

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 110396)

RESOLUTION

Approving the Drexel University Proposed Revision to its Institutional Development District Master Plan Pursuant to Chapter 14-1107(c) of The Philadelphia Code Relating to, "Zoning and Planning."

WHEREAS, By resolution dated February 15, 2011, the City Planning Commission recommended approval of Drexel University's revision to its Institutional Development District Master Plan for construction of the new LeBow College of Business Building located at the south side of the intersection of 32nd and Market Street, in the 3rd Councilmanic District of Philadelphia; and

WHEREAS, The project site area is 37,000 square feet and the building's foot print will be approximately 21,600 square feet. The building is proposed to be 177,500 square feet and twelve-stories in height consisting of 37% class room space, 22% student amenity space and 41% office faculty space (the "Proposed Revision"); and

WHEREAS, Drexel University has committed to an Economic Opportunity Plan attached hereto as Exhibit A, which provides for contracting and employment opportunities for minorities, women and the disabled; and

WHEREAS, Chapter 14-1107(c) requires City Council to approve, disapprove or defer the Proposed Revision within 45 days of City Planning's recommendation or the Proposed Revision is presumed approved; now therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Drexel University's Proposed Revision to its Institutional Development District Master Plan is Approved.

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EXHIBIT A

I. Project description

Drexel University, a tax exempt private institution, plans to undertake two projects within its Institution Development District (IDD). The first project located at 33rd and Race Street is a 2900 square feet Library space intended to serve our students as an active learning environment. The second project located at 32nd and Market Streets is the LeBow College of Business Building. The building will replace Matheson Hall with a new 177,500 square foot facility to include classroom, offices and social spaces for the College of Business and the University.

II. Plan Goals

Drexel University is committed to exercise its best and good efforts as defined in Chapter 17- 1600 of the Philadelphia Code, to provide meaningful and representative opportunities for participation by minority-owned, woman-owned, disabled-owned business enterprises, and disadvantaged business enterprises ("M/W/DSBE/DBE") and minority, women and Philadelphia residents in all phases of the Project as set forth in this Economic Opportunity Plan ("Plan") in connection with all phases of the Project.

Drexel will continue its active partnership with the Minority Business Enterprise Center ("MBEC") to grow diversity in the construction industry by supporting training programs around back office operations and leveraging Drexel's relationships with major construction firms to drive participation in the MBEC sponsored Construction Expo that establishes and expands contractor and subcontractor relationships. For recent projects Drexel's participation has been 15%, which is significant. Contracting participation ranges of 20-25% MBE and 10 -15% WBE have been established for the Project. In addition, the University agrees to use Best and Good Faith Efforts to cause its contractors to employ minority persons and females in their workforce of apprentices and journeymen as follows: 25% minority apprentice and 12-17% journeyman; and 7% female apprentices and 7% female. To ensure proper outreach for local residents Drexel intends to support participation in area apprenticeship Programs such as the Lucien E. Blackwell at the University of Pennsylvania or the Philadelphia Housing Authority's Apprenticeship Program and through the organizations such as the Urban Affairs Coalition.

III. Procedures for Recruitment and Minority Opportunities

Drexel , working in conjunction with the general contractor, will promote M/W/DSBE/DBE participation in the Project. This Plan will be included in all requests for proposals, bid packages, and solicitations for the Project. Pro-active outreach efforts will include:

1. Review of Office of Economic Opportunity (OEO) Registry of Certified Firms and other OEO approved certification directories by specialty for submission of bid documents for phases of the Project.
2. Require the general contractor to identify any local, qualified sub-contractors for project components.

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3. Publically announce our solicitation for qualified contractors prior to assembling our bid list for the project and require information concerning programs in place to enhance diversity in construction and diversity participation achieved on prior projects.
4. Continue to work through MBEC to identify and recruit qualified M/W/DSBE/DBE contractors, subcontractors, and sub-subcontractors.

IV. Monitoring and Plan Execution

Drexel University will engage in specific monitoring steps to assist with Plan implementation developing a monitoring and reporting protocol that will track the Plan developments from initiation of contracting through completion of construction activities. The protocol will include these features:

1. Establish a working committee that will include an owner representative, the general contractor, the University's Director of Contract Compliance, and the Director of the Minority Business Enterprise Center to review contractor opportunities prior to release of bids.
2. Execute recruitment activities outlined in previous section and provide a qualified M/W/DSBE/DBE list to all bidders prior to bid release.
3. Evaluate all qualified bid responses for M/W/DSBE/DBE inclusion
4. Work with Philadelphia Building Trade Council project liaison for Philadelphia resident initiatives to pre-screen eligible trades members for contractor hiring.
5. Incorporate Plan monitoring and reporting into Drexel's Construction Best Practice Review compliance program currently performed by Talson Solutions.

V. Compliance and Enforcement

Drexel University will participate in the development of a project oversight committee which will consist of the working committee established in Section (IV.1) above upon the direction of the City. The University anticipates that the oversight committee will conduct an ongoing review of the Plan execution and provide interim recommendations for compliance if the University requires assistance in meeting program targets.

Compliance and Enforcement

Drexel University agrees that its compliance with the requirements of this Plan is material to the authorization provided by City Council Ordinance {xxxx}. Drexel University agrees that its compliance with the requirements of this Plan is material to the authorization provided by City Council Ordinance 100773. Drexel shall comply, and cause its contractors to comply, with the Plan as required by Chapter 17-1605 of the Philadelphia Code, and failure to comply with such chapter may subject Drexel to the remedies and penalties contained therein. Notwithstanding the foregoing, no privity of contract exists between the City and any M/W/DSBE identified in any contract resulting from implementation of the Plan. Neither Drexel University nor the City intends to give or confer upon any such M/W/DSBE any legal rights or remedies in connection with subcontracted services under any law or policy or by any reason of any contract resulting from implementation of the Plan except such rights or remedies that the

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M/W/DSBE may seek as a private cause of action under any legally binding contract to which it may be a party.

VI. Records and Final Plan Reporting

Drexel University will make provide data and submit reports consistent with current requirements of the City of Philadelphia. Draft reports will be submitted to the City on a quarterly basis and a final Plan project report will be available for public inspection. This Plan, executed by an authorized representative of the University, shall be effective upon adoption of Ordinance {xxxx} submitted for City Council's approval, and the University's receipt of building permits for the Project.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-sixth of May, 2011.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Blackwell

Sponsored by: Councilmember Blackwell