an environment of inclusion in which all businesses are free to participate in business opportunities and to flourish without the impediments of discrimination. Bidders participating in City contracts shall do so on a fair and equitable basis and shall not discriminate against any business because of race, color, religion, national origin, sex or disability or employ business practices which exclude minority, women and disabled owned businesses. Bidders shall not be deemed responsive and responsible bidders unless they give adequate assurances that they do not and will not discriminate. The City Solicitor shall require adequate such assurances in all City contracts. In furtherance of this ORDER, the Minority Business Enterprise Council ("MBEC") is hereby created to implement, monitor and enforce this ORDER, by reviewing procurements to ascertain whether discrimination or exclusion has occurred in the solicitation or selection of contract participants.

SECTION 2. Definitions

A. **Bid.** A quotation, solicitation, proposal or offer by a bidder to perform or provide labor, materials, equipment, supplies or services to the City for a price.

- B. **Bidder.** Any business that submits a quotation, bid, or proposal to provide labor, materials, equipment, supplies, or services to the City.
- C. **Certification.** The process by which the MBEC evaluates the eligibility of socially and economically disadvantaged minority, women, and disabled owned small businesses (“DBEs”) to participate in the City’s contracting program. The certification procedure should assure that businesses participating under this Executive Order are bona fide DBEs and the MBEC shall be guided by Federal Regulation, 49 CFR Part 26, in evaluating eligibility for certification.
- D. **City Contract.** All City demolition contracts and all other City contracts estimated at \$100,000 or more and funded in whole or in part by the City or administered by the City, whether competitively bid or negotiated, within the following categories:
1. Vending to include materials, equipment, services and supplies;
 2. Construction;
 3. Personal and professional services; and
 4. Concessions
- E. **City Related Special Projects.** Contracts, including those of quasi-public agencies, that require the approval, personnel, financial assistance and services from the City and/or City Council.
- F. **Commercially Acceptable Function (“CAF”).** A minority, woman, or disabled owned business is considered to perform a commercially acceptable function when it (1) engages in meaningful work that provides for performance of a distinct element of the contract (as required by the work to be performed in accordance with the bid specifications) where the distinct element is worthy of the dollar amount of the subcontract; and (2) carries out its responsibilities by actually performing, managing, and supervising the work involved. The MBEC may evaluate the amount of work subcontracted, industry practices and any other relevant factors in determining whether the minority, woman or disabled owned business is performing a commercially acceptable function. In an effort to increase competitive subcontracting opportunities under this Executive Order, the MBEC shall invoke the “60 percent Material & Supply” rule: The total dollar value of materials and supplies required for a distinct element of the contract that are purchased by a prime contractor from a minority or female “manufacturer” or “regular dealer”, will be counted 60% toward the range for participation.
- D. **Compliance Plans.** On or before December 1st of each year, or at some other time which the MBEC shall devise, the MBEC shall work with each Department to develop a compliance plan that details how each Department shall meet the DBE program requirements on the eligible aggregate amount of all of its contracts to be awarded in the ensuing fiscal year.
- E. **Control.** The power to direct or cause the direction of the management and policies of a business and to make day-to-day as well as major decisions on matters of management, policy and operations. Control shall be active, real, substantial and continuing and shall go beyond the pro forma ownership of the business as reflected in its ownership documents. Control by a socially and economically disadvantaged minority, female or disabled person shall not be deemed to exist if a non-minority, non-female, and non-disabled person is disproportionately responsible for the operation of the business or if the business is subject to any formal or informal restrictions that limit the customary discretion of the socially and economically disadvantaged minority, female or disabled owners. Control shall be exemplified by possession of the requisite capital, knowledge and expertise, including any appropriate licensure, to operate the particular business.

F. **Department.** Any City Department, Agency, Board, Commission, or Quasi-public agency, funded in whole or in part by the City.

G. **Disabled Disadvantaged Business Enterprise or DS-DBE.** A small, for-profit business certified by the MBEC that is:

1. A sole proprietorship, owned and controlled by a socially and economically disadvantaged disabled person; or
2. A partnership controlled by socially and economically disadvantaged disabled persons in which at least 51% of the beneficial ownership interest is held by socially and economically disadvantaged disabled persons; or
3. A corporation or other entity controlled by socially and economically disadvantaged disabled persons in which at least 51% of the interest in such corporation or entity is beneficially owned by socially and economically disadvantaged disabled persons.

H. **Disabled Person.** A person who has a physical or mental impairment that substantially limits one or more of his or her major life activities. Major life activities shall mean functions, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

I. **Discrimination.** Any action or pattern of disparate treatment in the solicitation and selection of contract participants because of race, color, religion, sex, national origin, ancestry or disability.

J. **Exclusion.** The result of business practices that have the effect of barring ready, willing, and able disadvantaged business enterprises from participating in City Contracts or City Related Special Projects.

K. **Inclusion.** Best practices that yield a fair and equitable participation level of disadvantaged business enterprises in City Contracts and City Related Special Projects.

L. **Joint Venture.** An association of two or more for-profit businesses carrying out a single purpose by creating a separate and distinct for-profit business entity in which they combine their property, capital, efforts, skills, and knowledge. An “Eligible Joint Venture” is one in which the DBE partner of the joint venture meets the definition of an eligible DBE, and the DBE partner is responsible for a clearly defined element of the work to be performed and shares in the ownership, management, responsibility, risks, and profits of the joint venture commensurate with its ownership and capital contribution to the start-up of the joint venture. The DBE partner(s) must be certified by the MBEC and derive substantial benefit from the joint venture.

M. **Minority Business Enterprise Council (MBEC).** The Minority Business Enterprise Council (MBEC), a central services unit in the Office of the Director of Finance, will implement, monitor and enforce this Order. The Director of the MBEC shall be a Deputy level position within the Finance Department. The MBEC shall have sufficient administrative staff and support services to carry out the functions listed in Section 4 of this Order.

N. **Minority Disadvantaged Business Enterprise or M-DBE.** A small, for-profit business certified by the MBEC, that is:

1. A sole proprietorship owned and controlled by a socially and economically disadvantaged minority person; or
2. A partnership controlled by socially and economically disadvantaged minority persons in which at least 51% of the beneficial ownership interest is held by socially and economically disadvantaged minority persons; or
3. A corporation or other entity controlled by socially and economically disadvantaged minority persons in which at least 51% of the interest in such corporation or entity are beneficially owned by socially and economically disadvantaged minority persons.

O. **Minority Person.** A person who is: 1) Black or African-American, a person having origins in any of the black racial groups of Africa. Terms such as Haitian or Negro can be used in addition to Black or African-American; or 2) American Indian, Alaska Native, or a person having origins in any of the original peoples of North and South America, including Central America and who maintains tribal affiliation or community attachment; or 3) Asian, a person having origin in any of the original peoples of Far East, Southeast Asia or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam; or 4) Hispanic, a person having origins in Cuba, Mexico, Puerto Rico, South or Central America or other Spanish cultures or origin, regardless of race; or 5) Native Hawaiian or other Pacific Islander, a person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.

P. **Participation Range.** For each City contract or City Related Special Project, the range of M-DBE/W-DBE/DS-DBE or SPCM/SPCW/SPCDS participation that should be attained from business opportunities existing in the available market absent discrimination and exclusion in solicitation and selection. The participation range shall be established by the MBEC and will be based upon an analysis of factors such as historical contracting data, the size and scope of the contract and the availability of certified M-DBE/W-DBE/DS-DBEs or SPCM/SPCW/SPCDS to perform the work of the contract.

Q. **Responsible Bid.** A bid, which in addition to review under any applicable pre-bid or post-bid qualification procedure (including, but not limited to 17-101 of The Philadelphia Code), demonstrates that the Bidder has not engaged in discriminatory or exclusionary conduct. Upon receipt of bids, the bids will be subject to review by the MBEC to determine whether the Bidder has discriminated or excluded businesses as contract participants. If a Bidder's bid reflects participation commensurate with the ranges of M-DBE/W-DBE/DS-DBE participation established by the MBEC for the contract, the Bidder will be rebuttably presumed not to have discriminated or excluded businesses in its selections. Where the participation ranges are not met, the MBEC will initiate an investigation to determine whether discrimination or exclusion of businesses has occurred by evaluating whether the Bidder has made a good faith effort; the MBEC shall use the Good Faith Evaluation Form attached hereto and incorporated herein as Appendix 1 to this Order. If the Bidder fails to cooperate with the MBEC in its review or the MBEC finds that discrimination and/or exclusion has occurred, the MBEC will determine that the Bidder be deemed not responsible and its bid shall be rejected by the contracting Department. Bids rejected for responsibility (due to a determination of discrimination and/or exclusion) may result in the debarment of the Bidder from submitting on and/ or participating in any future City contracts for a period of up to three (3) years.

R. **Responsiveness.** The Bidder's submission (in addition to the submission of any other required documentation) of documentary evidence of M-DBEs, W-DBEs and DS-DBEs that have been solicited and that are to be used on the contract. Documentation must be submitted in accordance with the written bidding instructions and any failure to submit evidence of such solicitations and commitments will result in rejection of the submittal as nonresponsive.

- S. **Small Business.** A business that is independently owned and operated and that is not dominant in its field of operation as further defined by the Small Business Size Regulations, adopted by the U.S. Small Business Administration and published in the U.S. Code of Federal Regulations, including the industry size standards set forth in the tables contained therein, which regulations are incorporated herein and made a part by reference.
- T. **Socially and Economically Disadvantaged Individuals.** Individuals who have been subjected to racial, sexual or ethnic prejudice because of their identity as a member of a group or differential treatment because of their disability without regard to their individual qualities, and whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business and competitive market area who are not socially and economically disadvantaged.
- U. **Special Class Minority, (SPCM), Woman (SPCW), and Disabled (SPCDS) Business Enterprises.** Special Class Business Enterprises are firms that do not satisfy the requirements found at 49 CFR Part 26, but are otherwise eligible for certification on a project-by-project basis, based on the ownership and control of the business as determined by the MBEC. This special class of certified firms has the business capacity to compete as a prime, joint venture partner, and/or subcontractor on select City contracts valued in excess of One Million Dollars (\$1,000,000.), where the dollar value of the Special Class Business Enterprise's contract is Two Hundred And Fifty Thousand Dollars (\$250,000.) or greater.
- V. **Women Disadvantaged Business Enterprise or W-DBE.** A small, for-profit business certified by the MBEC that is:
 - 1. A sole proprietorship, owned and controlled by a socially and economically disadvantaged woman; or
 - 2. A partnership controlled by socially and economically disadvantaged women in which at least 51% of the beneficial ownership interest is held by socially and economically disadvantaged women; or
 - 3. A corporation or other entity controlled by socially and economically disadvantaged women in which at least 51% of the interest in such corporation or entity is beneficially owned by socially and economically disadvantaged women.

SECTION 3. Administration

- A. The MBEC, which is a part of the Office of The Director of Finance, shall perform the functions specified in this ORDER and shall make such findings, recommendations and proposals to the Secretary of Financial Oversight/Director of Finance and issue guidelines as are necessary and appropriate to enforce this ORDER. Each Department shall be responsible for complying with and carrying out the objectives of this ORDER. Any findings of discrimination and/or exclusion that the MBEC shall make in the course of implementing this ORDER will be reported to the Office of The City Solicitor and any other appropriate legal authorities.
- B. In furtherance of this ORDER, an Economic Opportunity Task Force is hereby established in the Office of the Director of Finance for the purpose of developing plans to:
 - 1. increase the employment of minorities, women and disabled persons in the building trades that work on publicly funded construction projects; and

2. increase contracting with Minority-Owned Businesses, Female-Owned Businesses and Disabled-Owned Businesses in connection with publicly funded construction projects.

The Task Force shall consist of the Finance Director and ten (10) other members appointed by the Mayor, with at least one member selected from each of the following organizations, groups and government agencies:

- (a) neighborhood and community groups;
- (b) the business community;
- (c) building trade unions;
- (d) building trade training providers;
- (e) construction contractors;
- (f) City Council; and
- (g) such members of the Administration as shall be determined by the Mayor.

The Task Force shall have access to all employment and contract data within the City needed to develop its plans and shall work with the relevant City Departments and agencies to obtain similar information from outside of the City. The Task Force shall be funded by appropriations made to the Office of the Finance Director and shall be provided with a paid consultant, who shall serve as the repository for the collection, analysis and reporting of data and who shall convene all meetings of the Task Force. The Task Force shall meet no less than bi-monthly and shall provide interim reports to the Mayor and City Council no less than quarterly. The Task Force shall provide a final written report within one (1) year of the date this Chapter becomes law. The Task Force shall establish rules for its internal operation but shall not disrupt the operations of any City department or agency.

C. An Economic Opportunity Resource Council is hereby created to:

- (a) assemble and provide contracting and other relevant data as requested by the Economic Opportunity Task Force (“Task Force”) needed to produce the Task Force’s plans and reports;
- (b) provide procurement and contracting policies and other relevant information to assist the Task Force in developing its plans and reports; and
- (c) provide input and guidance to the Task Force to assist it in understanding the contracting operations of governmental departments and agencies.
- (d) The Resource Council shall consist of the Finance Director and representatives of the following government agencies and departments as determined by the Mayor:
 - (a) The Capital Program Office;
 - (b) The Procurement Department;
 - (c) Minority Business Enterprise Council (MBEC);
 - (d) The Office of Housing and Community Development;
 - (e) The Law Department;
 - (f) The Philadelphia Housing Authority;
 - (g) The Philadelphia Industrial Development Corporation; and
 - (h) City Council.

The Resource Council shall be chaired by the Finance Director, and shall meet as often as deemed necessary to respond to the requests of the Task Force, but no less than quarterly. The Resource Council shall cooperate fully with all requests of the Task Force and shall provide

requested data within a reasonable time period, as determined between the Resource Council and the Task Force.

SECTION 4. Functions of the MBEC

The MBEC shall:

- A. Certify M-DBEs, W-DBEs, DS-DBEs and Special Class Firms and maintain a directory of such firms for the purpose of identifying the number and business classifications of these firms;
- B. Establish participation ranges of M-DBE/W-DBE/DS-DBE participation for each City contract based upon analysis of the specifications and availability of M-DBE/W-DBE/DS-DBEs to perform various elements of the contract;
- C. Attend pre-bid and pre-proposal meetings to provide information to Bidders;
- D. Review bids for responsiveness and responsibility and forward findings and recommendations to the Procurement Department or agency letting the contract;
- E. Perform investigations, including site visits to the Bidder's firm and/or job site to ascertain whether the bidder has discriminated and/or excluded businesses in the solicitation or award of a subcontract;
- F. Provide City Council and the Administration with information on each trade union's membership as it pertains to the inclusion of minorities and females in the union including union apprenticeship programs;
- G. Provide reports to City Council and the Administration every six months, outlining the participation of M-DBE/W-DBE/DS-DBEs in City Contracts and certifying whether each Department has provided to MBEC within the preceding six months the information necessary to compile the report;
- H. Report findings of discrimination and/or exclusion to the Secretary of Financial Oversight/Director of Finance, City Council and Office of the Mayor and appropriate legal authorities;
- I. Maintain records of M-DBE/W-DBE/DS-DBE participation in City contracts;
- J. Monitor contracts to ensure that discrimination and/or exclusion does not occur in the course of the performance of any contract;
- K. Monitor prime bidders' payments to DBEs;
- L. Provide technical assistance to certified DBEs;
- M. Provide information on contracting opportunities to certified DBEs;
- N. Review City departmental requests for proposals and bid specifications to identify requirements, which unduly restrict participation by M-DBE/W-DBE/DS-DBEs;
- O. Provide training opportunities and seminars for City personnel involved in the implementation of this ORDER. Such training and seminars shall be designed to increase M-DBE/W-DBE/DS-DBE participation in all types of City contracts;
- P. Participate on all selection committees for goods and services contracted by the City;
- Q. Implement small business bonding and insurance program support for professional service and construction contracts requiring performance security;
- R. Recommend to the City Solicitor, contractual assurances to be included in all City Contracts in furtherance of the objectives of this ORDER;
- S. Issue guidelines in interpretation of this ORDER and implement other activities as may be necessary or desirable to achieve the purpose and intent of this ORDER.

SECTION 5. Enforcement

The MBEC shall make such findings, recommendations and proposals to the Secretary of Financial Oversight/Director of Finance as are necessary and appropriate to enforce this Order. If, as a result of its

monitoring activities, the MBEC determines that the objectives set forth in this Order are not being met by any Department or any Bidder, the MBEC may recommend any or all of the following actions:

- A. If the MBEC determines that a Bidder under contract with the City has failed to comply with contractual provisions requiring DBE participation, the MBEC may recommend that the City exercise its legal remedies, including, if appropriate, the termination of the contract involved and debarment of the Bidder.

- B. In the event that the MBEC determines that a Department is not achieving the levels of DBE participation identified in its Compliance Plan, the MBEC will establish goals for the Department and require that the Department revise its Compliance Plan to provide additional opportunities for DBE participation commensurate with the goals. In creating the Department goals, MBEC shall consider the availability of DBEs in various industry classifications that are ready, willing, and able to provide goods, expertise and services for the Department, the level of utilization of DBE firms in past contracts awarded by the Department, the Department's contract specifications and solicitations whether by bid, RFQ or direct solicitation. The revised Department Compliance Plan shall include, without limitation, the following:
 - 1. Assurance of stronger and better focused solicitation efforts to obtain more DBEs as potential prime contractors;
 - 2. Division of job or project requirements, when economically feasible, into tasks or quantities to permit participation of DBEs;
 - 3. Elimination, when feasible, of extended experience requirements, bid or performance security, or capitalization requirements to permit increased participation of DBEs;
 - 4. Identification of proposed contracts as particularly attractive or appropriate for participation by DBEs, such identification to result from, and be coupled with, the efforts of (1) through (3) above.

SECTION 6. Repeal of Executive Order 1-93

Executive Order 1-93 is hereby repealed in its entirety.

SECTION 7. Effective Date

This ORDER shall take effect immediately and shall apply to all City Contracts for which bids or proposals are solicited on or after the effective date of this ORDER. Said Order shall continue in effect for 180 days, at which time, the MBEC shall submit to the Mayor a report delineating the levels of M-DBE/W-DBE/DS-DBE and SPCM/SPCW/SPCDS-BE participation achieved for the 180 day period along with an evaluation of the necessity for further remedial action.

Date: _____

John F. Street, Mayor

APPENDIX 1
EXECUTIVE ORDER 04-03

GOOD FAITH EVALUATION

BIDDER COMPLIED

(Y/N)

POINTS

_____	(1)	Contacting DBEs that reasonably could have been expected to submit a quote and that were available in the MBEC Directory of Certified Firms at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed.	<u>10</u>
_____	(2)	Making the construction plans, specifications and requirements available for review by prospective DBEs businesses or providing these documents to them at least 10 days before the bid or proposals are due.*	<u>10</u>
_____	(3)	Breaking down or combining elements of work into economically feasible units to facilitate DBE participation.	<u>10</u>
_____	(4)	Working with trade, community, or contractor organizations that provide assistance in recruitment of DBEs.	<u>10</u>
_____	(5)	Attending any pre-bid meetings scheduled by the City.	<u>10</u>
_____	(6)	Providing assistance in acquiring required bonding or insurance or providing alternatives to bonding or insurance for subcontractors.	<u>10</u>
_____	(7)	Negotiating in good faith with interested DBEs and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of DBEs based on lack of qualifications should have the reasons documented writing.	<u>10</u>
_____	(8)	Providing assistance to an otherwise qualified DBE in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies or letters of credit, including waiving credit that is ordinarily required. Assisting DBEs in obtaining the same unit pricing with the Bidder's suppliers in order to help DBEs in establishing credit.	<u>10</u>
_____	(9)	Negotiating joint venture and partnership arrangements with DBEs in order to increase opportunities for DBEs when possible.	<u>10</u>
_____	(10)	Providing quick pay agreements and employing policies to enable DBE contractors and suppliers to meet cash-flow demands.	<u>10</u>

*Plans and specifications for certain projects are available for inspection at the Minority Business Enterprise Council, Municipal Services Building, 1401 JFK Boulevard, Suite 330; please call 215.686.6372 for availability.

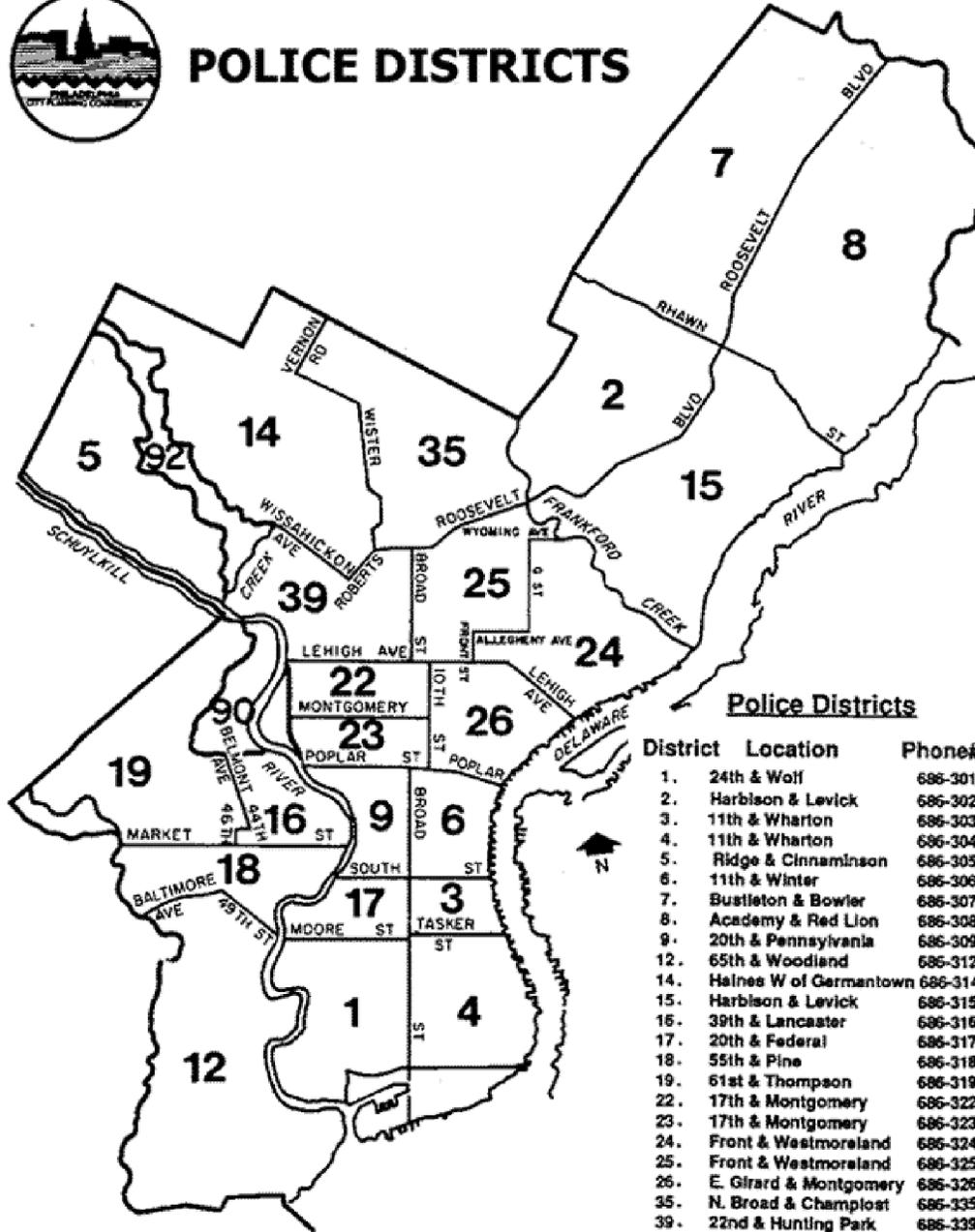
Instructions:

1. If "Y" (yes) to any of the above referenced actions, and the specified range is not met, bidders must provide documentation demonstrating the "good faith effort".
2. Bidders must score 60 points in order to achieve the minimum good faith effort requirement.
3. If a bidder meets the range then he/she shall be considered to have met the good faith effort requirement.

**APPENDIX F:
MAP OF PHILADELPHIA POLICE DISTRICTS**



POLICE DISTRICTS



Police Districts

District	Location	Phone#
1.	24th & Wolf	686-3010
2.	Harblson & Levick	686-3020
3.	11th & Wharton	686-3030
4.	11th & Wharton	686-3040
5.	Ridge & Cinnaminson	686-3050
6.	11th & Winter	686-3060
7.	Bustleton & Bowler	686-3070
8.	Academy & Red Lion	686-3080
9.	20th & Pennsylvania	686-3090
12.	65th & Woodland	686-3120
14.	Haines W of Germantown	686-3140
15.	Harblson & Levick	686-3150
16.	39th & Lancaster	686-3160
17.	20th & Federal	686-3170
18.	55th & Pine	686-3180
19.	61st & Thompson	686-3190
22.	17th & Montgomery	686-3220
23.	17th & Montgomery	686-3230
24.	Front & Westmoreland	686-3240
25.	Front & Westmoreland	686-3250
26.	E. Girard & Montgomery	686-3260
35.	N. Broad & Champloot	686-3350
39.	22nd & Hunting Park	686-3390
90.	Memorial Hall	686-2241
92.	Gypsy & Lincoln	686-7292