



CITY OF PHILADELPHIA

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TREVOR DAY
Procurement Commissioner

June 19, 2017

SUBJECT: BEST VALUE DISCLOSURE REQUIREMENT

This letter is to inform vendors and contractors interested in best value opportunities with the City of Philadelphia's Procurement Department of an important disclosure requirement pertaining to campaign contributions.

On May 16th, Philadelphia voters approved a ballot measure that amends the City's Home Rule Charter to allow for the awarding of certain contracts based on best value criteria. Our lowest responsible bidder structure will continue to be used for most of the opportunities in our office. While you may be familiar with the lowest responsible bidder requirements that are governed by Section 8-200 of the Home Rule Charter, best value contracts are subject to the requirements found in [Chapter 17-1400 of the Philadelphia Code](#). If you currently respond to Request for Proposals via eContract Philly with the City, you may be familiar with these requirements. Best value opportunities will follow the same disclosure conditions as RFPs.

Under this rule, any individual making \$3,000 (or more) or business making \$11,900 (or more) in campaign contributions per calendar year to a candidate or incumbent for elective City office are not eligible to receive, as either a principal contractor or subcontractor, best value contracts over \$10,000 (for individuals) or \$25,000 (for businesses), respectively, during the candidate or incumbent's term in office. It is important to familiarize yourself with the various attribution rules found in Chapter 17-1400 of the Philadelphia Code, which require disclosure of campaign contributions by certain individuals within and entities affiliated with your business. Additionally, any vendor awarded a best value contract must continue to update their disclosure forms throughout the life of the contract and for one year after the end of the contract term.

Specifically, for each best value opportunity, you must disclose:

- Any campaign contributions your business or any affiliated entity/persons made if you are applying as a business or any campaign contributions you or any immediate family member made if you are applying as an individual;
- The name of any consultant(s) you used to help in obtaining the contract;

- Any campaign contributions the consultant(s) made;
- Any subcontractors you are planning to use if awarded the contract;
- Whether a City employee asked you to give money, services, or any other thing of value to any person or entity; and
- Whether a City employee gave you any advice on how to satisfy any minority, women, disabled or disadvantaged business participation goals.

These disclosures requirements go into effect for best value opportunities as of June 1, 2017. At the time of application to a best value opportunity, you will be required to disclose any campaign contributions made during the two years prior to the application deadline; however, only those contributions made on or after June 1, 2017 will count towards eligibility for that opportunity. The City's Procurement Department plans to post its first best value opportunity within the next 6 to 9 months. At that time, detailed information on disclosure requirements will be included, along with all required disclosure forms. However, we strongly encourage you to begin keeping track of disclosable campaign contributions to ensure you are prepared to fulfill this requirement at the time of application for a best value opportunity.

A summary of these disclosure requirements, including Frequently Asked Questions, can be found on the Disclosure/Eligibility section of the [eContract Philly website](#). Please feel free to contact the Procurement Office should you have any questions or concerns about the information provided in this letter.

Sincerely,



Trevor J. Day
Procurement Commissioner

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BEST VALUE

is the best choice for Philadelphia!

On May 16th, Philadelphia voters agreed! Here's what you need to know to participate!

WHAT WILL CHANGE

- Previously the City's Procurement rules required the City to choose the business offering the lowest price. When the good or service is more complex, this doesn't always make sense.
- Using a best value method will allow the City to choose vendors based on important factors, other than just price, including quality.
- Keep in mind, the normal course of business will continue to be lowest responsible bidder, however in the next 6-9 months, the Procurement Department will begin to roll out its most complex bids under the best value method.
- In preparation for this, vendors should be aware that best value contracts are subject to disclosure requirements found in [Chapter 17-1400 of the Philadelphia code](#). These are the same requirements currently used for Requests for Proposals for professional services posted via eContract Philly.

WHAT YOU NEED TO KNOW

Chapter 17-1400 Rule:

Under this rule, any individual making over \$3,000 (per calendar year) or business making over \$11,900 (per calendar year) in campaign contributions to a candidate or incumbent for elective City office **are not eligible** to receive, as either a principal contractor or subcontractor, best value contracts over \$10,000 (for individuals) or \$25,000 (for businesses), respectively, during the candidate or incumbent's term in office.

Disclosure requirements include:

- Any campaign contributions made by your business or any affiliated entity or persons if you are applying as a business. **OR** any campaign contributions made by you or any immediate family member if you are applying as an individual.
- Names of consultants used to help obtain the contract and any campaign contributions they may have made.
- Whether a City employee asked you to give money, services, or any other thing of value to any person or entity; and
- Whether a City employee gave you any advice on how to satisfy any minority, women, disabled or disadvantaged business participation goals.

Best Value disclosure requirements are in effect as of June 1, 2017. The City's Procurement Department plans to post its first best value opportunity within the next 6 to 9 months. It's a good idea to begin keeping track of disclosable campaign contributions to ensure you are prepared to fulfill the requirement at the time of application for a best value opportunity.

For more information, including Frequently Asked Questions and additional disclosure requirements, visit the contracts Disclosure/Eligibility page found [here](#).

