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COUNCIL OF THE CITY OF PHILADELPHIA

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COMMITTEE ON COMMERCE AND ECONOMIC

4

DEVELOPMENT

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, March 4, 2009
9:30 a.m.

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PRESENT:

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COUNCILMAN W. WILSON GOODE, JR., CHAIR

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COUNCILMAN BILL GREEN

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COUNCILWOMAN MARIA QUINONES-SANCHEZ

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COUNCILWOMAN BLONDELL REYNOLDS BROWN

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BILL 090095 - An ordinance amending Title 17
of The Philadelphia Code, entitled "Contracts
and Procurement," by creating new requirements
relating to the submission of an Economic
Opportunity Plan.

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V A R A L L O Incorporated

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Litigation Support Services

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Eleven Penn Center

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1835 Market Street, Suite 600

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Philadelphia, Pennsylvania 19103

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215.561.2220 215.567.2670

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COUNCILMAN GOODE: Good

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morning. This hearing is called to

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order. This is a public hearing of the

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Commerce and Economic Development

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Committee on Bill No. 090095. My name is

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W. Wilson Goode, Jr., Chair of the

8

Committee.

9

I note that a quorum is

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present. To my immediate left is

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Councilwoman Blondell Reynolds Brown,

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Vice-Chair of the Committee. To her left

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is Councilman Bill Green, and to my right

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is Councilwoman Maria Quinones-Sanchez.

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The title of Bill No. 090095,

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amending Title 17 of The Philadelphia

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Code, entitled "Contracts and

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Procurement," by creating new

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requirements relating to the submission

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of an Economic Opportunity Plan.

21

Our first witness will be

22

Michael Bell of the Office of Economic

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Opportunity.

24

(Witnesses approached witness

25

table.)

1 3/4/09 - COMMERCE - BILL 090095

2 MR. BELL: Good morning,
3 Councilman Goode.

4 Good morning, Councilman Goode
5 and members of the Committee on Commerce
6 and Economic Development. I am Michael
7 Bell, Executive Director of the Office of
8 Economic Opportunity. I am prepared to
9 give testimony in support of Bill No.
10 090095, which amends Section 17-1600 of
11 The Philadelphia Code, "Economic
12 Opportunity Plans."

13 This bill would require a
14 contractor or developer to include a
15 statement of its diversity track record
16 in its Economic Opportunity Plan. An
17 assessment of the developer's past
18 practices is helpful in several ways.
19 First, by understanding the developer's
20 methods and strategies for achieving
21 diversity within its corporate structure
22 and in its employment, contracting and
23 purchasing decisions, it enables the
24 Office of Economic Opportunity and
25 Council to appropriately tailor the

1 3/4/09 - COMMERCE - BILL 090095

2 Economic Opportunity Plan for the City's
3 project and determine realistic
4 benchmarks. At the same time, if we
5 believe the developer's past efforts at
6 fostering inclusion are weak, this review
7 provides an opportunity for OEO to
8 recommend practices that will improve the
9 developer's diversity profile.

10 In fact, the Office of Economic
11 Opportunity has already begun eliciting
12 this type of information to support EOP
13 development. Knowledge of how a
14 developer already conducts business
15 within M/W/DSBEs is critical to creating
16 new business opportunities. Knowledge of
17 the developer's employment practices is
18 also imperative for the establishment of
19 workforce goals in connection with the
20 project. The developer's private and
21 public-sector conduct should be examined.
22 By requiring the developer to provide the
23 demographics of its Board and managerial
24 positions, there is public examination
25 and accountability for the developer's

1 3/4/09 - COMMERCE - BILL 090095

2 corporate and hiring policies.

3 The Office of Economic
4 Opportunity's ability to independently
5 verify the developer's required statement
6 and representations may be limited by
7 staff resources. The prototype Plan
8 does, however, include a provision
9 warning the developer that its
10 representations are subject to the
11 Pennsylvania unsworn falsification law.
12 Further, the Office of Economic
13 Opportunity is prepared to undertake
14 necessary follow-up with the developer as
15 requested by Council.

16 I believe this amendment will
17 foster a beneficial relationship between
18 the developer and City as it creates an
19 additional avenue of communication and
20 exchange of information.

21 There will be one suggestion
22 that I would have for the amendment, is
23 that DBE as it is represented in the
24 amendment be changed to include M/W/DSBE,
25 because the DBE language as it is

1 3/4/09 - COMMERCE - BILL 090095

2 presently in the amendment connotes
3 federal funding, and with the fact that
4 we're talking about City-sponsored
5 projects, I think we should actually just
6 update the amendment to include that.

7 And then, finally, thank you
8 for inviting me to provide testimony, and
9 I am happy to answer any questions that
10 you may have.

11 COUNCILMAN GOODE: Thank you
12 for your testimony, Mr. Bell. Just a few
13 questions for the record.

14 One, in your testimony, you
15 state that your office is actually moving
16 toward this practice anyway?

17 MR. BELL: Yes.

18 COUNCILMAN GOODE: How exactly
19 were you planning on implementing that
20 practice?

21 MR. BELL: On the Verizon
22 project, we're actually obtaining
23 information on Verizon's past practices,
24 and then actually we're going to be
25 looking at meeting with them now so we're

1 3/4/09 - COMMERCE - BILL 090095

2 getting open information about how to
3 proceed on the FiOS project.

4 We have the Motorola Economic
5 Opportunity Plan right now, and this
6 comes at a good time, because we're
7 actually working on referring additional
8 opportunities and additional firms to
9 Motorola. So if this actually becomes
10 law, then we can actually require
11 Motorola to give us information.

12 The biosolids project with
13 Synagro, we've been meeting with them.
14 We have an oversight committee comprised
15 of various City departments, and they've
16 been open.

17 So, like I said, the Economic
18 Opportunity Plans, as they have been set
19 up now, have actually enabled us to sit
20 down with people that are doing business
21 with the City to get this information.
22 And then the Youth Study Center, which is
23 coming up now, we're working on their
24 Economic Opportunity Plan, and we should
25 be able to get information from the

1 3/4/09 - COMMERCE - BILL 090095

2 contractors. On that project right now
3 we do have a certified firm that is the
4 construction manager. They would be a
5 prime candidate to get this kind of
6 information, but then the other
7 contractors who will win awards there
8 will be required to give us this kind of
9 information.

10 COUNCILMAN GOODE: Thank you.

11 Also, in your former capacity
12 on housing projects, you did require this
13 type of information?

14 MR. BELL: Yes. When I was at
15 the Redevelopment Authority as Director
16 of Minority and Women's Business
17 Development there, the Board of Directors
18 required information on a developer's
19 past three projects or on a contractor's
20 past three projects, and this information
21 really focused the Board, the staff at
22 the RDA and also the contractors and
23 developers to make sure that we were
24 getting pertinent information. And there
25 were at least two or three contractors

1 3/4/09 - COMMERCE - BILL 090095

2 that didn't win projects because they had
3 no record of diversity or their records
4 were poor.

5 So if everybody is focused and
6 they know coming to the City of
7 Philadelphia that we're going to be
8 looking for this kind of information,
9 then I think it creates the synergy that
10 we need that everybody is on the same
11 page and not just talking about diversity
12 but actually doing it.

13 COUNCILMAN GOODE: Just,
14 lastly, two more questions. One, so it
15 is your understanding that this is
16 basically best practices that are
17 actually implemented in other places and
18 actually have been implemented here, so
19 this amendment is essentially formalizing
20 as part of the Economic Opportunity Plan?

21 MR. BELL: Yes.

22 COUNCILMAN GOODE: And at what
23 point is the Economic Opportunity Plan
24 made public?

25 MR. BELL: I think when a

1 3/4/09 - COMMERCE - BILL 090095

2 project comes to Council. Because, like
3 I said, we had started to put together
4 the Motorola Economic Opportunity Plan.
5 The ordinance had already been presented
6 to Council and we noticed that they
7 didn't have an Economic Opportunity Plan.
8 So we're developing that now. And then I
9 think we got an e-mail yesterday from
10 someone from Public Property that we need
11 to actually finish up that Economic
12 Opportunity Plan. So we're tweaking that
13 information now just to go in conjunction
14 with what we have with the Plan.

15 COUNCILMAN GOODE: And when
16 that information is publicly available,
17 where is it publicly available?

18 MR. BELL: I guess I would have
19 to work that out with you, but the
20 depository can actually be at the Office
21 of Economic Opportunity. So if someone
22 makes a request from us, according to the
23 Sunshine Act, we would have the
24 information in our office, but we would
25 share it with appropriate Councilmembers

1 3/4/09 - COMMERCE - BILL 090095

2 as needed.

3 COUNCILMAN GOODE: Thank you.

4 Any questions from other
5 members of the Committee?

6 Councilwoman Blondell Reynolds
7 Brown.

8 COUNCILWOMAN BROWN: Good
9 morning.

10 MR. BELL: Good morning.

11 COUNCILWOMAN BROWN: Much
12 attention has been given to the rollout
13 of the Penn's Landing development
14 project. Is your office already involved
15 with what the Mayor is discussing?

16 MR. BELL: No. I have not
17 received anything about any developments
18 on Penn's Landing. Maybe Commerce has.

19 MR. DOW: We're right at the
20 beginning of that, and I would anticipate
21 that we would involve, as we move forward
22 with some of the development initiatives
23 that are occurring down at the Penn's
24 Landing, that we would involve Michael's
25 world, the Office of Economic

1 3/4/09 - COMMERCE - BILL 090095

2 Opportunity, in developing EOPs for any
3 of those contractors that are selected
4 for whatever projects. I think we're too
5 early in the stages in this regard to
6 have Michael involved, but would be at
7 some point in time.

8 And, by the way, my name is
9 Kevin Dow, just for the record, Deputy
10 Commerce Director for the Office of
11 Neighborhood and Business Services.

12 COUNCILWOMAN BROWN: Some might
13 debate the timing on whether or not it's
14 too early, because what I've learned in
15 the nine years here is that if you're not
16 at the door when the seed is planted,
17 then you look up and the tree has grown.

18 So I would suggest and urge you
19 to get your arms around that now, because
20 there have been too many instances, as I
21 said, where the papers are signed,
22 contracts are negotiated in whatever way
23 they are and now this side of the table
24 is asking about the EOP and we've missed
25 the opportunity.

1 3/4/09 - COMMERCE - BILL 090095

2 So I would urge you to look at
3 that earlier, given what I've experienced
4 since I've been here.

5 MR. DOW: Okay.

6 COUNCILWOMAN BROWN: Thank you
7 very much.

8 MR. DOW: Thank you.

9 MR. BELL: Thank you,
10 Councilwoman.

11 COUNCILMAN GOODE: Any
12 questions from other members of the
13 Committee?

14 (No response.)

15 COUNCILMAN GOODE: Seeing none,
16 thank you.

17 MR. BELL: Thank you,
18 Councilman.

19 COUNCILMAN GOODE: Our next
20 witness is A. Bruce Crawley, Millennium 3
21 Management.

22 (Witness approached witness
23 table.)

24 COUNCILMAN GOODE: Good
25 morning, Mr. Crawley.

1 3/4/09 - COMMERCE - BILL 090095

2 MR. CRAWLEY: Good morning,

3 Mr. Chairman, members of Council.

4 I have copies of the testimony.

5 Do I need to share them now?

6 COUNCILWOMAN SANCHEZ: Yes.

7 MR. CRAWLEY: It's three pages

8 each -- sorry; two and an eighth.

9 COUNCILMAN GOODE: Please
10 proceed with your testimony.

11 MR. CRAWLEY: Good morning.

12 I'm here to express my unqualified
13 support for City Council Bill No. 090095,
14 which would amend and expand the types of
15 information required from bidders that
16 submit Economic Opportunity Plans for
17 City of Philadelphia-related contracts.

18 The bill's intent to seek
19 statements from bidders on municipal
20 contracts that summarize the bidder's
21 past diversity-related practices,
22 policies, organizational structures and
23 Board composition is, in my opinion, a
24 logical extension of the original
25 Economic Opportunity Plan concept and

1 3/4/09 - COMMERCE - BILL 090095

2 will be an extremely useful tool for
3 growing and managing the City's economy.

4 The bill, in my opinion, would
5 assist the City in achieving several
6 desirable objectives. First, it will
7 reaffirm the City's commitment to
8 supplier diversity, which I think is
9 needed.

10 Second, at a time when
11 government "direct-spends" with all
12 firms, regardless of race, ethnicity and
13 gender, will undoubtedly be reduced
14 through new deficit-related expense
15 control measures, it will enable the
16 municipal government to leverage its own
17 minority and female business inclusion
18 initiatives through the purchasing
19 patterns of participating private-sector
20 firms. Such firms, as a result of the
21 passage of the proposed bill, will
22 arguably begin to be much more attentive
23 to their own supplier diversity programs
24 and to document them for their own
25 internal use and for submission as part

1 3/4/09 - COMMERCE - BILL 090095

2 of future EOPs.

3 If effectively implemented,
4 therefore, the new bill will assist in
5 establishing a more inclusive procurement
6 culture among leading private-sector
7 businesses and organizations that operate
8 throughout the City and the region.

9 Here's a concern, however:

10 While it is not absolutely clear in the
11 bill's language, I do sincerely hope that
12 No. 090095 and its requirement for
13 amended Economic Opportunity Plans will
14 also be specifically extended into
15 contracts the City lets to not-for-profit
16 and human service agencies, which, as you
17 are well aware, constitute the vast
18 majority of municipal contract revenues,
19 but have curiously carried no mandate for
20 supplier diversity in a city 61 percent
21 comprised of African Americans, Hispanics
22 and Asians. In fact, as you are also
23 aware, such contracts historically have
24 not even been included in minority
25 business reports generated by the former

1 3/4/09 - COMMERCE - BILL 090095

2 MBEC agency, and their minority
3 participation levels, if any, have not
4 been included in recent municipal
5 contract disparity studies. That should
6 certainly be rectified sooner rather than
7 later and perhaps through this very piece
8 of legislation.

9 In addition, while there has
10 been much public discussion about the
11 relatively poor track record for
12 inclusion of minority and female firms in
13 municipal contracts, there has been
14 virtually no public discussion about the
15 fact that the City's private-sector
16 supplier diversity initiatives, with only
17 a few notable exceptions, have been
18 arguably even worse than the municipal
19 government's effort in that regard. The
20 issue is all the more important when we
21 realize that the City government's
22 procurement budget constitutes just a
23 small percentage of local private-sector
24 expenditures.

25 As a case in point, a 2007

1 3/4/09 - COMMERCE - BILL 090095

2 special Census Bureau tabulation of the
3 most recently available economic census
4 data indicated that the number of
5 minority firms in Philadelphia increased
6 by 31 percent from 1997 to 2002, as
7 compared to 23 percent increase for all
8 firms across the board.

9 It further pointed out,
10 however, that for the
11 Pennsylvania/Jersey/Delaware/Maryland
12 combined statistical area, minority firms
13 shared in just 1.4 percent of the \$619
14 billion spent in the region.

15 It also disclosed that while
16 gross receipts for Asian firms increased
17 by 48 percent over the period, the
18 increase for Hispanic firms was eight
19 percent and for African American firms
20 just two percent over a five-year period.

21 Clearly, a great deal of
22 disparity still exists in our local
23 economic infrastructure, and a great deal
24 of focused work still remains to be done
25 in those economically marginalized

1 3/4/09 - COMMERCE - BILL 090095

2 communities if we expect our local
3 economy to create jobs and to help us to
4 withstand the current national economic
5 crisis.

6 What is also especially
7 important about the proposed bill is that
8 over time it will finally provide a
9 database that will enable Philadelphia's
10 Municipal Procurement Department to
11 measure, in a more effective way, the
12 broad economic impact and multiplier
13 effect of each dollar spent by the City.

14 It has long been our contention
15 that every purchase decision, whether it
16 be made by individuals, private companies
17 or governments, is also an economic
18 decision. Our country's recent
19 over-dependence on outsourced
20 manufactured goods and services and the
21 related disastrous impact on the nation's
22 jobs and economic health has constituted
23 clear evidence of that.

24 In our own small way, as a
25 microcosm of national procurement

1 3/4/09 - COMMERCE - BILL 090095

2 practices, we have been content to
3 measure local and municipal procurement
4 activities only as a fiscal
5 accountability, without regard for its
6 local economic impact.

7 As long as the purchases have
8 been done within the prescribed budget,
9 we've believed that the procurement
10 function was doing all that was
11 reasonably expected of it. We now know
12 that such an approach has wreaked havoc
13 on our national economy, contributing
14 directly to rapidly growing unemployment
15 levels across the country.

16 While fiscal accountability for
17 procurement will still be very much
18 intact with the proposed EOP amendments,
19 the City of Philadelphia will also be
20 able to measure how its bidding processes
21 and procurement activities have impacted
22 levels of inclusion, local company
23 management profiles, ownership structures
24 and residential employment levels in both
25 the public and private sectors.

1 3/4/09 - COMMERCE - BILL 090095

2 In summary, this bill is not
3 just the right step for the City because
4 it will help create a more inclusive
5 business culture and encourage public and
6 private-sector local employment, it also
7 represents a quantum leap forward in the
8 creation of data that can help the City
9 manage and grow its own economy as a
10 partner with local business leadership.

11 Thank you.

12 COUNCILMAN GOODE: Thank you
13 for your testimony, Mr. Crawley.

14 Are there questions from
15 members of the Committee?

16 Councilwoman Brown.

17 COUNCILWOMAN BROWN: Yes.

18 Thank you.

19 Good morning. I want to say
20 thank you for putting on the record again
21 the fact that you are correct, too often
22 the not-for-profit sector has been either
23 inadvertently or not discussed at these
24 tables. Councilwoman Marian Tasco and I
25 observed that during DHS hearings over

1 3/4/09 - COMMERCE - BILL 090095

2 the last couple of years, with the
3 millions of dollars that they subcontract
4 out to not-for-profit, what is their
5 track record, if you will, when it comes
6 to dealing with women and businesses --
7 minority businesses and women.

8 So this is important and we do
9 need to do what we need to do on this
10 side of the table to make sure
11 not-for-profits aren't excluded from the
12 discussion.

13 Thank you.

14 COUNCILMAN GOODE: Councilwoman
15 Sanchez.

16 COUNCILWOMAN SANCHEZ: What
17 will you see -- because I was asking
18 Councilman Goode, who has led the effort
19 in here -- the whole issue -- and I'm
20 going to ask Kevin and Michael to
21 respond -- around if we were to
22 incorporate non-profits and others, how
23 do they see their offices playing a role,
24 what their current role is and how they
25 see playing their role. What do you

1 3/4/09 - COMMERCE - BILL 090095

2 think -- how do you see us implementing
3 this across the board?

4 MR. CRAWLEY: I really don't
5 understand what the impediment has been
6 heretofore. I don't know why they simply
7 haven't been included. A lot of it is
8 no-bid work, so -- and the shame of it is
9 that we're here talking about this EOP
10 process and the bid process. Well, that
11 only constitutes about 25 percent of the
12 City's spend. About 75 percent of the
13 City procurement is done away from that,
14 and all the tracking that MBEC has done
15 has historically not even included those
16 data.

17 So I don't know what the reason
18 is that they have been excluded, but --

19 COUNCILWOMAN SANCHEZ: I think
20 your point is that a lot of it is no-bid
21 work.

22 MR. CRAWLEY: That's right.

23 COUNCILWOMAN SANCHEZ: But as I
24 was discussing with my Council
25 colleague -- and I'd like for Kevin and

1 3/4/09 - COMMERCE - BILL 090095

2 Michael to come back up to the stand,
3 because there's close to \$2 billion, a
4 billion dollars in DHS and the Health
5 Department and a billion dollars at CBH,
6 in contracting that's done. So I do want
7 to ask the question for the record, and
8 if my --

9 MR. CRAWLEY: Councilwoman,
10 even if it's not bid work, you can
11 consider who the finalists are that you
12 give a no-bid contract to based on
13 whether or not they're a part of the
14 City's overall economic agenda, and if
15 they don't want to participate or play to
16 help create jobs in a focused way, then
17 that should count for something one way
18 or the other.

19 COUNCILWOMAN SANCHEZ: Right.
20 Well, thank you for bringing that up.
21 And if my Chairman would indulge me, I'd
22 like to get on the record for my
23 purposes --

24 COUNCILMAN GOODE: Mr. Bell and
25 Mr. Dow.

1 3/4/09 - COMMERCE - BILL 090095

2 COUNCILWOMAN SANCHEZ: --

3 Mr. Bell and Mr. Dow to talk about how
4 they would see that being implemented and
5 we could have a further discussion about
6 that.

7 (Witnesses approached witness
8 table.)

9 COUNCILWOMAN BROWN:

10 Mr. Chairman, I might also say, Mr. Bruce
11 Crawley, that this similar issue has been
12 raised with the Law Department, and I've
13 had -- I'm still actually doing homework
14 around this same issue and what happens
15 with how the Law Department does this
16 type of business with law firms in the
17 City and what their offices look like
18 when it comes to the City being
19 representative.

20 Thank you.

21 MR. BELL: When I was at the
22 Office of Housing, which also distributes
23 a lot of non-profit contracts, we started
24 to coordinate with MBEC, because MBEC for
25 approximately two years had requested

1 3/4/09 - COMMERCE - BILL 090095

2 information regarding non-profits. Their
3 first attempts were to try to find out
4 the Board makeup of non-profits, and in
5 many situations, because the Board wasn't
6 made up of minority members, we wouldn't
7 be able to count them.

8 But what happens is, we had
9 large contracts, like the Horticultural
10 Society and others, which were getting \$4
11 to \$5 million a year classified as
12 non-profits and we made those
13 organizations start to report. At first,
14 they didn't want to, because they weren't
15 made to report. But, like I said, we are
16 aware of with the non-profits what they
17 have to do, and a lot of times the City
18 contracts are maybe 60 to 70 percent of
19 their whole entire budget. So it's just
20 do we want to take the time to make them
21 report? And now is an excellent time,
22 because as we're coming to the end of
23 this fiscal year, before we start Fiscal
24 Year '10 in July 1, if that's the
25 pleasure of Council, then all we have to

1 3/4/09 - COMMERCE - BILL 090095

2 do is make the people report. Because we
3 have. Like I said, and they do need
4 those contracts. They have people, they
5 have salaries they have to pay. And if
6 we need to report where their purchases
7 are going and then what their efforts are
8 made in terms of inclusion, it's all what
9 we want to do.

10 But then, once again, like I
11 said, it's about the staffing issue,
12 because it's a large amount of
13 information that has to be required from
14 these organizations, and we've all taken
15 hits budget-wise and staff-wise, but if
16 there was some impetus to do it, we could
17 certainly do it.

18 COUNCILWOMAN SANCHEZ: What was
19 the change between when they first
20 started reporting and as the years moved
21 forward? Were they required to do any
22 EOP plans and did you see a dramatic
23 change in where they were purchasing?

24 MR. BELL: Well, the
25 non-profits were not required to do EOP

1 3/4/09 - COMMERCE - BILL 090095

2 plans. Like I said, we were signing
3 economic development contracts when I was
4 at the Office of Housing for -- like the
5 Enterprise Center is doing a culinary
6 institute, or Mount Airy USA, they're
7 doing some housing development, and we
8 required information from those
9 organizations. They had to give it up.
10 But, like I said, there are so many
11 different contracts for the non-profits,
12 it's just how do we want to focus our
13 energy to make sure that we're getting
14 the information that's out there.
15 Because, like I said, MBEC at a certain
16 point in time was requiring the
17 information, and I know the Office of
18 Housing at the time, we were cooperating,
19 but then they just stopped that effort.
20 So the effort just stopped altogether.
21 If we need to reinstitute that, we can
22 work with the Commerce Department to make
23 sure that we can get this information.

24 COUNCILMAN GOODE: Before
25 Mr. Dow comments, I know he wants to

1 3/4/09 - COMMERCE - BILL 090095

2 comment, but I will also say that as part
3 of the annual disparity study and
4 participation goals that are set, we did
5 make sure, with Mr. Crawley's assistance,
6 back then that we included a goal for
7 non-profit contracting. And so we're
8 actually expecting to look at that annual
9 report to see whether that number is real
10 and whether it's moving and whether we're
11 moving forward on that issue. But we did
12 actually begin that process a couple of
13 years ago of actually requiring a goal
14 and requiring reporting around it to some
15 extent.

16 Mr. Dow.

17 MR. DOW: I'd formally say I
18 would agree with Michael 100 percent. I
19 think that he's right on point with his
20 comments.

21 I would add that with a couple
22 of examples of how we begun to look at
23 non-profits and looking at what we spend
24 through the City Commerce Department, the
25 Cultural and Commercial Corridor Bond

1 3/4/09 - COMMERCE - BILL 090095

2 programs, we ask all of those
3 organizations now to submit EOPs, and
4 we're working with them. So that's part
5 of that process, as a good many of those
6 are non-profit organizations.

7 In the past, I believe what we
8 have focused on is a focus on the
9 composition of staff and Boards. While
10 important, I believe it is not up to us
11 as the City to qualify or certify Boards'
12 positions. Now, we can find that
13 information. What we want to do as a
14 city, if we give a contract to a
15 non-profit, we want to see where they are
16 spending their dollars. Michael
17 mentioned some of these organizations,
18 60, 70 percent of their revenue is from
19 the City. Well, then as a result of
20 that, you can make a fair assessment that
21 a good portion of that revenue is being
22 spent on operating activity, so buying
23 the pencils, buying the paper and things
24 of that nature. That is where we want to
25 see if they are indeed engaging some of

1 3/4/09 - COMMERCE - BILL 090095

2 these minority, women and disabled-owned
3 companies. If we can find that
4 information, which we are beginning to do
5 and we'll look to do in the future, with
6 Michael's leadership, with your urging,
7 of course, with the requirements under
8 the disparity study, we will begin to
9 find that information out and then be
10 able to judge our progress or the lack
11 thereof.

12 COUNCILMAN GOODE: Councilwoman
13 Brown.

14 COUNCILWOMAN BROWN: Yes. I
15 have a follow-up.

16 And it's aggravated even more
17 when you discover anecdotes where not
18 only are they not doing business with
19 MBE/WBEs, but they're sending those
20 contracts outside the City of
21 Philadelphia to counties, period. So
22 there's several layers of this
23 not-for-profit world where there's
24 opportunity for us to fix.

25 MR. DOW: I think the

1 3/4/09 - COMMERCE - BILL 090095

2 philosophy or the -- I'll call it the
3 philosophy, but in the past has been that
4 we would not hold accountable
5 non-profits -- and this is what has
6 changed in this Administration -- is, we
7 would not hold accountable non-profits
8 because they're, quote/unquote,
9 non-profit business or they're
10 non-profits, and we are taking a
11 different perspective from that. We are
12 taking that they are indeed businesses,
13 just non-profits, and that if we look at
14 them in a different way and emphasizing
15 the world that spends most of that money,
16 the health world and that community
17 within the City, we will be able to
18 figure out how we can engage those
19 organizations around tracking their
20 spending habits.

21 COUNCILMAN GOODE: I know
22 Mr. Crawley has another commitment. Are
23 there any more questions for Mr. Crawley
24 specifically?

25 (No response.)

1 3/4/09 - COMMERCE - BILL 090095

2 COUNCILWOMAN BROWN: Thank you.

3 COUNCILMAN GOODE: Thank you.

4 MR. CRAWLEY: Thank you very
5 much.

6 COUNCILMAN GOODE: Thank you.

7 Is there anyone else to testify
8 on this bill?

9 (No response.)

10 COUNCILMAN GOODE: Seeing none,
11 we will move from a public hearing into a
12 public meeting to consider Bill No.
13 090095.

14 The Administration's testimony
15 has suggested that we amend the bill to
16 change DBE to M/W/DSBE and to change DBEs
17 to M/W/DSBEs, and I'm circulating an
18 amendment to members of the Committee
19 making those changes in the portion of
20 the bill where that is required.

21 So I will now recognize
22 Councilwoman Blondell Brown for a motion
23 on the amendment to Bill No. 090095.

24 COUNCILWOMAN BROWN: Surely,
25 Mr. Chairman. I move that Bill No.

1 3/4/09 - COMMERCE - BILL 090095

2 090095 be amended as stipulated by the
3 Chairman.

4 COUNCILMAN GOODE: Do I hear a
5 second?

6 (Duly seconded.)

7 COUNCILMAN GOODE: All in
8 favor?

9 (Aye.)

10 COUNCILMAN GOODE: Those
11 opposed?

12 (No response.)

13 COUNCILMAN GOODE: The Chair
14 now recognizes Councilwoman Reynolds
15 Brown for a motion on Bill No. 090095 as
16 amended.

17 COUNCILWOMAN BROWN:
18 Mr. Chairman, I move that Bill No. 090095
19 be amended and moved out of Committee
20 with a favorable recommendation and
21 further move that the rules of Council be
22 suspended so as to permit first reading
23 at the next session of City Council.

24 (Duly seconded.)

25 COUNCILMAN GOODE: All in

1 3/4/09 - COMMERCE - BILL 090095

2 favor?

3 (Aye.)

4 COUNCILMAN GOODE: Those

5 opposed?

6 (No response.)

7 COUNCILMAN GOODE: Bill No.

8 090095, as amended, is reported out of

9 Committee with a favorable recommendation

10 and a rules suspension.

11 This concludes our public

12 meeting. Thank you very much.

13 (Committee on Commerce and

14 Economic Development concluded at 9:55

15 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on March 4, 2009, and that

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this is a true and correct transcript of same.

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MICHELE L. MURPHY

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RPR-Notary Public

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