



REQUEST FOR PROPOSALS
for a
Register of Wills Probate Deferral Initiative video production
for The
CITY OF PHILADELPHIA

Issued by:
THE CITY OF PHILADELPHIA (“City”)
Register of Wills

All proposals must be submitted electronically to the correct contract opportunity established for this RFP (identified by opportunity number) to the Register of Wills via Rowonline@phila.gov.

Proposals must be received no later than 5:00 p.m. Philadelphia, PA, local time, on 12/9/2021.

Pre-Proposal Conference:

Date:TBD
Time: TBD
Location:TBD

Hon. James F. Kenney, Mayor
Hon. Tracey L Gordon, Register of Wills & Clerk of the Orphans’ Court,
Register of Wills Office

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I. Project Overview

A. Introduction; Statement of Purpose

1.1 Background Information

The **Philadelphia Register of Wills** is charged with the protection of Philadelphia's Generational Wealth. We process marriage licenses, maintain historic records, probate estates and more. Register of Wills Tracey Gordon has spent the first year of her administration modernizing the office and educating Philadelphians on Generational Wealth, Tangled Titles, Estate Planning and Financial Literacy. All the while remaining open, as an essential service, in the face of the global pandemic.

1.2 Project

B. Department Overview

The Register of Wills Office is focused on educating the public about the new Probate Deferment Initiative and estate planning. We are waving and deferring fees associated with a "Tangled Title." Our office needs to create a series of videos that will be used to educate the public about this new initiative. To that end we require a production company to film the project. Our scripts and post production will be handled in house. We need the production company to film for 2 days on location in Philadelphia Row homes. Provide professional cameras, lighting, audio and photography. We also require the company to provide actors to perform the scripts as well as make sure cast and crew are fed during the shoot. The company must be adequately insured and familiar with covid procedures. These actors will perform as 3 different families to be filmed across 2 days. One family must perform in Spanish. Our Office is able to assist in the production.

C. Project Background

The office is looking for a video production company with expertise in filming short scripted educational content. The successful Applicant is expected to assemble a staff to meet the goals as described above, which may consist of employees of the Applicant and qualified subcontractors. All subcontractors are subject to approval by The Register of Wills. Prior to contract execution, the successful Applicant will be required to furnish the corporate or company name and the names of the officers and principals of all subcontractors. The Applicant shall itself be responsible for the performance of all work set forth in any contract resulting from the RFP, and for compliance with the price and other terms provided in the contract. The successful Applicant shall cause the appropriate provisions of its proposal and the contract to be inserted in all subcontracts. The Register of Wills' consent to or approval of any subcontract or subcontractor Proposed by an Applicant shall not create or purport to create any obligation of the City to any such subcontractor, or any form of contractual relationship or relationship of privity between the City and the subcontractor. Any Applicant who obtains such approval or consent of the Register of Wills shall be required to insert a clause so providing in all subcontracts.

D. Request for Proposals

The Register of Wills is seeking to engage a media agency for the purpose of educating the public on the tangled title problem. We seek to provide advertisement through the more current social media channels.

E. General Disclaimer of the City

This RFP does not commit the City of Philadelphia to award a contract. This RFP and the process it describes are proprietary to the City and are for the sole and exclusive benefit of the City. No other party, including any Applicant, is intended to be granted any rights hereunder. Any response, including written documents and verbal communication, by any Applicant to this RFP, shall become the property of the City and may be subject to public disclosure by the City, or any authorized agent of the City. The City is not liable for any costs incurred by Applicants in preparing and submitting a proposal in response to this RFP or for any costs and expenses incurred in meeting with or making oral presentations to the City if so requested.

II. Scope of Work

Goal: Expertise in producing high quality photo and video content that helps amplify messages or engage new audiences.

Expected Deliverable: Photos and videos

Support: Direction, shot lists, scripts, creative direction provided by the Register of Wills Communications Director.

A. Definitions

Not Applicable

B. Project Details

The Register of Wills is seeking to engage a media agency for the purpose of educating the public on the tangled title problem. We seek to provide advertisement through the more current social media channels.

The Applicant's proposed scope of work should address each objective specifically and describe in detail how the Applicant will achieve the objective, or how the Applicant will enable the Department to achieve the objective.

This *Section II, Scope of Work* states requirements for the project, including the services and the tangible work products to be delivered, and the tasks the Department has identified as necessary to meet those requirements. The Department reserves the right, however, to modify specific requirements, based on changed circumstances (such as a change in business or technical environments), the proposal selection process, and contract negotiations with the Applicant(s) selected for negotiations, and to do so with or without issuing a revised RFP. The Applicant must provide in its proposal a detailed proposed scope of work showing how it will meet the project requirements stated in this Section II.

C. Services and Tangible Work Products

Mom	na	half day	\$200
Kid	na	half day	\$200
MIXED FAMILY			
Dad	na	half day	\$200
Mom	na	half day	\$200
Uncle	na	half day	\$200
Sister	na	half day	\$200
Kid	na	half day	\$200
TOTALS:	\$2,200		\$1,600

The Department requires completion and delivery of at least the tangible work products listed below. The proposed scope of work should state in detail how the Applicant will produce each work product, including the personnel/job titles (as identified in Section K, *Organizational and Personnel Requirements*), that will be responsible for delivering the work product. For each work product, the Applicant should propose criteria for satisfactory completion and delivery. Applicants may propose additional or revised tangible work products but should explain why each is necessary to achieve the project objectives.

- 2 Row Homes
- Drones
-

The following is an example, for illustration purposes only, of a description of services and tangible work products, and the tasks and activities necessary for their completion. Departmental and project objectives determine the appropriate services and tangible work products for each RFP. The appropriate level of detail will depend on the project. In general, more detail provided to Applicants will produce more complete and detailed proposals.

Services and Work Products for Creating Training Materials

Services. Computer-Based Training—As part of training to be delivered, the Department requests computer-based training to facilitate future training needs after completion of the project. Applicants are instructed to identify the specific method of computer-based training in their proposal. Applicants should include all relevant details such as the size of training classes, and whether such training will be live or web based.

Work Products. Training Plan—The successful Applicant shall develop a training plan identifying the end-users to be trained, the type of training to be provided, the expected materials to be delivered in conjunction with the training, and a timetable for completion of each of these tasks.

D. Milestones

The Department anticipates the work for this project will be organized into the following milestones (at a minimum), i.e. or groups of tasks, services and/or work products, listed below. For each milestone, the Applicant should propose criteria to determine when the milestone has been satisfactorily completed. Applicants may propose additional or revised milestones, or a

project structure that does not rely on milestones but should explain their reasons for the structure proposed and how it will facilitate completion of the work.

The Department reserves the right to condition payments on the satisfactory completion of the specified milestones, tasks, services and/or work products listed above. In addition to describing how each proposed milestone will be accomplished, the scope of work proposed by Applicant should identify the milestones the Applicant proposes as payment milestones and the amount it proposes for each milestone payment. Applicants may propose alternative means of payment, but should explain their reasons for the alternative and how it will facilitate completion of the work.

E. Timetable

Activity	Date
Request for Proposal Issued	Wednesday, November 17 (11/17/21)
Deadline to submit questions or requests for clarification in writing	Monday, December 6 (12/6/21)
Response to final questions posted	Tuesday, December 7 (12/7/21)
Deadline for Submitting RFP Proposals	Thursday, December 9 (12/9/21)
Contractor Selection	Tuesday, December 14 (12/14/21)
Contract Execution	Tuesday, December 21 (12/21/21)
Project Start	As soon as possible

The Department anticipates that the work required under this RFP will be completed within approximately __ weeks after project start and according to the approximate schedule in the table below, based on the Department’s identification of critical milestones and tasks. The scope of work proposed by Applicant should include a detailed project schedule that identifies all tasks, activities, deliverables, and milestones the Applicant proposes to carry out for the project and a time of completion (measured from project start date) for each. The Applicant should state the number of days following the Department’s authorization to proceed under the City contract by which it will be ready to start the work, including any mobilization time. If the Applicant proposes a different overall time of performance, it should state its reasons.

F. Hours and Location of Work

Exact location to be determined

Row Home North Philly	\$250
Row Home Cobbs Creek	\$250

G. Monitoring; Security

Vendor must agree to the City of Philadelphia Policy and Security Requirements

By submission of a proposal in response to this RFP, the Applicant agrees that it will comply and cooperate with all contract and compliance monitoring and evaluation activities undertaken by the City of Philadelphia, and with all security policies and requirements of the City.

H. Reporting Requirements

The successful Applicant shall report to the City of Philadelphia on a regular basis regarding the status of the project and its progress in providing the contracted services and/or products. At a minimum, the successful Applicant shall submit a monthly invoice detailing the services and/or products provided, the goals/tasks accomplished, and the associated costs. If hourly rates are charged, the invoice must also detail the number of hours, the hourly rate, and the individual who performed the service.

I. Specific Performance Standards

The City expects that the contract resulting from this RFP will include performance and quality standards for the project, including but not limited to the following:

The City reserves the right to reject any item of work that does not meet the Department's minimum standards of performance and quality, or that does not conform to the contract scope of work. The City shall not be obligated to pay for rejected work.

J. Cost Proposal

The Register of Wills is working with limited funding. Our Budget is \$TBD.

Option 1, for Fixed Price Compensation:

Applicants must provide a detailed cost proposal, with a line-item breakdown of the costs for specific services and work products proposed. Cost proposals must be "fixed price" proposals. The proposed price must include all costs that will be charged to the City for the services and tangible work products the Applicant proposes to perform and deliver to complete the project and including, but not limited to, costs for the following, if the Department is to pay for them: employee compensation and fringe benefits; communication; printing; administrative expenses; bonding; acquisition of real estate; rent, utilities, maintenance and security related to real estate; travel (reimbursable only at rates approved by the Department and in accordance with current City policies, which can be obtained from the Department); project management; development; testing; implementation; maintenance; training; and all other work proposed. Any contract resulting from this RFP will provide for a not-to-exceed amount in the compensation section of the contract.

Option 2, for Hourly Rate Compensation:

Applicants must state hourly rates for all personnel, identified by education level, skill set, experience level, and job title, who will perform work under any contract resulting from this RFP. For each task necessary to perform a service, deliver a tangible work product, or, if

included in this RFP, accomplish a milestone identified in this RFP and/or the Applicant's proposed scope of work, the Applicant must state a firm estimate of the number of hours required to complete that task for each hourly rate that applies to each level of personnel identified to perform that task. Any contract resulting from this RFP will provide for a not-to-exceed amount in the compensation section of the contract.

If the department has determined not-to-exceed hourly rates, they should be stated in this subsection by inserting a sentence such as the following in the foregoing paragraph:
The Department expects that hourly rates shall not exceed the following for each of the following types of work: \$___/hr for _____; \$___/hr for _____; \$___/hr for _____.

K. Organization and Personnel Requirements

Require Applicants to identify all personnel they will use to perform the work, by education level skill set, experience level, and job title. Require Applicants to provide resumes for all identified project personnel. Describe in detail any preferred or required organization structure or personnel characteristics and/or minimum eligibility criteria or qualifications that are specific to the project and the work required for performance under the contract (for example, licensing requirements, criminal background checks, minimum years of experience in the field).

Consider requiring information from applicants on the following and, if appropriate, state whether any of the following constitutes a minimum qualification for performance:

- Organization structure: the management, administrative, or technical project staff structure; whether non-profit or for-profit.
- Organization history/experience: years of experience, experience with project of a similar size/scope
- Organization's references
- Technical expertise of personnel: licenses, certifications, years of experience
- Financial capacity requirements
- Insurance requirements

The proposal must identify all personnel who will perform work on the project, by education level, skill set (described in detail), experience level, and job title. Resumes of all personnel so identified should be included in Applicant's proposal. The Department expects the following with respect to the successful Applicant's organizational structure and personnel:

L. Technology Capabilities

M. The successful applicant must have video production capabilities

The successful Applicant will be responsible for having and using the following technology capabilities and resources in performing the work: _____

The City will provide the following technology capabilities and resources: _____

N. Alternative Solutions

If an Applicant offers options and/or alternative solutions that are not requested in this RFP or are not included in its proposed prices, the Applicant must provide the following information for each:

- A detailed description of the option/alternative solution (including, but not limited to, all features, functionality, and/or services that will be unavailable if the option/alternative is not purchased);
- If not included in the proposed prices, a full explanation of the rationale for not including;
- Detailed cost information for each option/alternative, in accordance with the cost proposal requirements of the RFP.

O. Available Information

The RFP should identify any documents (e.g. industry standards, feasibility studies, task force reports, annual plans, needs analysis studies, consent decrees, laws or regulations) that are pertinent to the proposed project and necessary for a thorough understanding of the project. Whenever possible, such documents should be included as an appendix to the RFP. If inclusion as an appendix is impossible, an electronic copy should be made available elsewhere on the eContract Philly website, the RFP should state an Internet site where the materials are available, or hard copies should be made available at a location designated by the department.

III. Proposal Format, Content, and Submission Requirements; Selection Process

A. Proposal Format

Proposals submitted in response to this RFP must include a cover letter signed by the person authorized to issue the proposal on behalf of the Applicant, and the following information, in the sections and order indicated:

1. Table of Contents
2. Introduction/Executive Summary
Provide an overview of the services being sought and proposed scope of services.
3. Applicant Profile
Provide a narrative description of the Applicant itself, including the following:
 - a. Applicant's business identification information, including name, business address, telephone number, website address, and federal taxpayer identification number or federal employer identification number;
 - b. A primary contact for the Applicant, including name, job title, address, telephone and fax numbers, and email address;

c. A description of Applicant’s business background, including, if not an individual, Applicant’s business organization (corporation, partnership, LLC, for profit or not for profit, etc.), whether registered to do business in Philadelphia and/or Pennsylvania, country and state of business formation, number of years in business, primary mission of business, significant business experience, whether registered as a minority-, woman-, or disabled-owned business or as a disadvantaged business and with which certifying agency, and any other information about Applicant’s business organization that Applicant deems pertinent to this RFP.

4. Project Understanding

Provide a brief narrative statement that confirms Applicant’s understanding of, and agreement to provide, the services and/or tangible work products necessary to achieve the objectives of the project that is the subject of this RFP. Applicant shall describe how the Applicant’s business experience will benefit the project.

5. Proposed Scope of Work

Provide a proposed scope of work, including a cost proposal and project timetable (schedule), in accordance with Section II, “Scope of Work,” of this RFP.

6. Statement of Qualifications; Relevant Experience

Provide a statement of qualifications and capability to perform the services sought by this RFP, including a description of relevant experience with projects that are similar in nature, size and scope to that which is the subject of this RFP. If any minimum qualifications for performance are stated in this RFP, Applicant must include a statement confirming that Applicant meets such minimum requirements.

7. References

Provide at least three references, preferably for projects that are similar in type, scope, size and/or value to the work sought by this RFP. If applicable, Applicant should provide references for projects with other municipalities that are similar in size to the City of Philadelphia. For each reference, include the name, address and telephone number of a contact person.

8. Proposed Subcontractors

State the intention to use subcontractors to perform any portion of the work sought by this RFP. For each such subcontractor, provide the name and address of the subcontractor, a description of the work Applicant intends the named subcontractor to provide, and whether the subcontractor can assist with fulfilling goals for inclusion of minority, woman, or disabled-owned businesses or disadvantaged businesses as stated in Appendix B. Note that if subcontractors at any tier may perform services arising directly out of a City contract resulting from this RFP, Applicants must inform them of the City’s minimum wage and benefits requirements and must require them to comply with such requirements.(See Section III.F for more information.)

9. Requested Exceptions to Contract Terms

State exceptions, if any, to City Contract Terms that Applicant requests, including the reasons for the request and any proposed alternative language. (See Section III.B for more information.)

10. Office of Economic Opportunity - Solicitation for Participation and Commitment Form/Diversity Report of Nonprofit Organizations

As a separate document, Applicants must include a completed Solicitation for Participation and Commitment Form when responding to an RFP that contains ranges for the participation of M/W/DSBEs. The form is provided with Appendix B-1 to this RFP. If Applicant is a nonprofit organization, such applicants must include a completed “Diversity Report of Nonprofit Organizations” on the form provided with Appendix B-2 of this RFP. If the Nonprofit Organization is responding to an RFP that contains ranges, in addition to the Diversity Report of Nonprofit Organizations, it must also submit a Solicitation for Participation and Commitment Form. (See Section III.D for more information.)

11. Tax and Regulatory Status and Clearance Statement

Include a statement, in the form requested in Appendix C, attesting to Applicant’s tax and regulatory compliance with the City. (See Section III.E for more information.)

12. Disclosure of Litigation; Disclosure of Administrative Proceedings

State, for the 5-year period preceding the date of this RFP, a description of any judicial or administrative proceeding that is material to Applicant’s business or financial capability or to the subject matter of this RFP, or that could interfere with Applicant’s performance of the work requested by this RFP, including, but not limited to, any civil, criminal or bankruptcy litigation; any bankruptcy filings over the past five years; any debarment or suspension proceeding; any criminal conviction or indictment; and any order or agreement with or issued by a court or local, state or federal agency. For each such proceeding, state the name of the case or proceeding, the parties involved, the nature of the claims involved, its current status and the final disposition, if any. Provide the same information for any officer, director, principal, or partner of Applicant’s organization, and for any subcontractor Applicant plans to use to perform the services described in this RFP.

13. Statement of Financial Capacity

Provide documentation demonstrating fiscal solvency and financial capability to perform the work sought by this RFP. Provide a general, independent statement of the Applicant’s financial condition in addition to one or both of the following:

- Applicant’s most recent audited or unaudited financial statements;
- Most recent IRS Form 990 (for non-profit organizations only).

14. Local Business Entity or Local Impact Certification. (Optional if applicable to Applicant)

If applicable, Applicant may elect to provide the certification statement in the form of Appendix D as to Applicant’s status as a Local Business Entity or its local impact if awarded the contract. (See Section III.H for more information.)

15. LGBTQ-Owned Business Data Collection (Optional if applicable to Applicant and/or Applicant’s proposed subcontractors)

As part of the City’s commitment to diversity, equity and inclusion in all aspects of City procurement, the City is collecting data to identify the number of companies beneficially owned and controlled by Lesbian, Gay, Bisexual, Transgender and Queer persons who wish to do business with the City (collectively, “LGBTQ businesses”). The data will be used to identify the number of LGBTQ businesses currently doing business with the City. It will also assist in efforts to include LGBTQ certified businesses into the City’s vendor database. Response to this form, Appendix E, is voluntary. (See Section III. I)

16. Disclosure Requirements

Disclose all information required under Chapter 17-1400 of the Philadelphia Code, including any local and state political campaign contributions, on the forms provided through eContract Philly. (See Section III.J for more information.)

17. Defaults

Provide a description, in detail, of any situation occurring within the past five (5) years in which the Applicant, or a joint venture or partnership of which Applicant was a part, defaulted or was deemed to be in noncompliance of any contractual obligations, explaining the issues involved in the default, the outcome, the actions taken by Applicant to resolve the matter. Also provide the name, title and telephone number of the party to the contract who asserted the event of default or noncompliance or the individual who managed the contract for that party.

18. Statement of Anticipated Job Creation (*optional*)

Applicant shall provide a narrative description on whether and how a contract award based on its proposal will result in new job creation within the following: 1) City of Philadelphia; 2) Philadelphia Metropolitan Statistical Area; 3) Commonwealth of Pennsylvania; 4) United States of America. For each job anticipated, the Applicant shall describe the following: job title, job description, educational qualifications, and anticipated annual salary or anticipate annual hourly rate.

B. Notice to Applicants to State Requested Exceptions to Contract Terms in Proposal

This section refers to the City’s standard contract terms and conditions that are typically described in a version of the General Provisions specific to the category of services sought and/or the purchasing department. The contract terms are incorporated in the RFP by attaching the appropriate version of the General Provisions as an appendix to the RFP and including the language below. Departments have the option, with the Law Department’s approval, of summarizing the contract terms in a later section of the RFP rather than attaching the General Provisions. The summary section must be drafted by the Law Department, which will also provide the corresponding RFP paragraph. If you are not sure which version of the General Provisions is applicable to your RFP, check with your conformance manager or with the Law Department.

The purpose of this Notice to Applicants is to promote early disclosure of contract negotiation issues by requiring applicants to request any change (often referred to as “waivers”) to the City’s standard contract terms as part of their proposal. The early identification of contract issues will assist in the evaluation of proposals and expedite the contract negotiation process with the selected applicant, leading more quickly to a final conformed contract.

ACIS will attach the applicable General Provision to the RFP as a PDF. You must identify the exhibit as Appendix A; and, please include the following paragraphs.

The City's standard contract terms and conditions for services of the type sought by this contracting opportunity (Contract Terms) are set forth in the General Provisions attached to this RFP as Appendix A. By submitting a proposal in response to this contract opportunity, the Applicant agrees that, except as provided herein, it will enter into a contract with the City containing substantially the Contract Terms.

For any contract awarded for work to be performed on or after July 1, 2019 the City has instituted a policy of making all of its payments under the contract through electronic deposits into the awarded entity's designated bank account. Before any City payments are made, the awarded entity will be required to supply the City with the information necessary for the City to initiate electronic payments by completing one of the electronic payment processing enrollment forms available on the City's vendor portal at <https://secure.phila.gov/finance/vendorpayments>. Applicants awarded a contract before July 1, 2019 are encouraged to complete one of the electronic payment processing enrollment forms before the conversion to electronic payments becomes mandatory. The City intends to stop issuing paper checks.

Applicants must state clearly and conspicuously any modifications, waivers, objections or exceptions they seek ("Requested Exceptions") to the Contract Terms in a separate section of the proposal entitled "Requested Exceptions to Contract Terms." For each Requested Exception, the Applicant must identify the pertinent Contract Term by caption and section number and state the reasons for the request. The Applicant must also propose alternative language or terms for each Requested Exception. Requested Exceptions to the City's Contract Terms will be approved only when the City determines in its sole discretion that a Requested Exception makes business sense, does not pose unacceptable risk to the City, and is in the best interest of the City. By submitting its proposal, the Applicant agrees to accept all Contract Terms to which it does not expressly seek a Requested Exception in its proposal. The City reserves the right, in its sole discretion, to evaluate and reject proposals based in part on whether the Applicant's proposal contains Requested Exceptions to Contract Terms, and the number and type of such requests and alternative terms proposed.

If, after the City issues its Notice of Intent to Contract to an Applicant, the Applicant seeks Requested Exceptions to Contract Terms that were not stated in its proposal, the City may, in its sole discretion, deny the Requested Exceptions without consideration or reject the proposal.

The City reserves the right, in its sole discretion, (i) to waive any failure to comply with the terms of this Notice to Applicants if it determines it is in the best interest of the City to do so; and (ii) to require or negotiate terms and conditions different from and/or additional to the Contract Terms in any final contract resulting from this contract opportunity, without notice to other Applicants and without affording other Applicants any opportunity to revise their proposals based on such different or additional terms.

C. Health Insurance Portability and Accountability Act (HIPAA)

The work to be provided under any contract entered into pursuant to this RFP may be subject to the federal Health Insurance Portability and Accountability Act (HIPAA), as amended, and/or other state or federal laws or regulations governing the privacy and security of health information. The selected Applicant must comply with the “Terms and Conditions Relating to Protected Health Information” which are posted on the City’s website at <https://philawx.phila.gov/econtract/> under the “About” link and which will be incorporated into the contract by reference.

D. Office of Economic Opportunity – Participation Commitment/Diversity Reports

The department must propose participation ranges for minority (MBE), woman (WBE), and disabled-owned (DSBE) business enterprises (collectively, M/W/DSBEs) under Mayoral Executive Order 01-21, the City’s Antidiscrimination Policy. The Office of Economic Opportunity (OEO) must review the RFP to determine whether the participation ranges proposed by your department are appropriate at least two weeks in advance of posting the RFP on eContract Philly. In limited instances, participation ranges may be difficult to propose because of the nature of the scope of work and availability of M/W/DSBEs; in those instances, subject to the review and written approval of OEO, the RFP will not contain participation ranges. OEO will provide the appropriate Antidiscrimination Policy template which must be included as an Appendix to this RFP. Note that there are two versions of the Antidiscrimination Policy template; both versions require applicants to exercise “Best and Good Faith Efforts.” One version contains the OEO approved participation ranges and the other version does not contain participation ranges. Both versions of the Antidiscrimination Policy are followed by the “Solicitation for Participation and Commitment” form” which applicants should complete to describe the “Best and Good Faith Efforts” they exercised whether responding to ranges or no ranges.

Unless your opportunity requires an EOP (see below), each RFP must contain one of the two versions of the Antidiscrimination Policy.

Nonprofit Applicants: Mayoral Executive Order 01-21 establishes different (and where OEO has established ranges, additional) diversity-related policies and contract requirements for applicants that are nonprofit organizations. The Antidiscrimination Policy which is included in the RFP template as Appendix B-2 is applicable to applicants that are nonprofit organizations. Appendix B-2 includes the form, “Diversity Report of Nonprofit Organizations,” which nonprofit applicants are to complete and submit with their proposal in order to demonstrate their compliance with the diversity reporting requirements contained in the Executive Order. The “Diversity Report of Nonprofit Organizations” form is included in Appendix B-2 attached to this RFP template and should be included in all RFP solicitations just as the “Solicitation for Participation and Commitment” form is attached behind Appendix B-1. Note, however, that if a nonprofit organization responds to an RFP where OEO has established ranges, in addition to the “Diversity Report of Nonprofit Organizations,” the nonprofit organization must also submit a “Solicitation for Participation and Commitment” form.

Economic Opportunity Plan (EOP): Where the contract amount exceeds Two Hundred Fifty Thousand Dollars (\$250,000) in value **and** City Council approval of the contract is required, the Department should consult with the Law Department and OEO as to whether Philadelphia Code Chapter 17-1600 requires an Economic Opportunity Plan (EOP) in lieu of the Antidiscrimination Policy.

Select the appropriate paragraphs from the two options below per OEO's approval and delete the other option:

Option 1: Where OEO has approved participation ranges for this RFP, the following paragraphs must be included in the RFP along with the Appendix for participation ranges which will be furnished to your department by OEO:

Each Applicant is subject to the provisions of Mayoral Executive Order 01-21, the City's Antidiscrimination Policy, and is required to exercise its "Best and Good Faith Efforts" in response to the ranges specified in the Appendix B-1 portion of Appendix B, included with this RFP for participation by Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE") and Disabled Business Enterprises ("DSBE") (collectively, "M/W/DSBE") as those terms are defined in Executive Order 01-21. Forms, instructions and special contract provisions for the Antidiscrimination Policy explain these requirements in more detail and are included in Appendix B-1 to this RFP. Applicants are required to complete and return with their proposals the "Solicitation for Participation and Commitment" form which is included in Appendix B-1. The City encourages proposals from M/W/DSBE Applicants. M/W/DSBE Applicants, like all other Applicants, are required to submit a proposal that is responsive to the Antidiscrimination Policy. The M/W/DSBE Applicant will receive credit towards the participation range for its certification category (i.e., MBE range, WBE range or DSBE range).

If Applicant is a nonprofit organization, Mayoral Executive Order 01-21 requires nonprofit Applicants to document their diversity policies. Applicants that are nonprofit organizations should refer to the special contract provisions and instructions attached to this RFP as Appendix B-2. Included in Appendix B-2 is the form, "Diversity Report of Nonprofit Organizations," which should be completed and returned with proposals submitted by nonprofit Applicants in addition to the Solicitation for Participation and Commitment form.

Option 2: Where, subject to OEO's approval, there are no participation ranges for the RFP, the following paragraphs must be included in the RFP along with the Appendix for no participation ranges which will be furnished to your department by OEO:

Each Applicant is subject to the provisions of Mayoral Executive Order 01-21, the City's Antidiscrimination Policy for participation by Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE") and Disabled Business Enterprises ("DSBE") (collectively, "M/W/DSBE") as those terms are defined in Executive Order 01-21. While there are no specific participation ranges established for this RFP, Applicants are required to exercise their "Best and Good Faith Efforts" to provide meaningful opportunities for the participation of M/W/DSBEs in their proposals. Forms, instructions and special contract provisions which explain the requirements of the Antidiscrimination Policy for City contracts in more detail are included in Appendix B-1 to this RFP. Appendix B-1 includes the "Solicitation for Participation and

Commitment Form” which Applicants should complete and return with their proposal if Applicant has solicited and/or made commitments to use M/W/DSBEs as part of its proposal. M/W/DSBEs are also encouraged to respond directly to this RFP.

If Applicant is a nonprofit organization, Mayoral Executive Order 01-21 requires nonprofit Applicants to document their diversity policies. Applicants that are nonprofit organizations should refer to the special contract provisions and instructions attached to this RFP as Appendix B-2. Included in Appendix B-2 is the form, “Diversity Report of Nonprofit Organizations,” which should be completed and returned with proposals submitted by nonprofit Applicants even if a nonprofit Applicant is also submitting a “Solicitation for Participation and Commitment” form.

E. The Philadelphia Tax and Regulatory Status and Clearance Statement

This section requires applicants to complete and submit with their proposal a “City of Philadelphia Tax and Regulatory Status and Clearance Statement Form” (Appendix C to this RFP template) that provides tax identification information for the applicant and enables the City to investigate City records to determine tax status and compliance with City revenue and regulatory codes. Applicants are put on notice that the City will refuse to contract with any individual, business or other legal entity that is not in good standing with respect to these local laws. Every applicant must complete and submit this form. The department should use the form to confirm the accuracy of all information for the successful applicant (including address, Federal Employer Identification Number or Social Security Number, and for those applicants that currently do business, or otherwise have an economic presence in the City, their Philadelphia Business Income and Receipts Tax Account Number (formerly Business Privilege Tax Account Number), and Commercial Activity License (formerly Business Privilege License Number) prior to routing an awarded contract in ACIS. Once the department has initiated the contract in ACIS, the Contract Unit of the Office of the Director of Finance will send to the Revenue Department the tax information about that applicant and Revenue will notify the Contract Unit regarding its tax status. If the applicant is not in good standing, the Contract Unit will notify the department conformance manager and project manager. Applicants who are not in good standing will have an opportunity to reach satisfactory arrangements with the City. It will be the department’s responsibility to notify winning applicants that before the City will enter into a contract with such applicants, they must contact the Revenue Department (direct contact information will be provided when the department is notified the applicant is out of compliance) to resolve any outstanding tax issue. As soon as satisfactory arrangements have been made with such applicants, the department will be notified that the contract may proceed. The following paragraphs put applicants on notice of these policies and procedures and are required in all RFPs.

It is the policy of the City of Philadelphia to ensure that each contractor and subcontractor has all required licenses and permits and is current with respect to the payment of City taxes or other indebtedness owed to the City (including, but not limited to, taxes collected by the City on behalf of the School District of Philadelphia), and is not in violation of other regulatory provisions contained in the Philadelphia Code. To assist the City, through its Department of Revenue and Department of Licenses and Inspections, in determining this status, each Applicant is required to

submit with its proposal the certification statement entitled City of Philadelphia Tax and Regulatory Status and Clearance Statement which is attached to this RFP as Appendix C.

If the Applicant is not in compliance with the City's tax and regulatory codes, an opportunity will be provided to enter into satisfactory arrangements with the City. If satisfactory arrangements cannot be made, Applicants will not be eligible for award of the contract contemplated by this RFP.

The selected Applicant will also be required to assist the City in obtaining the above information from its proposed subcontractors (if any). If a proposed subcontractor is not in compliance with City Codes and fails to enter into satisfactory arrangements with the City, the non-compliant subcontractor will be ineligible to participate in the contract contemplated by this RFP and the selected applicant may find it necessary to replace the non-compliant subcontractor with a compliant subcontractor. Applicants are advised to take these City policies into consideration when entering into their contractual relationships with proposed subcontractors.

If an Applicant or a proposed subcontractor is not currently in compliance with the City's tax and regulatory codes, please contact the Revenue Department to make arrangements to come into compliance at 215-686-6600 or revenue@phila.gov.

Applicants need not have a City of Philadelphia Business Income and Receipts Tax Account Number (formerly Business Privilege Tax Account Number) and Commercial Activity License Number (formerly Business Privilege License Number) to respond to this RFP, but will, in most circumstances, be required to obtain one or both if selected for award of the contract contemplated by the RFP.¹ Applications for a Business Income and Receipts Tax Account Number or a Commercial Activity License² may be made on line by visiting the City of Philadelphia Business Services Portal at <https://www.phila.gov/services/business-self-employment/business-taxes/> and clicking on "Get a tax account." If you have specific questions, call the Department of Revenue at 215-686-6600 for questions related to City of Philadelphia Business Income and Receipts Tax Account Number or the Department of Licenses and Inspections through 215-686-8686 for questions related to the Commercial Activity License.

F. Compliance with Philadelphia 21st Century Minimum Wage and Benefits Ordinance

Applicants are advised that any contract awarded pursuant to this RFP is a "Service Contract," and the successful Applicant under such contract is a "Service Contractor," as those terms are defined in Chapter 17-1300 of the Philadelphia Code ("Philadelphia 21st Century Minimum Wage and Benefits Standard Ordinance") Any Subcontractor (as defined in the General Provisions attached as an Appendix to this RFP), and any sub-subcontractor at any tier proposed to perform services sought by this RFP, is also a "Service Contractor" for purposes of Chapter 17-1300. If any such Service Contractor (i.e. Applicant and subcontractors at any tier) is also an

¹ Applicants that have a Business Privilege Tax Number should use that number, as it is automatically their Commercial Activity License Number, and need not apply for a new Commercial Activity License Number. Similarly, Applicants with a Business Privilege Tax Account Number should use that number as their Business Income and Receipts Tax Account Number.

² Commercial Activity Licenses are not typically required for non-profit organizations; however, Business Income and Receipts Tax Account Numbers typically are required.

“Employer,” as that term is defined in Section 17-1302 (more than five employees), and is among the Employers listed in Section 17-1303 of the Code, then during the term of any resulting contract, it is subject to the minimum wage and benefits provisions set forth in Chapter 17-1300 unless it is granted a waiver or partial waiver under Section 17-1304. Absent a waiver, these minimum wage and benefits provisions, which include a minimum hourly wage that is adjusted annually based on the CPI, health care and sick leave benefits, are mandatory and must be provided to Applicant’s employees or the employees of any subcontractor at any tier who perform services related to the City contract resulting from this RFP. Applicants and any subcontractors at any tier proposed by Applicants are strongly encouraged to consult Chapter 17-1300 of the Philadelphia Code,³ the General Provisions, and the About/Minimum Wage and Equal Benefits Ordinances Impacting Some City Contractors links on the eContract Philly home page for further details concerning the applicability of this Chapter to, and obligations it imposes on certain City contractors and subcontractors at any tier. In addition to the enforcement provisions contained in Chapter 17-1300, the successful Applicant’s failure or the failure of any subcontractor at any tier to comply (absent an approved waiver) with the provisions of Chapter 17-1300, or any discrimination or retaliation by the successful Applicant or Applicant’s subcontractors at any tier against any of their employees on account of having claimed a violation of Chapter 17-1300, shall be a material breach of any Service Contract resulting from this RFP. By submitting a proposal in response to this RFP, Applicants acknowledge that they understand, and will comply with the requirements of Chapter 17-1300, and will require the compliance of their subcontractors at any tier if awarded a contract pursuant to this RFP. Applicants further acknowledge that they will notify any subcontractors at any tier proposed to perform services related to this RFP of the requirements of Chapter 17-1300.

G. Certification of Compliance with Equal Benefits Ordinance

If this RFP is a solicitation for a “Service Contract” as that term is defined in Philadelphia Code Section 17-1901(4) (“A contract for the furnishing of services to or for the City, except where services are incidental to the delivery of goods. The term does not include any contract with a governmental agency.”), and will result in a Service Contract in an amount in excess of \$250,000, pursuant to Chapter 17-1900 of the Philadelphia Code (*see* footnote 3 for online access to the Philadelphia Code), the successful Applicant shall, for any of its employees who reside in the City, or any of its employees who are non-residents subject to City wage tax under Philadelphia Code Section 19-1502(1)(b), be required to extend the same employment benefits the successful Applicant extends to spouses of its employees to life partners of such employees, absent a waiver by the City under Section 17-1904. By submission of their Proposals in response to this RFP, all Applicants so acknowledge and certify that, if awarded a Service Contract pursuant to this RFP, they will comply with the provisions of Chapter 17-1900 of the Philadelphia Code and will notify their employees of the employment benefits available to life partners pursuant to Chapter 17-1900. Following the award of a Service Contract subject to Chapter 17-1900 and prior to execution of the Service Contract by the City, the successful Applicant shall certify that its employees have received the required notification of the employment benefits available to life partners and that such employment benefits will actually be available, or that the successful Applicant does not provide employment benefits to the spouses

³ A link to the Philadelphia Code is available on the City’s official web site, www.phila.gov. Click on “City Code and Charter,” located to the bottom right of the Welcome page under the box “Transparency.”

of married employees. The successful Applicant's failure to comply with the provisions of Chapter 17-1900 or any discrimination or retaliation by the successful Applicant against any employee on account of having claimed a violation of Chapter 17-1900 shall be a material breach of the any Service Contract resulting from this RFP. Further information concerning the applicability of the Equal Benefits Ordinance, and the obligations it imposes on certain City contractors is contained in the General Provisions attached to this RFP and the About/Minimum Wage and Equal Benefits Ordinances Impacting Some City Contractors links on the eContract Philly home page.

H. Local Business Entity or Local Impact Certification

Department please note that ACIS will automatically attach the "Local Business Entity Cert" form to the RFP as a PDF. You must identify the exhibit as Appendix D.

Pursuant to Mayoral Executive Order No. 04 -12, the City Department will, in the selection of the successful Applicant, consider whether that Applicant has certified that either (1) Applicant meets the criteria stated in Section 17-109(3)(b) of the Philadelphia Code to qualify as a Local Business Entity or (2) in the performance of the resulting contract, Applicant will employ City residents, or perform the work in the City. Any Applicant who wishes to demonstrate its eligibility for this consideration shall do so by completing, executing and attaching to its application a completed Local Business Entity or Local Impact Certification, the form of which is attached to this RFP as Appendix D. The Applicant shall then also include in a separate section of the application, labeled "Local Business Entity or Local Impact Certification," a statement that the Applicant believes it has met the Local Business Entity or Local Impact criteria "as set forth in the attached Local Business Entity or Local Impact Certification." The City Department shall deem it a positive factor where the Applicant has, in the City's sole discretion, met the Local Business Entity or Local Impact criteria.

I. LGBTQ Applicant Opportunity Data

Department please note that the "LGBTQ Applicant Opportunity Data" form is a fillable PDF. ACIS will automatically attach this to the RFP as a PDF. You must identify the exhibit as Appendix E.

As part of the City's commitment to diversity, equity and inclusion in all aspects of City procurement, the City is collecting data to identify the number of companies beneficially owned and controlled by Lesbian, Gay, Bisexual, Transgender and Queer persons who wish to do business with the City (collectively, "LGBTQ businesses"). The data will be used to identify the number of LGBTQ businesses currently doing business with the City. It will also assist in efforts to include LGBTQ certified businesses into the City's vendor database. Response to this form, Appendix E, is voluntary.

J. Mandatory Online Application Requirements

You must apply online in order to be eligible for award of the non-competitively bid contract opportunity described in this RFP; proposals and any other related documents prepared in response to this RFP will not be considered unless they are filed to the correct contract opportunity established for this RFP (identified by opportunity number), within the prescribed

time period, through rowonline@phila.gov. The posting of this RFP on Phila.gov/wills is also referred to as a Notice of Contracting Opportunity.

Applicants MUST ensure that the company name and Tax Identification Number (TIN) with which they are registered on eContract Philly is the identical name and TIN under which they are submitting their application. Any deviation from this may result in the disqualification of the Applicant at the sole discretion of the City. If the Applicant wishes to apply for an opportunity using a name or TIN which is different from the registration account, the Applicant must register the new name and TIN with eContract Philly before submitting its application for the opportunity. Except in the case of joint ventures, applications posted on eContract Philly from Applicants that purport to be filing an application on behalf of another individual or business entity will not be considered, even if the other business entity is an affiliate of the Applicant.

In the case of multiple business entities that if awarded a contract have formed, or intend to form a joint venture to perform the contract, a single business entity may file an application on behalf of all such business entities so long as (i) the filing business entity is or will be a member of the joint venture, (ii) the application is made in the name of the existing or proposed joint venture, (iii) documentation is submitted with the application identifying all business entities that comprise, or will comprise, the joint venture, and demonstrating a binding agreement among those business entities to perform the contract as the joint venture identified in the application (for a joint venture that has not yet been formed, documentation signed by each identified business entity evidencing a commitment to form the joint venture if awarded the contract is sufficient), and (iv) the non-filing business entities are eligible for award of a City contract and make the disclosures required by Chapter 17-1400 of the Philadelphia Code (described in greater detail below) within fourteen (14) days after the joint venture receives notice that it has been awarded the contract.

Pursuant to Chapter 17-1400 of the Philadelphia Code, Applicants are required to disclose their direct and indirect campaign contributions to political candidates and incumbents who are nominated, running for, or currently serving in, a local Philadelphia elected office and to political committees/parties that are operating in Philadelphia (state and federal campaign contributions are not included unless the subject of the campaign is also running for, or currently serving in a local Philadelphia elected office); any consultants used in responding to the RFP and contributions those consultants have made; prospective subcontractors; for contracts over \$100,000, the experience of the Applicant and prospective subcontractors performing on City contracts in any capacity during the preceding five years as well as demographic data of both the board members of the Applicant and the employees of the Applicant and prospective subcontractors; and whether Applicant or any representative of Applicant has received any requests for money or other items of value or advice on particular firms to satisfy minority-, woman- or disabled-owned business participation goals from City employees

Applicants are advised that under Chapter 17-1400 individuals and businesses that make campaign contributions in excess of the amounts set forth in Section 17-1404(1), as periodically adjusted, are ineligible to enter into a City contract or subcontract at any tier. Applicants should

take this into consideration in electing to apply for this opportunity or in selecting subcontractors if awarded a contract to perform the work sought by this RFP.

At their option, Applicants may require that their subcontractors disclose to the Applicants, the subcontractors' direct and indirect campaign contributions to candidates who are running for, and/or incumbents who are currently serving in local Philadelphia elected office and to political committees/parties that are operating in Philadelphia (federal campaign contributions are not included unless the subject of the campaign is also running for, or currently serving in a local Philadelphia elected office). Disclosure forms may be found on the Disclosure/Eligibility – Subcontractor Disclosure tab on eContract Philly. Applicants are not required to submit these forms to the City.

Applicants who have failed to file complete applications to the correct opportunity – including the online disclosure forms – through the eContract Philly online application process prior to the closing date and time will not be considered for the contract.

You are encouraged to start and complete your online application on eContract Philly as early as possible. Please be aware that internet connection speed depends on a variety of factors including: configuration of your computer, configuration of your business or home network, the condition of the wiring at your location, network or internet congestion (available bandwidth). Please prepare and plan accordingly to ensure a timely submission. Your proposal and other application documents will not be considered submitted until you sign the application and click on the “submit” button at the conclusion of the eContract Philly process. It is your responsibility to make sure that you have signed and submitted your complete application to the correct contract opportunity established for this RFP.

You can begin uploading (or attaching) your proposal and other application materials at any time. It is especially prudent for you to start uploading your attachments earlier if you have a large number of attachments (e.g. over five documents) or larger-sized attachments (e.g. above 5 MB). Please be advised that the eContract Philly website will not accept documents larger than 8 MB. If you have documents larger than 8 MB, you must separate them into smaller documents in order to successfully upload them to the system. Until you sign and submit your application, your materials are not accessible to any staff with the City of Philadelphia. Once you have signed and submitted your application, your application is accessible only to appropriate contract staff within the City of Philadelphia.

You are advised that any individual who signs and submits an application on eContract Philly must be an authorized signatory of the Applicant, authorized to both bind the Applicant to its proposal and to make the disclosures required to complete the eContract Philly process. Therefore, in conjunction with their electronic signatures provided at the conclusion of the submission of their applications online, signatories will be required to certify that they are the Applicant or are employees or officers of the Applicant duly authorized to execute the application and make disclosures on the Applicant's behalf; and they represent and covenant that, to the best of their knowledge after appropriate inquiry, all of the information and disclosures provided are true and contain no material misstatement or omissions.

K. Selection Process

The department must state the selection criteria by which it will choose a winning applicant. Departments should include selection criteria that are clear and specific so that applicants can decide whether they are eligible and therefore should apply. Departments should identify selection criteria that will help them choose the most appropriate vendor, but departments cannot list any selection criterion that could be construed as illegal or unfairly favoring a particular vendor. The stated selection criteria must be the basis for selection and should be determined with that in mind. In this section, the department may, at its option, describe its overall selection or evaluation process. The RFP must include the introductory paragraph advising applicants that cost is not the sole or determinative factor in proposal evaluation and the selection criteria listed below (1-12), which are standard criteria for award stated on eContract Philly).

This RFP is not a competitive bid subject to the requirement of Section 8-200 of the Philadelphia Home Rule Charter that award be made to the lowest responsible bidder. Cost to the City is a material factor, but it is not the sole, or necessarily the determining factor, in proposal evaluation. The City may, at its sole discretion, award a contract resulting from this RFP to a person or entity other than the responsible Applicant submitting the lowest price. If the City chooses to award a contract, that contract will be awarded to the Applicant whose proposal the City determines, in its sole discretion, is the most advantageous to the City and in the City's best interest.

The City will base its selection on criteria that include, but are not limited to:

1. Superior ability or capacity to meet particular requirements of contract and needs of City Department and those it serves
2. Eligibility under Code provisions relating to campaign contributions
3. Superior prior experience of Applicant and staff
4. Superior quality, efficiency and fitness of proposed solution for City Department
5. Superior skill and reputation, including timeliness and demonstrable results
6. Special benefit to continuing services of incumbent, such as operational difficulties with transition or needs of population being served
7. Benefit of promoting long-term competitive development and allocation of experience to new or small businesses, including those owned by minority or disabled persons or by women
8. Lower cost
9. Administrative and operational efficiency, requiring less City oversight and administration
10. Anticipated long-term cost effectiveness
11. Meets prequalification requirements
12. Applicant's certification of its Local Business Entity/Local Impact status pursuant to Executive Order 04-12

In no event, however, shall the City Department or City Agency issuing this RFP be obligated to debrief unsuccessful Applicants as to the basis for its decision not to award a contract to them.

The 12 mandatory, standard criteria listed above may be amplified by a department, at its option and as appropriate to the project, by listing more specific criteria as bullets following the standard criteria to which the more specific criteria relates. The following are examples:

Standard Criteria 1. Superior ability or capacity to meet particular requirements of contract and needs of City Department and those it serves or Standard Criteria 4. Superior quality, efficiency and fitness of proposed solution for City Department

- Proposed project plan/strategy/solution for meeting department requirements
- Utilization of most efficient methodology
- Innovativeness of solution
- Utilization of best practices
- Ability to meet project deadlines under proposed project plan/strategy/solution
- 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 (must be identified)

Standard Criteria 3. Superior prior experience of Applicant and staff

- Specialized experience (must be specified)
- Documented prior experience in performing project(s) of similar size and scope to the work sought by the RFP
- Demonstrated ability to meet project deadlines

Standard Criteria 5. Superior skill and reputation, including timeliness and demonstrable results

- Vendor profile
- Business integrity and reputation in the industry

Standard Criteria 7. Benefit of promoting long-term competitive development and allocation of experience to new or small businesses, including those owned by minority or disabled persons or by women or Standard Criteria 12.

- Anticipated job creation
- Shared commitment to achieving the objectives of Executive Order 01-21 which strives for the inclusion of Minority, Woman and Disabled Owned Businesses in all phases of City contracting

Standard Criteria 8. Lower cost, Standard Criteria 9. Administrative and operation efficiency, requiring less City oversight and administration, and Standard Criteria 10. Anticipated long-term cost effectiveness

- Cost-effectiveness, proposed savings
- Price, fee caps and other cost control measures
- Amount of proposed revenue generated for the City
- Expressed willingness to comply with City and/or department standard contract terms (e.g., indemnification, insurance, nondiscrimination)

Standard Criteria 11. Meets prequalification requirements

- insert here any special prequalification criteria that you establish for the project for which the RFP is issued

IV. Proposal Administration

A. Procurement Schedule *Include an anticipated schedule for the RFP process with the following suggested milestones and their anticipated dates, tailored as appropriate to your project. If you plan to hold a pre-proposal meeting, inform your contact in the Office of Economic Opportunity so that they can attend the meeting. If you plan to require or encourage applicants to visit the department’s project site, include “Site Visit” and date/time and location details. If you plan to conduct interviews with applicants or to require or permit applicant presentations, include “Applicant Interviews, Presentations” and the approximate dates they will be conducted.*

RFP Posted	<i>Date</i>
Pre-Proposal Meeting	<i>Date, Time, Location,</i>
Site Visit	<i>Date(s), Time(s), Location(s)</i>
Applicant Questions Due	<i>Date</i>
Answers Posted on eContract Philly Website	<i>Date</i>
Proposals Due	<i>Date</i>
Applicant Interviews, Presentations	<i>Approximate dates</i>
Applicant Selection	<i>Approximate date</i>
Contract Execution	<i>Approximate date</i>
Commencement of Work	<i>Approximate date</i>

The above dates are estimates only and the City reserves the right, in its sole discretion, to change this schedule. Notice of changes in the pre-proposal meeting date/time or location, the due date for Applicant questions, and the date for proposal submission will be posted on the City’s eContractPhilly website at ww.phila.gov/wills. The other dates/times listed may be changed without notice to prospective Applicants.

B. Questions Relating to the RFP

Provide directions on how applicants can ask questions and include the deadline for question submission. All responses to applicant questions the department elects to answer, including those raised at the pre-proposal conference if one is held, must be sent to rowonline@phila.gov. Responses to applicant questions become part of the RFP and applicants are entitled to rely on them. Answers must therefore be considered carefully. If you are uncertain how to frame the answer to a question, or whether an answer should be provided at all, the Law Department will assist you.

All questions concerning this RFP must be submitted in writing via email to John Zimmerman Director of Communications no later than Tuesday, December 7 (12/7/21) at 5:00 pm, and may not be considered if not received by then. The City will respond to questions it considers appropriate to the RFP and of interest to all Applicants, but reserves the right, in its discretion, not to respond to any question. The City reserves the right, in its discretion, to revise responses to questions after posting, by posting the modified response. No oral response to any Applicant question by any City employee or agent shall be binding on the City or in any way considered to be a commitment by the City.

C. Pre-Proposal Conference, Site Visits, Inspection of Materials (if applicable)

If requiring or encouraging applicant visits to the department's project site, or the inspection of department facilities or materials relevant to the work, that must be stated in this RFP section, with the date(s), time(s) and location(s) for the site visit(s), and directions on how to access materials for inspection.

If the department elects to hold a pre-proposal conference, state the date, time, and location of the conference. You may require or encourage applicants to submit written questions in advance of the pre-proposal conference. Indicate whether your pre-proposal conference is optional or mandatory.

A pre-proposal meeting to review the requirements of this RFP will be held in Philadelphia, Pennsylvania on _____, 20____, starting at _____, at the following location: _____, (street address, floor number/room number), Philadelphia, PA 19____. Attendance at the pre-proposal meeting is _____. [optional or mandatory]. (Select one. If the pre-proposal meeting is optional, deleted the bold paragraph which follows immediately below.)

The City believes that attendance at the pre-proposal meeting is essential for successful participation in this RFP procurement and expects every Applicant to attend. The City reserves the right, in its sole discretion, to reject without evaluation the proposal of any Applicant that does not attend the meeting.

D. Interviews; Presentations *(if applicable)*

If you expect to interview applicants or have them make presentations, state that interviews and/or presentations are required in this section. State that the costs of interviews and presentations (including travel) are the responsibility of the applicant. If only some applicants may be invited for interviews or presentations, you must clearly state that that will be the case.

E. Term of Contract

In this section, you should describe the anticipated contract term, which generally may not be for more than one year, with up to three additional one-year renewals at the City's option. An initial term or renewal term of more than one year generally requires approval by City Council by ordinance. You must have Law Department approval to provide in the RFP for a contract term of more than one year in order to ensure that the contract is eligible for a longer term.

Option 1: The following language should be used for contracts with a one-year initial term with the option to renew for three additional one-year terms).

It is anticipated that the initial term of the Contract shall commence on _____ {month, day, year} (the "Initial Term") and, unless sooner terminated by the City pursuant to the terms of the Contract, shall expire up to twelve months thereafter, on _____ {month, day, year}. The City may, at its sole option, amend the Contract to add up to three (3) additional successive one-year terms ("Additional Terms"). Except as may be stated otherwise in such amendment, the terms and conditions of this Contract shall apply throughout each Additional Term.

Option 2: The following language should be used for contracts with a term of more than one year where City Council approval is required (consult with the Law Department in such cases).

Applicants are advised that the contract resulting from this RFP will require the approval of Philadelphia City Council prior to execution. By submitting a proposal in response to this RFP, Applicants acknowledge their understanding and agree that any proposed contract with the selected Applicant will be (i) submitted to City Council in the form of a proposed ordinance; (ii) subject to the customary councilmanic process of public notice and hearing for the enactment of legislation by City Council; and (iii) may not result in a final, executed contract unless the proposed contract, and all terms and conditions contained therein, receives a majority vote in favor of the contract.

V. General Rules Governing RFPs/Proposals; Reservation of Rights and Confidentiality

A. Revisions to RFP

The City reserves the right to change, modify or revise the RFP at any time. Any revision to this RFP will be posted on eContract Philly with the original Opportunity Details. It is the Applicant’s responsibility to check the eContract Philly website frequently to determine whether additional information has been released or requested.

B. City Employee Conflict Provision

City of Philadelphia employees and officials are prohibited from submitting a proposal in response to this RFP. No proposal will be considered in which a City employee or official has a direct or indirect interest.

C. Proposal Binding

The following language ensures the proposal submitted is binding for a minimum of 180 days following the application deadline of the RFP. Departments may increase or decrease the period for which proposals are binding.

By submitting its proposal, each Applicant agrees that it will be bound by the terms of its proposal for a minimum of 180 calendar days from the application deadline for this RFP. An Applicant’s refusal to enter into a contract which reflects the terms and conditions of this RFP or the Applicant’s proposal may, in the City’s sole discretion, result in rejection of Applicant’s proposal.

D. Contract Preparation Fee

Pursuant to Chapter 17-700 of the Philadelphia Code, the successful Applicant must generally pay a contract preparation fee. Regulations promulgated by the City Solicitor currently establish the following schedule of fees for preparation of the initial contract and subsequent amendments, based upon the amounts involved and whether the successful Applicant is a for-profit or nonprofit entity:

<u>Amount of Contract or Amendment</u>	<u>For-Profit Fees</u>		<u>Non-Profit Fees</u>	
	<u>Contract</u>	<u>Amendment</u>	<u>Contract</u>	<u>Amendment</u>
\$0-\$30,000	\$50	\$50	\$50	\$50
\$30,001-\$100,000	\$200	\$170	\$100	\$85
\$100,001-\$500,000	\$500	\$340	\$200	\$170

\$500,001-\$1,000,000	\$900	\$520	\$300	\$260
Over \$1,000,000	\$1,500	\$1,000	\$500	\$500

In its discretion, the Law Department may grant a full or partial waiver of any of the above fees in exceptional cases for good cause shown, such as violation of a grant covenant. Governmental entities are exempt from the fees. The Law Department reserves the right to collect up to twice the stated fee if extensive negotiation is required to reach a final contract with the successful Applicant.

Different versions of this section apply to contracts of the Department of Public Health, the Department of Human Services, the Office of Behavioral Health and Intellectual Disability Services, and the Office of Supportive Housing. Those versions are available from Ellen Clemente and Jonathan Janiszewski in the Law Department.

E. Reservation of Rights

By submitting its response to this notice of contract opportunity as posted on the eContract Philly web site (“eContractPhilly”), the Applicant accepts and agrees to this Reservation of Rights and to the terms of this Notice of Contract Opportunity. The term “notice of contract opportunity,” as used herein, means this RFP and includes all information posted on eContract Philly in relation to this “New Contract Opportunity” as published on eContract Philly, including, without limitation, the information posted for this opportunity on the “Detailed Information for Opportunity” page, in the eContractPhilly “Opportunity List,” and including in addition to this RFP, any other document linked to the Detailed Information for Opportunity Page or otherwise displayed on or linked to this notice of contract opportunity.

1. This Notice of Contract Opportunity

The City reserves and may, in its sole discretion, exercise any one or more of the following rights and options with respect to this notice of contract opportunity:

- (a) to reject any and all proposals and to reissue this notice of contract opportunity at any time prior to execution of a final contract;
- (b) to issue a new notice of contract opportunity with terms and conditions substantially different from those set forth in this or a previous notice of contract opportunity;
- (c) to issue a new notice of contract opportunity with terms and conditions that are the same or similar as those set forth in this or a previous notice of contract opportunity in order to obtain additional proposals or for any other reason the City determines to be in the City’s best interest;
- (d) to extend this notice of contract opportunity in order to allow for time to obtain additional proposals prior to the notice of contract opportunity application deadline or for any other reason the City determines to be in the City’s best interest;
- (e) to supplement, amend, substitute or otherwise modify this notice of contract opportunity at any time prior to issuing a notice of intent to contract to one or more Applicants;
- (f) to cancel this notice of contract opportunity at any time prior to the execution of a final contract, whether or not a notice of intent to contract has been issued, with or without issuing, in the City’s sole discretion, a new notice of contract opportunity for the same or similar services;

(g) to do any of the foregoing without notice to Applicants or others, except such notice as the City, in its sole discretion, elects to post on eContractPhilly.

2. Proposal Selection and Contract Negotiation

The City reserves and may, in its sole discretion, exercise any one or more of the following rights and options with respect to proposal selection:

(a) to reject any proposal if the City, in its sole discretion, determines the proposal is incomplete, deviates from or is not responsive to the requirements of this notice of contract opportunity, does not comply with applicable law (including, without limitation, Chapter 17-1400 of the Philadelphia Code), is conditioned in any way, or contains ambiguities, alterations or items of work not called for by this notice of contract opportunity, or if the City determines it is otherwise in the best interest of the City to reject the proposal;

(b) to reject any proposal if, in the City's sole judgment, the Applicant has been delinquent or unfaithful in the performance of any contract with the City or with others; is delinquent, and has not made arrangements satisfactory to the City, with respect to the payment of City taxes or taxes collected by the City on behalf of the School District of Philadelphia, or other indebtedness owed to the City; is not in compliance with City regulatory codes applicable to Applicant; is financially or technically incapable; or is otherwise not a responsible Applicant;

(c) to waive any defect or deficiency in any proposal, including, without limitation, those identified in subsections (a) and (b) preceding, if, in the City's sole judgment, the defect or deficiency is not material to the proposal;

(d) to require, permit or reject, in the City's sole discretion, amendments (including, without limitation, information omitted), modifications, clarifying information, and/or corrections to their proposals by some or all of the Applicants at any time following proposal submission and before the execution of a final contract;

(e) to issue a notice of intent to contract and/or execute a contract for any or all of the items in any proposal, in whole or in part, as the City, in its sole discretion, determines to be in the City's best interest;

(f) to enter into negotiations with any one or more Applicants 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, whether or not a notice of intent to contract has been issued to any Applicant and without reissuing this notice of contract opportunity;

(g) to enter into simultaneous, competitive negotiations with multiple Applicants or to negotiate with individual Applicants, either together or in sequence, and to permit or require, as a result of negotiations, the expansion or reduction of the scope of services or changes in any other terms of the submitted proposals, without informing other Applicants of the changes or affording them the opportunity 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;

(h) to discontinue negotiations with any Applicant at any time prior to the execution of a final contract, whether or not a notice of intent to contract has been issued to the Applicant, and to enter into negotiations with any other Applicant, if the City, in its sole discretion, determines it is in the best interest of the City to do so;

(i) to rescind, at any time prior to the execution of a final contract, any notice of intent to contract issued to an Applicant, and to issue or not issue a notice of intent to contract to

the same or a different Applicant and enter into negotiations with that Applicant, if the City, in its sole discretion, determines it is in the best interest of the City to do so;

(j) to elect not to enter into any contract with any Applicant, whether or not a notice of Intent to Contract has been issued and with or without the reissuing this notice of contract opportunity, if the City determines that it is in the City's best interest to do so;

(k) to require any one or more Applicants to make one or more presentations to the City at the City's offices or other location as determined by the City, at the Applicant's sole cost and expense, addressing the Applicant's proposal and its ability to achieve the objectives of this notice of contract opportunity;

(l) to conduct on-site investigations of the facilities of any one or more Applicants (or the facilities where the Applicant performs its services);

(m) to inspect and otherwise investigate projects performed by the Applicant, whether or not referenced in the proposal, with or without consent of or notice to the Applicant;

(n) to conduct such investigations with respect to the financial, technical, and other qualifications of each Applicant as the City, in its sole discretion, deems necessary or appropriate; and,

(o) to do any of the foregoing without notice to Applicants or others, except such notice as the City, in its sole discretion, elects to post on eContractPhilly.

3. Miscellaneous

(a) Interpretation; Order of Precedence. In the event of conflict, inconsistency or variance between the terms of this Reservation of Rights and any term, condition or provision contained in any notice of contract opportunity, the terms of this Reservation of Rights shall govern.

(b) Headings. The headings used in this Reservation of Rights do not in any way define, limit, describe or amplify the provisions of this Reservation of Rights or the scope or intent of the provisions, and are not part of this Reservation of Rights.

F. Confidentiality and Public Disclosure

The successful Applicant shall treat all information obtained from the City which is not generally available to the public as confidential and/or proprietary to the City. The successful Applicant shall exercise all reasonable precautions to prevent any information derived from such sources from being disclosed to any other person. The successful Applicant agrees to indemnify and hold harmless the City, 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 Applicant or any person acquiring such information, directly or indirectly, from the successful Applicant.

By submission of a proposal, Applicants acknowledge and agree that the City, 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 City's legal obligations shall not be limited or expanded in any way by an Applicant's assertion of confidentiality and/or proprietary data.

APPENDIX A

THE CITY OF PHILADELPHIA PROFESSIONAL SERVICES CONTRACT GENERAL PROVISIONS FOR _____ {SPECIFY} SERVICES

Attach the appropriate General Provisions as Appendix A to the RFP. If you are unsure which version of the standard General Provisions to use or if your RFP should describe specific terms and conditions not contained in a standard version of the General Provisions, please consult the Law Department.

All General Provisions contain the relevant insurance requirements. In certain cases, however, Risk Management may want to impose higher insurance requirements than what exists in the template General Provisions. If this is the case, you will have to include an additional appendix to describe the alternative insurance requirements. Risk Management may impose higher insurance requirements in the following situations:

- *Where the contractor is handling City money either physically or virtually*
- *For large IT design, software, and implementation contracts*
- *For large architecture and engineering design contracts.*

Reminder: *Delete these italicized instructions in the final draft of your RFP.*

**APPENDIX B
(CONSISTING OF APPENDIX B-1 AND APPENDIX B-2)**

**CITY OF PHILADELPHIA
OFFICE OF ECONOMIC OPPORTUNITY
ANTIDISCRIMINATION POLICY-MINORITY, WOMAN AND DISABLED
OWNED BUSINESS ENTERPRISES**

SPECIAL CONTRACT PROVISIONS, INSTRUCTIONS AND FORMS

Appendix B is in two parts: Appendix B-1, applicable to all applicants, for-profit and nonprofit organizations, and Appendix B-2, containing special contract requirements and an additional form only applicable to applicants that are nonprofit organizations.

Instructions for Appendix B-1: Attach the appropriate version of the Antidiscrimination Policy (with participation ranges or without participation ranges), as provided by OEO. Attach the “Solicitation for Participation and Commitment” form” to the version of the Antidiscrimination Policy provided by OEO.

Instructions for Appendix B-2: Include as part of Appendix B-2 the OEO form “Diversity Report of Nonprofit Organizations,” which is incorporated in this RFP template as Appendix B-2.

Reminder: Delete these italicized instructions in the final draft of your RFP.

APPENDIX B-1

(Placeholder for version of Antidiscrimination Policy provided by OEO (with ranges or without ranges) and “Solicitation for Participation and Commitment” form.)

APPENDIX B-2

SPECIAL ANTIDISCRIMINATION CONTRACT PROVISIONS, INSTRUCTIONS AND FORMS FOR APPLICANTS THAT ARE NONPROFIT ORGANIZATIONS

In response to the objectives of Executive Order 01-21, Applicants that are nonprofit organizations will be required to submit the following information to the Office of Economic Opportunity (OEO):

1. identification of the race, gender, disability status, and ethnic composition of the nonprofit Applicant's workforce;
2. identification of the race, gender, disability status, and ethnic composition of the nonprofit Applicant's board of directors or trustees;
3. a list of the nonprofit Applicant's five highest dollar value M/W/DSBE suppliers of products and services; and
4. the nonprofit Applicant's statement explaining its efforts to maintain a diverse workforce, a diverse board of directors and operate a fair and effective supplier diversity program.

Please use the attached form, "Diversity Report of Nonprofit Organizations," to submit this information, attaching additional pages as needed. This information should be submitted with the Applicant's proposal, but the City, at its sole discretion, may allow applicants to submit or amend this form at any time prior to award.

If a nonprofit organization is responding to a contract opportunity where ranges have been established for M/W/DSBE participation, in addition to the "Diversity Report of Nonprofit Organizations" form, a nonprofit Applicant must also complete and submit with its proposal the "Solicitation for Participation and Commitment" form included in this Appendix.

**APPENDIX B-2
City of Philadelphia – Office of Economic Opportunity
Diversity Report of Nonprofit Organizations**

1 DEMOGRAPHIC BREAKDOWN OF WORKFORCE									
Please provide the following demographic breakdown of your workforce by race/ethnicity/gender/ disability:					#	%		#	%
African American			Males						
Asian/Pacific Islander			Females						
Caucasian									
Disabled									
Hispanic									
Native American									
Other									
Total Number of Employees									
2 DEMOGRAPHIC BREAKDOWN OF BOARD COMPOSITION									
Please provide the following demographic breakdown of your Board of Directors or Trustees by race/ethnicity/gender/disability:					#	%		#	%
African American			Males						
Asian/Pacific Islander			Females						
Caucasian									
Disabled									
Hispanic									
Native American									
Other									
Total Number of Directors or Trustees									
3 SUPPLIER DIVERSITY									
Please check the appropriate box to indicate if you have a supplier diversity policy. If “no,” please explain on your letterhead.							<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If you maintain a supplier diversity policy, please attach a copy of your supplier diversity policy.									
Please identify below, your agency’s five (5) highest minority, woman, and/or disabled owned business suppliers of products or services, indicating your estimated annual expenditure(s) with the firm:									
Company Name	Company Address	Company Telephone	Minority	Woman	Disabled	Annual Expenditures			
1									
2									
3									
4									
5									
Signature:		Date:		Non-Profit Name:					

APPENDIX C

CITY OF PHILADELPHIA TAX AND REGULATORY STATUS AND CLEARANCE STATEMENT FOR APPLICANTS

THIS IS A CONFIDENTIAL TAX DOCUMENT NOT FOR PUBLIC DISCLOSURE

This form must be completed and returned with Applicant's proposal in order for Applicant to be eligible for award of a contract with the City. Failure to return this form will disqualify Applicant's proposal from further consideration by the contracting department. Please provide the information requested in the table, check the appropriate certification option and sign below:

Applicant Name*	
Contact Name and Title	
Street Address	
City, State, Zip Code	
Phone Number	
Federal Employer Identification Number or Social Security Number: *	
Philadelphia Business Income and Receipts Tax Account Number (f/k/a Business Privilege Tax) (if none, state "none")*	
Commercial Activity License Number (f/k/a Business Privilege License) (if none, state "none")*	

____ I certify that the Applicant named above has all required licenses and permits and is current, or has made satisfactory arrangements with the City to become current with respect to the payment of City taxes or other indebtedness owed to the City (including, but not limited to, taxes collected by the City on behalf of the School District of Philadelphia), and is not in violation, or has made satisfactory arrangements to cure any violation, or other regulatory provisions applicable to Applicant contained in the Philadelphia Code.

____ I certify that the Applicant named above does not currently do business, or otherwise have an economic presence in Philadelphia. If Applicant is awarded a contract with the City, it promptly will take all steps necessary to bring it into compliance with the City's tax and other regulatory requirements.

Authorized Signature

Date

Print Name and Title

*Applicant name and number **must** correspond with those on file. Review the name and TIN requirements in the RFP's "Mandatory Online Application Requirements" section. Also, you may register your business and apply for a City of Philadelphia Business Income and Receipts Tax Account Number or a Commercial Activity License on line by visiting the City of Philadelphia Business Services Portal at <https://www.phila.gov/services/business-self-employment/business-taxes/> and clicking on "Register a business" and "Get a tax account."

Revised: October 2020 (7/21)

APPENDIX D
LOCAL BUSINESS ENTITY OR LOCAL IMPACT CERTIFICATION

APPENDIX E
LGBTQ Applicant Opportunity Data