

City of Philadelphia



Philadelphia, November 18, 2004

CERTIFICATION: This is to certify that Bill No. 040184 was presented to the Mayor on the twenty-eighth day of October, 2004, and was not returned to the Council with his signature at a meeting held November 18, 2004 (being more than ten days after it had been presented to him).

THEREFORE, Pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter, the ordinance becomes as effective as if the Mayor had approved it.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty
Chief Clerk of the City Council

(Bill No. 040184)

AN ORDINANCE

Amending Title 17 of The Philadelphia Code, entitled "Contracts and Procurement," by adding a new Chapter 17-1200, entitled "Foreign Outsourcing," prohibiting City service contracts under which the work is performed outside the United States, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 17 of The Philadelphia Code is amended to read as follows:

TITLE 17. CONTRACTS AND PROCUREMENT.

* * *

CHAPTER 17-1200. FOREIGN OUTSOURCING.

§17-1201. Foreign Outsourcing Prohibited. No work performed for the City pursuant to a service contract with any City department, board or commission may be performed, in

City of Philadelphia

BILL NO. 040184 continued

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whole or in part, in any location other than in the United States or any of its territories or possessions.

§17-1202. Bids and Proposals. Every bid and every proposal for any City service contract shall contain a certification from the person or business submitting the bid or proposal that the person or business will not perform any work under the contract for the City in any location other than in the United States or any of its territories or possessions. Every City department, board or commission shall incorporate the foregoing certification into every City service contract, and shall provide in the contract that a failure to comply with the certification or the provisions of this Chapter shall constitute a material breach of the contract.

§17-1203. Waiver. The Director of Finance, the Managing Director or, with respect to competitively bid contracts, the Procurement Commissioner, may waive or modify the provisions of this Chapter whenever compliance with this Chapter would make it impracticable for a City department, board or commission to perform a necessary function or service.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.