

MAIN PROCUREMENT LAWS

Law	Main Points
Section 8-200: Home Rule Charter	<ul style="list-style-type: none"> ▪ Applies to contracts for supplies, equipment, non-professional services, construction, and concessions ▪ Requires competitive, sealed-bid process ▪ Must be awarded to lowest, responsible, and responsive bidder except if being done as a “Best Value” contract ▪ Established bidding thresholds (\$32,000) ▪ Requires advertising for two consecutive weeks in the newspaper ▪ Bonding requirements
Chapter 17-1400: Philadelphia Code	<ul style="list-style-type: none"> ▪ Applies to contracts for professional services and Best Value contracts ▪ Can be awarded to proposer offering best value ▪ Requires: <ul style="list-style-type: none"> – Advertising of most contract opportunities on City website (some exceptions) – Applicant Disclosures (ex: political campaign contributions) – Posting of notice of intent to contract (includes selection reasons and applicant names) – Approval by Dept. Head, Finance Dir., City Solicitor, and Procurement Commissioner ▪ Prohibits contract awards to those who give contributions over required thresholds ▪ Requires disclosures from recipients of City financial assistance

OTHER LAWS/REGULATIONS

Reference	Main Points
PA State Ethics Code, Chapter 11: Ethics Standards and Financial Disclosure	<ul style="list-style-type: none"> ▪ Conflicts of Interest ▪ Post-employment Restrictions (1 year)
Section 10-102: Philadelphia Home Rule Charter	<ul style="list-style-type: none"> ▪ Bars City officers or employees who are paid from the City treasury from having a direct or indirect interest in City contracts
Chapter 20-600: Philadelphia Code "City Ethics Code"	<ul style="list-style-type: none"> ▪ Conflicts of Interest ▪ Post-employment Restrictions (2 year and permanent) ▪ Gifts ▪ Representation ▪ Confidentiality
Chapter 17-100: Philadelphia Code	<ul style="list-style-type: none"> ▪ Prequalification process for Public Works contracts ▪ Local bidding preferences ▪ Prevailing Wages
Gifts: Executive Order 10-16	<ul style="list-style-type: none"> ▪ Applies to City employees in Executive Branch, vendors, and some board/commission members ▪ No solicitation, acceptance, or offer of gifts of any value from prohibited sources ▪ Limited exceptions ▪ Sanctions against those who offer gifts (ex: debarment)
OEO Requirements: Executive Order 03-12 Chapter 17-1600 & 17-500: Philadelphia Code	<ul style="list-style-type: none"> ▪ Participation of minority, women, and disabled owned businesses on City contracts ▪ Antidiscrimination Policy ▪ Economic Opportunity Plans
Various City regulations	<ul style="list-style-type: none"> ▪ Debarment process ▪ Prequalification process for professional services contracts
State Procurement Code	<ul style="list-style-type: none"> ▪ Prohibits bid-rigging and collusion ▪ Lays out bid withdrawal procedures ▪ Certain bonding requirements