REQUEST FOR PROPOSALS (RFP)
for
Festival Sponsor Reception Catering
for
WELCOME AMERICA FESTIVAL

Issued by:
WELCOME AMERICA INCORPORATED

RFP Issued: May 25, 2012
Deadline for Proposals: June 11, 2012

2012 Welcome America Festival
1515 Arch St. 12th Floor
Philadelphia PA 19102

Respondents must submit ten (10) copies and one (1) originial to the Welcome America Inc Office, 1515 Arch St, 12th Fl, Philadelphia, PA 19102 as well as <u>adhere to the on-line submission requirements.</u>

Proposals must be received no later than 5:00 p.m. E.S.T. on June 11, 2012.

I. Project Overview

A. Introduction / Statement of Purpose

This RFP is for a caterer for the *Taste of Philadelphia* Reception and 4th of July Independence Day Reception for the Welcome America! Festival (also referred to as the "Festival"). The *Taste of Philadelphia* Reception takes place on June 30th during the evening Concert and Fireworks. The attendance averages from 75-100 guests.

The Independence Day Reception precedes the 4th of July Concert and Fireworks. The attendance averages from 750-850 people.

Vendor evaluation criteria include accurate response to RFP, relevant experience, quality of products and services, and competitive cost.

B. Department Overview

This event is produced by Welcome America Inc., the home of Philadelphia's 4th of July celebration where for 11 days the City of Philadelphia showcases all that America's birthplace has to offer. Our title sponsor, Wawa Inc., joined the festival in 2010 and it is now the Wawa Welcome America! festival.

C. Project Background

The Welcome America! Festival is the City of Philadelphia's official 4th of July celebration. On the 4th of July, the Benjamin Franklin Parkway is the location for major festivities. This includes an evening concert and a fireworks display. All sponsors of the Festival are invited to attend these events. To show our appreciation, we invite them to a private, catered reception.

D. Request for Proposals

Please note that this RFP is searching for an entity to fulfill contractual obligations. WAI is looking to receive proposals from potential consultants. The selected consultant must have a proven track record of event participation.

II. Scope of Work

A. Project Details

-Estimated attendance: June 30th Taste of Philadlephia Reception 75-100. Location: Private sectioned corner of the Great Plaza with prime views for the fireworks and concert. This area has a private entrance from the rest of the festival and will be admitted to those with reception credentials only.

July 4th Independene Day Reception 750-850 people in a tented space behind the main stage at Eakins Oval (in front of the Art Museum). This location is highly seured and the public will not have access.

-Estimated time: Taste of Philadelphia 6:30-10PM and 4th of July Sponsors Recpetion 5:30-7:30PM
-Please provide a reception menu with variety. We are not looking for formal dining. We would like foods to be appealing and easy to eat; there will not be a sit down area for eating.
-Also open to quotes on beverage packages.
-Prefer pricing to be approximately $20 per person, *but open to all package suggestions.*

III. Proposal Format and Content

A. Proposal Requirements

All proposals should be in the following format:

1. No more than 10 pages in length.
2. Respond to all areas noted in sections above. Cite examples of current and previous work.
3. Provide a clear compensation scenario for both new and renewed sponsor contracts.
4. Specify what skills you possess, including but not limited to, your approach, planning, sales strategies, and staffing.
5. Supply recent event highlights. What events have you successfully worked for in the last 18 months, including dollar range. Include your current client list.

The suggested way to organize your proposal:

(1) Table of Contents.
(2) Introduction / Executive Summary
(3) Company or Agency Profile
(4) Financial Requirements
(5) Related Experience
(6) Summary of References
(7) Summary of current Clients and Partners

(8) Project Understanding
(9) Proposed Scope of Work – how will you meet the stated objectives of the RFP?
(10) Proposed Schedule and Milestones
(11) Staffing and Organization
(12) Cost Proposal

Participation of Minority, Women, or Disabled Business Enterprises– See Appendix A for requirements related to the fulfillment of the Mayor's Executive Order 02-05 regarding the participation of minority, women, and disabled business enterprises (M/W/DSDE).

Disclosure of Litigation
The respondent shall describe any pending, contemplated or ongoing administrative or judicial proceedings material to the Respondent's business or finances. This includes, but is not limited to, any litigation, consent orders or agreements with any state or federal regulatory agency issued to the Respondent or to any subcontractor the Respondent plans to use for the services described in this RFP.

A. **Disclosure Requirements**
As part of its proposal, respondents are required to complete and submit disclosure forms detailing any campaign contributions to local and state political candidates and incumbents; any consultants used in responding to this RFP and contributions those consultants have made; prospective subcontractors; and whether Respondent or any representatives of Respondent has received any requests for money or other items of value or advise on particular firms to satisfy minority-, women-, or disabled-owned business participation goals from Fund or City employees. This information, as well as a proposal or any other response document required, are part of your application. For more information on the disclosure requirements, please consult reference materials provided by the City of Philadelphia on its eContract Philly website found at: https://secure.phila.gov/eContract/ under "Disclosure/Eligibility".

B. Mandatory Online Application Requirements
The respondent must send their proposals electronically in order to be eligible for award of the posted opportunity. Proposals or any other response to a Notice of Contracting Opportunity will not be considered unless you have electronically submitted your proposals to rfp@welcomeamerica.com.
The disclosure forms, as well as a proposal or any other response document required, should be included in the consultant's proposal. See **Appendix B** for disclosure forms.

C. Evaluation of Proposals
Proposals will be evaluated by a small team of marketing and event professionals organized by the WAI and the Executive Producer. Proposals will be analyzed based on cost, experience, plan strategy, capacity, staffing qualifications, and potential for generating revenue for the Welcome America Inc.

D. Selection Criteria
The successful respondent will be selected based on the following criteria:

- Cost
  - -Cost-effectiveness, cost-efficiency, proposed savings, expense reduction
  - -Price, fee caps and other cost control measures
- Experience

-Specialized experience
-Documented prior experience in handling project(s) of similar size and scope
-Demonstrated ability to meet deadlines

- Proposed plan of action/strategy/solution for Department project(s)
  -Utilization of most efficient methodology
  -Innovativeness of solution
  -Utilization of best practices
  -Ability to meet project deadlines under proposed solution/project plan
  -Staffing model
- Vendor capacity

- Staffing qualifications (e.g., staff prior experience, education, licenses, professional achievements)
  -Technical, administrative, financial capacity
  -Specific licensure requirements for organizations/businesses
- Expressed willingness to comply with City and/or department standards for contracting (e.g., indemnification, nondiscrimination)
- Vendor profile
  -For-profit versus non-profit status if relevant
  -Business integrity and reputation in the industry relevant to the vendor or area of work
  -Shared commitment, with department, to achieving the objectives of Executive Order 02-05 which strives for the inclusion of Minority, Women and Disabled Businesses in all phases of City contracting;
- Superior ability or capacity to meet particular requirements of contract opportunity;
- Eligible under the Philadelphia Code provisions relating to campaign contributions;
- Superior prior experience, as confirmed by references
- Superior skill and reputation, including timeliness and demonstrable results, as confirmed by references;
- Superior qualifications of Project Team members, as confirmed by degrees, licenses, publications, training, and/or accreditations;
- Benefit of promoting long-term competitive development and allocation of experience to new or small businesses, including those owned by minority, women or disabled persons;
- Administrative and operational efficiency, requiring less City oversight and administration, as confirmed by references; and
- Meets qualification requirements as set forth in the RFP.

E. City Employee Conflict Provision

No proposal shall be from, or contract awarded to, any Welcome America Inc. employee or official who submits a proposal or solicits any contract in which he or she may have any direct or indirect interest.

F. Proposers Restricted

No respondent may be a party to or have an interest in more than one Proposal submitted pursuant to this RFP.

G. Proposal Binding

By signing and submitting its proposal, each respondent agrees that the contents of its proposal are available for establishment of final contractual obligations for a minimum of 180 calendar days from the application deadline for this RFP. A respondent's refusal to enter into a contract which reflects the terms and conditions of this notice of contract opportunity, the Corporation Contract or respondent's proposal may, in the Corporation's sole discretion, result in rejection of respondent's proposal or termination of any negotiations with the respondent.

IV. Administrative Information and Requirements

A. Procurement Schedule

RFP Release Date	May 25, 2012
Question due regarding RFP	June 6, 2012
Answers provided via email	June 8, 2012
RFP Submission	June 11, 2012
Selection of Respondent(s)*	TBD
Contract Negotiation	TBD

**Interviews may be required as part of the review and selection process. Only a portion of the respondents will be asked to participate in interviews.*

B. Questions relating to the RFP

All questions concerning this RFP must be submitted in writing via email to **rfp@welcomeamerica.com** no later than June 6, 2012 (1 PM). The Corporation will provide written responses to the submitted questions no later than June 8, 2012 (5 PM). These responses will be emailed to all respondents for the RFP in question. Oral responses by any Corporation employee or agent of the Corporation are not binding and shall not in any way be considered as a commitment by the Corporation.

C. Revisions to RFP

The Corporation reserves the right to change, modify or revise the RFP at any time. Any revision to this RFP will be posted on www.welcomeamerica.com web site with the original Opportunity Details. It is the respondent's responsibility to check the www.welcomeamerica.com website frequently to determine whether additional information has been released.

D. Interviews/Presentations

Interviews may be required as part of the review and selection process.

E. Inclusion/Responsiveness

Provisions of this RFP and the contents of the successful proposal are considered available for establishment of final contractual obligations for a minimum period of 30 days following the proposal submission.

F. Contract Term

The contract resulting from this RFP will commence as of the date of execution of the contract and will terminate no later than one year after commencement. Up to three (3) additional one-year term extensions may be granted, at the sole option of the Welcome America Inc.

G. Compensation

This is a flat project fee, and the consultant can bid on one or both events. The Welcome America Inc. will pay the vendor based on the arrangement agreed upon. The vendor will invoice the Welcome America Inc., (one/third upon contract execution; one/third milestone payment (June), and one/third as final payment, upon submission of final report.)

H. Contract Requirements

These requirements are in addition to the terms and conditions set forth in the attached form of agreement. The successful respondent shall agree to the following:

1. Non-Indebt Clause
   Respondent hereby certifies and represents that Respondent and Respondent's parent company(ies) and

subsidiary(ies) are not currently indebt to the City and will not, if awarded the Agreement, at any time during the term of the Agreement (including any extensions or renewals thereof) be indebt 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 Philadelphia), liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. In addition to any other rights or remedies available to the City at law or in equity, the successful Respondent 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 the successful Respondent under the Agreement 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 this Agreement for default (in which case the successful Respondent shall be liable for all excess costs and other damages resulting from the termination).

The successful Respondent shall require all sub-consultants performing work in connection with the Agreement to be bound by the preceding provision and the successful Respondent shall cooperate fully with the City in exercising the rights and remedies described below or otherwise available at law or in equity.

2. Insurance

Unless otherwise specified, the successful respondent shall, at its sole cost and expense, procure and maintain or cause to be procured and maintained, in full force and effect throughout the term of the Agreement, the types and minimum limits of insurance specified in Appendix B.

All insurance shall be procured from reputable insurers authorized to do business in the Commonwealth of Pennsylvania. All insurance required herein shall be written on an "occurrence" basis and not a "claims-made" basis unless stated otherwise. At least thirty (30) days prior written notice must be given to the City in the event coverage is materially changed, cancelled or non-renewed.

The successful Respondent will provide Certificates of Insurance evidencing the required coverage. The certificate of insurance must specifically reference the Corporation contract number for which they are being submitted and shall be submitted to the Responsible Official and the City's Risk Manager (One Parkway Building, 14th Floor, Philadelphia, Pennsylvania 19102) at least ten (10) days before work is begun and at least ten (10) days before each insurance renewal date. The ten (10) day requirement for advance documentation of coverage may be waived in situations where such waiver will benefit the Corporation, but under no circumstances shall Respondent actually begin work (or continue work, in the case of insurance renewal) without providing the required evidence of insurance. The Corporation reserves the right to require Respondent to furnish certified copies of the original policies of all insurance required under the Contract at any time upon ten (10) days prior written notice to Respondent. The 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 Respondent to the Corporation or to limit Respondent's liability under the Contract to the limits of the policies of insurance required to be maintained by Respondent hereunder."

3. Indemnification

The successful Respondent shall indemnify, defend and hold harmless the Corporation, its officers, employees and agents, from and against any and all losses, costs (including, but not limited to, litigation and settlement costs and counsel fees and expenses), claims, suits, actions, damages, liability and expenses, occasioned wholly or in part by Respondent's act or omission or negligence or fault or the act or omission or negligence or fault of Respondent's agents, subcontractors, independent contractors, suppliers, employees or servants in connection with the Contract that may result from this RFP. This includes, but is not limited to,

those in connection with loss of life, bodily injury, personal injury, damage to property, contamination or adverse effects on the environment, intentional acts, failure to pay any Subcontractors and suppliers, any breach of the Contract, and any infringement or violation of any proprietary right (including, but not limited to, patent, copyright, trademark, service mark and trade secret).

4. Business Interests in Northern Ireland
In accordance with Section 17-104 of The Philadelphia Code, the Respondent by execution of a Contract certifies and represents that (1) Respondent (including any parent company, subsidiary, exclusive distributor or company affiliated with Respondent) does not have, and will not have at any time during the Term of the Contract (including any extensions of the Term), any investments, licenses, franchises, management agreements or operations in Northern Ireland; and (2) No product to be provided to the City under the Contract will originate in Northern Ireland, unless Respondent has implemented the fair employment principles embodied in the MacBride Principles.

In the performance of the Contract, the Respondent agrees that it will not use any suppliers, Subcontractors or subconsultants at any tier (1) Who have (or whose parent, subsidiary, exclusive distributor or company affiliate have) any investments, licenses, franchises, management agreements or operations in Northern Ireland; or (2) Who will provide products originating in Northern Ireland unless said supplier, subconsultant or Subcontractor has implemented the fair employment principles embodied in the MacBride Principles.

The Respondent agrees to cooperate with the City's Director of Finance in any manner which the said Director deems reasonable and necessary to carry out the Director's responsibilities under Section 17-104 of The Philadelphia Code. Respondent expressly understands and agrees that any false certification or representation in connection with this Section 14.6 (The Philadelphia Code, Section 17-104) and any failure to comply with the provisions of this Section 14.6 (The Philadelphia Code, Section 17-104) shall constitute a substantial breach of the Contract entitling the City to all rights and remedies provided in the Contract or otherwise available at law (including, but not limited to, Section 17-104 of The Philadelphia Code) or in equity. In addition, Respondent understands that false certification or representation is subject to prosecution under Title 18 Pa.C.S.A. Section 4904.

V. Reservation of Rights and Confidentiality

By applying for a notice of contract opportunity, the Respondent understands and agrees to this reservation of rights.

I. Corporation's Reservation of Rights in Connection with the Notice of Contract Opportunity Process
The Corporation reserves and may exercise any one or more of the following rights and options with respect to its notice of contract opportunity process:

1. To reject any and all proposals and to reissue a notice of contract opportunity at any time prior to execution of a final contract;
2. To issue a new notice of contract opportunity with terms and conditions substantially different from those set forth in a previous notice of contract opportunity;
3. To issue a new notice of contract opportunity with terms and conditions that are the same or similar as those set forth in a previous notice of contract opportunity in order to obtain additional proposals;
4. To extend a notice of contract opportunity in order to allow for time to obtain additional proposals prior to the notice of contract opportunity application deadline; or,
5. To cancel a notice of contract opportunity with or without issuing another notice of contract opportunity.

II. Proposal Selection Process and Corporation's Reservation of Rights in Connection with Selection of Proposal(s) for Review

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

1. To reject any proposal if, in the Corporation's sole discretion, the proposal is incomplete, the proposal is not responsive to the requirements of a notice of contract opportunity or it is otherwise in the best interest of the Corporation to reject the proposal;
2. To supplement, amend, substitute or otherwise modify a notice of contract opportunity at any time prior to award of one or more Respondents for negotiation;
3. To reject the proposal of any Respondent that, in the Corporation's sole judgment, has been delinquent or unfaithful in the performance of any contract with the Corporation, is financially, or technically incapable or is otherwise not a responsible Respondent;
4. To reject as informal or non-responsive, any proposal which, in the Corporation's sole judgment, is incomplete, is not in conformity with applicable law, is conditioned in any way, deviates from the notice of contract opportunity or contains erasures, ambiguities, alterations or items of work not called for by the notice of contract opportunity;
5. To waive any informality, defect, non-responsiveness and/or deviation from the notice of contract opportunity that is not, in the Corporation's sole judgment, material to the proposal;
6. To permit or reject, at the Corporation'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 and before contract award and/or contract execution.

III. Proposal Evaluation Process and Corporation's Reservation of Rights in Connection with Proposal Evaluation and Contract Negotiation

Proposals, which the Corporation determines in its sole discretion, are responsive to a notice of contract opportunity, will be reviewed and evaluated by the Corporation. The Corporation reserves the right to request Respondents to make one or more presentations to the Corporation at the Corporation's offices at Respondent's sole cost and expense, addressing Respondents' ability to achieve the objectives of the notice of contract opportunity. The Corporation further reserves the right to conduct on-site investigations of the Respondents' facilities or of those facilities where the 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 the notice of contract opportunity.

The Corporation 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 Corporation may require, at any time prior to execution of a final contract. The Corporation may, at its sole election, enter into simultaneous, competitive negotiations with multiple Respondents or negotiate with individual Respondents either together or in a sequence. Negotiations with Respondent(s) may result in the expansion or reduction of the scope of services, or changes in other terms and the submitted proposals. In such event, the Corporation shall not be obligated to inform other Respondents of the changes, or to permit them to revise their proposals in light thereof unless the Corporation, in its sole discretion, determines that doing so is in the Corporation's best interest. The Corporation 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 Corporation's best interest to do so.

In the event negotiations with any Respondent(s) are not satisfactory to the Corporation, the Corporation reserves the right to discontinue such negotiations at any time; to enter into or continue negotiations with other Respondents; to reissue the notice of contract opportunity in order to solicit new Respondents. The Corporation reserves the right not to enter into any contract with any Respondent, with or without the re-issuance of a notice of contract opportunity, if the Corporation determines that such is in the Corporation's best interest.

IV. Confidentiality and Public Disclosure

The successful Respondent shall treat all information obtained from the Corporation, which is not generally available to the public as confidential and/or proprietary to the Corporation. The successful Respondent shall exercise all reasonable precautions to prevent any information derived from such sources from being disclosed to any other person. The successful Respondent agrees to indemnify and hold harmless the Corporation, its officials and employees, from and against all liability, demands, claims, suits, losses, damages, causes of action, fines and judgments (including attorney's fees) resulting from any use or disclosure of such confidential and/or proprietary information by the successful Respondent or any person acquiring such information, directly or indirectly, from the successful Respondent.

By submission of a proposal, Respondents acknowledge and agree that the Corporation, as a municipal corporation, is subject to state and local public disclosure laws and, as such, is legally obligated to disclose to the public documents, including proposals, to the extent required thereunder. Without limiting the foregoing sentence, the Corporation's legal obligations shall not be limited or expanded in any way by a Respondent's assertion of confidentiality and/or proprietary data.

APPENDIX __

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

Under the authority of Executive Orders No. 02-05 and 14-08, the City of Philadelphia has established an antidiscrimination policy ("Policy") relating to the participation of Minority (MBE), Woman (WBE) and Disabled (DSBE) Owned Business Enterprises in City contracts (collectively, "M/W/DSBE" which also includes firms designated as DBE[1]). Executive Order 14-08 disestablished the Minority Business Enterprise Council and transferred its administrative functions under Executive Order 02-05 to the Office of Economic Opportunity ("OEO").

The purpose of this Policy is to provide equal opportunity for all businesses and to assure that City funds are not used, directly or indirectly, to promote, reinforce or perpetuate discriminatory practices. The City is committed to fostering an environment in which all businesses are free to participate in business opportunities without the impediments of discrimination and participate in all City contracts on an equitable basis. In accordance with the contracting requirements of the City, the City's antidiscrimination policy is applicable to this Notice of Contracting Opportunity (hereinafter, "NOCO").[2]

For this NOCO, the OEO requires that applicant exercise "good faith efforts" to solicit and make commitments with M/W/DSBEs for the work of this Contract. "Good faith efforts" are those efforts, the scope, intensity and appropriateness of which are designed and performed to achieve meaningful participation of M/W/DSBEs in the work of this contract. Solicitations and any commitments with M/W/DSBEs shall be designated on the Solicitation and Commitment Form.

Applicant hereby verifies that all forms, information and documentation submitted to the OEO are true and correct and is notified that the submission of false information by Applicant is subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

A. M/W/DSBE PARTICIPATION

1.Only firms that are certified by an approved certifying agency[3] or identified in the OEO Certification Registry at the time of contract award will be counted for participation. An OEO Certification Registry is maintained by the OEO and is available online at www.phila.gov/OEO/directory. Firms owned and controlled by minority persons, women or disabled persons, which are certified as MBE, WBE, DSBE or DBE by an approved certifying agency may apply to the OEO for listing in its OEO Certification Registry. If applicant or applicant's subcontractor(s) is certified by an approved certifying agency, a copy of that certification should be included with the proposal.

2. Participation is counted only if the M/W/DSBE performs a commercially acceptable function ("CAF"). A M/W/DSBE is considered to perform a CAF when it engages in meaningful work or supply effort that provides for a distinct

[1] "DBE" or "Disadvantaged Business Enterprise" means a socially and economically disadvantaged minority or woman owned business that is certified under 49 C.F.R. Part 26. If applicant makes solicitation(s) and commitment(s) with a DBE, applicant shall indicate which category, MBE or WBE, is submitted for counting.

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

[3] Approved certifying agencies are identified on the OEO webpage found at www.phila.gov/OEO.

element of the subcontract (as required by the work to be performed in accordance with the NOCO), where the distinct element is worthy of the dollar amount of the subcontract and where the M/W/DSBE carries out its responsibilities by actually performing, managing and supervising the work involved. The OEO may evaluate the amount of work subcontracted, industry practices and any other relevant factors in determining whether the M/W/DSBE is performing a CAF.

3. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. MBE and WBE and DSBE or WBE and DSBE) will be counted as either an MBE or WBE or DSBE. The firm will not be counted in more than one category. Applicants will note with their submission which category, MBE or WBE or DSBE, is submitted for counting.

4. An MBE/WBE/DSBE submitting as the prime applicant is required, like all other applicants, to submit a proposal that is responsive to the Policy and will only be counted for the amount of its own work or supply effort on this NOCO. In addition, the participation of an M/W/DSBE partner, as part of a joint venture created for this contract, may be counted but only to the extent of the M/W/DSBE partner's ownership interest in the joint venture in accordance with the following criteria:

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

5. M/W/DSBE subcontractors must perform at least twenty percent (20%) of the cost of the subcontract (not including the cost of materials, equipment or supplies incident to the performance of the subcontract) with their own employees.

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

B. RESPONSIVENESS

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

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

Form, a document entitled “Joint Venture Eligibility Information Form,” available at OEO, for the City’s review and approval of the joint venture arrangement.

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

• Provide reasons for not committing with any MBE/WBE/DSBEs that submitted a quote/subproposal, regardless of whether the quote/subproposal was solicited by applicant.
• Provide any additional evidence pertinent to applicant's conduct relating to this NOCO including sufficient evidence which demonstrates to the OEO that applicant has not engaged in discriminatory practices in the solicitation of and commitment with contract participants. In describing applicant's efforts to achieve meaningful M/W/DSBE participation, applicant may submit any corroborating documentation (e.g., copies of advertisements for participation).

The applicant's documentary evidence will be reviewed by the OEO to ascertain whether discrimination has occurred in the solicitation or selection of contract participants. The review will include consideration of the following:

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

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

▪ If the proposal is determined nonresponsive by the OEO, the applicant will be notified and may file a written appeal with the OEO within forty-eight (48) hours of the date of notification. The decision of the OEO may be appealed in writing within forty-eight (48) hours of the date of the OEO’s decision to the Chief Operating Officer of the Commerce Department or his/her designee whose decision shall be final.

C. RESPONSIBILITY

1. Upon award, the completed Solicitation For Participation and Commitment Form and accompanying documents regarding solicitation and commitments with MBEs, WBEs and DSBEs become part of the contract. M/W/DSBE percentage commitments are to be maintained throughout the term of the contract and shall apply to the total contract value (including amendments). Any change in commitment, including but not limited to substitutions for the listed firm(s), changes or reductions in the work and/or listed dollar/percentage amounts, must be pre-approved in writing by the OEO.

2. The successful applicant shall, within five (5) business days after receipt of a payment from the City for work performed under the contract, deliver to its M/W/DSBE subcontractors the proportionate share of such payment for work performed (including the supply of materials) by its M/W/DSBE subcontractors. In connection with payment of its M/W/DSBE subcontractors, the successful applicant agrees to fully comply with the City's payment reporting process which may include the use of electronic payment verification systems.

3. No privity of contract exists between the City and any M/W/DSBE subcontractor identified in any contract resulting from this NOCO. The City does not intend to give or confer upon any such M/W/DSBE subcontractor(s) any legal rights or remedies in connection with the subcontracted services under Executive Orders 2-05 and 14-08 or by reason of any contract resulting from the NOCO except such rights or remedies that the M/W/DSBE subcontractor may seek as a private cause of action under any legally binding contract to which it may be a party.

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

D. ACCESS TO INFORMATION

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

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

E. RECORDS AND REPORTS

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

F. REMEDIES

1. The successful applicant's compliance with the requirements of Executive Orders 2-05 and 14-08, including the fulfillment of any M/W/DSBE commitments, is material to the contract. Any failure to comply with these requirements constitutes a substantial breach of the contract. It is further understood and agreed that in the event the City determines that the successful applicant hereunder has failed to comply with these requirements 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, as deemed applicable, 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 applicant from proposing/bidding and/or participating in any future City contracts for a period of up to three (3) years.

The remedies enumerated above are for the sole benefit of the City and City's failure to enforce any provision or the City's indulgence of any non-compliance with any provision hereunder, shall not operate as a waiver of any of the City's rights in connection with any contract resulting from this NOCO nor shall it give rise to actions by any third parties including identified M/W/DSBE subcontractors.

Should you have any questions related to the Contract Provisions, please call Deneen Wilson, OEO at (215) 683-2080 or facsimile (215) 683-2085.

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Disclosure Forms

Directions:

1. Please read the following information regarding the completion of these disclosure forms. Please review the definitions prior to completing any form.
2. Date and initial the top of each form after you have completed it and sign the form on the last page.
3. NOTE: There are two different types of campaign contribution disclosure forms: one for those who are applying as individuals and one for those applying as businesses. Only fill out one type of form. (If you have used a consultant with respect to applying for this non-competitively bid contract you will have to fill out a campaign contribution disclosure form for them as well.)

Getting Started

There are five sets of disclosure forms enclosed in this packet. You must provide information for each disclosure form. The information you must disclose includes:

1. Any contributions (defined as a provision of money, in-kind assistance, discounts, forbearance or any other valuable thing) made during the two years prior to the application submission date for this non-competitively bid contract opportunity;
2. The name of any consultant(s) you used to help in obtaining this non-competitively bid contract and any campaign contributions they have made;
3. Any subcontractors you are planning to use if awarded non-competitively bid contract;
4. Whether a City or Agency employee or official asked you to give money, services, or any other thing of value to any individual or entity; and
5. Whether a City or Agency employee or official gave you any advice on how to satisfy any minority, women, disabled or disadvantaged business participation goals.

More information on Disclosing Campaign Contributions

Applicants for non-competitively bid contracts must disclose any contributions they made to:

- A candidate for nomination or election in any public office in the Commonwealth of Pennsylvania
- An incumbent in any public office in the Commonwealth of Pennsylvania
- A political committee or state party in the Commonwealth of Pennsylvania
- A group, committee, or association organized in support of any candidate, office holder, political committee or state party in the Commonwealth of Pennsylvania

The types of contributions that must be disclosed include:

- Any advance or deposit of money, gift, or any other valuable thing given to a candidate or political committee for the purpose of influencing any election in the Commonwealth of Pennsylvania
- The purchase of tickets for events such as dinners, luncheons, rallies and all other fund-raising events
- Granting of rebates or discounts not available to the general public or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates
- Any payments made on behalf of the candidate not made by either the candidate or their committee

Attribution Rules. In addition to disclosing contributions made directly by the applicant, the applicant will be asked to supply information on other types of contributions. The campaign contribution disclosure forms will include questions that specifically ask for information on these other types of contributions. These contributions will be attributed to the individual or business and will be used to determine the applicant's eligibility to receive a non-competitively bid contract.

Businesses (i.e. corporation, limited liability company, partnership association, joint venture, or any other legal entity) have to disclose contributions made by the following:

- Applicant business
- Parent, subsidiary, or otherwise affiliated entity of the applicant business ("affiliate")
- An individual or business that is then reimbursed by the applicant business or affiliate

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- Officers, directors, controlling shareholders, or partners of the for-profit applicant business or for-profit affiliate
- Political action committee controlled by applicant business or affiliate
- Political action committee controlled by officer, director, controlling shareholder, or partner of the for-profit applicant business or for-profit affiliate

Individuals have to disclose contributions made by the following:

- Applicant individual
- Member of individual's immediate family (i.e., spouse, life partner, or dependent child living at home), when contributions are in excess of $2900

In addition to direct contributions to candidates, incumbents, or political committees in the Commonwealth of Pennsylvania, applicants are also required to disclose:

1. Contributions not directly given to a candidate, incumbent, or political committee but made with the intent that the contribution will benefit the candidate, incumbent, or political committee;
2. Solicitation of contributions on behalf of a candidate, incumbent, or political committee, including the hosting of or solicitation at fundraising events (required to disclose details regarding the date of event and amount raised); and
3. Contributions not made directly by the individual/business to a candidate, incumbent, or political committee but furnished by the individual / business (as an "intermediary").

Eligibility Restrictions

Effective as of January 1, 2012, if an individual makes contributions totaling over $2,900 in one calendar year to a candidate for City elective office or to an incumbent, the individual is not eligible to receive a non-competitively bid contract during that candidate's or incumbent's term of office. The monetary limits in effect for individuals prior to January 1, 2012 remain in effect for purposes of determining an individual's eligibility during the two-year disclosure period prior to the date an individual's application for a non-competitively bid contract is filed or for determining an individual's continuing compliance during the term of the contract and for one year thereafter. For the period February 1, 2006 through December 31, 2007, the contribution limit amount is $2,500; for the period January 1, 2008 through December 31, 2011, the contribution limit amount is $2,600.

Effective as of January 1, 2012, if a business makes contributions totaling over $11,500 in one calendar year to a candidate for City elective office or to an incumbent, the business is not eligible to receive a non-competitively bid contract during that candidate's or incumbent's term of office. The monetary limits in effect for a business prior to January 1, 2012 remain in effect for purposes of determining the business' eligibility during the two-year disclosure period prior to the date a business' application for a non-competitively bid contract is filed or for determining a business' continuing compliance during life of the contract and for one year thereafter. For the period February 1, 2006 through December 31, 2007, the contribution limit amount is $10,000; for the period January 1, 2008 through December 31, 2011, the contribution limit amount is $10,600.

→ **Note on Eligibility:** If a candidate for any City elective office contributes $250,000 or more from his or her personal resources to his or her campaign, then the eligibility thresholds for individuals and businesses shall double with respect to contributions to all candidates for that same elective office (i.e. $5,800 for individuals and $23,000 for businesses).

Definitions

Affiliate	A parent, subsidiary, or otherwise affiliated entity of a business
Applicant	An individual or business who has filed an application to be awarded a non-competitively bid contract or financial assistance
Business	A corporation, limited liability company, partnership, association, joint venture or any other legal entity (including non-profit organizations) other than an Individual
Candidate	Any individual who seeks nomination or election to public office, other than a judge of elections or inspector of elections, whether or not such individual is nominated or elected. An individual shall be deemed to be seeking nomination or election to such office if he or she has (1) received a contribution or made an expenditure or has given his consent for any other person or committee to receive a contribution or make an expenditure, for the purpose of influencing his or her nomination or election to such office, whether or not the individual has made known the specific office for which he or she will seek nomination or election at the time the contribution is received or the expenditure is made; or (2) taken the action necessary under the laws of the Commonwealth of Pennsylvania to qualify himself or herself for nomination or election to such office.
Consultant	A person used by an applicant to assist in obtaining the non-competitively bid contract through direct or indirect communication by such individual or business with any City agency or the organization providing the non-competitively bid contract or any City officer or City employee, if the communication is undertaken by such individual or business in exchange for, or with the understanding of receiving, payment from the applicant; provided, however, that "Consultant" shall not include a full-time employee of the applicant.
Contributions	The provision of money, in-kind assistance, discounts, forbearance or any other valuable thing, during the two years prior to the deadline for the filing of the application for the contract opportunity or financial assistance, to any of the following: – a candidate for nomination or election to any public office in the Commonwealth of Pennsylvania; – an incumbent in any public office in the Commonwealth; – a political committee or state party in the Commonwealth; or – a group, committee or association organized in support of any candidate, office holder, political committee or state party in the Commonwealth.
Financial Assistance	Any grant, loan, tax incentive, bond financing subsidy for land purchase or otherwise, or other form of assistance that is realized by or provided to a person in the amount of fifty thousand dollars ($50,000) or more through the authority or approval of the City, including, but not limited to, Tax Increment Financing (TIF) aid, industrial development bonds, use of the power of eminent domain, Community Development Block Grant (CDBG) aid or loans, airport revenue bonds, and Enterprise Zone or similar economic development zone designations (such as Keystone Opportunity Zones, Keystone Opportunity Expansion Zones, Keystone Opportunity Improvement Zones, and Economic Development District Zones), but not including any assistance to which a person is entitled under a law enacted before the individual or business applied for or requested such assistance.
Immediate family	A spouse or life partner residing in the individual's household or minor dependent children
Incumbent	An individual who holds elective office

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Intermediary	A person, who, other than in the regular course of business as a postal, delivery or messenger service, delivers a contribution from another individual or business to the recipient of such contribution
Person	An individual, corporation, limited liability company, partnership, association, joint venture, or any other legal entity
Political committee	Any committee, club, association or other group of persons which receives money or makes expenditures for purposes of influencing any election
Solicit a Contribution	Requesting or suggesting that a person make a contribution. The sponsoring or hosting of a fundraising event is considered soliciting a contribution from the attendees of the event. Any contributions raised at such event are counted as a contribution made by the host of the event.

Date: _____ *Initials:*_____

If Applying as an Individual:
Campaign Contribution Disclosure Form

Please read through the directions and definitions before filling out this disclosure form to make sure that each question is answered appropriately and thoroughly. Note that you must provide information for the two years prior to the application deadline.

	Yes	***No***
Have you made any contributions?	☐	☐
Have you solicited or served as an intermediary for any contributions?	☐	☐
Has a member of your immediate family made any contributions over and above $2,900?	☐	☐
Has a member of your immediate family solicited or served as an intermediary for contributions over and above $2,900?	☐	☐
Check here to certify that no contributions were made.	☐	

Additional information on every contribution must be disclosed.
Please use the table provided on the next page.

Date: _____ *Initials:*_____

If Applying as an Individual:
Campaign Contribution Disclosure Form

For relationship, please indicate whether the contributor was the Individual or Family Member.

Name of Contributor	***Relationship*** (to individual or business completing this form)	***Name of Recipient***	***Date of Contribution***	***Amount of Contribution***

Please use additional pages as needed.

Date: _____ *Initials:*_____

If Applying as a Business:
Campaign Contribution Disclosure Form

Please read through the directions and definitions before filling out this disclosure form to make sure that each question is answered appropriately and thoroughly. Where "non-profit" is an option, indicate whether the business is a non-profit; non-profits are not required to disclose contribution information on these questions. Note that you must provide information for the two years prior to the application deadline.

	Yes	***No***	***Non-Profit***
Has the business made any contributions?	☐	☐	
Has the business solicited or served as an intermediary for any contributions?	☐	☐	
Has an officer, director, controlling shareholder, or partner of the business made any contributions? See note below.	☐	☐	☐
Has an officer, director, controlling shareholder, or partner of the business solicited or served as an intermediary for any contributions? See note below.	☐	☐	☐
Has an affiliate of the business made any contributions?	☐	☐	
Has an affiliate of the business solicited or served as an intermediary for any contributions?	☐	☐	
Has an officer, director, controlling shareholder, or partner of a for-profit affiliate of the business made any contributions? See note below.	☐	☐	
Has an officer, director, controlling shareholder, or partner of a for-profit affiliate of the business solicited or served as an intermediary for any contributions? See note below.	☐	☐	
Has the business or an affiliate of the business reimbursed another individual or business for a contribution that the individual or business has made?	☐	☐	
Has an officer, director, controlling shareholder, or partner of a for-profit business, or of a for-profit affiliate of the business, reimbursed another individual or business for a contribution that the individual or business has made?	☐	☐	
Has a political committee controlled by the business or by an affiliate of the business made any contributions?	☐	☐	
Has a political committee controlled by an officer, director, controlling shareholder, or partner of the for-profit business, or of a for-profit affiliate of the business, made any contributions?	☐	☐	
Check here to certify that no contributions were made.		☐	

Note: Applicants must disclose all contributions to candidates or incumbents which are attributed to an immediate family member of an officer, director, controlling shareholder or partner of the for-profit Applicant or the for-profit affiliate of the Applicant. Please disclose the full amount of the contribution, although only the amount above $2900 will be attributed to the officer, director, controlling shareholder or partner (and, by extension, the Applicant business).

Additional information on every contribution must be disclosed.
Please use the table provided on the next page.

Date: _____ *Initials:*_____

If Applying as a Business:
Campaign Contribution Disclosure Form

For relationship, indicate whether the contributor was the Business, Affiliate, Controlled Political Committee, Controlling Shareholder, Director, Officer, Parent, Partner, Reimbursed Contributor, Solicited Contributor, Subsidiary, or Other.

Name of Contributor	Relationship (to individual or business completing this form)	Name of Recipient	Date of Contribution	Amount of Contribution

Please use additional pages as needed.

Date: _____ ***Initials:***_____

Use of Consultant Disclosure Form

Please list all consultant(s) used in the year prior to the application deadline and the corresponding information for that consultant in the space provided below.

Please note that a Consultant, for the purposes of the required disclosures, is defined as an individual or business used by an applicant or contractor to assist in obtaining the non-competitively bid contract through direct or indirect communication by such individual or business with any City agency, the organization providing the non-competitively bid contract, any City officer/employee, or any officer/employee of the organization providing the non-competitively bid contract, if the communication is undertaken in exchange for, or with the understanding of receiving, payment from the applicant or contractor or any other individual or business (however, "Consultant" shall not include a full-time employee of the Applicant or Contractor).

Check here to certify that no consultant(s) was used in the year prior to the application deadline.	☐
Consultant Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid	
Consultant Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid	
Consultant Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid	
Consultant Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid	

Date: _____ ***Initials:***_____

Consultant: Individual Campaign Contribution Disclosure Form

Use this form if the Consultant used is an Individual. Please read through the directions and definitions before filling out this disclosure form to make sure that each question is answered appropriately and thoroughly. Note that you must provide information for the two years prior to the application deadline.

	Yes	***No***
Has the Consultant made any contributions?	☐	☐
Has the Consultant solicited or served as an intermediary for any contributions?	☐	☐
Has a member of the Consultant's immediate family made any contributions over and above $2,900?	☐	☐
Has a member of the Consultant's immediate family solicited or served as an intermediary for contributions over and above $2,900?	☐	☐
Check here to certify that no contributions were made.	☐	

Additional information on every contribution must be disclosed.
Please use the table provided on the next page.

Date: _____ *Initials:*_____

Consultant: Individual Campaign Contribution Disclosure Form

Use this form if the Consultant used is an Individual. For relationship, indicate whether the contributor was the Individual or Family Member.

Name of Contributor	***Relationship to Consultant***	***Name of Recipient***	***Date of Contribution***	***Amount of Contribution***

Please use additional pages as needed.

Date: _____ *Initials:*_____

Consultant: Business Campaign Contribution Disclosure Form

Use this form if the Consultant used is a Business. Please read through the directions and definitions before filling out this disclosure form to make sure that each question is answered appropriately and thoroughly. Where "non-profit" is an option, indicate whether the business is a non-profit; non-profits are not required to disclose contribution information on these questions. Note that you must provide information for the two years prior to the application deadline.

	Yes	***No***	***Non-Profit***
Has the Consultant business made any contributions?	☐	☐	
Has the Consultant business solicited or served as an intermediary for any contributions?	☐	☐	
Has an officer, director, controlling shareholder, or partner of the Consultant business made any contributions? See note below.	☐	☐	☐
Has an officer, director, controlling shareholder, or partner of the Consultant business solicited or served as an intermediary for any contributions? See note below.	☐	☐	☐
Has an affiliate of the Consultant business made any contributions?	☐	☐	
Has an affiliate of the Consultant business solicited or served as an intermediary for any contributions? See note below.	☐	☐	
Has an officer, director, controlling shareholder, or partner of a for-profit affiliate of the Consultant business made any contributions? See note below.	☐	☐	
Has an officer, director, controlling shareholder, or partner of a for-profit affiliate of the Consultant business solicited or served as an intermediary for any contributions?	☐	☐	
Has the Consultant business or an affiliate of the business reimbursed another individual or business for a contribution that the individual or business has made?	☐	☐	
Has an officer, director, controlling shareholder, or partner of the for-profit Consultant business, or of a for-profit affiliate of the Consultant business, reimbursed another individual or business for a contribution that the individual or business has made?	☐	☐	
Has a political committee controlled by the Consultant business or by an affiliate of the business made any contributions?	☐	☐	
Has a political committee controlled by an officer, director, controlling shareholder, or partner of the for-profit Consultant business, or of a for-profit affiliate of the Consultant business, made any contributions?	☐	☐	
Check here to certify that no contributions were made.	☐		

Note: Consultants must disclose all contributions to candidates or incumbents which are attributed to an immediate family member of an officer, director, controlling shareholder or partner of the for-profit Consultant or the for-profit affiliate of the Consultant. Please disclose the full amount of the contribution, although only the amount above $2900 will be attributed to the officer, director, controlling shareholder or partner (and, by extension, the Consultant business).

Additional information on every contribution must be disclosed.
Please use the table provided on the next page.

Date: _____ *Initials:*_____

Consultant: Business Campaign Contribution Disclosure Form

Use this form if the Consultant used is a Business. For relationship, indicate whether the contributor was the Consultant Business, Affiliate, Controlled Political Committee, Controlling Shareholder, Director, Officer, Parent, Partner, Reimbursed Contributor, Solicited Contributor, Subsidiary, or Other.

Name of Contributor	***Relationship to Consultant***	***Name of Recipient***	***Date of Contribution***	***Amount of Contribution***

Please use additional pages as needed.

Date: _____ ***Initials:***_____

Use of Subcontractor Disclosure Form

Please list all subcontractor(s) you are planning to use if awarded this non-competitively bid contract by filling out the appropriate information in the space provided below.

Check here to certify that no subcontractor(s) are to be used.	☐
Subcontractor Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid, or Percentage to be Paid	
Subcontractor Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid, or Percentage to be Paid	
Subcontractor Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid, or Percentage to be Paid	
Subcontractor Name	
Address 1	
Address 2	
City, State, Zip	
Phone	
Amount Paid or to be Paid, or Percentage to be Paid	

Date: _____ ***Initials:***_____

Employee Request Form

Please list any City employees or officers or employees/officers of the organization providing the non-competitively bid contract who have asked you (the Applicant), any officer director, or management employee of the Applicant, or any person representing the Applicant to give money, services, or any other thing of value (other than contributions as defined above) during the two years prior to the application deadline.

Check here to certify that no City employees/officers or employees/officers of the organization providing the non-competitively bid contract have asked you (the Applicant), any officer director, or management employee of the Applicant, or any person representing the Applicant to give money, services, or any other thing of value (other than contributions as defined above) during the two years prior to the application deadline.	☐
Name of Employee/Officer	
Title	
Money Services, or Thing of Value Requested	
Money, Services, or Thing of Value Given (If none, write “none”)	
Date Requested	
Date of Payment	
Name of Employee/Officer	
Title	
Money Services, or Thing of Value Requested	
Money, Services, or Thing of Value Given (If none, write “none”)	
Date Requested	
Date of Payment	
Name of Employee/Officer	
Title	
Money Services, or Thing of Value Requested	
Money, Services, or Thing of Value Given (If none, write “none”)	
Date Requested	
Date of Payment	

Date: _____ ***Initials:***_____

Employee Participation Advice Disclosure Form

Please list any City employees or officers employees/officers of the organization providing the non-competitively bid contract who gave you (the Applicant), any officer director, or management employee of the Applicant, or any person representing the Applicant advice that a particular individual or business could be used by the Applicant to satisfy any goals established in the contract or financial assistance agreement for the participation of minority, women, disabled, or disadvantaged business enterprises during the two years prior to the application deadline.

Check here to certify that no City employees/officers or employees/officers of the organization providing the non-competitively bid contract gave you (the Applicant), any officer director, or management employee of the Applicant, or any person representing the Applicant advice that a particular individual or business could be used by the Applicant to satisfy any goals established in the contract or financial assistance agreement for the participation of minority, women, disabled, or disadvantaged business enterprises during the two years prior to the application deadline.	☐
Name of Employee/Officer	
Title	
Date of Advice	
Individual or Business Recommended to Satisfy Participation Goals	
Name of Employee/Officer	
Title	
Date of Advice	
Individual or Business Recommended to Satisfy Participation Goals	
Name of Employee/Officer	
Title	
Date of Advice	
Individual or Business Recommended to Satisfy Participation Goals	
Name of Employee/Officer	
Title	
Date of Advice	
Individual or Business Recommended to Satisfy Participation Goals	

Date: _____ ***Initials:***_____

Signature

In order for the submission of these disclosure forms to be considered valid, they must be properly signed below by the respondent. Disclosure forms **that are not signed will be rejected.** By signing your name and title in the signature space below, you, as the respondent, signify your intent to sign these disclosure forms. The signatory hereby declares and certifies themselves to be the respondent, declares and certifies that they are properly authorized to execute these disclosure forms, and represents and covenants that all of the information and disclosures provided to the best of their knowledge are true and contain no material misstatements or omissions. Breach of such representation and covenant may render any subsequent non-competitively bid contract voidable, and entitle the City (or Agency) to all rights and remedies provided by law or equity.

If these disclosure forms are being submitted by an INDIVIDUAL, PARTNERSHIP, LIMITED LIABILITY COMPANY OR MANAGED LIMITED LIABILITY COMPANY, sign the forms here:

_____ _____
Signature Date

_____ _____
Name Title

If these disclosure forms are being submitted by a CORPORATION, sign the forms here, with signatures by (a) President or Vice-President of the corporation AND (b) Secretary, Assistant Secretary, Treasurer or Assistant Treasurer of the corporation. If the disclosure forms are not signed by the above mentioned, you hereby certify that you are authorized pursuant to a certified corporate resolution to sign in place of such officers.

_____ _____
Signature Date

_____ _____
Name ***President/Vice President, if other, please specify***

_____ _____
Signature Date

_____ _____
Name ***Secretary/Asst. Secretary/Treasurer/Asst. Treasurer If other, please specify***