



**REQUEST FOR PROPOSALS  
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 ), through [Rowonline@phila.gov](mailto:Rowonline@phila.gov)**

**Proposals must be received no later than 5:00 p.m. Philadelphia, PA, local time, on 3/24/2023.**

---

**Mandatory Pre-Proposal Conference: TBD**

Date: 3/22/2023

Time: 10:30am

Location: ROW City Hall & Archives Offices

---

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

*Revised: October 2020 (7/21)*

- I. Project Overview
  - A. Introduction; Statement of Purpose
  - B. Department Overview
  - C. Project Background
  - D. Request for Proposals
  - E. General Disclaimer of the City of Philadelphia
  
- II. Scope of Work
  - A. Definitions (if applicable)
  - B. Project Details
  - C. Services and Tangible Work Products
  - D. Milestones (if applicable)
  - E. Timetable (if applicable)
  - F. Hours and Location of Work
  - G. Monitoring; Security
  - H. Reporting Requirements
  - I. Specific Performance Standards (if applicable)
  - J. Cost Proposal
  - K. Organization and Personnel Requirements
  - L. Technology Capabilities (if applicable)
  - M. Alternative Solutions (if applicable)
  - N. Available Information (if applicable)
  
- III. Proposal Format, Content, and Submission Requirements; Selection Process
  - A. Proposal Format
  - B. Notice to Applicants to State Requested Exceptions to Contract Terms in Proposal
  - C. Health Insurance Portability and Accountability Act (HIPAA)
  - D. Office of Economic Opportunity – Participation Commitment/Diversity Reports
  - E. The Philadelphia Tax and Regulatory Status and Clearance Statement
  - F. Compliance with Philadelphia 21<sup>st</sup> Century Minimum Wage and Benefits Ordinance
  - G. Certification of Compliance with Equal Benefits Ordinance
  - H. Local Business Entity or Local Impact Certification
  - I. LGBTQ Applicant Opportunity Data
  - J. Mandatory Online Application Requirements
  - K. Selection Process
  
- IV. Proposal Administration
  - A. Procurement Schedule
  - B. Questions Relating to the RFP
  - C. Pre-Proposal Conference, Site Visits, Inspection of Materials (if applicable)
  - D. Interviews; Presentations (if applicable)
  - E. Term of Contract
  
- V. General Rules Governing RFPs/Proposals; Reservation of Rights, Confidentiality and Public Disclosure
  - A. Revisions to RFP
  - B. City Employee Conflict Provision
  - C. Proposal Binding

- D. Contract Preparation Fee
- E. Reservation of Rights
- F. Confidentiality and Public Disclosure

**Appendices**

Appendix A – General Provisions

Appendix B – Office of Economic Opportunity, Antidiscrimination Policy – Minority, Woman and Disabled Owned Business Enterprises

Appendix B-1 – Antidiscrimination Policy and Solicitation for Participation and Commitment Form

Appendix B-2 – Special Antidiscrimination Requirements Applicable to Nonprofit Organizations and Diversity Report of Nonprofit Organizations Form

Appendix C – City of Philadelphia Tax and Regulatory Status and Clearance Statement

Appendix D – Local Business Entity or Local Impact Certification

Appendix E - LGBTQ Applicant Opportunity Data

List additional appendices particular to the Department or the Project and re-letter appendices as appropriate to reflect the order in which appendices are referenced in the text of a particular RFP.

### **A. Introduction; Statement of Purpose**

The Philadelphia Register of Wills is charged with the protection of Philadelphia's Generational Wealth. Section 921 of the PEF Code provides that all probated wills shall be indexed and recorded by the Register, and shall remain in his office, except for the period required to be in the custody of a higher court.

### **B. Department Overview**

The Register of Wills Office is to preserve original records, eliminate/reduce manual searches, expedite searches, and protect originals by reducing daily use. The imaging of books will include the capture, processing, and zonal enhancements of each image. This will ensure that each original document imaged is optimal quality and free of loss or distortion from capture failures.

### **C. Project Background**

#### **II. The Register of Wills**

The County of Philadelphia Office of the Register of Wills is seeking a proposal for Preservation, Imaging, & Indexing Services for permanent retention and historical records.

This will go for 1 year or until the allotted funds are spent. The Finance Team of the Register of Wills will handle the RFP process.

#### **A. Request for Proposals**

Offerors should be aware that these are permanent retention and/or historical records, so special handling is required. The County requires the Offeror to have trained technicians who can image these documents with the utmost care and precision. The County requires the Offeror to have capabilities to remove tape from the documents with accepted archival conservation methods if required for image quality. It is imperative that each document is handled and cared for by trained professionals. The vendor shall have a professional Imaging Lab with advanced scanning devices and software, with superior security and chain of custody procedures. Applicant must be able to begin services immediately. The Department reserves the right to select one and/or multiple Applicants with which to contract.

#### **B. 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.

**A. Definitions** (if applicable)

Not applicable

Unless specified otherwise, words, phrases, abbreviations and/or acronyms have the following meanings:

- ROW- Register of Wills

**B. Project Details**

- The County intends to select an Offeror experienced in both the preservation and archival digitization of historical and permanent retention public records. Offeror shall have performed projects similar in size and scope for government agencies.
- Each proposal must include a full description of all services to be performed.
- Each proposal must include labor, equipment, and supplies necessary to perform the services specified in the Scope of Services.
- Each proposal must include project management, transportation, and other onetime costs.
- The successful Offeror shall be responsible for safeguarding any and all County property in accordance with the Scope of Services and to the satisfaction of County.
- The Offeror must agree to a Lifetime Guarantee on all services and workmanship. The Contractor will redo any and all completed services that do not meet the agreed upon level of service at no additional cost to the County.
- Every individual image shall be manually viewed and certified by a human eye at least once during both imaging and indexing.
- Due to the nature of these records as permanent retention local government records, the awarded Contractor shall not outsource any portion of this project to any offshore workers (not based in the United States). There shall be no offshore remote access to any of Philadelphia County's images and data. All work shall be performed by a US-based team.
- Awarded Contractor cannot sell, distribute, or grant unauthorized access to County records. County shall retain all ownership over records, including physical, digital, or metadata.
- Each offeror must submit a sample of proposed products including three (3) samples of the Lay Flat Archival Polyester Pocket™ or equivalent, and one (1) sample of the Disaster Safe County Binder™ or equivalent. Samples will determine whether each Offeror is proposes equivalent services and products.

- **Awarded Contractor cannot sell, distribute, or grant unauthorized access to County records. County shall retain all ownership over records, including physical, digital, or metadata.**
- Each offeror must submit a sample of proposed products including three (3) samples of the Lay Flat Archival Polyester Pocket™ or equivalent, and one (1) sample of the Disaster Safe County Binder™ or equivalent. Samples will determine whether each Offeror is proposes equivalent services and products.

### C. Monitoring; Security

There is a minimum requirement for security for the records discussed in this proposal that Applicant already has an established protective system in place with the ability to:

- Safe-guard documents from adverse elements (water ,fire, etc.)
- Safe-guard documents from theft and unauthorized access
- Ensure confidentiality of all documents warehoused

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.

Security Procedures: Confidentiality and security of the records is a primary concern of the County. Provide information of the offeror’s security plan and information about the proposed location of work, including:

- a. Security System
- b. Restricted and Controlled Entry
- c. Fire Suppression System
- d. Technology Security of Images and Data
- e. Data Backups

### D. Services and Tangible Work Products

#### 1. Services

The Department requires at least the services listed below, including the specific tasks and work activities described. Applicant’s proposed scope of work should state in detail how it will carry out each task, including the personnel/job titles (as identified in Section K, Organizational and Personnel Requirements) responsible for completing the task. For each service specified, the Applicant should propose criteria to determine when the tasks comprising the service are satisfactorily completed. Applicants may propose additional or revised tasks and activities but should explain why each is necessary to achieve the project objectives.

- **EXECUTIVE SUMMARY:** Provide an executive summary that asserts that the offeror is providing in its response all of the RFP requirements. This summary must not exceed three (3) pages, and must represent a full and concise summary of the proposal’s contents. Do not include any information concerning the cost of the proposal.

- Identify any services that are provided beyond those specifically requested. If the offeror is providing services that do not meet the specific requirements of this RFP, but in the opinion of the offeror are equivalent or superior to those specifically requested, note any such differences. However, the Offeror must realize that failure to provide the services specifically required may result in disqualification of the proposal. List ALL deficiencies and deviations from the requirements and/or provisions as outlined in this RFP. Unless specifically listed here, the proposal will be considered in full compliance with the RFP. The Offeror assumes the responsibility of identifying all deficiencies and deviations and if not identified, all requirements of the RFP stipulated must be fulfilled at no additional expense.

## **E. Tangible Work Products**

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.

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.

## **F. Milestones (if applicable)**

A “milestone” is a defined set of tasks, services and/or tangible work products that must be

completed, delivered, and accepted by the department as a condition of payment. If the RFP is for proposals to complete a specific project, as opposed to providing ongoing consulting or other services, then it should include this section describing how the department expects the work to be structured, i.e., the principal project stages or milestones. The anticipated completion time for each milestone in relation to project start should be identified in the project timetable (see Section E). Unless clearly precluded by the nature of the work, payments should be tied to the completion of specified milestones, with satisfactory completion of the applicable milestones a condition of payment. You might find that some of the services or the tangible work products outlined above may also serve as appropriate milestones. If milestones are not applicable to the project, delete this section and the corresponding Table of Contents section and re-number accordingly.



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.

**G. Timetable (if applicable)**

The timetable states the department's time requirements for initiation, progress, and completion of the work. If the RFP is for proposals to complete a specific project, as opposed to providing ongoing consulting or other services, then it should include a timetable (schedule) for the completion of the project, and for the completion of specific milestones and tasks. The timetable can be in the form of a chart, like the example below, which can be modified to fit the project, or it can be in a different format. The RFP should require the Applicant to propose a final, detailed schedule for the work, subject to the department's review and approval. Fill in the anticipated overall project time in weeks in the blank below.

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.

The successful vendor must begin advertising as soon as the RFP is awarded.

**H. Hours and Location of Work**

Identify the Offeror's location of business where the services are performed. The location of work facility shall meet the following minimum requirements. Facility structure and location is of utmost importance to ensure the security of the records.

**I. Monitoring; Security**

In addition to the language below, the department should provide specific information on how the contract will be monitored and managed by the department, for example, whether and how often inspection of the work under the contract will be made by department personnel and identification of the department personnel that will monitor the contract. Any special department

security requirements should be stated, for example, in dealing with protected health information or confidential tax information.

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.

**Service Delivery Plan:** Due to the sensitive nature of these documents and in order to limit exposure during transport, the use of sub-contractors and third-party transportation companies is strictly prohibited. The following shall apply to this project:

1. Contractor shall provide all labor, materials, and rigging services necessary to pack, load, and/or unload to and from the transport vehicle at no additional charge to the County.
2. The Contractor is directly responsible for the packing of the books for transport; this includes, but is not limited to, taking the books off the shelves, inventorying, documenting condition, wrapping with appropriate packing materials, securing in transport tubs, loading onto the transportation vehicle, securing in the transport vehicle, and vice versa upon return of books.
3. Services shall occur during normal business hours.
  - i. The transport vehicle's cargo area during transport shall maintain strict archival climate and humidity control standards.

Pick and up and delivery is very important. Providers shall describe their method of pickup and delivery of the record books, including proposed batch size per pickup.

## **J. Reporting Requirements**

**Project Management:** Offeror shall assign and identify an experienced Offeror Project Manager. This Project Manager will work with the County's Project Management to see the successful completion of the project. Address the Offeror's project control process, project milestones, and projected timeline for completion.

**Accessibility:** Records are used daily by the public, and the ability to access these records must be maintained during the project. Identify how the Offeror shall make fax and/or email copies available to the County upon request.

These services shall be reflected in the Bid Price.

**Quality Assurance Plan:** Address the offeror's quality assurance procedures.

**Project Work Plan/Schedule:** Offeror shall outline the timeline required to complete requested services.

**PROPOSED METHODOLOGY:** Include a statement of work which addresses all requirements in the SCOPE OF SERVICES, including:

1. **Documentation of Treatment:** In accordance with generally accepted archival standards of preservation, offeror must explain how the offeror will document the course of treatment for each historical record.
2. **Preservation & Conservation of Records (including deacidification, encapsulation, and archival recorder binders)**

### **3. Digital Image Processing**

### **4. Indexing**

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.

### **K. Specific Performance Standards**

**QUALIFICATIONS:** All offerors are required to show successful past performance of similar services, the ability to perform said services, and the capability of provide responsive service. Offeror shall have total inhouse capability for all required services and have the ability to fulfill all requirements. All offerors shall have at least ten (5) years of prior experience with historic local government records.

Offerors shall also have no record of unsatisfactory performance. Offerors who are or have been seriously deficient in current or recent contract performance, in the absence of circumstances properly beyond their control, shall be presumed to be unable to meet this requirement.

Each offeror shall provide a written statement of qualifications including the following:

- 1. Company History:** Brief company history including size of staff, principal business location and any other service locations, primary line of business, and length of time firm has been providing preservation services(s).
- 2. Qualifications:** Describe any additional experience, philosophy, approach, or awards received that would demonstrate your firm's unique ability to perform the services requested. Specialties and strengths of your firm should be emphasized, along with a statement of why your firm should be selected.
- 3. Experience:** Statement on expertise specifically related to providing the handling and preservation of manuscript and typescript historical records. Provide a statement summarizing the Offeror's level of experience with a discussion on past projects including size and scope, professional expertise, and level of workmanship.
  - a. Identify the number and scope of projects the Offeror has completed that include scanning of County records.
  - b. Has the Offeror ever formatted and converted images and indexes with successfully loading specifically to a records management system? Identify the projects.
  - c. Has the Offeror completed large-scale projects consisting of permanent retention schedule records?

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.

## L. Project Specifications

All materials and workmanship shall be guaranteed in accordance with industry standards and shall be satisfactory to the County.

Provide acknowledgement that the County reserves the right to inspect Offeror's materials, workmanship, and location of work (before and during contract period) to ensure compliance with the RFP. Failure to comply with RFP requirements will constitute default and may result in cancellation of the contract.

- A. CONSERVATION AND PRESERVATION:** All designated historic records, including attachments and inserts, are to be treated according to the following specifications. The only exceptions are Photostats, plats, and maps, which may require advanced conservation treatments due to their format and instability of component. All treatments proposed must be tested before services are attempted.
1. Safely dismantle volumes or unfold document, as necessary.
  2. All pressure sensitive and harmful tapes and adhesives are to be removed where possible using the most appropriate techniques and/or solvents, without further degradation to the document or text.
  3. All loose soil and surface dirt to be removed by appropriate dry cleaning methods which may employ the use of brushes, gum rubber compounds, or vinyl granules.
  4. Contractor must use non-aqueous method of deacidification as recommended by the Library of Congress. Deacidify all sheets, as appropriate.
  5. Since negative Photostats cannot be deacidified due to the original emulsion process, explain how the Offeror proposes to address the loss of information due to fading or flaking. Solutions will be evaluated by accordance to accepted archival standards and substantiation of treatment.
  6. All minor tears and rips shall be mended by archival mending procedures, utilizing Japanese tissue paper and conservation grade acid free, reversible adhesive. Acceptable materials may include Japanese Kozo tissue and methyl cellulose adhesive, Filmoplast® R, Crompton's Tissue, and LC Tissue. Discredited procedures such as Cerex nylon reinforcement with polyamide or polyester heat set adhesive are not acceptable, and may not be used. In addition, all tears must be addressed, and may not be left un-mended.
  7. After de-acidification, mending, and other appropriate conservation treatments, sheets are to be encapsulated in a *Lay Flat Archival Polyester Pocket*<sup>™</sup>, or equivalent PET stable base polyester film of 2 mil or 3 mil thickness. Capsules/envelopes are to be radio (heat) edge welded construction, and punched on one side to allow for placement into binders. Offeror shall include three (3) samples of proposed archival polyester pocket with bid.
  8. All Index tabs are to be repaired, reinforced, or replaced as necessary.
  9. Volumes shall be rebound in the *Disaster Safe County Binder*<sup>™</sup> or archival binder.

The County will designate colors for each collection of records. Due to the added weight of the archival polyester pockets, each volume may require being divided into two volumes and imprint shall include pages within. Each Spine will be stamped, roller shelf style, in gold permanent foil and guaranteed not to fade or wear-off. Offeror shall include one (1) sample of proposed binder with its bid.

10. Plats are to be encapsulated in a custom 4 mil Lay Flat Archival Polyester Pocket™, and returned for storage in a hanging plat cabinet.

**B. DIGITAL IMAGE PROCESSING:** Each scanned Master image shall be captured at a minimum of 300 dpi at 256 gray levels for best quality. All converted images shall be Group IV format. Contractor shall be responsible for all reconciliation and error correction processing to assure all records and images are accounted for. Contractor shall re-process, at the Contractor's expense, any images that do not meet image quality acceptance standards as specified.

Contractor must use professional judgement to determine appropriate imaging methods, such as use of a face-up or planetary scanner that will not damage any fragile records.

1. Digital imaging would be completed after restoration or specialized document preparation. Contractor shall utilize technicians trained to handle fragile and /or historical records.
2. Contractor must have capabilities/techniques to safely and accurately image documents where tape, cellophane, and other adhesives were applied with NO risk to the document's integrity. This may require the Contractor to employ different types of technical equipment, hardware, and software to produce a quality result.
3. Fragile pages should be captured on a flatbed scanner. Fragile pages should be placed in Mylar prior to imaging.
4. Images can be saved in either JPEG, PDF, or TIFF formats.
5. Name images for the directory file structure by Book, Volume, Page or appropriate identifiers per the County's approval.
6. Images shall be free from distortion or loss of information due to capture methods.
7. Image guarantee: If any image is missing or illegible, Contractor shall attempt to complete correction within 24-48 hours.
8. Bound books (sewn) are NOT to be cut.
9. Page sequence to be maintained throughout the imaging of each book/volume.
10. Addition of annotations (Book, Volume, Page; or custom) on the digital image.
11. The following must be taken into account when imaging:
  - Target dpi
  - Target Tone Scale & Correction
  - Color Management
  - Brightness/Contrast Correction
  - Gamma Adjustment
  - White Balancing
  - Page Orientation
  - Exposure Uniformity
  - Color Reproduction Data
12. All images shall receive zonal enhancements and image cleanup to maintain legibility and these services shall be reflected in the price per image bid. Following digital imaging, image post processing brings ease of use. These steps include:
  - Crop off excess blank space around image.



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 \_\_\_\_\_.

**N. Organization and Personnel Requirements**

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, telephone number and email address of a contact person.

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.

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:

(List any organization and personnel requirements here)

- 
- 
- 

**O. Technology Capabilities (if applicable)**

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: \_\_\_\_\_

**P. Alternative Solutions** (if applicable)

In some cases, for example, when large expensive or long-term projects, or projects with which your department has little or no experience, are involved, it may be desirable to invite applicants to propose their own solutions or approaches to accomplishing the objectives of the RFP as an alternative to the tasks outlined by your department. In such cases it is extremely important that you have clearly articulated the City's ultimate objectives for the project. Where alternative solutions are invited, you should also require applicants to accompany the alternative solutions with alternative budgets so that you can adequately evaluate not only the quality and creativity of alternative solutions, but also their cost. In addition to detailing the any necessary project specific information in this subsection, also include the following, adapting as appropriate:

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.

**Available Information** (if applicable) **OFFEROR ASSESSMENT:** Please address each of the following questions in response. A simple yes or no will not suffice, please explain each answer.

**a. LOCATION OF WORK**

**All work must be completed at a permanent facility.**

- i. Provide the physical address of the Offeror's Location of Work for this project.
- ii. Can County officials tour the Offeror's Location of Work prior to project commencement and during the project?

**b. LOGISTICS AND PROCEDURES**

- i. How will documents be transferred from the County facility to the facility? Explain the process from pickup to redelivery.
- ii. What is the proposed timeline to completion?
- iii. Please explain the process used to ensure all data is captured and delivered.
- iv. Is there climate controlled, fire suppression systems equipped, fire-resistant storage archival vault for storage of documents while at the Offeror's facility?
- v. What are the Offeror's tracking and secure storage measures for documents during projects?

**c. QUALITY CONTROL PROCEDURES**

**The Contractor must ensure Indexing accuracy of 99.25% or higher. Methods employed must include double key entry, including initial keying and blind re-keying.**

- i. Does the Offeror employ 100% page verification for quality control of images compared against original records?
- ii. Does the Offeror employ Random Sampling for quality control of images?
- iii. Explain the Offeror's warranty terms for images and indexes.

**d. LARGE FORMAT IMAGING METHODOLOGY**

- iv. Detail the Offeror's process used to handle and capture fragile large format documents.
- v. Does the Offeror image fragile plats and oversized documents Offeror planetary scanners?
- vi. Does the Offeror own or have access to planetary scanners for imaging of fragile plats and oversized documents?
- vii. The Offeror must be able to scan Large Format Documents without the use of automated Document feeders or other mechanical handling methods unless those methods allow a straight paper path and a non-mechanical method of clearing jams. Address company's capabilities.

**e. DIGITAL IMAGING METHODOLOGY**

- i. Detail the Offeror's process used to handle and capture fragile folded documents.
- ii. Does the Offeror have a humidification chamber to prepare fragile tri-folded documents prior to handling and imaging?
- iii. Does the Offeror have conservators on staff for mending of documents prior to imaging?
- iv. Does the Offeror use clear adhesive tape (scotch tape) to mend torn or broken documents prior to imaging?
- v. Does the Offeror use acid free tissue paper to mend torn or broken documents prior to imaging?
- vi. Describe the Offeror's technical scanning equipment and software capabilities.
- vii. Does the Offeror employ zonal repair techniques/software for additional image enhancement?
- viii. What is the Offeror method for specialized document handling? How does the Offeror assess levels of handling?

**Q. Proposal Format**

The RFP should require applicants to submit proposals that follow a standardized, uniform format. Standardizing the format will assist the review team in evaluating each proposal based on the same parameters. If appropriate, you should provide an overall page limit in order to prevent overly lengthy submissions.

In addition to the City's standard appendices (e.g., General Provisions, OEO Antidiscrimination Policy and Participation and Commitment Form, City of Philadelphia Tax Status and Clearance Statement), you should detail and include as an appendix any forms that your department or the project requires from applicants as part of their proposal (e.g., applicant cover sheet, standard budget template, grant-mandated forms.)

The following is a sample format for the organization of applicants' proposals. Items 1-15 are mandatory as they seek information that should be required by any RFP issued by the City

regardless of the project in question; item 16 (anticipated job creation) is optional but may be appropriate for larger projects or projected funded by federal or state grants. The department should further tailor the required format as appropriate for the particular project.

This sample format contemplates that a version of the General Provisions will be attached to the RFP as Appendix A, the appropriate version of the Antidiscrimination Policy and “Solicitation for Participation and Commitment Form “ will be attached to the RFP as Appendix B, and the Tax and Regulatory Status and Clearance Statement will be attached to the RFP as Appendix C. These are standard appendices which must be attached to all RFPs issued by the City. If the department finds it necessary to change the order in which these appendices are referenced in the body of the RFP (for example, if other appendices will be referenced and attached before or in between the three appendices discussed here), the department must reletter the appendices accordingly and search the substantive provisions of this RFP template to insure that all references to attached appendices are correctly identified.

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:

- Table of Contents

- Introduction/Executive Summary

Provide an overview of the services being sought and proposed scope of services.

- Applicant Profile

Provide a narrative description of the Applicant itself, including the following:

- Applicant’s business identification information, including name, business address, telephone number, website address, and federal taxpayer identification number or federal employer identification number;
- A primary contact for the Applicant, including name, job title, address, telephone and fax numbers, and email address;
- 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.

- 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.

- 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.

- **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.

- **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.

- **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.)

- **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.)

- **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.)

- **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.)

- **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.

- **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).

- **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.)

- **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)

- **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.)

- **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.

- 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.

### **R. 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.

#### **S. 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.

#### **T. 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.

#### **U. 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](mailto: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.<sup>1</sup> Applications for a Business Income and Receipts Tax Account Number or a Commercial Activity License<sup>2</sup> 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.

#### **V. Compliance with Philadelphia 21<sup>st</sup> 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 21<sup>st</sup> 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 “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,<sup>3</sup> 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.

---

<sup>1</sup> 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.

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

<sup>3</sup> A link to the Philadelphia Code is available on the City’s official web site, [www.phila.gov](http://www.phila.gov). Click on “City Code

and Charter,” located to the bottom right of the Welcome page under the box “Transparency.”

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.

#### **W. 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 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.

#### **X. 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.

#### **Y. 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.

#### **Z. 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.<sup>4</sup> The posting of this RFP on <https://admin.phila.gov/publications-forms/> is also referred to as a Notice of Contracting Opportunity.

The City requires that any Applicant who establishes an account on eContract Philly and utilizes that account for the purpose of responding to a particular contract opportunity is the same individual or business entity that, if awarded the contract, will enter into and perform the resulting contract with the City. **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,

---

<sup>4</sup> The eContract Philly website is compatible with Internet Explorer, Google Chrome and Apple Safari; but the site is

not presently compatible with Mozilla Firefox.



(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. This information, as well as a proposal or any other response document required, is part of the online application. For more information, please consult the text of Chapter 17-1400, consult the reference materials found on the website, e-mail [rowonline@phila.gov](mailto:rowonline@phila.gov) or call 215-686-6250.

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.

#### **AA. 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:

- Superior ability or capacity to meet particular requirements of contract and needs of City Department and those it serves
- Eligibility under Code provisions relating to campaign contributions
- Superior prior experience of Applicant and staff
- Superior quality, efficiency and fitness of proposed solution for City Department
- Superior skill and reputation, including timeliness and demonstrable results
- Special benefit to continuing services of incumbent, such as operational difficulties with transition or needs of population being served
- 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
- Lower cost
- Administrative and operational efficiency, requiring less City oversight and administration
- Anticipated long-term cost effectiveness
- Meets prequalification requirements
- Applicant's certification of its Local Business Entity/Local Impact status pursuant to Executive Order 04-12

If a contract is awarded pursuant to this RFP, in compliance with Section 17-1402 (c) of the Philadelphia Code, a notice will be published on the (<https://admin.phila.gov/publications-forms/>) listing the names of all Applicants and identifying the successful Applicant and the basis for the award to that Applicant. This notice will appear on the City's website for at least one week before the contract is executed. 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

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.

Activity	Date
Request for Proposal Issued	Thursday, March 9th (03/9/23)
Deadline to submit questions or requests for	Thursday, March 16 <sup>th</sup>

	(03/16/23)
clarification in writing	(03/16/23)
Response to final questions posted	Monday, March 20th (03/20/23)
Deadline for Submitting RFP Proposals	Friday, March 24th (03/24/23)
Contractor Selection	Monday, March 27th (03/27/23)
Contract Execution	Friday, March 31st (03/31/23)
Project Start	As soon as possible
Activity	Date
Request for Proposal Issued	Thursday, March 9th (03/09/23)

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 by the Register of Wills through direct notification and Social media advertisement.

**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, will be considered posted by BCC: to all vendors interested before bid closes. 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 [03Emilio.DiGregorio@Phila.gov](mailto:03Emilio.DiGregorio@Phila.gov) no later than 03/16/2023 and may not be considered is 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 **TBD**, 2023, starting at **TBD** at the following location: \_\_\_\_\_, (street address, floor number/room number), Philadelphia, PA 19\_\_\_\_\_. Attendance at the pre-proposal meeting is [mandatory].

**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 **April 1<sup>st</sup>, 2023** (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 **April 30, 2024**. 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.

**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.. It is the Applicant’s responsibility to check with The Register of Wills Office 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 through direct notice and social media advertisement.

#### **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 by direct notice and/or social media advertisement.

### 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 Asian/Pacific Islander Caucasian Disabled Hispanic Native American Other Total Number of Employees	<b>#</b>	<b>%</b>	<b>Males</b>	<b>#</b>	<b>%</b>
			<b>Females</b>		

**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 Asian/Pacific Islander Caucasian Disabled Hispanic Native American Other Total Number of Directors or Trustees	<b>#</b>	<b>%</b>	<b>Males</b>	<b>#</b>	<b>%</b>
			<b>Females</b>		

**3 SUPPLIER DIVERSITY**

Please check the appropriate box to indicate if you have a supplier diversity policy. If "no," please explain on your letterhead.

Yes	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.”



**APPENDIX D**  
**LOCAL BUSINESS ENTITY OR LOCAL IMPACT CERTIFICATION**

**APPENDIX E**  
**LGBTQ Applicant Opportunity Data**