

Bid 2423 - 62173

Contractor:

PWD ID	Description	UOM	Quantity	Unit Price	Total
E-01	Electrical work: Furnish, install, and test feeders, circuit breakers, panelboards, transformer, lighting fixtures, switches, receptacles, emergency lighting, wiring, conduit, and other appurtenant work to be installed per project specifications and drawings.	Lump Sum	1.0		\$649,600.00 -
AGGREGATE AMOUNT BID.....					\$649,600.00 -



CITY OF PHILADELPHIA

PROCUREMENT DEPARTMENT
120 Municipal Services Building
Philadelphia, Pa 19102-1685
PHONE (215) 686-4750
FAX (215) 686-4728

Monique Nesmith-Joyner
Procurement Commissioner

July 30, 2023

EAGLE INDUSTRIAL ELECTRIC, INC.
1921 S BANCROFT STREET
PHILADELPHIA PA 19145
KATHY MASCIOTRO

Re: LBE Recertification

RECERTIFICATION DATE: July 31, 2023

EXPIRATION DATE: July 30, 2024

Dear KATHY MASCIOTRO:

This letter serves as a formal notification that EAGLE INDUSTRIAL ELECTRIC, INC. has been approved and is certified as a Local Business Entity with the City of Philadelphia Procurement Department.

Your company's continual certification is contingent on the completion of the Local Business Entity Continuing Eligibility Application with our office by July 30th of every year. If a new affidavit is not completed and approved by this date, your company's LBE certification will be revoked.

As stated in the Regulations relating to Local Bidding Preferences for Procurement Contracts, Section 17-109 of the Philadelphia Code, "LBEs shall be granted one of the following bid preferences for all bids:

- One Million Dollars (\$1,000,000.00) or less: ten percent (10%);
- For all other contracts: five percent (5%).

For compliance purposes, the Procurement Commissioner or its designee may inspect and monitor all premises, business practices and operations of any LBE as may be necessary or appropriate to ensure compliance.

In order to maintain an accurate listing of LBE vendors, we are requesting that you make the City of Philadelphia Procurement Department aware of any changes in your principal place of business, i.e. address.

KATHY MASCIOTRO

July 30, 2023

Page

2

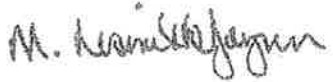
of

2

If you have questions about your Local Business Entity Recertification please contact Joseph Barnes at joseph.m.barnes@phila.gov.

Thank you for your continued interest in doing business with the City of Philadelphia.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Nesmith-Joyner".

Monique Nesmith-Joyner

Procurement Commissioner

The City of Philadelphia
Local Business Entity (“LBE”) Determination Form

In accordance with Chapter 17-109 of The Philadelphia Code relating to Local Bidding Preferences and the Regulations promulgated thereto, this opportunity/bid may be subject to a local bid preference. ¹ **This form is required to be uploaded to PHLContracts by the Seller along with all required supporting documentation described herein in order to be eligible for any LBE preference available.**

This form does not replace the LBE certification process or the annual affidavit requirements for an LBE and is not itself an application for LBE certification. **Seller must be certified as an LBE at the time of the bid opening to receive the preference.** For more information regarding obtaining and maintaining LBE certification please visit: <http://www.phila.gov/bids>, and follow the “Local Preference” link.²

D) Contract Incorporation

This LBE Determination Form, the certifications contained herein, and all supporting documentation shall be considered incorporated into any contract resulting from this opportunity/bid if an LBE preference is awarded to Seller. Following Seller’s submission of the required materials, the Procurement Department, in its sole discretion, shall make the final determination as to whether the LBE preference is applied to Seller’s bid.

II) Definitions

For the purposes of this LBE Determination Form and certification, capitalized terms shall have the following meanings:

“Majority of Any Work” means 51% of the overall work performed on the contract resulting from this opportunity/bid, as determined by the proportionate dollar cost for the work compared to the total dollar value of the contract.

III) Certification

Seller hereby makes the following certification in connection with the grant of any local bidding preference:

- A) Throughout the entirety of the contract, Seller or Seller’s LBE certified subcontractor(s) will perform the Majority of Any Work on the subject contract within the geographic limits of the City of Philadelphia and Seller or Seller’s LBE certified subcontractor(s) will maintain within the City a majority of the inventory or equipment that will be used on the contract or the amount of inventory that is customary for that industry;
- B) Seller understands that failure to comply with this certification at any time during the term of its contract, may result in Seller’s LBE certification being revoked at the discretion of the Procurement Commissioner and Seller shall be in breach of such contract and subject to any and all remedies available, including payment of liquidated damages in the amount of 10% of the total awarded contract amount, and may be debarred by the Procurement Commissioner in accordance with the Procurement Department Debarment Regulation for a period of up to three years. Seller further understands that the City has the right to request any information related to this certification at any time; and

C) Seller anticipates that the percentage of work to be performed by an LBE on any contract resulting from this opportunity/bid will be as follows:³

Seller or Subcontractor Name	Description of Work	Cost of Work (Dollars)	Overall Percentage of Work (%)
Eagle I. Electric, Inc.	Electrical Construction	\$649,600.00	100%
Totals		\$649,600.00	100%

IV) Supporting Documentation

Seller hereby certifies that it has submitted with this LBE Determination Form the following supporting documentation, uploaded as an attachment or attachments to PHLContracts with Seller's bid:

A) Seller Documentation

- i) A current valid certification from the Procurement Commissioner designating Seller as an LBE; and
- ii) Seller's most recent LBE annual affidavit;

B) Subcontractor Documentation⁴

To the extent that Seller is relying on an LBE subcontractor to meet any of its certification requirements in section III:

- i) A current valid certification from the Procurement Commissioner designating such subcontractor as an LBE; and
- ii) Any such subcontractor's most recent LBE annual affidavit.

¹ For quotes of One Million Dollars or less, the preference is ten percent (10%); for all other quotes the preference is five percent (5%).

² Evidence is required in order to obtain LBE certification and a review is conducted. The City cannot guarantee that LBE certification applications will be processed before the opportunity/bid opening date. The Procurement Department reserves the right to request any additional or clarifying information at any time prior to award of a contract, and during the performance of a contract.

³ Attach additional sheets as needed.

⁴ The identity of any subcontractor relied on for an LBE preference is required with Seller's bid submission, notwithstanding any other subcontractor identification requirements contained elsewhere in the opportunity/bid or contract.

BID BOND

FOR CITY OF PHILADELPHIA BID NUMBER: 2423
(Please fill in)

KNOW ALL MEN BY THESE PRESENTS, that we _____
Eagle Industrial Electric, Inc. _____, as

Principal (hereinafter called the "Principal Obligor"), and
Fidelity and Deposit Company of Maryland _____

_____, Surety, are jointly and severally held firmly bound unto the City of Philadelphia, in the sum of

TEN PERCENT (10%) of the GROSS AMOUNT OF THE BID

lawful money of the United States of America, to be paid to the said City of Philadelphia, its successors and assigns, to which payment well and truly to be made, we do bind ourselves and each of us, our and each of our successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated the _____ 18th _____ day of
January **A.D. 20**²⁴ .

WHEREAS, the above bounded Principal obligor, submitted a bid pursuant to the above referenced Bid Number to perform certain work for the City of Philadelphia.

NOW, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the City of Philadelphia shall accept the bid of the Principal Obligor and the Principal obligor shall enter into a contract with the City in accordance with the terms of such bid, and furnish such bond or bonds as are specified in the bid documents with good and sufficient surety, for the faithful performance of the contract and for the prompt payment of labor and material furnished in the prosecution thereof; or in the event of the failure or refusal of the Principal obligor to enter such contract and give such bond or bonds, if the Principal Obligor shall pay to the City the difference between the amount specified in said bid and such larger amount for which the City may legally contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

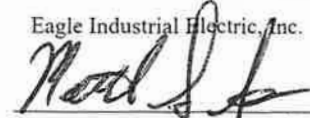
And we do for ourselves and each of us, our and each of our. successors and assigns, hereby heirs, executors, administrators, authorize and empower the City solicitor of Philadelphia or any other attorney of any court of record in Pennsylvania or elsewhere by him or her deputized for the purpose, upon the filing of this instrument or a copy thereof, duly attested as correct by the City Solicitor of Philadelphia, to appear for us or either of us, our or either of our heirs, executors, administrators, successors or assigns, and confess a judgment against us or either of us, our or either of our heirs, executors, administrators, successors or assigns, in favor of the City of Philadelphia for the sum named in this bond, without defalcation, with costs of suit, release of errors, and with five percent added for collection fees; hereby waiving the benefit of all exemption laws and the holding of inquisition on any real estate that may be levied upon by virtue of such judgment, voluntarily condemning such real estate and authorizing the entry of such condemnation upon any writ of fieri facias and agreeing that said real estate may be sold under the same; and further waiving all errors, defects and imperfections whatsoever in the entering of the said judgment or any process thereon, and hereby agreeing that no writ of error or objection or motion or rule to open or strike off judgment or to stay execution or appeal, shall be made or taken thereto.

And for the doing of these acts, this instrument or a copy thereof attested as aforesaid shall be full warrant and authority.

CORPORATE SEAL:

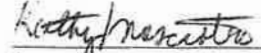
PRINCIPAL OBLIGOR:

Eagle Industrial Electric, Inc.

 (SEAL)

President or Vice President

Matthew S. Stevenson, Vice President

 (SEAL)

Secretary or Treasurer (or either of their assistants)

Kathy Masciotro, Assistant

SURETY:

Fidelity and Deposit Company of Maryland

 (SEAL)

Attorney-In-Fact - David B. Kane

-
- Note:
- (1) All sellers must utilize this Bid Bond form when submitting a bid to the city.
 - (2) If Principal obligor is an individual or partnership, Bid Bond should be signed by owner or authorized general partner. Please identify on the Bid Bond the type of business (e.g. individual proprietorship or partnership) and title of party executing the Bid Bond.
 - (3) Bid Bond must be executed by a surety c authorized and licensed to act as surety by the Pennsylvania Insurance Commissioner pursuant to the Commonwealth of Pennsylvania.

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **R. H. SHEPHERD, JR., John P. SEDOR, David E. KELLS, JR., David B. KANE, Robert J. COLMAN, Bethann CURTIN, Matthew T. BURKE, Dawn NICHOLAS, all of Fort Washington, Pennsylvania,** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings,** and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 28th day of September, A.D. 2023.



**ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 28th day of September, A.D. 2023, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Genevieve M. Maison

**GENEVIEVE M. MAISON
NOTARY PUBLIC
BALTIMORE COUNTY, MD
My Commission Expires JANUARY 27, 2025**



Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 18th day of January, 2024,



MJ Pethick
By: Mary Jean Pethick
Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
reportsfclaims@zurichna.com
800-626-4577

Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

ACI PAYMENTS, INC.

Home Payment Center Help Official Website

En Español

Make A Payment

Select Service > Enter Amount > Accept Terms > Provide Details > Confirm Details > Digital Receipt



City of Philadelphia - Procurement Department
Bid Processing

This payment is non-refundable

Your payment information has been submitted successfully to ACI Payments, Inc.

Confirmation Number:
Payment Date:
Payment Time:

W27X81MQA
Wednesday, January 17, 2024
07:08AM ET



Print Confirmation

- Please print or write down your payment confirmation number for your records.
- Successful completion of the payment transaction is conditioned upon accurate and complete information being entered by you and is subject to financial institution and biller acceptance, approval and authorization of the payment.
- Electronic check payments may take up to seven business days to be returned by your Financial Institution if incorrect information is entered when a payment is submitted.
- Do not use your browser's "Back" button. Instead, navigate using the buttons below.

Payer Information

Name: Eagle I. Electric, Inc. Kathy Masciotro
 Street Address: 39 Industrial Highway
 Essington, PA 19029
 United States
 Daytime Phone Number: (610) 521 - 7445
 E-mail Address: kmasciotro@eagleielectric.com
 Vendor Name : Eagle I. Electric, Inc.
 Bid Number: 2423
 Comments : E.C. New Storage Bldgs-Belmont WTP

This payment is non-refundable

Check Information

Account Type: Business Checking Account
 Routing Number: ****18828
 Account Number: **86245

Payment Information

Payment Type: Bid Processing
 Payment Amount: \$100.00



Select what you would like to do next:

- Based on your zip code, there are other agencies in your area that can be **paid on time, on your time, every time.** Select this option to view them.
- Make another payment to City of Philadelphia - Procurement Department - Bid Processing
- Make another Payment
- Exit. For security and privacy reasons, your session data will be cleared and you will be logged out of My Account.

Continue



Your gateway to better business

BID PROCESSING FEES

Quotes shall be accompanied by a non-refundable processing fee and must be received by the City of Philadelphia prior to the date and time of the bid closing. Payments must be in the exact amount that is specified in paragraph 11 of the Standard Contract Requirements and the Seller Quote Checklist within the bid solicitation.

Electronic Payment Submission

Electronic payment submission of Bid Processing fees can be made at:
<https://secure.phila.gov/PaymentCenter/AccountLookup/>

OTHER
BEFORE YOU START
Other Payment Center Payments:

ALARM REGISTRATION AND ALARM FINES	CODE VIOLATION NOTICES	PARKING TICKETS
BID PROCESSING FEE	ANNUAL BID SECURITY FEE	PERFORMANCE SECURITY FEE

Bid number must be referenced on the payment

****Please note: Electronic payments made by credit card will have an additional service charge.



Procurement
CITY OF PHILADELPHIA
LIFE · LIBERTY · AND YOU

1401 John F. Kennedy Blvd #120
Philadelphia, PA 19102-1685

www.PHLContracts.phila.gov

CONTACT US:

Email PHLContracts@phila.gov
Call 215-686-4755 or 215-686-4720

And Eagle I. Electric, Inc. hereby agrees to provide acceptable surety, both for the proper completion of the work and upon the penal bond, and to complete the whole of the work within **(730) CALENDAR** days from the date of the Notice to Proceed from the Chief Engineer to commence the work.

PERFORMANCE OF WORK BY CONTRACTOR

I, the undersigned Contracting Seller, am required to perform, on the site and with my own work force, work with a value of at least twenty percent (20%) of the original total contract price, exclusive of profit, overhead and the costs of procuring insurance and bonds. I, the undersigned Contracting Seller shall submit with my Quote a complete description of the work that will be performed (e.g., earthwork, paving, brickwork, roofing, etc.), the percentage of the total work this represents, and the estimated dollar value thereof.

I shall perform the following work:

Electrical Construction

Percentage of the total contract to be performed by Contracting Seller

100%

Estimated cost of work to be performed by Contracting Seller:

\$649,600.00

**City of Philadelphia
Economic Opportunity Plan
[BIDS 2422, 2423, 2424, 2425]**

I. Introduction, Definitions and Goals

A. Chapter 17-1600 of The Philadelphia Code requires the development and implementation of "Economic Opportunity Plan(s)" for certain classes of contracts and covered projects as defined in Section 17-1601. The Economic Opportunity Plan ("Plan") memorializes the successful Seller's best and good faith efforts to provide meaningful and representative opportunities for Minority Business Enterprises ("MBEs"), Woman Business Enterprises ("WBEs") and Disabled Business Enterprises ("DSBEs"), Disadvantaged Business Enterprises¹ ("DBEs") (collectively, "M/W/DSBEs") and an appropriately diverse building trades workforce in connection with the contract or covered project.

This Invitation and Bid and any resulting contract are subject to the Plan requirements as described in Section 17-1603 (2). Accordingly, by submission of its Quote, a responsive and responsible Seller makes a legally binding commitment to abide by the provisions of this Plan which include Seller's commitment to exercise its best and good faith efforts throughout the contract term to provide meaningful and representative contracting opportunities for M/W/DSBEs and to employ an appropriately diverse workforce of tradespeople including minority and female persons in all phases of any contract awarded under this Bid.

Seller hereby verifies that all information submitted to the City including without limitation, the Plan and all forms and attachments thereto, are true and correct and is notified that the submission of false information by Seller is subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities. Seller also acknowledges that if it is awarded a contract resulting from this Invitation and Bid, it is a felony in the third degree under 18 Pa.C.S. Section 4107.2 (a)(4) if, in the course of this contract, it fraudulently obtains public moneys reserved for or allocated or available to minority business enterprises or women's business enterprises.

B. For the purposes of this Plan, MBE, WBE, DBE and DSBE shall refer to certified businesses so recognized by the City of Philadelphia through its Office of Economic Opportunity ("OEO"). Only the work or supply effort of firms that are certified as M/W/DSBEs by an OEO approved certifying agency² at the time of bid opening will be eligible to receive credit as a Best and Good Faith Effort. In order to be counted, certified firms must successfully complete and submit to the OEO an application to be included in the OEO Registry which is a list of registered M/W/DSBEs maintained by the OEO and available online at www.phila.gov/oEO/directory. If seller or seller's subcontractor(s) is certified by an approved certifying agency, a copy of that certification should be furnished with the quote.

¹Disadvantaged Business Enterprises ("DBEs") are those socially or economically disadvantaged minority and woman owned businesses certified under 49 C.F.R. Part 26. If Seller makes solicitation(s) and commitment(s) with a DBE, Seller shall indicate which category, MBE or WBE, is submitted for credit.

²A list of "OEO approved certifying agencies" can be found at www.phila.gov/oEO

C. For this Plan, the term "Best and Good Faith Efforts," the sufficiency of which shall be in the sole determination of the City, means: a Seller's efforts, the scope, intensity and appropriateness of which are designed and performed to foster meaningful and representative opportunities for participation by M/W/DSBEs and an appropriately diverse workforce and to achieve the objectives of Chapter 17-1600. Best and Good Faith Efforts are rebuttably presumed met, when a Seller makes commitments within the M/W/DSBE Participation Ranges established for this Bid and commits to employ a diverse workforce as enumerated herein.

D. Goals

1. M/W/DSBE Participation Ranges

As a benchmark for the Seller's expression of its Best and Good Faith Efforts to provide meaningful and representative opportunities for M/W/DSBEs in the contract, the following participation ranges have been developed. These participation ranges represent, in the absence of discrimination in the solicitation and selection of M/W/DSBEs, the percentage of MBE, WBE and DSBE participation that is reasonably attainable on this contract through the exercise of Seller's Best and Good Faith Efforts. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. MBE and WBE and DSBE or WBE and DSBE) will only be credited toward one participation range as either an MBE or WBE or DSBE. The firm will not be credited toward more than one category. These ranges are based upon an analysis of factors such as the size and scope of the contract and the availability of MBEs, WBEs and DSBEs to perform various elements of the contract:

BID	MBE		WBE	DSBE
2422	15% - 17%	and	13% - 15%	0
2423	12% - 15%	and	10% - 13%	0
2424	13% - 15%	and	11% - 13%	0
2425	12% - 15%	and	10% - 13%	0

2. Workforce Diversity Goals

Seller agrees to exhaust its Best and Good Faith Efforts to employ minority persons, by race and ethnicity, and females in its workforce of apprentices and journeypersons at the following levels³:

- African American Journeypersons – 22% of all journey hours worked across all trades
- Asian Journeypersons – 3% of all journey hours worked across all trades
- Hispanic Journeypersons – 15% of all journey hours worked across all trades
- Female Journeypersons – 5% of all journey hours worked across all trades

³ These goals have been informed by the City of Philadelphia Fiscal Year 2015 Annual Disparity Study, Economic Opportunity Plan Employment Composition Analysis.

Minority Apprentices – 50% of all hours worked by all apprentices
Female Apprentices – 5% of all hours worked by all apprentices

The successful Seller will be required to submit to the City, no later than seven (7) days before the starting date of work on any such contract, a Workforce Diversity Goal Plan which shall include specific availability and utilization strategies for meeting the Workforce Diversity goals. The City's Labor Standards Unit shall have the responsibility of administering oversight of these Workforce Diversity Goals including evaluating the sufficiency of the Workforce Diversity Goal Plan, and monitoring the successful Seller's Best and Good Faith Efforts towards realization of the goals throughout the duration of the contract.

II. Seller Responsiveness and Responsibility

A. Seller shall identify all its M/W/DSBE commitments and evidence its agreement to employ minority persons and females at the levels stated herein on the form entitled, "M/W/DSBE Participation and Workforce Commitments." The Seller's identified commitment to use an M/W/DSBE on this form constitutes a representation by Seller, that the M/W/DSBE is capable of completing the subcontract with its own workforce, and that the Seller has made a legally binding commitment with the firm. The listing of the M/W/DSBE firm by Seller further represents that if Seller is awarded the contract, Seller will subcontract with the listed firm(s) for the work or supply effort described and the dollar/percentage amount(s) set forth on the form. In calculating the percentage of M/W/DSBE participation, Seller shall apply the standard mathematical rules in rounding off numbers. In the event of inconsistency between the dollar and percentage amounts listed on the form, the percentage will govern. Seller is to maintain the M/W/DSBE percentage commitments throughout the term of the contract which shall apply to the total amount of the contract and any additional increases. In the event the Successful Seller's contract is increased by change order and/or modification, or amendment, it shall be the responsibility of the Successful Seller to apply its Best and Good Faith Efforts to the amended amount in order to maintain any participation ranges committed to on the total dollar amount of the contract at the time of contract completion.

1. Commercially Acceptable Function

A Seller that enters into a subcontract with an M/W/DSBE shall be considered to have made a Best and Good Faith Effort in that regard only if its M/W/DSBE subcontractor performs a commercially acceptable function ("CAF"). An M/W/DSBE is considered to perform a CAF when it engages in meaningful work or supply effort that provides for a distinct element of the subcontract (as required by the work to be performed in accordance with Bid specifications), where the distinct element is worthy of the dollar amount of the subcontract and where the M/W/DSBE carries out its responsibilities by actually performing, managing and supervising the work involved; M/W/DSBE subcontractors must perform at least twenty percent (20%) of the cost of the subcontract (not including the cost of materials, equipment or supplies incident to the performance of the subcontract) with their own employees.

The City may evaluate the amount of work subcontracted, industry practices and any other relevant factors in determining whether the M/W/DSBE is performing a CAF and in determining

the amount of credit the Seller receives towards the participation ranges. For example, a Seller using an M/W/DSBE non-stocking supplier (i.e., a firm that does not manufacture or warehouse the materials or equipment of the general character described by the Bid specifications and required under the contract) to furnish equipment or materials will only receive credit towards the participation ranges for the fees or commissions charged, not the entire value of the equipment or materials furnished.

B. Upon award, letters of intent, quotations, and any other accompanying documents regarding commitments with M/W/DSBEs, including the M/W/DSBE Participation and Workforce Commitments Form, become part of the contract. M/W/DSBE commitments are to be memorialized in a written subcontract agreement and are to be maintained throughout the term of the contract and shall apply to the total contract value (including approved change orders and amendments). Any change in commitment, including but not limited to termination of the subcontract, reduction in the scope of committed work, substitutions for the listed firms, changes or reductions in the listed dollar/percentage amounts, must be pre-approved in writing by OEO. Throughout the term of the contract, Seller is required to continue its Best and Good Faith Efforts.

C. In the event Seller does not identify on the M/W/DSBE Participation and Workforce Commitments Form that it has made M/W/DSBE commitments within the participation ranges established for this Bid and/or does not agree to the employment goals described herein, Seller must complete and submit a *Documentation of Best and Good Faith Efforts Form* ("BGFE Form"), documenting its solicitations and any commitments with M/W/DSBEs, and detailing any efforts made to include M/W/DSBEs in the contract and to employ a diverse workforce. The submission of the BGFE Form is an element of bid responsiveness and failure to include this form may result in the rejection of the Quote. The BGFE Form must include at a minimum, certification and documentary evidence that the following actions were taken:

1. Solicitation directed to both qualified M/W/DSBEs registered with OEO and qualified M/W/DSBEs certified by agencies approved by OEO. Seller must provide a list of all certification directories used for soliciting participation for this Bid. Seller must determine with reasonable certainty if the M/W/DSBEs are interested by taking appropriate steps to follow up on initial solicitations; one time contact, without follow up, is not acceptable; and

2. Seller provided interested M/W/DSBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation; and

3. Seller negotiated in good faith with interested M/W/DSBEs. A Seller using good business judgment would consider a number of factors in negotiating with subcontractors, including M/W/DSBE subcontractors, and would take a firm's price and capabilities as well as the objectives of the Plan into consideration; and

4. Documentation of the following:

- i. Any commitments to use M/W/DSBEs in its quote for subcontracted services and materials supply even when Seller would otherwise prefer to self-perform/supply these items; and

- to this Bid; and
- ii. Correspondence between the Seller and any M/W/DSBE(s) related
 - iii. Attendance logs and/or records of any scheduled pre-bid meeting;
- and

5. Certification and evidence that the following actions were taken or documentation of the following, or an explanation why these actions were not taken or why documentation does not exist:

- i. Any arms length business assistance provided to interested M/W/DSBEs which may include access/introduction to major manufacturer/suppliers, lines of credit and union halls; and

- ii. Solicitation through job fairs, newspapers, periodicals, advertisements and other organizations or media that are owned by M/W/DSBEs and/or focus on M/W/DSBEs; and

- iii. Telephone logs of communications related to this Bid; and

- iv. Notification of and access to bid documents at the Seller's office or other office locations for open and timely review; and

- v. Seller sought assistance from jobs training and employment referral agencies such as the Urban Affairs Coalition, PA CareerLink Philadelphia, Philadelphia OIC and Philadelphia Works to identify candidates for employment and to perform employment outreach; and

- vi. Seller published its policy of nondiscrimination in the hiring, retention and promotion of employees; and

- vii. Any agreement with an apprenticeship or training program that targets the employment of minority persons, disabled persons and women.

III. Evaluation of Responsiveness and Responsibility

A. Evaluation and Determination

1. The City, acting through its OEO, will evaluate the responsiveness of the Seller's Plan to these requirements. OEO reserves the right to request further documentation and/or clarifying information at any time prior to the award of the contract which may result in Seller's amendment of its M/W/DSBE Participation and Workforce Commitments Form or BGFE Form.

B. Administrative Reconsideration

1. If the OEO determines that the apparent low Seller has not made sufficient Best and Good Faith Efforts, the Seller will be notified and may file a written appeal with OEO within forty-eight (48) hours of the date of notification. The decision of OEO may be appealed in writing within forty-eight (48) hours of the date of OEO's decision to Chief Operating Officer of the Commerce Department or his designee whose decision shall be final. If it is determined that the apparent low Seller did not make sufficient Best and Good Faith Efforts, its Quote will be rejected.

2. Notwithstanding compliance with the requirements set forth herein, the City reserves the right to reject any or all quotes as deemed in the best interest of the City.

IV. Compliance and Monitoring of Best and Good Faith Efforts

A. A copy of the Successful Seller's Plan, as certified below by OEO, will be filed with the Chief Clerk of Council by the Procurement Department on behalf of the Successful Seller, within fifteen (15) days of the Procurement Department's issuance of the notice of award.

The Successful Seller agrees to cooperate with OEO and the Labor Standards Unit ("LSU") in their compliance monitoring efforts, and to submit, within the time limits prescribed, all documentation which may be requested by OEO and LSU relative to the awarded contract, including the items described below. The Successful Seller must provide as required and maintain the following contract documentation for a period of three (3) years following acceptance of final payment under the contract:

- Copies of signed contracts and purchase orders with M/W/DSBE subcontractors;
- Evidence of payments (cancelled checks, invoices, etc.) to subcontractors and suppliers to verify participation;
- Telephone logs and correspondence relating to M/W/DSBE commitments.
- Certified Payroll records for all on-site contractors.

B. The Successful Seller is required to use the City's electronic systems for payment verification, B2GNOW Contract Compliance Reporting System and certified payrolls, LCP Tracker.

C. Prompt Payment of M/W/DSBEs

1. The Successful Seller shall within five (5) business days after receipt of a payment from the City for work performed under the contract, deliver to its M/W/DSBE subcontractors their proportionate share of such payment for work

performed (including the supply of materials). In connection with payment of its M/W/DSBE subcontractors, the Successful Seller agrees to fully comply with the City's payment reporting process which may include the use of electronic payment verification systems.

2. Each month of the contract term and at the conclusion of the contract, the Successful Seller shall provide to the OEO documentation reconciling actual dollar amounts paid to M/W/DSBE subcontractors to M/W/DSBE commitments presented in the Plan.

D. Oversight Committee

1. For this project, the City, in its sole discretion, may establish a Project Oversight Committee consisting of representatives from the Seller's company, representatives of the building trades, the construction manager, and the City which may include the Project site's District Councilperson, OEO, and appropriate community organizations ("Committee"). The Committee will meet regularly to provide advice for the purpose of facilitating compliance with the Plan.
2. If a Project Oversight Committee is established, the City will convene meetings of the Committee no later than one (1) month after issuance of the Notice To Proceed.

V. Remedies and Penalties for Non-Compliance

A. The Successful Seller agrees that its compliance with the requirements of the Plan is material to the contract. Any failure to comply with these requirements may constitute a substantial breach of the contract. It is further agreed and understood that in the event the City determines that the Successful Seller hereunder has failed to comply with these requirements the City may, in addition to remedies reserved under Section 17-1605 of The Philadelphia Code, any other rights and remedies the City may have under the contract, or any bond filed in connection therewith or at law or in equity, exercise one or more of the remedies below, which shall be deemed cumulative and concurrent:

- a. Withhold payment(s) or any part thereof until corrective action is taken.
- b. Terminate the contract, in whole or in part.
- c. Suspend/Debar the successful seller from bidding on and/or participating in any future City contracts for a period of up to three (3) years.
- d. Recover as liquidated damages, one percent of the total dollar amount of the contract for each one percent (or fraction thereof) of the commitment shortfall. (NOTE: The "total dollar amount of the contract" shall include approved change

orders, amendments and for requirements contracts shall be based on actual quantities ordered by the City.)

The remedies enumerated above are for the sole benefit of the City and City's failure to enforce any provision or the City's indulgence of any non-compliance with any provision hereunder, shall not operate as a waiver of any of the City's rights in connection with any contract resulting from this Invitation and Bid nor shall it give rise to actions by any third parties including identified M/W/DSBE subcontractors. No privity of contract exists between the City and the M/W/DSBE subcontractor identified in any contract resulting from this Invitation and Bid. The City does not intend to give or confer upon any such M/W/DSBE subcontractor(s) any legal rights or remedies in connection with subcontracted services under any law or Executive Order or by any reason of any contract resulting from the Invitation and Bid except such rights or remedies that the M/W/DSBE subcontractor may seek as a private cause of action under any legally binding contract to which it may be a party.

Matthew S. Stevenson, Vice President 1-18-24
SIGNATURE OF SELLER AND TITLE⁴ DATE

Matthew S. Stevenson 1-18-24
PRINT NAME OF SELLER DATE

This EOP has been reviewed by OEO Specialists for compliance with 17-1600 of The Philadelphia Code and is certified as responsive to the bid requirements.

[See Forms on following pages; these Forms, as completed by Seller, must be submitted with the Quote as a matter of Responsiveness and Responsibility]

⁴Seller is required to sign and date, but the City reserves the right to obtain the Successful Seller's signature thereon at any time prior to Plan certification. The Successful Seller will receive from the City a certified copy of its Plan which will be filed by the Procurement Department with the Chief Clerk of City Council within fifteen (15) days of the Procurement Department's issuance of a notice of award and published by OEO, in a downloadable format, on the OEO website.

OEO Official Use Only

M/W/DSBE Commitments

Percent/Dollar Amount

_____ [MBE]

_____ [WBE]

_____ [DSBE]

MM/DSBE Participation and Workforce Commitments
EOPs FOR BIDS ESTIMATED AT MORE THAN \$100,000

DEPARTMENT OF COMMERCE
OFFICE OF ECONOMIC OPPORTUNITY (OEO)

Minority (MBE), Woman (WBE), Disabled (DSBE) and Disadvantaged (M-DBE and W-DBE) Business Enterprises

BID NUMBER/PROJECT TITLE - 2423 NAME OF BIDDER - Eagle Electric Inc. BID OPENING DATE - 1-18-24

List below all MBE/WBE/DSBE/DBEs that you have a commitment to use for a Commercially Acceptable Function On this Bid - Photocopy this form as necessary

MBE	WBE	DSBE	M-DBE	W-DBE	Subcontractor	Supplier	Quote Received	Amount Committed To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quote Received	Dollar Amount Amount Committed To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	YES ³	\$77,960.00
							NO	
							YES ³	Percent of Total Proposal % 12
							NO	Amount Committed To Dollar Amount \$64,965.00
							YES ³	Percent of Total Proposal % 10
							NO	Amount Committed To Dollar Amount \$
							YES ³	Percent of Total Proposal %
							NO	

MBE/WBE/DSBE Listed above must be certified prior to bid submission date.
If Bidder makes commitments with DBEs, Bidder shall indicate which class type M-DBE or W-DBE is submitted for credit.
Blidder should attach quotation with this form, but the City reserves the right to request this information which shall be submitted by bidder within 48 hours of the City's Request.
Please make additional copies when necessary.

REV 07/2015

**M/W/DSBE Participation and Workforce Commitments
EOPs FOR BIDS ESTIMATED AT MORE THAN \$100,000**

**DEPARTMENT OF COMMERCE
OFFICE OF ECONOMIC OPPORTUNITY (OEO)**

Bidder, by submission of this M/W/DSBE Participation and Workforce Commitments Form, certifies that it will use, for the duration of the project, its Best and Good Faith Efforts, as that term is defined in Chapter 17-1600 of The Philadelphia Code, to employ a diverse workforce for this project and achieve the following goals:

- African American Journeypersons – 22% of all journey hours worked across all trades
 - Asian Journeypersons – 3% of all journey hours worked across all trades
 - Hispanic Journeypersons – 15% of all journey hours worked across all trades
 - Female Journeypersons – 5% of all journey hours worked across all trades
 - Minority Apprentices - 50% of all hours worked by all apprentices
 - Female Apprentices – 5% of all hours worked by all apprentices
- List any and all collective bargaining agreements that Bidder is a signatory to:

I.B.E.W. Local 98



EAGLE INDUSTRIAL ELECTRIC, INC.
39 Industrial Highway, Essington, PA 19029

Tel: 610-521-7445
Fax: 610-521-7466

Equal Employment Opportunity policy

It is the policy of Eagle I Electric, Inc. not to discriminate against any employee or applicant for employment because of race, color, sex, age, religion, national origin, veteran status or disability status. Eagle I. Electric, Inc. will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, sex, age, religion, national origin, veteran status or disability status. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.



EAGLE INDUSTRIAL ELECTRIC, INC.
39 Industrial Highway, Essington, PA 19029

Tel: 610-521-7445
Fax: 610-521-7466

SEXUAL HARRASSMENT PREVENTION POLICY

A - Definition

The Federal Register, Section 1604.11(a) state: "Harassment on the basis of sex is a violation of section 703 of Title VII. " Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made whether explicitly or implicitly a term or conditions of an individual's employment, (2) submission to or rejection of such decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Eagle I Electric, Inc. is committed to take corrective action for any of our project work sites. If any problem should occur, the following procedures should be taken:

1. Document in writing, immediately what occurred, the date, names and the location. Be sure to include reactions, feelings and the responses during and after the incident. Be certain to make it known that their actions are inexcusable and demand it to stop. **DO NOT MAKE EXCUSES!**
2. Notify the on-site Foreman immediately both verbally and in writing of the incidents, whether or not it still exists. Provide the on-site Foreman with a copy of the incident report.
3. Request a written response.
4. Corrective action will be taken at this point to resolve the problem and any future occurrence of same.

The EEO Officer of Eagle I Electric, Inc. will be contacted immediately when a situation arises. Do not let any problem become out of hand.

Eagle I Electric, Inc. is concerned about the seriousness of sexual harassment on requests the cooperation of all employees. Through everyone's efforts, Eagle I Electric, Inc. may ensure and maintain a working environment free of harassment and discrimination, as well as a safe work place.

DOCUMENTATION OF BEST AND GOOD FAITH EFFORTS FORM

DEPARTMENT OF COMMERCE
OFFICE OF ECONOMIC OPPORTUNITY (OEO)

Minority (MBE), Woman (WBE), Disabled (DSBE) and Disadvantaged (DBE) Business Enterprises¹

BID TITLE - NAME OF BIDDER -

BID SUBMISSION DATE -

List below ALL MBE/WBE/DSBE/DBEs² that were solicited regardless of whether a commitment resulted therefrom. - Photocopy this form as necessary.

Company Name	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			Commitment Made
		By Phone	By Mail	By Advertisement	
		YES	NO	NO	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DSBE <input type="checkbox"/> M-DBE ³ <input type="checkbox"/> W-DBE ³ Address: _____ Contact Person: _____ Telephone Number: _____ Fax #: _____ Subcontractor: <input type="checkbox"/> Supplier: <input type="checkbox"/>	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DSBE <input type="checkbox"/> M-DBE ³ <input type="checkbox"/> W-DBE ³ Address: _____ Contact Person: _____ Telephone Number: _____ Fax #: _____ Subcontractor: <input type="checkbox"/> Supplier: <input type="checkbox"/>	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					
OEO CERTIFICATION # _____	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					
OEO CERTIFICATION # _____	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					
OEO CERTIFICATION # _____	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					
OEO CERTIFICATION # _____	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					
OEO CERTIFICATION # _____	Please Specify Work to be Performed and/or Type of Supply Effort	Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)
Date Solicited			YES <input type="checkbox"/> NO <input type="checkbox"/> Commitment Made (If No, provide reasons on Page 2)		
Date Solicited					

¹MBE/WBE/DSBE/DBEs Listed above must be certified prior to bid submission date.

²Bidders should attach quotation with this form, but the City reserves the right to request this information which shall be submitted by bidder within 48 hours of the City's request.

³If Bidder makes solicitation(s) and commitments with a DBE Bidder shall indicate which class type, M-DBE or W-DBE, is submitted for credit.

DOCUMENTATION OF BEST AND GOOD FAITH EFFORTS FORM

DEPARTMENT OF COMMERCE
OFFICE OF ECONOMIC OPPORTUNITY (OEO)

BID NUMBER & TITLE -

NAME OF BIDDER -

BID SUBMISSION DATE -

Photocopy this form as necessary; you must respond for each solicited MW/DSBE for which there is no commitment. Failure to do so may result in rejection of your bid.

Name of MW/DSBE solicited for which no commitment was made:

No commitment resulted from your solicitation of the above identified MW/DSBE; please explain why:

Did you attempt, in good faith, to negotiate price and scope (please be specific, attaching any dated price quotations and correspondence):

Did you offer this MW/DSBE any arms length business assistance (e.g., introduction to manufacturer, helped provide access to line of credit, access to union hall, etc.):

Did you provide this MW/DSBE with timely information about the scope of work required; be specific and attach dated documentary evidence of the foregoing:

DOCUMENTATION OF BEST AND GOOD FAITH EFFORTS FORM

DEPARTMENT OF COMMERCE
OFFICE OF ECONOMIC OPPORTUNITY (OEO)

BID TITLE -	NAME OF BIDDER -	BID SUBMISSION DATE -
<i>Photocopy this form as necessary</i>		
<p>Do you operate or provide funding to any on-the-job training or apprenticeship programs? If so please describe and provide the number of trainees and breakout of minority, female and/or disabled participants:</p>		
<p>Did you seek assistance from the Urban Affairs Coalition, Careerlink Philadelphia, Opportunity Industrial Center and the Philadelphia Workforce Development Corporation to perform employee outreach? Provide your list of minority, female, and/or disabled recruitment agencies or other community based organizations that your firm uses for employment placement:</p>		
<p>Describe any specific outreach activities through job fairs, newspapers, periodicals, advertisements and other organizations or media that are owned by M/W/D/S/B/E/S and/or focus on M/W/D/S/B/E/S:</p>		
<p>Identify the unions with which you have a collective bargaining agreement. Describe any hiring practices, or involvement in Commonwealth approved apprenticeship programs that specifically encourage the training and employment of minority, women and/or disabled persons:</p>		
<p>List all directories of certified M/W/D/S/B/E/S (e.g., OEO Registry, Pennsylvania Unified Certification Program, Department of General Services) that you consulted in preparing your bid:</p>		
<p>Attach your company's Equal Employment Opportunity Statement and any published nondiscrimination policies.</p>		

Notice to Sellers

Workforce Diversity

Amendments to Chapter 17-1600 of The Philadelphia Code establish that the Labor Standards Unit in the Mayor's Office of Labor is responsible for monitoring and enforcing contractor compliance with Workforce Diversity goals included in Economic Opportunity Plans (EOP) on City Contracts. This includes a requirement for a Workforce Diversity Plan. Projects that fall under the Workforce Diversity requirements are public works contracts and contracts for the purchase of services where the Procurement Department solicits sealed bids which will cost the City more than \$100,000 must include an EOP.

Compliance with the Workforce Diversity requirements will be evaluated in stages throughout the contract term. The first step is that the successful seller will be required to submit a Workforce Diversity Form upon notification of award. The Workforce Diversity Form is included with this Notice of Award. It is due back to the Procurement Department within 10 days upon receipt of notice of award. A Notice to Proceed will not be issued until the form is submitted to the City and received satisfactory review by the Labor Standards unit. Failure to return the completed Form in a timely manner may be cause for cancellation of award.

On the form Bidders must indicate what steps they will take to make their "best and good faith efforts" to meet the workforce diversity goals. This form constitutes evidence that the successful seller intends to use Best and Good Faith Efforts to meet the stated goals and has a plan to accomplish that throughout the duration of the project.

After the Notice to Proceed has been issued the contractor is required to notify the Labor Standards Unit of any changes in the information contained in the Workforce Diversity form within five (5) days of any such changes occurring.

The Labor Standards unit will review certified payrolls to ensure that workforce diversity goals are being met. If the goals are not being met, the Unit will meet with the contractor to ascertain why. Additionally, when conducting on-site interviews related to prevailing wage enforcement, the Labor Standards Unit may also include questions related to workforce diversity.

The specific Workforce Diversity Goals for FY 20 are as follows:

Apprentices	Journeyman
All minorities: 50%	African American: 22%
Female: 5%	Asian: 3%
	Hispanic: 15%
	Female: 5%



City of
Philadelphia
 Labor Standards Unit

WORKFORCE DIVERSITY PLAN

Bid#: **2423** ELEC CONTRACT #: _____ DATE SUBMITTED: 1-18-24

PROJECT NAME: Electrical Construction for New Storage Buildings at Belmont WTP, 4200 Ford Road
COMPANY NAME: Eagle Industrial Electric, Inc. **CONTACT PERSON:** Matthew S. Stevenson
TELEPHONE#: 610-521-7445
EMAIL: mstevenson@eagleielectric.com

As identified in the City of Philadelphia's Annual Disparity Assessment of Workforce Diversity the current employment hourly goals for Journeymen is 40% minority (22% African American, 15% Hispanic, and 3% Asian) and 5% female Apprentice is 50% minority and 5% female. You must utilize Best and Good Faith Efforts to remain in compliance with the Workforce Diversity Goals outlined above. Overall employment goals are to be achieved by the completion of the contract.

PLEASE NOTE: Best and Good Faith Efforts are defined as efforts, the scope, intensity and appropriateness of which are designed and performed to foster meaningful and representative opportunities for an appropriately diverse workforce. Pro forma efforts are not Best and Good Faith Efforts. You are expected to make appropriate outreach to labor sources (e.g. union hiring hall, job training organizations, et c.) to satisfy the goals. Failure to demonstrate Best and Good Faith Efforts may result in the Labor Standards Unit ("LSU") imposing remedies and penalties for non-compliance.

Please provide an estimate of your quarterly employment utilization for each category.

Quarter	Total Workers	Journeymen				Apprentice	
		African American %	Hispanic%	Asian%	Female%	Minority%	Female%
Quarter 1*	1 A - 1 J	0	0	0	0	100	0
Quarter 2	2 A-4 J	30	20	5	8	75	8
Quarter 3	2 A - 4 J	30	20	5	8	75	8
Quarter 4	1 A- 1 J	0	0	0	0	100	0

**17-1605(4)(c) of The Philadelphia Code requires the Labor Standards Unit ("LSU") to determine, after completion of this quarter, whether you are on track to meet the Workforce Diversity Goals. If you are not achieving your committed percentages at this stage, LSU will take appropriate enforcement action including issuance of fines of \$300, for each violation, stop payment on your contract and any other available remedies.*

Note: The information in this form is required for Public Works and Service contracts as outlined in Chapter 17-1600 of the Philadelphia Code.

Note: The information in this form is required for Public Works and Service contracts as outlined in Chapter 17-1600 of the Philadelphia Code.



City of
Philadelphia
 Labor Standards Unit

Please answer the following questions concerning your efforts to achieve the diversity goals on this project. If you need more space, please attach an additional sheet of paper.

1. What are the estimated Total Project Hours for this project? 2,000

2. If your estimated quarterly employment utilization for each category of minority and female workers falls below the identified Workforce Diversity goals established by the Annual Disparity Assessment (referenced above), please provide a brief explanation for each category in which you anticipate a shortfall.

3. How do you plan to achieve the diversity goals on this project (Journeyman and Apprentices)?

YES

4. Please identify the Labor Organization(s), if any, with whom you have a collective bargaining agreement.

1.B.E.W. Local 98

5. Did you contact the Labor Organization(s) applicable to the scope of the work of this contract in writing (dated within 30 days of submission of this form) to request a diverse workforce?

Yes X No, please provide a brief explanation

We request a diverse workforce when we are awarded the project and are hiring for the actual work.

Please provide a copy of your request as well as a copy of any responses received.

Yes No

6. What resources will you utilize to recruit minority and female workers for this project?

- Urban Affairs Coalition Career link Philadelphia Opportunity Industrial Center
- Philadelphia works Finishing Trades Institute JEVS Orleans Technical Institute
- Philadelphia Housing Authority X Other:

Note: The information in this form is required for Public Works and Service contracts as outlined in Chapter 17-1600 of the Philadelphia Code.



City of
Philadelphia
Labor Standards Unit

7. If you have identified any minority or female apprentices for this project, please provide your plan to meet the established Workforce Diversity Goal(s):

8. Please provide a copy of your company's Equal Employment Opportunity statement and any published non-discrimination policies.
- Attached? Yes No

Contractor hereby verifies that all information submitted to the City including without limitation, this Workforce Diversity Plan and all attachments thereto, is true and correct and Contractor is notified that the submission of false information is subject to the penalties of 18 Pa CS. Section 4904 relating to unsworn falsification to authorities.

Prepared by: Matthew S. Stevenson

Title: Vice President

Signature: *Matthew S. Stevenson*

Date: 1-18-24



City of
Philadelphia
 Labor Standards Unit

WORKFORCE DIVERSITY PLAN

BID#: _____ CONTRACT#: _____ DATE SUBMITTED: _____
 PROJECT NAME: _____
 COMPANY NAME: _____ CONTACT PERSON: _____
 TELEPHONE#: _____ EMAIL: _____

As identified in the City of Philadelphia's Annual Disparity Assessment of Workforce Diversity, the current employment hourly goals for Journeymen is 40% minority (22% African American, 15% Hispanic, and 3% Asian) and 5% female. Apprentice is 50% minority and 5% female. You must utilize Best and Good Faith Efforts to remain in compliance with the Workforce Diversity Goals outlined above. Overall employment goals are to be achieved by the completion of the contract.

PLEASE NOTE: Best and Good Faith Efforts are defined as efforts, the scope, intensity and appropriateness of which are designed and performed to foster meaningful and representative opportunities for an appropriately diverse workforce. Pro forma efforts are not Best and Good Faith Efforts. You are expected to make appropriate outreach to labor sources (e.g. union hiring hall, job training organizations, etc.) to satisfy the goals. Failure to demonstrate Best and Good Faith Efforts may result in the Labor Standards Unit ("LSU") imposing remedies and penalties for non-compliance.

Please provide an estimate of your quarterly employment utilization for each category.

Quarter	Total Workers	Journeymen				Apprentice	
		African American %	Hispanic %	Asian %	Female %	Minority%	Female%
Quarter 1*							
Quarter 2							
Quarter 3							
Quarter 4							

**17-1605(4)(c) of The Philadelphia Code requires the Labor Standards Unit ("LSU") to determine, after completion of this quarter, whether you are on track to meet the Workforce Diversity Goals. If you are not achieving your committed percentages at this stage, LSU will take appropriate enforcement action including issuance of fines of \$300. for each violation, stop payment on your contract and any other available remedies.*

Note: The information in this form is required for Public Works and Service contracts as outlined in Chapter 17-1600 of the Philadelphia Code.



City of
Philadelphia
Labor Standards Unit

Please answer the following questions concerning your efforts to achieve the diversity goals on this project. If you need more space, please attach an additional sheet of paper.

1. What are the estimated Total Project Hours for this project? _____
2. If your estimated quarterly employment utilization for each category of minority and female workers falls below the identified Workforce Diversity goals established by the Annual Disparity Assessment (referenced above), please provide a brief explanation for each category in which you anticipate a shortfall.

3. How do you plan to achieve the diversity goals on this project (Journeymen and Apprentices)?

4. Please identify the Labor Organization(s), if any, with whom you have a collective bargaining agreement.

5. Did you contact the Labor Organization(s) applicable to the scope of the work of this contract in writing (dated within 30 days of submission of this form) to request a diverse workforce?

Yes No, please provide a brief explanation

Please provide a copy of your request as well as a copy of any responses received.

Attached? Yes No

6. What resources will you utilize to recruit minority and female workers for this project?
 - Urban Affairs Coalition CareerLink Philadelphia Opportunity Industrial Center
 - Philadelphia works Finishing Trades Institute JEVS Orleans Technical Institute
 - Philadelphia Housing Authority Other: _____

Note: The information in this form is required for Public Works and Service contracts as outlined in Chapter 17-1600 of the Philadelphia Code.



City of
Philadelphia
Labor Standards Unit

7. If you have not identified any minority or female apprentices for this project, please provide your plan to meet the established Workforce Diversity Goal(s):

8. Please provide a copy of your company's Equal Employment Opportunity statement and any published non-discrimination policies.

Attached? Yes No

Contractor hereby verifies that all information submitted to the City including without limitation, this Workforce Diversity Plan and all attachments thereto, is true and correct and Contractor is notified that the submission of false information is subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Prepared by: _____

Title: _____

Signature: _____

Date: _____

SAMPLE

Note: The information in this form is required for Public Works and Service contracts as outlined in Chapter 17-1600 of the Philadelphia Code.



Commonwealth of Pennsylvania
Public Works Employment Verification Form

Complete and return the form to the contracting Public Body prior to the award of the contract.

Company Legal Name: Eagle Industrial Electric, Inc.

Doing Business As: Eagle I. Electric, Inc.
(if different from Legal Name)

Mailing Address: 39 Industrial Highway
 Street Address 1

Street Address 2

Essington PA 19029
 City State Zip Code

Check one:

Contractor Subcontractor

Contracting Public Body: City of Philadelphia

Contract/Project Number: Bid No. 2423

Project Description: Electrical Construction for New Storage Building

Project Location: Belmont WTP, 4300 Ford Road

Date Enrolled in E-Verify (MM/DD/YYYY): 1-18-24

As a contractor/subcontractor for the above referenced public works contract, I hereby affirm that as of the above date, our company is in compliance with the Public Works Employment Verification Act ('the Act') through utilization of the federal E-Verify Program (EVP) operated by the United States Department of Homeland Security. To the best of my/our knowledge, all employees hired are authorized to work in the United States.

It is also agreed to that all public works contractors/subcontractors will utilize the federal EVP to verify the employment eligibility of each new hire within five (5) business days of the employee start date throughout the duration of the public works contract. Documentation confirming the use of the federal EVP upon each new hire shall be maintained in the event of an investigation or audit.

I, Matthew S. Stevenson, authorized representative of the company above, attest that the information contained in this verification form is true and correct and understand that the submission of false or misleading information in connection with the above verification shall be subject to sanctions provided by law.

Matthew S. Stevenson
Authorized Representative Signature

1-18-24
Date of Signature

Printed Name: Matthew S. Stevenson

Phone Number: 610-521-7445 **Email:** mstevenson@eagleielectric.com