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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE ON LAW AND GOVERNMENT

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Room 696, City Hall
Philadelphia, Pennsylvania
Wednesday, June 11, 2003
1:30 p.m.

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BILL 030342 - An Ordinance providing for the
submission to the qualified electors of the City of
Philadelphia of an amendment to Section 8-200 of the
Philadelphia Home Rule Charter...

RESOLUTION 030359 - Resolution proposing an
amendment to Section 8-200 of the Philadelphia Home
Rule Charter providing for the use of cooperative
purchasing agreements with other public agencies,
and providing for the submission of the amendment to
the electors of Philadelphia.

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PRESENT:

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COUNCILMAN DAVID COHEN, Chair
COUNCILMAN ANGEL ORTIZ, Vice Chair
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN RICHARD MARIANO
COUNCILMAN FRANK RIZZO
COUNCILWOMAN JANNIE BLACKWELL

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I N D E X

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BILL 030342, RES. 030359 PAGE
WILLIAM GAMBLE, Procurement Commissioner 6

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2 COUNCILMAN COHEN: The Committee on Law
3 and Government is now in Session the Committee to
4 consider the Resolution and the Ordinance, the
5 titles of which will be read by the Clerk of the
6 Committee, Tim Kearney. Tim, please read both.

7 MR. KEARNEY: Bill No. 030342, an
8 Ordinance providing for the submission to the
9 qualified electors of the City of Philadelphia of an
10 amendment to Section 8-200 of the Philadelphia Home
11 Rule Charter, providing for the use of cooperative
12 purchasing agreements with other public agencies, as
13 approved by Resolution of the City Council; fixing
14 the date of a special election for such purpose;
15 prescribing the form of ballot question to be voted
16 on; and authorizing the appropriate officers to
17 publish notice and to make arrangements for the
18 special election.

19 And Resolution 030359, Resolution
20 proposing an amendment to Section 8-200 of the
21 Philadelphia Home Rule Charter providing for the use
22 of cooperative purchasing agreements with other
23 public agencies, and providing for the submission of
24 the amendment to the electors of Philadelphia.

25 COUNCILMAN COHEN: Thank you, Mr.

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2 Kearney.

3 The committee will first recognize
4 Councilwoman Reynolds, the sponsor of both the Bill
5 and Resolution.

6 COUNCILWOMAN BROWN: Thank you, Mr.
7 Chairman. Thank, Councilman Cohen for the
8 opportunity to say a few words on this Bill and
9 Resolution before this Committee at this time.

10 The passage of 030342 and 030359 will
11 allow for a question to appear on the November
12 ballot that will ask whether or not cooperative
13 purchasing agreements can be entered into by the
14 City. Cooperative agreements would allow the City
15 to partake in another government entity's contract
16 so that the City can take advantage of better terms
17 and conditions than it may have been able to obtain
18 on its on. By latching on to another's government
19 contracts, the City could save significant amounts
20 of taxpayers dollars. For example, Houston buys
21 widgets for \$50, but the same company currently will
22 sell to Philadelphia those same widgets for \$55. By
23 entering into a cooperative purchasing agreement,
24 Philadelphia can join Houston's contract and save \$5
25 a widget.

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2 Why don't we already do this? Why is
3 this currently not a practice in our City?

4 The City Charter does not currently
5 allow the City to do so. Cooperative purchasing
6 agreements were not in existence when the City
7 Charter was created in the '50s. 50 years later,
8 they are prevalent throughout the country and it's
9 time for Philadelphia to catch up.

10 I would like to thank also our
11 Commissioner Gamble for bringing this idea to our
12 attention. I also would like to thank this
13 Committee for hearing this important piece of
14 legislation today. I do hope it receives favorable
15 recommendation.

16 Thank you, Mr. Chairman.

17 COUNCILMAN COHEN: Thank you. A quorum
18 is present. I am David Cohen, Chairman of the
19 Committee. To my left is Angel Ortiz, Vice Chair of
20 the Committee. To his left is Councilwoman Blondell
21 Reynolds Brown who has been appointed by President
22 Verna to serve today as a Member of this Committee.
23 To my right is Councilmen Rizzo. And to is right is
24 Councilman Rick Mariano. That constitutes one above
25 a quorum for the Committee. And we appreciate

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2 everybody's attendance, because tomorrow is the
3 get-away day of City Council and we are very pleased
4 you all attended. But this is a very important
5 matter.

6 I'm going to ask the Commissioner to
7 come forward and be the principal witness on this
8 Bill and Resolution. You're testifying on both.
9 Commissioner Gamble, the Committee is happy to have
10 you appear here today in support of this measure.

11 MR. GAMBLE: Thank you, Councilman.
12 Good afternoon, Councilman Cohen and Members of the
13 Law and Government Committee. My name is William
14 Gamble, Procurement Commissioner. Thank you for the
15 opportunity to testify today in support of Bill No.
16 030342 and Resolution No. 030359. This Bill and
17 Resolution provide for the use of cooperative
18 purchasing agreements with other public agencies.

19 Our City Charter currently allows us to
20 utilize Commonwealth contracts that have gone
21 through the competitive bid process. This amendment
22 would allow the City to take advantage of other
23 public agency contracts and will give the City
24 another tool to procure in a cost-effective manner.

25 This amendment would give the

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2 Procurement Department the option of comparing other
3 public agency's prices to the prices it received
4 going through the bid process and utilizing the
5 other public agency's prices if they were better
6 than the ones obtained by the City. This amendment
7 would also give the City another tool to procure
8 items in a cost-effective manner during emergencies.

9 In closing, this amendment will give
10 Procurement another tool to use to procure items in
11 an efficient, cost-effective manner, not a means to
12 avoid the competitive bid process.

13 This concludes my testimony. I'll be
14 happy to answer any questions you may have.

15 COUNCILMAN COHEN: Thank you. I have
16 one question. Has there been any contact with the
17 School District with respect to this matter?

18 MR. GAMBLE: Yes.

19 COUNCILMAN COHEN: Could you tell us
20 what your contact has been.

21 MR. GAMBLE: I've talked with the
22 current purchasing director at the School District
23 and they are very interested in doing what we call a
24 joint venture or joint purchasing with us. By
25 passing of this, this will allow us to do so.

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2 COUNCILMAN COHEN: Very good. Any other
3 questions by Members of the Committee.

4 (No response.)

5 COUNCILMAN COHEN: If not, thank you,
6 Commissioner, very much for your testimony.

7 MR. GAMBLE: Thank you, Councilman.

8 COUNCILMAN COHEN: Are there any
9 witnesses who wish to be heard on this matter?

10 COUNCILMAN COHEN: Councilman Ortiz. I
11 have in my hand the School District of
12 Philadelphia's testimony and I ask that it be
13 incorporated into the record.

14 COUNCILMAN COHEN: The Chair will so
15 order that the School District's testimony --
16 there's no one present here for the School District?

17 COUNCILMAN ORTIZ: They give a sample of
18 the kinds of materials that they could purchase
19 jointly with the City such as fuel, Diesel No. 2;
20 antifreeze; refrigerant gases; infield soil mix;
21 lubricating oil and greases; electric motor repair;
22 forklift repair. These are just examples of things
23 that they could purchase.

24 COUNCILMAN COHEN: Maybe this will begin
25 leading the City in the opposite direction.

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2 Everything seems to be twice and three times as
3 expensive if the City does as when individuals do
4 it. This is going in a healthy direction to lower
5 the costs, so we're very grateful to the
6 Commissioner and Councilwoman Reynolds Brown and
7 School District for their coming up with this
8 notion.

9 Is there anybody else to be heard?

10 (No response.)

11 COUNCILMAN COHEN: We understand the
12 School District was unable to send a person today,
13 but we have the written testimony. It will be
14 incorporated. The reason for their not being able
15 to appear was because there's a current meeting
16 ongoing of the School Reform Commission and the
17 services of the people that were involved in this
18 matter were needed at that meeting.

19 If there are no further witnesses, the
20 public hearing on this matter will be recessed --
21 let me just make this one mention. There will be
22 some action either at the first meeting when Council
23 returns from its summer recess in September. What
24 we can do at this meeting is to give Committee
25 approval and move to suspend the rules so that the

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2 meeting tomorrow, there will be the first reading.

3 When we get back in September the Bill -- we can

4 pass the Resolution tomorrow, but as far as the Bill

5 is concerned, the Bill will have to wait for action

6 in September. But we will be making the deadline to

7 permit this to be on the November ballot.

8 The Chair announces that Councilwoman

9 Blackwell is also here. She's the Majority Leader

10 of Council. We're very pleased at this large

11 attendance today before Council gets away for its

12 summer recess.

13 The public hearing is now recessed.

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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC MEETING
COMMITTEE ON LAW AND GOVERNMENT

- - -

Wednesday, June 11, 2003

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Public Meeting conducted by the
Committee on Law and Government, held in Room 696,
City Hall, Philadelphia, Pennsylvania, on the above
date, to consider action on the following:

BILL 030342.
RESOLUTION 030359.

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PRESENT:

COUNCILMAN DAVID COHEN, Chair
COUNCILMAN ANGEL ORTIZ, Vice Chair
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN RICHARD MARIANO
COUNCILMAN FRANK RIZZO
COUNCILWOMAN JANNIE BLACKWELL

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2 COUNCILMAN COHEN: We will go in our
3 public meeting. The quorum consist of the same 6
4 members, 2 more than necessary for a quorum.

5 The Chair recognizes Reynolds Brown for
6 a motion to approve both the Resolution and then
7 separately we'll do the ordinance.

8 COUNCILWOMAN BROWN: Thank you, Mr.
9 Chairman. I make a motion the Bill and the
10 Resolution be moved out of Committee with a
11 favorable recommendation.

12 (Duly seconded.)

13 COUNCILMAN COHEN: And with a suspension
14 of the Rules?

15 COUNCILWOMAN BROWN: With a suspension
16 of the Rules to allow first reading at the next
17 Session of Council.

18 COUNCILMAN COHEN: Is there a second?

19 COUNCILMAN ORTIZ: Second.

20 COUNCILMAN COHEN: Any discussion?

21 (No response.)

22 COUNCILMAN COHEN: If not, all in favor
23 please say aye.

24 (Aye.)

25 COUNCILMAN COHEN: Any opposed?

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2 (No response.)

3 COUNCILMAN COHEN: The ayes have it and
4 the Resolution will be reported out for action
5 tomorrow at the Council meeting. The Bill will be
6 reported out with a favorable recommendation and
7 with a request for a suspension of the Rules to
8 permit first reading at tomorrow's Council meeting.

9 Thank you. No further business, the
10 Committee is adjourned.

11 COUNCILWOMAN BROWN: Thank you, members.

12 (Council adjourned at 1:40 p.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of June 11, 2003, were reported fully
and accurately by me, and that this is a correct
transcript of the same.

RE: COMMITTEE ON LAW AND GOVERNMENT

Lisa C. Bradley, RPR
and Notary Public