



CITY OF PHILADELPHIA

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Chief Integrity Officer

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Dear Vendor and Prospective Vendor:

As you may know, the Philadelphia Code, Section 20-604 relates to the acceptance and solicitation of gifts by City officers and employees. However, the Mayor's Executive Order on Gifts ("Gifts EO"), #10-16, provides stricter limitations on the acceptance of gifts than the Philadelphia Code in certain respects. As a company currently doing business, or seeking to do business, with the City of Philadelphia, it is important that you understand the requirements of the Gifts EO.

Here are a few key provisions:

1. The Gifts EO applies to officers and employees in the Executive or Administrative Branch, and to members of agencies, Boards and Commissions over whom the Mayor has appointment and removal authority. It does not apply to City Council, the District Attorney, the City Controller, the Sheriff, the City Commissioners or the Register of Wills.
2. The Gifts EO bans the acceptance of any gift from a prohibited source **regardless of the value**, subject to a few limited and specifically enumerated exceptions. Prohibited sources include:
 - i. Those who, at the time or within 12 months preceding the time a gift is received:
 - a. are seeking, or have sought, official action from the City officer or employee or covered agency, Board or Commission member; or
 - b. have operations or activities regulated by the City officer, employee or covered agency, Board or Commission member's department, agency, office, Board or Commission. Cabinet members are presumed to have influence over operations and activities regulated by any Executive and Administrative branch department, agency, office, Board or Commission.); or
 - c. have a financial or other substantial interest in acts or omissions taken by a City officer, employee or covered agency, Board or Commission member, which these individuals are able to affect through official action.
 - ii. Registered City lobbyists. The 12-month window described above does not apply to registered City lobbyists.
3. Examples of gifts include, but are not limited to, food, drink, invitations, tickets, entertainment, travel or lodging or anything of value, unless consideration of equal or greater value is received.

4. Gratuities, or tips, of any kind – as well as monetary gifts (including cash, checks, gift cards or pre-paid debit cards, among others) – are **strictly prohibited**.
5. Gifts do not include political contributions that are otherwise reportable as required by law, a commercially reasonable loan made in the ordinary course of business (e.g., home mortgage) or a gift from close family members, as defined in the Gifts EO. There are no exceptions for gifts from friends or longtime associates.
6. On occasion, you may be solicited by a City officer or employee for a donation to further an Executive Branch goal or initiative. Under the Gifts EO, such donations are considered “Gifts to the City” because they are made for a public purpose and do not confer a personal benefit on the officer or employee who solicited the donation. City law requires transparency of solicitations made by a City official or employee to current or prospective City professional services contractors, recipients of financial assistance or principal contractors or subcontractors for best value contracts. **For more detailed information on the City’s disclosure/eligibility requirements, including mandatory deadlines for filing disclosures, please refer to <https://secure.phila.gov/econtract/>.**
7. There may be sanctions for vendors or prospective vendors who offer gifts prohibited by the Gifts EO, including, but not limited to, disqualification from participation in particular City contracts to debarment from City contracts.
8. Gifts EO, #10-16 supplants the prior Executive Order on Gifts, #03-11.

The Gifts EO exists to ensure that those who do business with the City, or who seek to do business, are treated alike, with no favoritism or perceived favoritism. For this reason, we ask your cooperation in not offering prohibited gifts to City officers, employees or agency, Board or Commission members who are covered by the Gifts EO.

If you have any questions about the Gifts EO, you are welcome to contact the Office of the Chief Integrity Officer at integrity@phila.gov or go to www.phila.gov/integrityworks. The full Gifts EO can be found at: <http://bit.ly/2xRF44r>.

We appreciate your interest in doing business with the City of Philadelphia and your compliance with the requirements of the Gifts EO.

Sincerely,



Ellen Mattleman Kaplan
Chief Integrity Officer