



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 090104

Introduced February 12, 2009

**Councilmembers Reynolds Brown, Green, Jones,
Greenlee, Rizzo, Sanchez, Goode, Tasco,
Krajewski, Kenney, Blackwell, Miller and Clarke**

**Referred to the
Committee on Law and Government**

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter authorizing City Council to provide, by ordinance, for bid preferences on City contracts either for bidders offering environmentally preferable products or services or for businesses whose products, services and operations demonstrate a high level of environmental stewardship; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. § 13106), amendments to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; and

WHEREAS, City Council, by the adoption of this Resolution, proposes amendments to the Philadelphia Home Rule Charter relating to competitive bidding requirements; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

PHILADELPHIA HOME RULE CHARTER

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ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

City of Philadelphia

RESOLUTION NO. 090104 continued

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CHAPTER 2 CONTRACTS, PROCUREMENT, PROPERTY AND RECORDS

Section 8-200. Contracts.

(1) Except in the purchase of unique articles or articles which for any other reason cannot be obtained in the open market, competitive bids shall be secured before any purchase, by contract or otherwise, is made or before any contract is awarded for construction, alterations, repairs or maintenance or for rendering any services to the City other than professional services and the purchase shall be made from or the contract shall be awarded to the lowest responsible bidder; provided, however, that City Council may, by ordinance, prescribe bid preferences for businesses located in or doing business in Philadelphia, *for bidders offering environmentally preferable products or services or for businesses whose products, services and operations demonstrate a high level of environmental stewardship*, and provided further that Council may, by ordinance, regulate the process by which purchases and contracts not subject to the lowest responsible bidder requirement of this paragraph are awarded, and may require that contracts with agencies (as that term is defined in subsection 6-400(c) of this Charter) or with other entities include provisions obligating such agencies or entities to comply with any process established by Council under the authority of this subsection, except that such regulations may not require Council authorization of a contract unless Council authorization is required by some other provision of this Charter.

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Explanation:

Italics indicate new matter added.